



# VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING  
243 MAIN STREET • JOHNSON CITY, NY 13790  
www.villageofjc.com

## Village Board

Gregory Deemie, Mayor

Clark Giblin, Deputy Mayor  
Benjamin Reynolds, Trustee

Martin Meaney, Trustee  
John Walker, Trustee

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## AGENDA - REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, November 19, 2019 @ 7:30pm • Village Hall, 243 Main St., 2<sup>nd</sup> Floor, Johnson City, NY

*We kindly request that you turn off or mute all cell phones and pagers. We kindly request that if anyone wishes to read from a prepared statement, please provide the Clerk with a copy so that the minutes can be as accurate as possible.*

### ORDER OF BUSINESS:

#### 1. ***PLEDGE OF ALLEGIANCE***

#### 2. ***FIRE EXITS***

#### 3. **MAYOR'S ANNOUNCEMENTS**

- [3.1] 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.
- [3.2] 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.
- [3.3] 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.
- [3.4] The refuse collection for Thanksgiving week will be as follows:  
Garbage normally collected on Thursday, Nov. 28<sup>th</sup> will be collected on Friday, Nov. 29<sup>th</sup>.  
Garbage normally collected on Friday, Nov. 29<sup>th</sup> will be collected on Monday, Dec. 2<sup>nd</sup>. There will be no yardwaste on Monday, Dec. 2<sup>nd</sup>. All other routes will be collected on their normally scheduled days.
- [3.5] Village Offices will be closed on Thurs., Nov. 28<sup>th</sup> & Fri, Nov. 29<sup>th</sup> for Thanksgiving.
- [3.6] Alternate street parking begins on December 1<sup>st</sup>.
- [3.7] 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.
- [3.8] The JCBPW Association's Annual Holiday Parade will be at 7pm on Thursday, December 5<sup>th</sup> on Main Street.
- [3.9] 10<sup>th</sup> Annual Lights on the Carousel will be held from 5 – 8pm on Dec. 6<sup>th</sup> & 7<sup>th</sup> and Dec. 13<sup>th</sup> & 14<sup>th</sup>.

#### 4. **APPROVAL OF BOARD MINUTES**

- [4.1] Minutes of October 15, 2019 regular meeting and work session
- [4.2] Minutes of October 30, 2019 special meeting

5. **BIDS** – None

6. **PUBLIC HEARINGS**

[6.1] A Local Law Amending Chapter 264 of the Village Code entitled “Vehicles and Traffic”.

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

7. **PETITIONS RECEIVED** – None

8. **PRIVILEGE OF THE FLOOR – VISITORS**

9. **COMMUNICATIONS**

[9.1] Correspondence from Broome County Health Department regarding Johnson City Water System Sanitary Survey

[9.2] Correspondence from Diane Marusich regarding Deborah Drive.

10. **COMMITTEE/BOARD REPORTS**

[10.1] Minutes of the October 16, 2019 Town of Union Board Meeting

11. **DEPARTMENT REPORTS**

[11.1] Fire Department Overtime Report for the weeks of October 3– October 16, 2019

[11.2] Police Department Overtime Report for the weeks of October 3– October 16, 2019

[11.3] Fire Department Overtime Report for the weeks of October 17– October 30, 2019

[11.4] Police Department Overtime Report for the weeks of October 17– October 30, 2019

[11.5] Fire Department Overtime Report for the weeks of October 31– November 13, 2019

[11.6] Police Department Overtime Report for the weeks of October 31– November 13, 2019

[11.7] Police Department Monthly Report for September 2019

[11.8] Police Department Monthly Report for October 2019

[11.9] Zoning Board Notice of Decision – 38 N. Arch Street – Interpretation of a structure and fence

[11.10] Zoning Board Notice of Decision – 41 Ackley Avenue – Area variance to reduce side setback variance from 5 feet to .1 feet.

[11.11] Town of Union Code Report for October 2019

12. **PAYROLL AND BILLS PRESENTED**

Abstract #9 of the 2019 - 2020 Fiscal bills as stated and or amended and attached to the work session minutes.

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

13. **UNEFINISHED BUSINESS** - None

**14. NEW BUSINESS**

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

**Resolution #2019 – 197**

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.

**Resolution #2019 – 198**

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, 2<sup>nd</sup> notice Mail charges - \$411.00 for the Total Amount Relevied - \$552,867.13.

**Resolution #2019 – 199**

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**

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.

**Resolution #2019 – 201**

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**

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**

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**

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

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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**

Authorize the auction of the following Police Department property:

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

**Resolution #2019 – 206**

Authorize forgiveness of \$92.79 for a late charge on the water/refuse/sewer bill for Kong Xiong Wang at 185 Willow Street.

**Resolution #2019 – 207**

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.

**PUBLIC SAFETY**

**FIRE (Trustees Walker & Reynolds)** – No new business

**POLICE (Trustees Walker & Reynolds)** – No new business

**PUBLIC WORKS (Trustees Walker & Giblin)** – No new business

**RECREATION (Trustees Walker & Giblin)** – No new business

**PLANNING, ZONING & CODE ENFORCEMENT (Trustees Walker & Meaney)** – No new business

**JOINT SEWAGE TREATMENT BOARD (Trustees Giblin & Reynolds)** – No new business

15. **PRIVILEGE OF THE FLOOR – VISITORS**

16. **ADJOURNMENT**

*To contact Village Board members via e-mail please use the following addresses:*

*Mayor Gregory Deemie - [jcmayor@villageofjc.com](mailto:jcmayor@villageofjc.com)*

*Deputy Mayor Clark Giblin – [cgiblin@villageofjc.com](mailto:cgiblin@villageofjc.com)    Trustee Martin Meaney – [mmeaney@villageofjc.com](mailto:mmeaney@villageofjc.com)*

*Trustee Benjamin Reynolds - [breyolds@villageofjc.com](mailto:breyolds@villageofjc.com)    Trustee John Walker - [jwalker@villageofjc.com](mailto:jwalker@villageofjc.com)*