



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, November 19, 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 and noted the fire exits.

MAYOR'S ANNOUNCEMENTS

- [1] The next Town of Union Board meeting is scheduled for Wednesday, November 20, 2019 at 7:00pm with a work session at 5:30pm at 3111 East Main Street, Endwell.
- [2] Johnson City Rail Trail Open House will be held Wednesday, November 20, 2019 from 6:00pm to 7:30 pm at Century Sunrise, 135 Baldwin Street, Johnson City.
- [3] The Association of Towns & Villages monthly meeting will be held at My Uncle's Place, 120 E. Service Rd., Binghamton, on Thursday, November 21, 2019 at 6:00 p.m. The guest speaker will be Joel Kie from the Broome County Highway Association.
- [4] The refuse collection for Thanksgiving week will be as follows:
Garbage normally collected on Thursday, Nov. 28th will be collected on Friday, Nov. 29th.
Garbage normally collected on Friday, Nov. 29th will be collected on Monday, Dec. 2nd.
There will be no yardwaste on Monday, Dec. 2nd. All other routes will be collected on their normally scheduled days.
- [5] Village Offices will be closed on Thurs., Nov. 28th & Fri, Nov. 29th for Thanksgiving.
- [6] Alternate street parking begins on December 1st.
- [7] The next regular Village Board Meeting will be Tuesday, December 3, 2019 at 7:30pm with a work session at 5:30pm at Village Hall.
- [8] The JCBPW Association's Annual Holiday Parade will be at 7pm on Thursday, December 5th on Main Street.

- [9] 10th Annual Lights on the Carousel will be held from 5 – 8pm on Dec. 6th & 7th and Dec. 13th & 14th.

APPROVAL OF BOARD MINUTES

- [1] Minutes of October 15, 2019 regular meeting and work session

A motion to approve the minutes of October 15, 2019 was made by Trustee Giblin and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

- [2] Minutes of October 30, 2019 special meeting

A motion to approve the minutes of October 30, 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] A Local Law Amending Chapter 264 of the Village Code entitled “Vehicles and Traffic”.

Mayor Deemie opened the public hearing.

Attorney Sacco explained there are two parts. One part is clarifying handicapped parking. The second part is we added parking prohibited all the times in certain areas of Ethel and Burdick Streets because of the clear problem of line of sight.

Mayor Deemie closed the public hearing.

- [2] Village’s desire to discontinue or sell the property formerly constituting the dead end section of Saint Charles Street.

Mayor Deemie opened the public hearing.

Mayor Deemie explained there is an area on St. Charles Street that is of no use to us. It is a dead end and goes nowhere. UHS bought property on both sides of it and at this point we are moving forward to discontinue ownership of it and possibly sell it.

Mayor Deemie closed the public hearing.

PETITIONS RECEIVED – None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Mike and Kathy Ballog, N. Arch Street – Would like to petition the Board to see if they can get a change to the Zoning Code to allow the construction of an arbor in the front yard. There are several in the area and they were unaware it was a structure that was not allowable. Kathy Ballog presented pictures of similar arbors throughout Johnson City.

Mayor Deemie confirmed it does have to come before the board for a change in the law. They will take a look at the pictures and the Board will discuss.

Mayor Deemie closed the first privilege of the floor.

COMMUNICATIONS

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

- [1] Correspondence from Broome County Health Department regarding Johnson City Water System Sanitary Survey.
- [2] Correspondence from Diane Marusich regarding Deborah Drive.

Discussion: Mayor Deemie explained what is involved in our system and what has been done to our system. Mayor Deemie read the Health Department Sanitary System Survey. He stated the water system is one of our top priorities in the Village. We also supply water to other municipalities. The Health Department correspondence will be posted on Facebook.

COMMITTEE/BOARD REPORTS

A motion to accept and file the following Committee/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 October 16, 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 October 3– October 16, 2019
- [2] Police Department Overtime Report for the weeks of October 3– October 16, 2019
- [3] Fire Department Overtime Report for the weeks of October 17– October 30, 2019
- [4] Police Department Overtime Report for the weeks of October 17– October 30, 2019
- [5] Fire Department Overtime Report for the weeks of October 31– November 13, 2019
- [6] Police Department Overtime Report for the weeks of October 31– November 13, 2019
- [7] Police Department Monthly Report for September 2019
- [8] Police Department Monthly Report for October 2019
- [9] Zoning Board Notice of Decision – 38 N. Arch Street – Interpretation of a structure and fence
- [10] Zoning Board Notice of Decision – 41 Ackley Avenue – Area variance to reduce side setback variance from 5 feet to .1 feet.
- [11] Town of Union Code Report for October 2019

PAYROLL AND BILLS PRESENTED

A motion to approve Abstract #9 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	\$867,886.89
WATER FUND	\$160,233.98
SEWER FUND	\$21,804.02
REFUSE FUND	\$63,277.08
JSTP	\$1,009,095.90
VARPUR	\$0
CAPITAL	\$0
DEBT SERVICE	\$236,965.84

UNFINISHED BUSINESS - None

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2019 – 197

A motion to declare Village of Johnson City Police Squad car VIN # 1FAHP2L83DG169797 to be surplus and of de minimis market value and motion to, as a joint donation from the Village of Johnson City Police Benevolent Association, donate Squad car VIN # 1FAHP2L83DG169797 to the Discovery Center for use in educational endeavors and in the memory of Police Officer David W. Smith who was killed in the line of duty was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried – Vote:

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

Discussion: D.W.’s squad car will be driven to Morrisville to have it stripped and painted and gotten ready for educational purposes at the Discovery Center in Binghamton.

Resolution #2019 – 198

A motion to authorize the Village Treasurer to forward the 2019-2020 Unpaid Village Property Taxes (levied on June 1, 2019) to the Broome County Commissioner of Finance in the amount of: Real Property Taxes - \$511,533.25, Interest & Penalties - \$40,922.88, 2nd notice Mail charges - \$411.00 for the Total Amount Relevied - \$552,867.13 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 – 199

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

Motion Carried – Vote:

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

WHEREAS, the Village of Johnson City scheduled a public hearing for November 19, 2019 at 7:35 p.m. for Local Law No. 8 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 19th day of November, 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. 8-2019 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 – 200

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, a local law entitled “A LOCAL LAW AMENDING CHAPTER 200 OF THE VILLAGE CODE ENTITLED ‘PLUMBING CODE’” 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 December 17, 2019, at 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 explained we changed our plumbing code with regard to plumbing licenses within the Village. We no longer have a plumbing board and everything will be done through the City of Binghamton. Plumbers will have to take the Prometrics Test, a statewide test, through the City of Binghamton, get a Binghamton license, have proof they took the test in Binghamton and come to Johnson City to get a reciprocal license. We are streamlining the system to give more plumbers the opportunity to get a license in Johnson City.

Resolution #2019 – 201

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, a local law entitled “A LOCAL LAW AMENDING THE VILLAGE ZONING MAP” regarding parcels on Riverside Drive and Lusk Street, a copy of which is attached hereto, was introduced at this meeting, and

WHEREAS, the Village Board accepts the application to rezone the parcels and refers the application to the Planning Board for their recommendation; 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 December 17, 2019, at 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.

Resolution #2019 – 202

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, a local law entitled “A LOCAL LAW AMENDING THE VILLAGE ZONING MAP” regarding parcels on Hudson Street and Park Place, a copy of which is attached hereto, was introduced at this meeting, and

WHEREAS, the Village Board accepts the application to rezone the parcels and refers the

application to the Planning Board for their recommendation; 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 December 3, 2019, at 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.

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

Resolution #2019 – 203

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

Motion Carried – Vote:

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

WHEREAS, the Village of Johnson City has been provided a copy of the Broome County Fire Mutual Aid Plan.

NOW, THEREFORE, BE IT RESOLVED that this Board encourages the participation by and elects that the Village Fire Department participates in the Broome County Fire Mutual Aid Plan, as now in force and as amended from time to time, and it is further

RESOLVED that this Board certifies that no restrictions exist against “outside service” by the Village Fire Department within the meaning of Section 209 of the General Municipal Law which would affect the power of the Village or the Village Fire Department, to participate in such plan, and it is further

RESOLVED that the Village Fire Department will comply with provisions of such plan and the Village Fire Department will recognize a call for assistance from another fire department, fire company, or fire brigade through the Broome County Communications Center.

BE IT FURTHER RESOLVED that a copy of this resolution be filed with the Broome County Fire Coordinator and Broome County Law Department.

Resolution #2019 – 204

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

Motion Carried – Vote:

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

WHEREAS, the Village of Johnson City, New York desires to discontinue a section of Saint Charles Street, that portion of St. Charles Street being approximately 115' long on the west side and 140' long on the east side between Corliss Avenue and the railroad tracks, pursuant to Village Law § 6-612;

WHEREAS, the dead end section of Saint Charles St. is that section identified in the New York State Department of Transportation's 2019 Local Highway Inventory of Local Roads and Streets as having a DOT ID of 306064, beginning at mile point 0.00 at a dead end, extending for .02 miles, and ending at Corliss Avenue; which can be seen on the attached drawing; and

WHEREAS, a village board of trustees may discontinue a street by resolution pursuant to Village Law § 6-612; and

WHEREAS, Village Law § 6-614 requires notice to the public and conducting a public hearing in accordance with Article 21 of the Village Law for any resolution under consideration for discontinuing a street; and

WHEREAS, a village board of trustees seeking to discontinue a street must make a finding that a street is useless as a right-of-way to the general public such that it provides mere token use; and

WHEREAS, the owner(s) of the two parcels, Tax Map #143.72-1-12 and Tax Map #143.64-4-28, immediately next to said section of Saint Charles St. have asked the Village Board to discontinue said section; and

WHEREAS, on November 19, 2019, the Village Board held a public hearing in regard to discontinuing said section of Saint Charles St. in the Village of Johnson City, NY; and

WHEREAS, notice of said public hearing has been published and posted, and; and

WHEREAS, after conducting said public hearing and after due deliberation, the Village Board finds that said section of Saint Charles St. is useless as a right-of-way to the general public such that it provides no more than mere token use; and

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 discontinuing said section of Saint Charles St. is a type II Action as defined under the SEQRA regulations; and it is further

RESOLVED that the Village Board of the Village of Johnson City hereby declares said section of Saint Charles St., Johnson City, NY is useless as a right-of-way to the general public such that it provides mere token use and should be discontinued; and it is further

RESOLVED that, pursuant to Village Law § 6-612, said section of Saint Charles St. is discontinued; and further

RESOLVED that this Resolution shall take effect immediately.

Resolution #2019 – 205

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

Motion Carried – Vote:

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

- 1) 2007 Ford Taurus VIN 1FAFP53U27A186748 (repairs outweigh value, slated for replacement 6/2020)

Resolution #2019 – 206

A motion to authorize forgiveness of \$92.79 for a late charge on the water/refuse/sewer bill for Kong Xiong Wang at 185 Willow Street was made by Trustee Meaney and seconded by Trustee Giblin.

Motion Failed – Vote:

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

Resolution #2019 – 207

A motion to authorize Free Parking from the Isabelle Lot to Jennison Street, including Broad Street, Willow Street, Lewis Street, North Broad Street, Avenue D, Avenue C, Avenue B, and Avenue A and all Municipal Lots commencing November 28, 2019 (Thanksgiving Day) through and including January 1, 2020 was made by Trustee Reynolds and seconded by Trustee Walker.

Motion Carried – Vote:

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

Discussion: Trustee Meaney asked if it could please be posted on the Facebook Page.

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.

Carol Laskoski, Edward St – Is there a parade? Are you getting ten new fire hydrants because of additional UHS facilities?

Mayor Deemie responded the parade is December 5th. They were fire hydrant replacements, some were going on Nelson Road, where they were putting new curbs and sidewalks and multiple spots throughout the Village.

Don Slota, Eldredge Ave – Suzanne had a question last meeting regarding flashing light walkways on Harry L. Drive and two on Floral Ave. Do you have to stop if there is a flashing light?

Chief Dodge responded they are hoping they will happen. Mayor Deemie stated they may still have them, but not the way we were originally told. Chief Dodge explained they are there to alert people that someone is trying to cross so they will slow down and make it easier and safer for people to cross. If you see a passenger in the crosswalk, by state law you have to stop.

Walter Gross, Eldredge Ave – He really likes Johnson City. He told Chief Dodge something nice about one of his officers. Confused about when he has to feed the parking meters?

Mayor Deemie responded Main Street and the Municipal lots are free for three hours. Basically around the hospital there is no free parking. Hours of free parking are 9:00am to 6:00pm

Julie Deemie, Zoa Ave – When Mayor Hannon was Mayor, she requested bright orange stickers on the meters “3 hours free parking” and she is still waiting.

Lurline Crampton, Riverside Dr – Compliment about DPW, garbage crew is very nice. One of the garbage men told her to have a nice day ma’am. She never had a garbage man say anything that nice to her.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor adjourned the meeting at 7:59 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.