



## VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING  
243 MAIN STREET, JOHNSON CITY, NY 13790

[www.villageofjc.com](http://www.villageofjc.com)

### Village Board

Gregory Deemie, Mayor  
Bruce King, Deputy Mayor

Richard Balles, Trustee                      Clark Giblin, Trustee                      John Walker, Trustee

---

### Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, December 4, 2018 in the Municipal Building, 243 Main Street, Johnson City

Present:                      Gregory Deemie, Mayor  
                                    Bruce King, Deputy Mayor  
                                    Clark Giblin, Trustee  
                                    John Walker, Trustee  
                                    Richard Balles, Trustee

Absent:                      None

Also Present: Cheryl Sacco, Legal Counsel  
                                    Cindy Kennerup, Clerk/Treasurer

Mayor Deemie called the meeting to order at 7:30pm, led the Pledge of Allegiance and noted the fire exits.

#### **MAYOR'S ANNOUNCEMENTS**

- [1]     The Lights on the Carousel will continue December 7<sup>th</sup>, 8<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> from 5pm – 8pm each evening.
- [2]     The next Binghamton-Johnson City Joint Sewage Board Meeting will be Tuesday, December 11, 2018 at 3:00pm at Johnson City Village Hall.
- [3]     The Johnson City Electrical Board Meeting will be held on Tuesday, December 11, 2018 at 7:00pm at Johnson City Village Hall, Second Floor Board Room.
- [4]     The Broome County Association of Towns & Village's Holiday Party will be held on Thursday, December 13, 2018 at 6:00pm at Riverdale Banquet Hall, 2901 Watson Blvd, Endwell.
- [5]     The next regular Village Board Meeting will be Tuesday, December 18, 2018 at 7:30pm with a work session at 5:30pm.

**APPROVAL OF BOARD MINUTES**– None

**BIDS**– None

## **PUBLIC HEARINGS**

[1] Local Law Amending Chapter 300 of the Village Code Entitled ‘Zoning’  
Mayor Deemie opened the public hearing.

Attorney Sacco explains this inserts some language that allows other commercial and general uses except those prohibited under certain circumstances. Upon the finding by the planning board that the use is the same of general character as those permitted won’t be detrimental to other uses of the district or adjoining land uses that the planning board will issue a special permit and the site plan will also be issued. We are allowing the planning board a little flexibility so businesses can flourish.

*Martin Meaney, Weymouth Lane* – How often has this been an issue?

Attorney Sacco states we have had two issues in the last six months and there have been older issues also. An example is the Gander Mountain building is limited. People are interested in other uses, but our zoning code doesn’t allow it. Mayor Deemie discussed this with the owner of Gander Mountain he is for this change.

Mayor Deemie closed the public hearing.

[2] Local Law Amending Chapter 264 of the Village Code entitled “Vehicles & Traffic”

Mayor Deemie opened the public hearing.

Mayor Deemie states when we redid Lester Ave. and Zoa Ave., they used 112 and it should have been 172.

*Resident, Floral Ave* - It is impossible to pull over when you are picking up or dropping someone off. The man is handicapped and I have to park three blocks away. There is a bus stop there.

Mayor Deemie closed the public hearing.

[3] Local Law Amending Chapter 236 of the Village Code entitled “Solid Waste”

Mayor Deemie opened the public hearing.

Mayor Deemie states that in regards to these next three local laws, typically when we make a change we have to hold a public hearing, change a local law and this will allow the Board to change this by resolution instead of holding a public hearing.

Mayor Deemie closed the public hearing.

[4] Local Law Amending Chapter 270 of the Village Code entitled “Water”

Mayor Deemie opened the public hearing.

*Resident, Floral Ave* – is this in relation to people’s accessibility?

Mayor Deemie explains this in regards to the cost of water. What we charge to the residents for their usage.

Mayor Deemie closed the public hearing.

[5] Local Law Amending Chapter 222 of the Village Code entitled “Sewers and Sewage Disposal”

Mayor Deemie opened the public hearing.

Mayor Deemie closed the public hearing.

**PETITIONS RECEIVED** – None

**PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the first privilege of the floor.

*Resident, Floral Ave* – The Village is targeting the wrong people with the water shut offs, but punishing the tenants. There were no changes in communication since the last bills went out. The bill doesn't go to the correct address.

Mayor Deemie agrees we need to communicate better. We are looking into e-billing. When the buildings are posted, the tenants do have the right to pay the bill or change the billing to their information.

*Sandy McKella, San Marco Dr.* – Regarding garbage cans – she states she received stickers because the cans are over the 32 gallon cans. She has used hers for over a year. Her son is also getting stickers and he purchased his in the summer. Willing to bet there are more cans over 32 gallons and 32 gallons.

Mayor Deemie explains it is based on Workman's Compensation and they are not allowed to go over 50 pounds because of risk of injuring themselves. Our code calls for cans not over 32 gallons. People are now filling them to the top and it is a danger to our men. We are trying to address this.

*Jean Brennan, Virginia Ave.* – Is there a problem with the people that have the heavier cans that the driver can't get out and help pick if there is a larger can?

Mayor Deemie understands the situation and will address it with DPW.

*Laurleen Crampton, Riverside Drive* – Went to Home Depot and looked at all the cans and she has to have a can with wheels. The smaller ones that have wheels are not going to last and she bought a bigger one that is going to last.

Mayor Deemie understands the situation and will address it with DPW.

*Julie Deemie, Zoa Ave* – Water posting for water shut-offs. She has a relative that lives in an apartment complex in JC and they have been posted twice. Every tenant knows it has been posted

for water shut-off. Part of their rent is for water and the landlord is harboring their money that is supposed to be used for their rent. That is illegal. The second posting, someone came around and pulled off the signs so none of the tenants saw them.

Mayor Deemie closed the first privilege of the floor.

**COMMUNICATIONS** – None

**COMMITTEE/BOARD REPORTS**

A motion to accept and file the following Committee/Board Reports was made by Trustee King and seconded by Trustee Balles. The motion carried with all those present voting in the affirmative.

- [1] Minutes of the November 20, 2018 Town of Union Board Meeting
- [2] DPW Committee Report dated December 4, 2018

**DEPARTMENT REPORTS**

A motion to accept and file the following Department Report was made by Trustee Walker and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

- [1] Fire Department Overtime Report for the weeks of November 15 – 28, 2018

A motion to accept and file the following Department Report was made by Trustee Walker and seconded by Trustee Balles. The motion carried with all those present voting in the affirmative.

- [2] Police Department Overtime Report for the weeks of November 15 – 28, 2018

**PAYROLL AND BILLS PRESENTED**

A motion to approve Abstract #10 of the 2018 – 2019 fiscal bills, having been audited by the Board and approved, was made by Trustee King and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

|              |                 |
|--------------|-----------------|
| GENERAL FUND | \$ 1,614,437.03 |
| WATER FUND   | \$ 215,121.54   |
| SEWER FUND   | \$ 42,826.97    |
| REFUSE FUND  | \$ 95,998.14    |
| JSTP         | \$ 1,686,609.50 |

Motion Carried – Vote:

**Ayes** – 5 (Giblin, King, Walker, Balles, Deemie)    **Nays** – 0    **Absent** – 0

UNFINISHED BUSINESS - None

NEW BUSINESS

FINANCE & RULES (All Board Members)

**Resolution #2018 – 204**

A motion to approve the following resolution was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

**Ayes** – 5 (Giblin, King, Walker, Balles, Deemie)    **Nays** – 0    **Absent** – 0

**WHEREAS**, the Village of Johnson City scheduled a public hearing for December 4, 2018 at 7:35 p.m. for Local Law No. 14 of the year 2018 entitled “A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE ENTITLED ‘ZONING’”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s sign board; and

**WHEREAS**, said public hearing was opened at Village Hall, 243 Main Street, Johnson City, New York on the 4th day of December, 2018 at 7:35 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law; and

**WHEREAS**, the Planning Board of the Village of Johnson City, at its meeting on October 23, 2018, reviewed and considered the Local Law and recommended approval of the Local Law; and

**WHEREAS**, Board County’s GML 239 response found no significant countywide or intercommunity impacts associated with the proposed local law; and

**WHEREAS**, the Village Board reviewed and considered the possible environmental impacts of the Local Law and determined that the Local Law will not have a significant adverse impact on the environment and the Village Board hereby adopts a negative declaration with respect to the same; and

**WHEREAS**, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Village Board hereby adopts said Local Law as Local Law No. 14-2018 entitled “A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE ENTITLED ‘ZONING’”, a copy of which is attached hereto and made a part hereof; and

**BE IT FURTHER RESOLVED** the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

**BE IT FURTHER RESOLVED** that this resolution will take effect immediately.

**Resolution #2018 – 205**

A motion to approve the following resolution was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

**Ayes – 5** (Giblin, King, Walker, Balles, Deemie)    **Nays – 0**    **Absent – 0**

**WHEREAS**, the Village of Johnson City scheduled a public hearing for December 4, 2018 at 7:40 p.m. for Local Law No. 15 of the year 2018 entitled “A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED ‘VEHICLES AND TRAFFIC’”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s sign board; and

**WHEREAS**, said public hearing was duly held at Village Hall, 243 Main Street, Johnson City, New York on the 4th day of December, 2018 at 7:40 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of the Village of Johnson City that adoption of the proposed Local Law does not constitute an “action” as defined and can be considered without further regard to SEQRA; and

**WHEREAS**, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Village Board hereby adopts said Local Law as Local Law No. 15-2018 entitled “A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED ‘VEHICLES AND TRAFFIC’”, a copy of which is attached hereto and made a part hereof; and

**BE IT FURTHER RESOLVED** the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

**BE IT FURTHER RESOLVED** that this resolution will take effect immediately.

**Resolution #2018 – 206**

A motion to approve the following resolution was made by Trustee Walker and seconded by Trustee King.

Motion Carried – Vote:

**Ayes – 5** (Giblin, King, Walker, Balles, Deemie)    **Nays – 0**    **Absent – 0**

**WHEREAS**, the Village of Johnson City scheduled a public hearing for December 4, 2018 at 7:45 p.m. for Local Law No. 16 of the year 2018 entitled “A LOCAL LAW AMENDING CHAPTER 236 OF THE VILLAGE CODE ENTITLED ‘SOLID WASTE’”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s sign board; and

**WHEREAS**, said public hearing was duly held at Village Hall, 243 Main Street, Johnson City, New York on the 4th day of December, 2018 at 7:45 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of the Village of Johnson City that adoption of the proposed Local Law does not constitute an “action” as defined and can be considered without further regard to SEQRA; and

**WHEREAS**, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Village Board hereby adopts said Local Law as Local Law No. 16-2018 entitled “A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED ‘SOLID WASTE’”, a copy of which is attached hereto and made a part hereof; and

**BE IT FURTHER RESOLVED** the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

**BE IT FURTHER RESOLVED** that this resolution will take effect immediately.

**Resolution #2018 – 207**

A motion to approve the following resolution was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

**Ayes** – 5 (Giblin, King, Walker, Balles, Deemie)    **Nays** – 0    **Absent** – 0

**WHEREAS**, the Village of Johnson City scheduled a public hearing for December 4, 2018 at 7:50 p.m. for Local Law No. 17 of the year 2018 entitled “A LOCAL LAW AMENDING CHAPTER 270 OF THE VILLAGE CODE ENTITLED ‘WATER’”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s sign board; and

**WHEREAS**, said public hearing was duly held at Village Hall, 243 Main Street, Johnson



City, New York on the 4th day of December, 2018 at 7:50 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of the Village of Johnson City that adoption of the proposed Local Law does not constitute an “action” as defined and can be considered without further regard to SEQRA; and

**WHEREAS**, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Village Board hereby adopts said Local Law as Local Law No. 17-2018 entitled “A LOCAL LAW AMENDING CHAPTER 270 OF THE VILLAGE CODE ENTITLED ‘WATER’”, a copy of which is attached hereto and made a part hereof; and

**BE IT FURTHER RESOLVED** the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

**BE IT FURTHER RESOLVED** that this resolution will take effect immediately.

#### **Resolution #2018 – 208**

A motion to approve the following resolution was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

**Ayes** – 5 (Giblin, King, Walker, Balles, Deemie)    **Nays** – 0    **Absent** – 0

**WHEREAS**, the Village of Johnson City scheduled a public hearing for December 4, 2018 at 7:55 p.m. for Local Law No. 18 of the year 2018 entitled “A LOCAL LAW AMENDING CHAPTER 222 OF THE VILLAGE CODE ENTITLED ‘SEWERS AND SEWAGE DISPOSAL’”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s sign board; and

**WHEREAS**, said public hearing was duly held at Village Hall, 243 Main Street, Johnson City, New York on the 4th day of December, 2018 at 7:55 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of the Village of Johnson City that adoption of the proposed Local Law does not constitute an “action” as defined and can be considered without further regard to SEQRA; and



**WHEREAS**, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Village Board hereby adopts said Local Law as Local Law No. 18-2018 entitled “A LOCAL LAW AMENDING CHAPTER 270 OF THE VILLAGE CODE ENTITLED ‘SEWERS AND SEWAGE DISPOSAL’”, a copy of which is attached hereto and made a part hereof; and

**BE IT FURTHER RESOLVED** the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

**BE IT FURTHER RESOLVED** that this resolution will take effect immediately.

### **Resolution #2018 – 209**

A motion to authorize forgiveness of \$734 to Linda and Robert Bundy for charges incurred from February 2016 due to an incorrect change from a two-family residence to a three-family residence at 117 West Street was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

**Ayes** – 5 (Giblin, King, Walker, Balles, Deemie)    **Nays** – 0    **Absent** – 0

*Discussion:* Mayor Deemie explains it was a mistake as they were being charged for a three-family when it should have been a two-family.

### **Resolution #2018 – 210**

A motion to authorize forgiveness of an outstanding bill and penalties in the amount of \$16,431.59 for water, sewer, and refuse charges incurred to Gannett Supply Corp. at 10 Gannett Drive due to a water softener being left operational after the Press & Sun vacated the property on June 17, 2018 and authorize a decrease in the bill to reflect the minimum charge of \$3,577.95 was made by Trustee Walker and seconded by Trustee Giblin.

Motion Failed – Vote:

**Ayes** – 0    **Nays** – 5 (Giblin, King, Walker, Balles, Deemie)    **Absent** – 0

*Discussion:* Mayor Deemie explains someone left a valve on until we let them know there was a water pressure issue and they found a water softener to be on.

**Resolution #2018 – 211**

A motion to authorize forgiveness of \$117.60 to Nicholas Cordisco for excessive refuse charges incurred at 313 Harry L. Drive, Johnson City was made by Trustee Walker and seconded by Trustee King.

Motion Carried – Vote:

**Ayes** – 4 (King, Walker, Balles, Deemie)    **Nays** – 1 (Giblin)    **Absent** – 0

*Discussion:* Mayor Deemie said there was extenuating circumstances. They had their garbage out during field days five days before it was supposed to be out. We automatically picked it without tagging it. We are supposed to allow them opportunity to take care of it and we didn't.

**Resolution #2018 – 212**

A motion to authorize forgiveness of \$1374.58 for water/refuse/sewer bill due to excessive charges to Sara Ostrander at 7 Schulte Avenue, Johnson City was held over.

*Discussion:* Mayor Deemie explains we did a 90 day check and there was an excessive use during the summer months for some reason. We do not understand if there is a problem with the meter. They have already paid half the amount. We as a village are going to replace their meter at our cost and test their meter. If nothing is wrong with the meter we will figure out from that point. We will be investigating the matter.

**Resolution #2018 – 213**

A motion to appoint Eileen Edwards to the position of Account Clerk at the negotiated salary per the Collective Bargaining Agreement, effective December 5, 2018 from Broome County Civil Service List #AC was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

**Ayes** – 5 (Giblin, King, Walker, Balles, Deemie)    **Nays** – 0    **Absent** – 0

**Resolution #2018 – 214**

A motion to forgive of the reconnect fee in the amount of \$150 to John Tylko at 197 Lester Avenue, Johnson City was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

**Ayes** – 5 (Giblin, King, Walker, Balles, Deemie)    **Nays** – 0    **Absent** – 0

*Discussion:* Mayor Deemie explains Mr. Tylko son sent a letter regarding extenuating circumstances. The man who lives there is 92 years old. He was in Boston being cared for. Once

he came back, they realized he didn't pay the bill. They are asking us to forgive the reconnect fee.

**PUBLIC SAFETY**

**FIRE (Trustees Balles & Walker)** - No new business

**POLICE (Trustees Balles & Walker)** - No new business

**PUBLIC WORKS (Trustees Balles & King)** - No new business

**RECREATION (Trustees Balles & King)** - No new business

**PLANNING, ZONING & CODE ENFORCEMENT (Trustees Balles & Walker)** - No new business

**JOINT SEWAGE TREATMENT BOARD ((Trustees Giblin & King)**

**Resolution #2018 – 215**

A motion to approve the Binghamton-Johnson City Joint Sewage Board request that the amount of \$60,000.00 in appropriations be taken from Equipment Lease J8130.54520 and that \$35,000.00 be added to Electricity, Plant Pumps J8130.54203 and also \$25,000.00 be added to Electricity, TPS J8130.54204 was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

**Ayes – 5** (Giblin, King, Walker, Balles, Deemie)    **Nays – 0**    **Absent – 0**

*Discussion:* Trustee King states the two stations are running over budget, so we need to get money into those lines so we are transferring from one line to another.

**PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the second privilege of the floor.

*Mian Shah, Hudson St.,* There is no meter until recent. There is no consumption. Why is he receiving a bill?

Mayor Deemie states that we will look into it.

*Shirley Krno,* What can the Village do to lower taxes? People can't move into the Village because they can't afford to.

Mayor Deemie states we keep the budget as a flat budget. We have less people so people pay more. \$20 million goes to salary and benefits and \$10 million goes to running the Village. You can ask for a reduction and then others have to pick up the slack. We have to provide police and

fire. We are mandated by the state to stay under a 2% tax cap. It depends on where you live in the Village what you pay for taxes. Property taxes and sales tax are our only revenue.

*Don Slota, Eldridge Ave* – It will take years to build up Johnson City.

*Martin Meaney, Weymouth Ln.* – On Deyo Hill Rd from Columbia west to Reynolds Road, there are a lot of street lights out. The water tank on Deyo Hill Rd, who has access to hunt the property? There are quite a few people hunting up there.

Mayor Deemie states no one should, that is Village property. It is posted private property. Chief Dodge states they need to be outside the Village limits.

*Laurleen Crampton*, Compliments JCPD for participating in the huge drug bust in Deposit.

Mayor Deemie and the Trustees compliment JCPD for their hard work.

*Julie Deemie, Zoa Ave* - Has attended budget work sessions since Harry Lewis. Most people last an hour to an hour and a half. This Board and some of the boards before them they work meticulously in keeping it down. The Department heads are real penny pinchers and they make things work. They widdle the budget down each and every year. They work a lot of long hours and work outside the budget meetings.

Thank you to Bruce King and Rick Balles for their years of service.

Carol Laskowski - What is excessive refuse at the curb? She has lived in this Village almost 78 years and she doesn't want to live anywhere else.

Mayor Deemie states it depends on the number of items, how many items they have out, if it is an apartment, if we cannot get down the sidewalk.

Mayor Deemie closed the second privilege of the floor.

### **ADJOURNMENT**

Mayor adjourned the meeting at 8:39 pm.

---

Cindy Kennerup  
Village Clerk/Treasurer

CK/kc

Recordings of the Village Board meetings and work sessions  
are available for review through the Village Clerk/Treasurer's Office.