



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 17, 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: Cindy Kennerup, Clerk/Treasurer

Also Present: Cheryl Sacco, Legal Counsel
Thomas Johnson, Deputy 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 next Town of Union Board meeting is scheduled for Wednesday, September 18, 2019 at 7:00pm with a work session at 5:30pm at 3111 East Main Street, Endwell.
- [2] The Village of Johnson City Pagoda Rededication Ceremony will be held Thursday, September 19, 2019 at 1:00pm.
- [3] The next Cruze-In is scheduled for Thursday, September 19, 2019 from 5:00pm – 8:00pm. Rich Wilson will be playing.
- [4] The Johnson City Planning Board meeting is scheduled for Tuesday, September 24, 2019. The work session will be at 7:00pm and the meeting will be at 7:30pm in the Village Boardroom.
- [5] The Association of Towns & Villages meeting will take place at The Spot Restaurant, 1062 Front Street, Binghamton, on Thursday, September 26, 2019 at 6:00 pm. The guest speakers Senator Akshar and Assemblyman Crouch.
- [6] Johnson City Homecoming football game is Friday, September 27, 2019 at 7:00pm with fireworks at approximately 9:30pm.
- [7] The next regular Village Board Meeting will be Tuesday, October 1, 2019 at 7:30pm with a work session at 5:30pm at Village Hall.

APPROVAL OF BOARD MINUTES

[1] Minutes of September 3, 2019 regular meeting and work session

A motion to approve the minutes of September 3, 2019 was made by Trustee Walker and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

BIDS - None

PUBLIC HEARINGS

[1] Declaring 59 Allen Street, Johnson City, NY to be unsafe and dangerous in accordance with Chapter 118 of the Village Code.

Mayor Deemie opened the public hearing.

Daria Golazeski, Code Enforcement – The problems started in February. It was deemed inhabitable, there were electrical problems in the building and three sections of the foundation had failures. The building inspectors posted the building and requested this hearing, Notices were sent requesting an engineering report and code still has not received a full report. We received a partial permit. Some repairs were started this weekend without a permit. They are also concerned with the posts on the front porch.

Rachel Miller, Attorney for owners of 59 Allen St – Requested the public hearing be tabled for 60 days so they can have time to fix the building. They have secured the building and it cannot be accessed by the public. They have met with an engineer, Charles Fenson, who is determining what walls they need to fix and they filed for a permit today.

Mayor Deemie confirmed the resolution states they have until November 27, 2019 to comply and questions what type of engineer is doing the plans?

Dee stated they need engineering plans with structural calculations and we only received one set of plans. We did not get a complete application or proof of workers comp and disability insurances that are required by law. The permit application is not signed by the owner or contractor.

Mayor Deemie stated that work has already been done prior to a permit being drawn and prior to any of our building inspectors coming in. A letter from Attorney Miller's office stated debris around the house was cleaned up, one non-structural wall was taken down and work was done to secure other walls. What other work was done to secure other walls?

Attorney Miller's understanding is that none of the work has been done to structural foundation or structural wall. Debris has been picked up and a nonstructural wall has been repaired. It was work done to nonstructural walls.

Dee stated that is not her understanding from Mr. Rosato. Work done to render the building safe and demolition work would have required permit. They are concerned that animals are getting into the wall on the north side of the building.

Mayor Deemie stated we want to make sure it's safe. We are here to work with everybody to make sure it is in everyone's best interest. He told Attorney Miller they need to work with code and the building inspectors and make sure they are satisfied. Code will keep us updated.

Ms. Golazeski stated we jumped through hoops with appearance tickets and they did not show up at court dates. Until we set the public hearing we had not heard anything.

Jeff Rake, Arthur Ave –

Is this the same process that was taken with 300 Oakdale Road?

Mayor Deemie stated it was the same process but different situations. The County foreclosed on the property on Oakdale. We are trying to get the property from Broome County.

Mayor Deemie closed the public hearing.

PETITIONS RECEIVED - None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Jeff Rake, Arthur Ave –

- Purchase of property on Grand Ave for \$200,000
- Resolution for spending \$500,000 on engineer for DPW garage
- Looking to build new DPW facility. Why spend \$16,000 on old facility if you are going to build?

Mayor Deemie stated we need to have the heat in there in the winter for the employees and the vehicles. It needs to be repaired and it hasn't worked properly for several years.

Corinna Johnson, Cook St – Village of Johnson City bought two other buildings on Grand Ave?

Mayor Deemie stated no, we only bought one property.

Mayor Deemie closed the first privilege of the floor.

COMMUNICATIONS

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

- [1] Correspondence from Robert Heil at SLA Solutions with request for waiver of the 30-day municipality notification for a liquor license at Mooney's Sports Bar & Grill, 214 Reynolds Rd, Johnson City, NY 13790.
- [2] Correspondence from Charles Stuck regarding Orchard Avenue Block Party

COMMITTEE/BOARD REPORTS

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

- [1] Minutes of the August 7, 2019 Town of Union Board Meeting

DEPARTMENT REPORTS

A motion to accept and file the following Department Reports 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 August 22 – September 4, 2019
- [2] Police Department Overtime Report for the weeks of August 22 – September 4, 2019
- [3] Police Department Monthly Report for July 2019

PAYROLL AND BILLS PRESENTED

A motion to approve Abstract #6 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 Reynolds. 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	\$254,192.63
WATER FUND	\$24,183.74
SEWER FUND	\$38,320.31
REFUSE FUND	\$52,722.75
JSTP	\$792,822.95
VARPUR	\$0.00
CAPITAL	\$302.00
DEBT SERVICE	\$636,998.56

UNFINISHED BUSINESS

Resolution #2019 – 161

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

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'.

Motion Carried – Vote:

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

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 made by Trustee Giblin and seconded by Trustee Meaney.

Motion Carried – Vote:

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

Discussion: Trustee Giblin explained it is up to \$16,000 to get the study done. It will be done on an hourly basis until they can figure out what is needed in that building.

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2019 – 179

A motion to authorize the Mayor or his designee to execute a MOU the Police Benevolent Association on placement of a School Resource officer in the Johnson City Central School District 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 – 180

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, the Town of Union Senior Building Inspector has issued a report determining that the building located at 59 Allen Street, Village of Johnson City, New York, Tax Map No. 143.64-2-37 is unsafe or dangerous to the public, pursuant to § 118-3 of the Village Code of the Village of Johnson City, and has ordered it to be made safe and secure; and

WHEREAS, on September 16, 2019, the Village Board held a public hearing in regard to the structure at 59 Allen Street, Johnson City, NY; and

WHEREAS, notice of said public hearing has been published, filed at the County Clerk's Office, and served in accordance with the Village Code; and

WHEREAS, after due deliberation, the Village Board finds that the building is unsafe to the general public, as the exterior walls and foundation are collapsing.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act, it has been determined by the Village Board that securing the building at 59 Allen Street does not constitute an "action" as defined under the SEQRA regulations. Said action will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to the same; and further

RESOLVED that the Village Board of the Village of Johnson City hereby determines that the building at 59 Allen Street, Johnson City, NY is unsafe or dangerous to the public and orders it to be immediately secured. Because the property owner has neglected or refused to repair and secure the same within the time provided, the Village Board hereby determines said building may be secured by whatever means it deems appropriate and may assess all costs and expenses incurred by the Village of Johnson City and/or the Town of Union in connection with securing the building, against the land on which said building is located; and further

RESOLVED that in the event of refusal or neglect of the owner to comply with this Resolution and the prior notices, the owner must start the actions required by the Code Department by September 27, 2019 and end it by November 27, 2019, and if upon inspection of the structure(s) by the Code Enforcement Officer there is confirmation that the actions have not been completion by November 27, 2019 as ordered by the Village Board and set forth in the notice and herein, that the Village shall take such actions necessary and shall assess such expenses to the property; and further

RESOLVED that this Resolution shall take effect immediately.

Resolution #2019 – 181

A motion to waive the 30-day notice period to Mooney's 13, Inc. dba Mooney's Sports Bar & Grill located at 214 Reynolds Road, Johnson City, NY 13790, for a liquor license with a letter of authorization from the Mayor 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 – 182

A motion to approve a request for Sarah Jane Johnson Memorial United Methodist Church to reserve Veterans Memorial Park for 50 people on Sunday, September 22, 2019 from 9:00 until 12:00 noon with a praise and worship service at 10:30 a.m. was made by Trustee Meaney and

seconded by Trustee Giblin.

Motion Carried – Vote:

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

Discussion: Pastor Carolyn Stow at Sarah Jane Johnson stated they will not need traffic control. Their insurance certificate is on file with the Village.

Resolution #2019 – 183

A motion to approve a request from Pat Carter to have a big ball tournament fundraiser for Southern Tier Titans on Oct. 5 & 6 from 9:00am – 8:00pm at the Virginia Ave softball fields for 150-175 people 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) - 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 #2019 – 184

A motion to approve the Binghamton-Johnson City Joint Sewage Board request that the Owners pass legislation to increase appropriations on the ledger account J8130.54802 for Permits, Fees and Fines by \$30,000 and reduce account J8130.55000 Contingency by the same was made by Trustee Giblin and seconded by Trustee Meaney.

Motion Carried – Vote:

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

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Chris Waters, 71 Adams

- Privatization of JSTP – What is the opinion of the Board?

Trustee Walker stated that until he reads what they come up with for the resolution he does not have a comment.

Trustee Giblin responded there is supposed to be a plan set for the committee's decision and the process of rating the three bidders. It has not been set yet.

- Process to vote for privatization by Village of Johnson City. How does it work with both Binghamton and Johnson City?

Mayor Deemie explained that both Boards vote separately and both would have to approve for it to move forward.

- \$16,000 is only for the study and it could be over \$100,000 to replace the system. Feels as if we are throwing money away. We as tax payers need to spend more money responsibly.

Mayor Deemie responded that's what we are going to look into with the study. It will give us some ideas and suggestions. There could become an issue with the union and if it goes to the Department of Labor it would be mandated. We are trying to get this done correctly so we don't get fined.

Gary Kratchovil, Beverly Place – A lot of people on Beverly Place live in Binghamton and some live in Johnson City. Have had several families move into 4 Beverly that have had issues. House was posted condemned by Code. He wants to know what they can do to move this along.

Mayor Deemie said he will discuss it with Mayor David and see what the progress is.

Corinna Johnson, Cook St – What will happen to the Brown Street building?

Mayor Deemie responded at this time we have no plans for the building. It may become a storage building or we could sell it. We need to figure out what we are going to do with it.

Jeff Rake, Arthur Ave – He can't believe the condition of Reynolds Road and Deyo Hill Road. They are the worst roads he's ever been on. Do we own a blacktop paver? He Thinks the Village gets thought of last. As to the heating system, what employees are we talking about? You need to do more to let the public know about the public hearings and agendas.

Mayor Deemie explained Reynolds Road was on schedule to be engineered last year. Some of Deyo Hill Road is Town of Union, some is Town of Dickinson or the Village of Johnson City. We do not own a blacktop paver; we contract that out. We are just finishing road work from last year. The

Contractor wasn't able to do the work because of the weather and we got behind. The Mechanics, the break room is there and the workers are there off and on all day.

Chris Waters – He knows we are doing what we have to do legally, but no one reads the paper. You should do more to let people know and utilize social media. He suggested people come to the work session so they can learn a lot about what is going on.

Trustee Meaney confirmed the entire budget is on the website. Neither him or the board enjoy when UHS takes the properties of the tax roll.

Mayor Deemie explained we brought up to UHS during negotiations that they don't pay for services in the Village, they know the situation. It was negotiated per the Boards requirements and requests from \$0 to \$200,000.

Carolyn Stone. Pastor at Sarah Jane – Extended gratitude to the Board for letting them use Veterans' Park and invited the Board to Sunday worship service at 10:30a.m.

Trustee Walker stated Delta Engineering did a study where to put the DPW facility and one location was 59 Lester. If you go look at the DPW facility it is deplorable. He was in there once and does not want to go back.

Resident of Johnson City – Consider scaling things back. Look for alternatives to help. If you show good faith maybe you will have more support.

Trustee Walker and Trustee Giblin confirmed they asked Mr. Bennett for alternatives and if it was transferable to the new building and they will find out.

Mayor Deemie stated we have to provide services that we need to provide in the Village and we as the Board are required to provide these services because our main concern is to provide health and safety to the Village and provide it to the best of our ability. This Board is doing the best we can, trying to save money, doing research and make sure it is the best for everybody.

- Heating System
- Building demolition
- Grants – DPW facility and equipment
- Keep funding down for the Village
- Bids

Trustee Giblin discussed costs, reviewing bills, breakdown. We are thinking about the future and how we can save money down the road.

Julie Deemie, Zoa Ave

- Attend work sessions to learn a great deal
- 15,000 residents and no one volunteers. They expect five people to make the Village a wonderful place. They are busy, but doing a fantastic job
- Extremely pleased with what the Board is doing. Individual talents contribute to make the board a great board.
- Volunteer Appreciation Day in April. There are quite a few Johnson City organizations and there wasn't a handful of people when they asked who lived in Johnson City. People

volunteer who don't even live in Johnson City. Fourteen UHS workers, not one lived in JC, but were here helping along with JC Partners. If we want to change a Village, people complaining on social media, listening to gossip, half or more is not factual is not the way for someone to learn what goes on in Johnson City. They need to get involved, join a civic group, join JC Partners and take action for your community if you want it to be better. Stop complaining and take action.

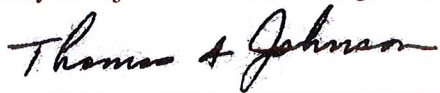
Corinna Johnson, Cook St – Defends the Board all the time on social media. No one is on the Board for the prestige of your positions.

Deleted a sentence from last board meeting minutes.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor adjourned the meeting at 8:50 pm.



Thomas Johnson
Deputy Village Treasurer

TJ/kc

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