



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING

243 MAIN STREET, JOHNSON CITY, NY 13790

www.villageofjc.com

Village Board

Gregory Deemie, Mayor

Deputy Mayor Clark Giblin Trustee Martin Meaney

Trustee Benjamin Reynolds Trustee John Walker

Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, May 21, 2019 in the Municipal Building, 243 Main Street, Johnson City

Present: Gregory Deemie, Mayor
 Clark Giblin, Deputy Mayor
 Martin Meaney, Trustee
 Benjamin Reynolds, Trustee
 John Walker, 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.

MAYOR'S ANNOUNCEMENTS

- [1] The 2nd Annual Tree Peony Festival is scheduled for Sunday, May 26, 2019 from 11:00am – 5:00pm at Jennison Park, Willow Street.
- [2] The Town of Union Board Meeting will be held Wednesday, June 5, 2019 at 7:00pm at 3111 E. Main Street, Endicott, NY 13760.
- [3] The next Binghamton-Johnson City Joint Sewage Board Meeting will be Tuesday, June 11, 2019 at 3:30pm at the JSTP Administration Office Building, Main Conference Room.
- [4] The Broome County Association of Towns & Villages monthly meeting will take place Thursday, June 13, 2019 at 6:00 pm at the Spot Restaurant, 1062 Front Street, Binghamton. The Speaker will be Stacy Duncan from The Agency.
- [5] The next regular Village Board Meeting will be Tuesday, June 18, 2019 at 7:30pm with a work session at 5:30pm at Village Hall.

- [6] Your Home Library is increasing the number of board members to 7 so they are taking applications/resumes to fill 2 new seats on the board. Please contact Ben Lainhart Library Director if interested.
- [7] Your Home Library is having their Drive-In Movie night on Friday, May 31st out behind the library. The movie showing is Spiderman into the Spiderverse.
- [8] DW Run/Walk is June 2nd at 9:00a.m. It starts in front of the Johnson City Police Station.
- [9] We now have a flag box in the lobby so we can take flags that are torn, ripped, old, discolored and need to be honorably retired. The Veterans will take care of them with a flag burning ceremony.
- [10] Memorial Day Parade is on Monday, May 27th at 10:00am. It starts near St. James and comes to the Gazebo. There are also ceremonies at Calvary's Cemetery at 7:30am and Floral Park Cemetery at 8:30am.

APPROVAL OF BOARD MINUTES

- [1] Minutes of May 7, 2019 regular meeting and work session

A motion to approve the minutes was made by Trustee Walker and seconded by Trustee Reynolds. The motion carried with all those present voting in the affirmative.

BIDS

- [1] Bids were opened and read at 10:00am on Thursday, May 16, 2019 at Village Hall for the Willow Street Water Replacement – Sewer Separation and Street Resurfacing as follows:

<u>Contractor</u>	<u>Bid Amount</u>
DeNinis	\$565,441.00
G. DeVincentis	\$357,000.00

PUBLIC HEARINGS– None

PETITIONS RECEIVED

- [1] Petition to Repair & Repave Miriam Street

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Thorn Mendes, Reynolds Rd – She has been an Operator at the JSTP for 15 years – Ms. Mendes submitted a letter regarding the statements made to the press. Mayor Deemie placed a copy on file. Ms. Mendes discussed technology and stated they have a vested interest in the community and want the plant to run efficiently as possible.

Mayor Deemie responded that she will have to ask Mayor David about the mismanagement statements put out by him. The Village of Johnson City did not say any of the statements. Mayor Deemie stated until we get the RFPs back, we really can't say anything at this point. We are not privatizing the plant and are just looking at the best way to manage the plant. The two municipalities are still going to own the plant. It has to be approved by both boards to move on.

Adam Lafevee, Bates Rd, Harpursville – Bids are due in August? When is the date for the RFP?

Mayor Deemie stated the following:

- Proposals due June 26, 2019
- Review of proposals June 26 – August 27
- Submit successful proposals for owner's approval August 27 – September 27
- Begin transition of services to successful proposer by October 1, 2019

Mayor Deemie closed the first privilege of the floor.

COMMUNICATIONS

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

- [1] Correspondence from Darlene Krisko at 829 Oakdale Road, Johnson City.
- [2] Correspondence from David Cohen regarding underpass underneath the railroad tracks at St. Charles and Allen St, Johnson City

COMMITTEE/BOARD REPORTS

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

- [1] Minutes of the May 1, 2019 Town of Union Board Meeting

DEPARTMENT REPORTS

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

- [1] Fire Department Overtime Report for the weeks of May 2 – May 15, 2019
- [2] Police Department Overtime Report for the weeks of May 2 – May 15, 2019

PAYROLL AND BILLS PRESENTED

A motion to approve Abstract #20 of the 2018 – 2019 fiscal bills as stated and or amended and attached to the work session minutes and recorded as part of the work session minutes, having been audited by the Board and approved, was made by Trustee Giblin and seconded by Trustee Walker. The motion carried with Trustee Reynolds, Trustee Meaney, Trustee Giblin, Trustee Walker and Mayor Deemie voting in the affirmative.

GENERAL FUND	\$ 708,737.82
WATER FUND	\$ 30,655.23
SEWER FUND	\$ 21,235.66
REFUSE FUND	\$ 24,830.57
JSTP	\$ 1,185,001.83

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

UNFINISHED BUSINESS

Resolution #2019 – 73

A motion to authorize the Johnson City Rotary to host a Tree Peony Festival on Sunday, May 26, 2019 from 11pm - 5pm at Jennison Park with the Johnson City Rotary being responsible for the parks facility use application naming the Village as an additional insured for events on their liability insurance, providing the Village with a copy of same. Parking and restroom facility access will be provided by the Goodwill Theatre at the Firehouse Stage. If there are traffic control issues and/or police officers are needed they will be the responsibility of the Johnson City Rotary. Give authorization to close Willow Street between Lewis Street and Corliss Avenue contingent upon receiving the necessary approvals from the JC Police and JCDPW for road closures.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2019 – 84

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

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED ‘VEHICLES AND TRAFFIC’” a copy of which is attached hereto, was introduced at this meeting, and

WHEREAS, the Village Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law at 7:35 p.m. on June 18, 2019, at the Village Hall, 243 Main Street, Johnson City, New York, and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Discussion: Mayor Deemie explains where the new research buildings are going in “the vivarium”, they are putting in a driveway on Corliss so they need to change the parking distances on Corliss.

Resolution #2019 – 85

A motion to authorize the Mayor to sign an agreement with Haylor, Freyer & Coon, Inc. for the Health Care Benefits Renewal with Excellus was made by Trustee Giblin and seconded by Trustee Meaney.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

Discussion: This is the healthcare renewal for the Village. We had budgeted a 1% increase for healthcare and we got notice the other day that it will be a 0% increase.

Resolution #2019 – 86

A motion to authorize the Village Treasurer to make all budgetary adjustments to balance all Village operating accounts for the fiscal year ending May 31, 2019 was made by Trustee Meaney and seconded by Trustee Reynolds.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

Resolution #2019 – 87

A motion to authorize the Clerk/Treasurer to relevy the unpaid utility and other charges as of the June 1, 2019 tax roll in the amount of \$328,394.81 as detailed below was made by Trustee Giblin and seconded by Trustee Walker.

Sign Licenses, False Alarms & DPW Handbills	\$ 15,640.98
Water & Sewer Rents & Refuse Fees	\$ 312,753.83

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

Discussion: Mayor Deemie explained we instituted a new process in the Village that if you don't pay your water, sewer, refuse bill by a certain time, we will send you a notice saying you have until now to pay it or we will shut your water off. We give them due process. By doing this we have been able to bring in \$600,000 in revenue instead of waiting for the money from the County.

Resolution #2019 – 88

A motion to award the bid for the Willow Street Water Replacement - Sewer Separation and Street Resurfacing in the amount of \$357,000 to G. Devinentis as the lowest responsive bid was made by Trustee Giblin and seconded by Trustee Meaney.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

Discussion: Mayor Deemie explained out of \$357,000, \$350,000 is a grant from Senator Akshar.

Resolution #2019 – 89

A motion to authorize the renewal of the contract for Curb & Gutter and Sidewalk Replacement Contract for Fiscal Year 2019-2020 with Tre-Gen Concrete Corporation was held over by Trustee Walker.

Resolution #2019 – 90

A motion to authorize the Mayor to sign a renewal agreement with Broome County for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program for January 1, 2019 – December 31, 2019 was made by Trustee Meaney and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

Resolution #2019 – 91

A motion to promote Melinda Murcko to Sr. Account Clerk from Civil Service list #71-387 effective May 23, 2019 per the Administrative Support Unit contract was made by Trustee Walker and seconded by Trustee Meaney.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

Resolution #2019 – 92

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

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

WHEREAS, by Memorandum, dated May 16, 2019, by the Town of Union Building Official Daria Golazeski, the Village of Johnson City, Village Board of Trustees has been requested to consider declaring unsafe and dangerous the structure at 254 Grand Avenue (aka 175 Hudson Street), Johnson City, New York, which consideration requires a public hearing; and

NOW, THEREFORE, be it

RESOLVED, that the Village Board will hold a Public Hearing on July 16, 2019 at 7:40 p.m. to solicit public input on the issue concerning whether the structure at 254 Grand Avenue (aka 175 Hudson Street), Johnson City, New York should be declared unsafe and dangerous; and be it further

RESOLVED, that notice of this Public Hearing shall be served by mail on the record owner of 254 Grand Avenue (aka 175 Hudson Street), Johnson City, New York and its legal counsel, if known; and be it further

RESOLVED, that the Village Clerk and Counsel are authorized to take such additional and further action as is necessary to notice the Public Hearing as noted herein; and be it further

RESOLVED that in accordance with Section 118-9 of the Village Code, that a clear and imminent danger to life, safety and health exists for persons and property; and as such the building at 254 Grand Avenue (aka 175 Hudson Street), Johnson City, New York must be secured immediately, the Board hereby authorized the Building Inspector to immediately cause the securing of this building.

Resolution #2019 – 93

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

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

WHEREAS, by Memorandum, dated March 28, 2019, by the Town of Union Building Official Daria Golazeski, the Village of Johnson City, Village Board of Trustees has been requested to consider declaring unsafe and dangerous the structure at 179 Floral Avenue, Johnson City, New York, which consideration requires a public hearing; and

NOW, THEREFORE, be it

RESOLVED, that the Village Board will hold a Public Hearing on July 16, 2019 at 7:35 p.m. to solicit public input on the issue concerning whether the structure at 179 Floral Avenue, Johnson City, New York should be declared unsafe and dangerous; and be it further

RESOLVED, that notice of this Public Hearing shall be served by mail on the record owner of 179 Floral Avenue, Johnson City, New York and its legal counsel, if known; and be it further

RESOLVED, that the Village Clerk and Counsel are authorized to take such additional and further action as is necessary to notice the Public Hearing as noted herein; and be it further

RESOLVED that in accordance with Section 118-9 of the Village Code, that a clear and imminent danger to life, safety and health exists for persons and property; and as such the building at 179 Floral Avenue, Johnson City, New York must be secured immediately, the Board hereby authorized the Building Inspector to immediately cause the securing of this building.

Resolution #2019 – 94

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

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

Whereas, the Village issued a Request for Proposals on March 11, 2016 entitled "Full Service Water Storage Tank Asset Management and Maintenance Program" for the professional services to provide the long term full service maintenance and management for certain Potable Water Storage Tanks, and

Whereas, the Village via Resolution 2016-73 authorized an agreement with Utility Service Group, and

Whereas, an addendum to the Master Services Agreement is necessary for work to maintain its 500,000 gallon water storage tank located at 1000 Reynolds Road-Rear, such Addendum is called "Scope of Work No. 3" and

Now, therefore be it,

Resolved, that the Mayor or his designee is authorized to execute the above reference document in a form and containing terms and conditions acceptable to counsel for the Village.

Resolution #2019 – 95

A motion to authorize the Johnson City Police Association to host a DW 5K After party Sunday, June 2, 2019 contingent upon receiving the necessary approvals from JC Police and JCDPW for road closures and give authorization to close Wilbrow Alley at the rear of Giblin’s Irish pub and to block off Broad Street from the South side of the entrance/exit of the Red Robin Diner to the Entrance/exit of the Village Parking lot on Broad Street from 11:30am – 3:00pm was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

Discussion: This is a get together they want to have for the participants in the race. They want to have snow cones and cotton candy.

Resolution #2019 – 96

A motion to approve a request from St. John Ukrainian Orthodox Church to close St. John’s Parkway at Virginia Avenue on July 13 & 14, 2019 for their annual Ukranian Day Festival contingent upon the church obtaining an amusement license, the Village receiving proof of the required liability insurance and acceptable security/safety plans was made by Trustee Walker and seconded by Trustee Meaney.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

Resolution #2019 – 97

A motion to approve the following resolution authorizing the implementation, and funding in the first instance 100% of the Federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation Federal-aid project; and appropriating funds therefore was made by Trustee Meaney and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

WHEREAS, a Project of the milling and repaving of Floral Avenue from Lusk Street to Ackley Avenue, P.I.N. 9754.11 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the **Village of Johnson City** desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the **Preliminary Engineering/Design** and **Right-of-Way Incidentals** work.

NOW, THEREFORE, the **Village of Johnson City Board**, duly convened does hereby

RESOLVE, that the **Village of Johnson City Board** hereby approves the above subject project; and it is hereby further

RESOLVED, that the **Village of Johnson City Board** hereby authorizes the **Village of Johnson City** to pay in the first instance 100% of the Federal and non-Federal share of the costs of the **Preliminary Engineering/Design** and **Right-of-Way Incidentals** work for the Project or portions thereof; and it is further

RESOLVED, that the sum of **\$54,000** is hereby appropriated from the Village of Johnson City budget line A5112.2 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the **Village of Johnson City Board** shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the **Mayor** of the **Village of Johnson City** be and is hereby authorized to execute all necessary Agreements, certifications of reimbursement requests for Federal-aid and/or Marchiselli-aid on behalf of the **Village of Johnson City** with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

Discussion: Mayor Deemie stated our portion of this is \$54,000 which is budgeted specifically for this project.

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) - No new business

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Corinna Johnson, Cook Street – What house is 179? Laurleen apologized for not being at the meeting.

Trustee Walker stated it is the big gray house.

Shirley Krno, Mill Place – Can you explain the Police and Fire Reports?

Mayor Deemie explained it is a report of who worked overtime and the reason for the overtime from May 2 – May 15th.

Corinna Johnson, Cook Street – Correspondence from David Cohen, is it just a standard complaint we have had all along?

Mayor Deemie responds in the affirmative.

Julie Deemie, Zoa Ave – The overtime report is it typical. Does anyone on the board have an overtime number without looking at the budget?

Mayor Deemie stated it is typical, sometimes over, sometimes under. The Board agreed it is under \$100,00 but do not know the exact amount without looking at the budget.

Don Slota, Eldredge Ave – Binghamton Brewing Co., did they go before the Planning Board for the new project?

Mayor Deemie responded it is a permitted use, but probably will have to go through the Planning Board. He is unsure where they are in the project at this time.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor adjourned the meeting at 8:11 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.