



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 at 7:30pm on Tuesday, September 3, 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
Police Chief Brent Dodge
Fire Chief Myron Jacyna

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 next Town of Union Board meeting is scheduled for Wednesday, September 4, 2019 at 7:00pm with a work session at 5:30pm at 3111 East Main Street, Endwell.
- [2] The Johnson City Zoning Board meeting is scheduled for Monday, September 9, 2019. The work session will be at 7:00pm and the meeting will be at 7:30pm in the Village Boardroom.
- [3] The next regular Village Board Meeting will be Tuesday, September 17, 2019 at 7:30pm with a work session at 5:30pm at Village Hall.

APPROVAL OF BOARD MINUTES

- [1] Minutes of August 20, 2019 regular meeting and work session

A motion to approve the minutes of August 20, 2019 was made by Trustee Walker and seconded by Trustee Giblin. The motion carried with Trustee Reynolds, Trustee Giblin, Trustee Walker and Mayor Deemie voting in the affirmative. Trustee Meaney abstained from the vote.

BIDS

[1] Bids were opened and read at 10:00am on Thursday, August 29, 2019 at Village Hall for the Your Home Library Roof Rehabilitation as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Tower Roofing	\$42,000
J&B Installations	\$75,150

Note: We budgeted \$60,000 for roof.

PUBLIC HEARINGS - None

PETITIONS RECEIVED - None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Mike Tugwell, Greenridge St – Resolution #2019 – 161 – Are they building on Brown St. or relocating.

Mayor Deemie stated the plan is to move out of the flood zone on Brown Street.

Don Slota, Eldredge Ave – The bamboo is crazy and still nothing done.

Mayor Deemie responded he will have Bob look into it.

Carol Laskowski, Edward St – Will the garage remain where it is? Where will they do the repairs?

Mayor Deemie explained the whole facility will be moving. They will repair the vehicles on site or send them out.

Don Slota, Eldredge Ave – Resolution #2019 – 161 – Is the Town working with the Village to get the project and the financing done for Grand Ave? Is the rest of Floral going to be done?

Mayor Deemie responded they are working with Bob. Floral he thinks is on for next year.

Mayor Deemie closed the first privilege of the floor.

COMMUNICATIONS - None

COMMITTEE/BOARD REPORTS - None

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 August 8 – August 21, 2019
- [2] Police Department Overtime Report for the weeks of August 8 – August 21, 2019

PAYROLL AND BILLS PRESENTED

A motion to approve Abstract #5 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 Giblin and seconded by Trustee Walker. The motion carried with all voting in the affirmative.

Motion Carried – Vote:

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

GENERAL FUND	\$ 653,552.66
WATER FUND	\$ 89,876.34
SEWER FUND	\$ 8,420.79
REFUSE FUND	\$ 33,799.64
JSTP	\$ 211,532.75

UNFINISHED BUSINESS - None

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2019 – 158

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**

**RESOLUTION ADOPTING THE 2019 BROOME
COUNTY HAZARD MITIGATION PLAN UPDATE**

WHEREAS, The VILLAGE OF JOHNSON CITY is exposed to natural hazards that increase the risk to life, property, environment, and the local economy, and pro-active mitigation of known hazards before a disaster can reduce or eliminate long-term risk; and

WHEREAS, VILLAGE OF JOHNSON CITY in coordination with Broome County and other municipal partners, with assistance from TetraTech, has gathered information and prepared the 2019 Broome County Hazard Mitigation Plan Update (the “Plan”); and

WHEREAS, the Plan has been prepared in accordance with the Disaster Mitigation Act of 2000 (Public Law 106-390) that established requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, the planning process included engaging the public, assessing the risk and vulnerability to the impacts of natural hazards, developing a mitigation strategy consistent with a set of uniform goals and objectives, and creating a plan for implementing, evaluating and revising this strategy;

WHEREAS, VILLAGE OF JOHNSON CITY, in coordination with Broome County, is a local unit of government that has afforded the public an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, VILLAGE OF JOHNSON CITY has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by that VILLAGE OF JOHNSON CITY:

1. Adopts in its entirety, the 2019 Broome County Hazard Mitigation Plan Update as the jurisdiction's Natural Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
2. Will use the adopted and approved portions of the Plan to guide disaster mitigation for the hazards identified, coordinate the strategies identified in the Plan with other programs under its jurisdictional authority, and incorporate mitigation planning as an integral component of government operations.
3. Will continue its support of the Mitigation Planning Committee as described within the Plan and support the continued mitigation efforts of the participants in the Plan.
4. Will provide an update of the Plan in conjunction with the County no less than every five years.

Resolution #2019 – 159

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**

RESOLUTION AUTHORIZING THE COMPLETION OF THE GRAND AVENUE CORRIDOR AND INTERCEPTOR “B” COMBINED SANITARY/STORM SEWER SEPARATION PROJECTS PURSUANT TO THE TERMS OF TOWN OF UNION PROJECT DOCUMENTS

WHEREAS, the Village Board of the Village of Johnson City has determined that a true need exists for the completion of the Grand Avenue – Interceptor “B” sanitary/storm sewer separation project

WHEREAS, the Town of Union Board performed a State Environmental Quality Review Act (“SEQRA”) review and determined that the project will not result in any significant adverse environmental impacts, as such, no further environmental review of this action is required; and

WHEREAS, the “PIGGYBACKING” LAW Section of the “Village of Johnson City Policy for Procurement Not Subject To Bidding Requirements As Per General Municipal Law 103” authorizes the Village to make purchases pursuant to General Municipal Law § 103 (16), commonly known as “piggybacking”; and

WHEREAS, the Village Board has examined the Town of Union Contract with Vacri Construction Corporation and its associated bid documents for said sewer separation project and has determined that such contract was put out to bid and let in a manner consistent with the General Municipal Law’s competitive bidding requirements; and

WHEREAS, the Village Board has previously authorized the financing of the completion of the construction of the sewer separation project in the FY 2019-2020 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby authorizes the completion of the sewer separation project pursuant to the terms of Town of Union contract with Vacri Construction Corporation and directs the Mayor or his designee to execute any documents and take all actions necessary to effect the same.

Resolution #2019 – 160

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**

A RESOLUTION APPROVING THE PURCHASE OF REAL PROPERTY LOCATED AT 333 GRAND AVENUE

At a meeting of the Village Board of the Village of Johnson City, held at Village Hall, 243 Main Street, 2nd Floor Board Room, Johnson City New York at 7:30 p.m. on the 3rd day of September 2019, the following resolution was offered and seconded:

WHEREAS, the real property located at 333 Grand Avenue, Johnson City, NY, tax map number 143.71-2-13, being approximately 3.96 acres of vacant land (hereinafter the “Premises”) has been listed for sale; and

WHEREAS, the Village has entered into negotiations with United Health Services, the owners of the Premises, for purchase of the Premises in the amount of \$200,000; and

WHEREAS, the total assessed value of the Premises is \$230,588 and the projected Full Market Value of the Premises is \$230,588, both according to the Broome County GIS; and

WHEREAS, the Village has a public interest in the Premises; and

NOW THEREFORE, BE IT RESOLVED, that the Mayor of the Village of Johnson City be and hereby is authorized to execute a contract and all necessary legal documents to purchase the aforementioned Premises, together with all improvements, personalty, and fixtures, from the for a total cost of \$200,000; and

RESOLVED, that pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of Trustees that purchase and use of the Premises constitutes a Type II Action; and

RESOLVED, that this resolution shall take effect immediately.

Discussion: Mayor Deemie explained it was appraised before we went into negotiations and the most recent appraisal was \$250,000. We settled on \$200,000.

Resolution #2019 – 161

A motion to authorize the Mayor to sign an agreement with Delta Engineers, Architects & Land Surveyors to provide professional engineering services for design and bid phase services in the amount of \$446,298.00, to be funded through FY19-20 Budget line A1640.4.975, 'New DPW Facility' was held over by Trustee Giblin.

Resolution #2019 – 162

A motion to authorize the Mayor to sign an agreement with Delta Engineers, Architects & Land Surveyors to provide professional engineering services for the Air Handler Replacement at the Village of Johnson City DPW Facility located at 124 Brown Street in the amount of \$16,000.00, to be funded through FY19-20 Budget line A1640.4.440, 'DPW Heating System Replacement' was held over by Trustee Meaney.

Resolution #2019 – 163

A motion to increase the Village of Endicott water rate, in accordance with the September 1, 2008 Intermunicipal Agreement and Local Law 3 of 2013 and Local Law 3 of 2014 and Local Law 7 of 2018 from \$.53 per 100 cubic feet to \$1.34 per 100 cubic feet; effective immediately and the Village of Johnson City Clerk shall send notice of this change was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried – Vote:

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

Resolution #2019 – 164

A motion to award the bid for Your Home Public Library Roof Rehabilitation in the amount of \$42,000 to Tower Roofing as the lowest responsive bid was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

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

Resolution #2019 – 165

A motion to authorize the mayor to execute an agreement with the Johnson City Central School District regarding school tax collection was made by Trustee Walker and seconded by

Trustee Giblin.

Motion Carried – Vote:

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

Resolution #2019 – 166

A motion to authorize the granting of a parade permit for the annual St. James Church 5-K Run/2.5K Walk on Sunday, October 20, 2019 at 2:00pm contingent upon proof of insurance being provided listing the Village of Johnson City as an additional insured and coordination with the Johnson City Police Department and DPW for any road closures if needed was made by Trustee Giblin and seconded by Trustee Meaney.

Motion Carried – Vote:

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

Resolution #2019 – 167

A motion to authorize forgiveness of a portion of the entire water bill in the amount of \$53,876.93 to AJEM Group for a significant leak within the building at 5-11 Avenue C, Johnson City, due to Mr. Anzaroot’s unawareness of the high amount of the bill at the time of purchase and his pledge to double the amount back in the investment in the building was made by Trustee Giblin and seconded by Trustee Walker.

Motion Failed – Vote:

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

Resolution #2019 – 168

A motion to authorize forgiveness to Shimon Piekarski for a refuse bill in the amount of \$105.00 for a mattress placed at the curb at 73-75 Crocker Ave was made by Trustee Walker and seconded by Trustee Giblin.

Motion Failed – Vote:

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

Resolution #2019 – 169

A motion to authorize forgiveness of the entire water bill in the amount of \$925.68 to Faisel Akhtar at 89 Albany Avenue, Johnson City, due to May 5, 2019 purchase and that he has not yet moved into the property was made by Trustee Walker and seconded by Trustee Giblin.

Motion Failed – Vote:

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

Resolution #2019 – 170

A motion to appoint Terry Barnum to the position of Account Clerk provisional at the salary of \$24,499.36 effective September 9, 2019 contingent upon completion of a successful background check was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

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

Resolution #2019 – 171

A motion to appoint Mary Ann Kinne to the position of Registrar to fulfill Debbie Osenni’s unexpired term effective September 19, 2019 was made by Trustee Giblin and seconded by Trustee Reynolds.

Motion Carried – Vote:

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

Resolution #2019 – 172

A motion to appoint Eileen Edwards to the position of Deputy Registrar to fulfill Mary Ann Kinne’s unexpired term effective September 19, 2019 was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried – Vote:

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

Resolution #2019 – 173

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, September 28, 2019 from 12:00 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 closures was made by Trustee Walker and seconded by Trustee Meaney.

Motion Carried – Vote:

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

Discussion: Submitted for a different date at the beginning of the year that was approved before and we are reapproving new date.

Resolution #2019 – 174

A motion to approve a request from Charles Stuck on behalf of the residents of Orchard Avenue to close the road on Sunday, September 8, 2019 from 4:00 pm – 6:00 pm for a neighborhood Block Party contingent upon obtaining the required street permit and coordination with the DPW

and Police Department for the street closures was made by Trustee Giblin and seconded by Trustee Meaney.

Motion Carried – Vote:

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

Resolution #2019 – 175

A motion to authorize the Johnson City Business & Professional Women to hold the 35th Annual Holiday Parade on Thursday, December 5, 2019 at 7:00pm starting at the corner of Main Street and Lester Avenue and ending in the Johnson City Senior Center on Brocton Street, contingent upon proof of insurance being provided listing the Village of Johnson City, NY as the certificate holder was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried – Vote:

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

Resolution #2019 – 176

A motion to approve a request from William Giblin, Owner of Giblin’s, 256 Main St., to close Wilbrow Alley on September 8, 2019 from 12:00pm – 7:00pm as part of the Giblin’s Annual Golf Tournament contingent upon supplying the Village with proper insurance coverage and naming the Village as additional insured for this event was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

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

PUBLIC SAFETY

FIRE (Trustees Balles & Walker) - No new business

POLICE (Trustees Balles & Walker)

Resolution #2019 – 177

A motion to authorize the auction of the following Police Department property was made by Trustee Meaney and seconded by Trustee Giblin.

- 1) 2003 Suzuki A4K Motorcycle VIN JS1CK43A532100214 (Abandoned property)
- 2) 2004 Nissan Frontier VIN: 1N6ED27T54C4461735 (Abandoned property)

Motion Carried – Vote:

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

Resolution #2019 – 178

A motion to approve a travel request for Dan VanWie, Mike Hepler, Matt Kushner and Dustin Klinko to attend SWAT Training from September 29, 2019 – October 4, 2019 at Fort Drum, New York at a cost of \$1,790.00 from budget line A3120.4.930 was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried – Vote:

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

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.

Carol Laskowski, Edward St –Resolution 169 – how can this happen?

Mayor Deemie responded it was against the property and it wasn't paid before the closing.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor adjourned the meeting at 7:52 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.