



## 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

Deputy Mayor Clark Giblin     Trustee Martin Meaney

Trustee Benjamin Reynolds     Trustee John Walker

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### **Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, June 18, 2019 in the Municipal Building, 243 Main Street, Johnson City**

Present:            Gregory Deemie, Mayor  
                         Martin Meaney, Trustee  
                         Benjamin Reynolds, Trustee  
                         John Walker, Trustee

Absent:             Clark Giblin, Deputy Mayor

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 Johnson City Planning Board meeting date is changed from Tuesday, June 25<sup>th</sup> to Wednesday, June 19<sup>th</sup> due to Planning Board members' unavailability. The work session will be at 7:00pm and the meeting will be at 7:30pm.
- [2]     The Town of Union Board Meeting will be held Wednesday, June 19, 2019 at 7:00pm at 3111 E. Main Street, Endicott, NY 13760.
- [3]     The Cruze In is scheduled for June 20, 2019 from 5:00pm – 8:00pm. The Beatles Band will be playing.
- [4]     CFJ Park will be staffed July 1<sup>st</sup> every day from 12pm – 8pm. Arts & Crafts starts July 1<sup>st</sup> and runs through August 9<sup>th</sup>. Arts & Crafts are held at CFJ and Floral Parks Monday to Friday 10am – 4pm.
- [5]     The next regular Village Board Meeting will be Tuesday, July 16, 2019 at 7:30pm with a work session at 5:30pm at Village Hall.
- [6]     The annual Ukrainian Day Festival will be held July 13<sup>th</sup> and 14<sup>th</sup>, 2019 at St. John's Ukrainian Church, 1 St. John's Parkway, Johnson City.

**APPROVAL OF BOARD MINUTES**

[1] Minutes of May 21, 2019 regular meeting and work session

A motion to approve the minutes of May 21, 2019 was made by Trustee Meaney and seconded by Trustee Reynolds. The motion carried with all those present voting in the affirmative.

[2] Minutes of May 29, 2019 Special Meeting

A motion to approve the minutes of May 29, 2019 was made by Trustee Meaney 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, June 13, 2019 at Village Hall for the Nelson Road Reconstruction as follows:

<b><u>Contractor</u></b>	<b><u>Bid Amount</u></b>
G. DeVincentis & Son	\$746,900.00
Siteworx Inc.	\$676,288.00

**PUBLIC HEARINGS**

[1] Local Law Amending Chapter 264 of the Village Code entitled “Vehicles and Traffic” – Corliss Ave.

The Mayor opened the public hearing.

*Discussion:* The Mayor explained it is a change on Corliss Ave in order to have a driveway and curb cut put in for the new research facility for the new pharmacy school. This is in regards to parking distances from the driveway.

The Mayor closed the public hearing.

**PETITIONS RECEIVED**

[1] Petition from the residents of Deyo Hill Road to do a study and provide solutions to storm water, surface and runoff problems.

**PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the first privilege of the floor.

*Judy Snedaker, Massachusetts Ave* – What is going on with the Floral Avenue fence?

Mayor Deemie responded it is in the process of getting it repaired.

*Robert Brearley, Deyo Hill Road* – Submitted for Deyo Hill Road Petition regarding flooding problems. They would like the Village of Johnson City to do a study and provide solutions to their longstanding issues. This situation is creating multiple problems such as:

- Surface area running into people’s homes
- Moisture is killing trees, shrubs and decorative plants
- Devaluating properties
- Pavlisak Development has suffered severe erosion on Clarence Dr. – 8-10 feet deep in a number of places.
- Catch basin at 114 Deyo Hill Road is inadequate
- Redirecting the water

Mayor Deemie responded regarding water issues and stated we will act upon the petition and see what we can do.

*John Spalik, Deyo Hill Road* – He lives on the west side of Deyo Hill. Development on west side (four new homes) has no curbs, no gutters or catch basins. The catch basin near 103 Deyo Hill is overwhelmed and gets clogged and the only place for the water to go is on the properties. When saturated, there has been 12 foot wide rivers between the houses. One storm he took out 12 wheelbarrows of stuff from catch basin and dumped it in his backyard.

*Ron Koplak, Deyo Hill Road* – He flooded in 2004, 2011. It cost him \$35,000 to put a storm drains in his driveway and on his yard.

Residents of 70 Deyo Hill Road and 106 Deyo Hill Road support the petition and complaints of Deyo Hill residents who spoke.

*Sam Cotter, Town of Dickinson* – Reaching out and looking for an opportunity to use his knowledge of media to help promote the Village or Village events.

*Paul Stratton, Lester Ave* – Trustee Reynolds came to and saw what is going on with the building he lives in. When is the Village going to take on the landlords? He spoke to Dee and she said there are no violations; however, County was there and listed 14 violations.

Mayor Deemie responded he spoke with Dee and the landlord will be in court on the violations in the near future. Mayor Deemie explained the code process.

*Adam Lafevée, Bates Rd, Harpursville* – Has worked at JSTP for 10+ years. Bruce Tobey was at the plant for two days not countless days. He only talked to two people from the staff and didn’t speak with him until the week before the RFP came out. Staff at JSTP is rock solid. The current facility is the same as the facility built in 2006. In 2014, CMS brought in new software and he uses system every day.

Mayor Deemie responded it is all speculation on everybody’s part what is going to happen. Change needs to be made, but unsure what that will be. Three entities are running plant and that is a problem.

Mayor Deemie is looking at what will be best for the employees moving forward. We will look at the most responsible bidder.

*Thorn Mendes, Reynolds Road* – Works at JSTP – Discussed training and licensing for employees of the JSTP. Presented PR campaign proposal.

*Gloria Peterson, Corliss Ave* – Spoke about her grandchildren and children that used Floral Avenue pool.

Mayor Deemie confirmed the pool or spray park will be open next year. There are maintenance and safety issues, the concrete is cracked and there has been damage to liner from vandalism. We are trying to figure out the best way to take care the situations.

*Corinna Johnson, Cook St* – Did we know at the end of last season the pool wasn't going to be opened this year? Do we have anything in the budget?

Mayor Deemie stated we knew it needed repair, but didn't know how bad it was. There were safety concerns and the chlorination system was not working properly. We have \$200,000 in the budget to either repair the pool or put in a spray park.

*Paul Stratton, Lester Ave* – Knows someone that would paint the CFJ pavilions for free.

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 Meaney. The motion carried with all those present voting in the affirmative.

- [1] Correspondence from Deborah Hasbrouck of 108 Crocker Ave regarding parking sign.
- [2] Correspondence from Daniel Feduke announcing resignation from the Johnson City Plumbing Board.
- [3] Correspondence from Frederick Kocan announcing resignation from the Johnson City Plumbing Board.

### **COMMITTEE/BOARD REPORTS**

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

- [1] Minutes of the May 15, 2019 Town of Union Board Meeting

### **DEPARTMENT REPORTS**

A motion to accept and file the following Department Reports was made by Trustee Meaney and

seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

- [1] Fire Department Overtime Report for the weeks of May 16 – May 29, 2019
- [2] Fire Department Overtime Report for the weeks of May 30 – June 12, 2019
- [3] Police Department Overtime Report for the weeks of May 16 – May 29, 2019
- [4] Police Department Overtime Report for the weeks of May 30 – June 12, 2019
- [5] Police Department Monthly Report for the months of March and April 2019

**PAYROLL AND BILLS PRESENTED**

A motion to approve Abstract #1 of the 2019 – 2020 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 Walker and seconded by Trustee Meaney. The motion carried with Trustee Reynolds, Trustee Meaney, Trustee Walker and Mayor Deemie voting in the affirmative.

GENERAL FUND	\$ 729,470.77
WATER FUND	\$ 87,609.84
SEWER FUND	\$ 278,172.65
REFUSE FUND	\$ 53,003.80
JSTP	\$ 1,418,659.67
VARPUR	\$ 150,283.05
DEBT SERVICE	\$ 93,031.80

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)      **Nays** – 0      **Absent** – 1 (Giblin)

**UNFINISHED BUSINESS** - None

**NEW BUSINESS**

**FINANCE & RULES (All Board Members)**

**Resolution #2019 – 99**

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

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)      **Nays** – 0      **Absent** – 1 (Giblin)

**WHEREAS**, the Village of Johnson City scheduled a public hearing for June 18, 2019 at 7:35 p.m. for Local Law No. 5 of the year 2019 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 18th day of June, 2019 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, or any part thereof; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(22) and (33); 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. 5-2019 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 upon filing with the Department of State.

**Resolution #2019 – 100**

A motion to authorize the auction of the Police Unit #731, 2003 Ford Explorer VIN 1FMZU73K93U57873, license plate number GEE9956 was made by Trustee Walker and seconded by Trustee Meaney.

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)      **Nays** – 0      **Absent** – 1 (Giblin)

**Resolution #2019 – 101**

A motion to award the bid for the Nelson Road Reconstruction in the amount of \$676,288.00 to Siteworx Inc. as the lowest responsive bid. There was a \$100.00 math error on Item #22 (topsoil – lawn) in their calculation which caused them to turn in a bid of \$676,188.00 which is \$100 less than the \$676,288.00 it should have been was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)      **Nays** – 0      **Absent** – 1 (Giblin)

### **Resolution #2019 – 102**

A motion to authorize forgiveness of refuse bill to Errol Trudeau dated April 26, 2019 for removal of refuse mixed with garbage at 182 St. Charles Street, Johnson City, due to someone other than resident adding garbage to the bin was made by Trustee Walker and seconded by Trustee Reynolds.

Motion Failed – Vote:

**Ayes** – 0      **Nays** – 4 (Reynolds, Meaney, Walker, Deemie)    **Absent** – 1 (Giblin)

### **Resolution #2019 – 103**

A motion to authorize the Drug Free Communities Program with support from the Broome County Promise Zone to hold their annual “Family Fun Nights in the Park” event at CFJ on Thursday, August 1, 2019 from 5:30 – 7:30pm, contingent upon the submittal of the appropriate liability insurance, security details and completion of a parks reservation form was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)    **Nays** – 0    **Absent** – 1 (Giblin)

### **Resolution #2019 – 104**

A motion to authorize forgiveness of a portion of the entire water bill in the amount of \$1,064.00 to Darlene Krisko for unexplained excessive water usage 829 Oakdale Road, Johnson City was made by Trustee Walker and seconded by Trustee Reynolds.

Motion Failed – Vote:

**Ayes** – 0      **Nays** – 4 (Reynolds, Meaney, Walker, Deemie)    **Absent** – 1 (Giblin)

### **Resolution #2019 – 105**

A motion to authorize forgiveness of the Town of Union violation for grass and weeds in the amount of \$150.00 to Bukeka Sutton at 24 Brown Street, Johnson City due to inability to the mow the lawn because of the weather was made by Trustee Meaney and seconded by Trustee Reynolds.

Motion Failed – Vote:

**Ayes** – 0      **Nays** – 4 (Reynolds, Meaney, Walker, Deemie)    **Absent** – 1 (Giblin)

### **Resolution #2019 – 106**

A motion to authorize the Mayor to sign the Memorandum of Agreement between the Village, the Village Administrative Support Unit and the Village Court Clerks, effective upon the approval

of all Parties to the MOA was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)      **Nays** – 0      **Absent** – 1 (Giblin)

*Discussion:* Mayor Deemie explained we are combining two contracts back into one contract. Admin Staff and Court Clerks were on the same contract years ago. They were split up and now we are putting them back together again.

### **Resolution #2019 – 107**

A motion to approve a request from Jennifer Johnson, on behalf of the residents of Victory Street to close the road at the west end of Victory Street on Saturday, July 20, 2019 from 12 noon – sunset for a neighborhood block party contingent upon obtaining the required street permit and coordination with the DPW and Police Department for the street closure was made by Trustee Walker and seconded by Trustee Meaney.

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)      **Nays** – 0      **Absent** – 1 (Giblin)

*Discussion:* Mayor Deemie explained this is a dead end section of the street. Right behind it there is a flood wall, so there is nothing else down there.

### **PUBLIC SAFETY**

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

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

### **PUBLIC WORKS (Trustees Balles & King)**

### **Resolution #2019 – 108**

A motion to Appoint Colby Chapman to the position of DPW Probationary Laborer at a salary of \$17.53 per hour effective June 20, 2019 contingent upon the successful completion of a background investigation and the required pre-employment drug test was made by Trustee Walker and seconded by Trustee Meaney.

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)      **Nays** – 0      **Absent** – 1 (Giblin)

**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 #2019 – 109**

A motion for approval to process litigation to increase the appropriations for J8130.54802 Penalties/Fines and move the amount of \$60,000 from the Contingency line J8130.55000 to allow payment of BOD/TSS, Phase I and Phase II penalties for failure to achieve goals mandated by the plant rehabilitation project Consent Order(s) was made by Trustee Meaney and seconded by Trustee Reynolds.

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)      **Nays** – 0    **Absent** – 1 (Giblin)

**Resolution #2019 – 110**

A motion for approval to process litigation to increase the appropriations for J8130.54201 Gas/Heat and move the amount of \$80,000 from the Contingency line J8130.55000 for increased natural gas usage for Digester 3 boilers and TPS climate control was made by Trustee Walker and seconded by Trustee Reynolds.

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)      **Nays** – 0    **Absent** – 1 (Giblin)

**Resolution #2019 – 111**

A motion for approval to process litigation to increase the appropriations for J8130.54103 Printing/Legals and move the amount of \$2,000 from the Personnel Svs. Line J8130.51000 for increased activity in published ads was made by Trustee Walker and seconded by Trustee Meaney.

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)      **Nays** – 0    **Absent** – 1 (Giblin)

**Resolution #2019 – 112**

A motion for approval to amend the BJCJSB Investment Policy to allow the Board's CFO/ City Comptroller to invest a portion of the Board's funds in the Municipal Cooperation Agreement was made by Trustee Meaney and seconded by Trustee Reynolds.

Motion Carried – Vote:

**Ayes** – 4 (Reynolds, Meaney, Walker, Deemie)      **Nays** – 0    **Absent** – 1 (Giblin)

**PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the second privilege of the floor.

*Diane Bartlow, Library* – If someone knocks on the door and asks you to sign a union library funding initiative petition, it is legitimate. The petition is to put it on the ballot. If your house is valued at \$100,000, your increase would be \$.55 per month.

*Corina Johnson, Cook St.* – Looking for someone to adopt the tree boxes. Not one JC Partner was born in Village of Johnson City, but they saw something they want to save.

*Don Slota, Eldredge Ave* – Bamboo on Boland Drive needs to be trimmed. Vestal Bituminous patched Grand/Boland but the ends of the streets curbing is destroyed by the heavy trucks. They did a poor job cleaning up after themselves.

*Julie Deemie, Zoa Ave* – JC Partners. We need to find a way to get the residents involved in volunteering and taking pride in their community. Would like to get one person to do each tree box and make it look beautiful.

Mayor Deemie closed the second privilege of the floor.

### **ADJOURNMENT**

Mayor adjourned the meeting at 8:34 pm.

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Cindy Kennerup  
Village Clerk/Treasurer

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