



# 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

Martin Meaney, Trustee

Benjamin Reynolds, Trustee

John Walker, Trustee

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## AGENDA - REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, December 17, 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, December 18, 2019 at 7:00pm with a work session at 5:30pm at 3111 East Main Street, Endwell.
- [3.2] The first weekend of the 10<sup>th</sup> Annual Lights on the Carousel brought in 1000 people. The second weekend 1500 people visited the carousel.
- [3.3] The next regular Village Board Meeting will be Tuesday, January 7, 2020 at 7:30pm with a work session at 5:30pm at Johnson City Village Hall, Second Floor Board Room.
- [3.4] The Broome County Association of Towns & Village's Holiday Party will be held on Thursday, December 19, 2019 at 6:00pm at Riverdale Banquet Hall, 2901 Watson Blvd, Endwell.
- [3.5] The Village offices including Johnson City Village Court, will be closed on Tuesday, December 24<sup>th</sup> and Wednesday, December 25<sup>th</sup> in observance of Christmas and Wednesday, January 1<sup>st</sup> in observance of New Year's Day.
- [3.6] Refuse Collections will be as follows: Garbage normally collected on Wednesday, Dec. 25<sup>th</sup> will be collected on Thursday, Dec. 26<sup>th</sup>. Garbage normally collected on Thursday, Dec. 26<sup>th</sup>, will be collected on Friday, Dec. 27<sup>th</sup>. Garbage normally collected on Friday, Dec. 27<sup>th</sup> will be collected on Monday, Dec. 30<sup>th</sup>.
- [3.7] Swearing in Ceremony for Trustees Giblin, Trustee Walker and Justice Gregory Thomas will be at 12:00 pm on January 1, 2020 at the Justice Building.
- [3.8] Christmas trees will be collected on January 13<sup>th</sup> and January 20<sup>th</sup>, 2020. No yard waste will be collected at this time.

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

- [4.1] Minutes of December 3, 2019 regular meeting and work session

#### 5. **BIDS** – None

**6. PUBLIC HEARINGS**

- [6.1] Local Law No. 10 - Amending Chapter 200 of the Village Code entitled Plumbing Code
- [6.2] Local Law No. 11 - Amending the Village Zoning Map regarding parcels on Riverside Drive and Lusk Street.

**7. PETITIONS RECEIVED – None**

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

**9. COMMUNICATIONS**

- [9.1] Correspondence from Rosanna Potts regarding resigning her position.
- [9.2] Correspondence from Roger Warren regarding forgiveness of excess garbage bill.
- [9.3] Correspondence from Janet & Anthony Sobiech regarding renewal of their New York State Liquor License.
- [9.4] Correspondence from Christine Madden regarding maintenance of Harry L. Drive properties
- [9.5] Correspondence from Daria Golazeski regarding electrical services contract.
- [9.6] Correspondence from Leo Cotnoir regarding electronic transactions.

**10. COMMITTEE/BOARD REPORTS**

- [10.1] Joint Sewage Treatment Board Reports dated November 30, 2019
- [10.2] Library Board – December 10, 2019 Meeting Agenda and Director’s Report
- [10.3] Minutes of the November 20, 2019 Town of Union Board Meeting
- [10.4] Minutes of the November 21, 2019 Broome County Association of Towns and Villages Meeting

**11. DEPARTMENT REPORTS**

- [11.1] Fire Department Overtime Report for the weeks of November 28– December 11, 2019
- [11.2] Town of Union Code Enforcement Monthly Reports for November 2019

**12. PAYROLL AND BILLS PRESENTED**

Abstract #11 of the 2019 - 2020 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$141,455.60
WATER FUND	\$5,431.09
SEWER FUND	\$183,267.45
REFUSE FUND	\$29,532.42
JSTP	\$636,725.08
VARPUR	\$0
CAPITAL	\$0
DEBT SERVICE	\$180,810.00

**13. UNFINISHED BUSINESS - None**

**14. NEW BUSINESS**

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

**Resolution #2019 – 212**

**WHEREAS**, the Village of Johnson City scheduled a public hearing for December 17, 2019 at 7:35 p.m. for Local Law No. 10 of the year 2019 entitled “A LOCAL LAW AMENDING CHAPTER 200 OF THE VILLAGE CODE ENTITLED ‘PLUMBING CODE’”; 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 17th day of December, 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 Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of the Village of Johnson City that adoption of the proposed Local Law does not constitute an “action” as defined and can be considered without further regard to SEQRA; 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. 10-2019 entitled “A LOCAL LAW AMENDING CHAPTER 200 OF THE VILLAGE CODE ENTITLED ‘PLUMBING CODE’”, 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 – 213**

**WHEREAS**, the Village of Johnson City scheduled a public hearing for December 17, 2019 at 7:35 p.m. for Local Law No. 11 of the year 2019 entitled “A LOCAL LAW AMENDING THE VILLAGE ZONING MAP” regarding parcels on Riverside Drive and Lusk Street; 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 17th day of December, 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 Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board that this is an Unlisted Action as defined under said regulations. The Village Board has considered the possible environmental impacts of the action, concluded that it will not have a significant adverse impact on the environment, and adopts a negative declaration with respect to the same; 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. 11-2019 entitled “A LOCAL LAW AMENDING THE VILLAGE ZONING MAP”, 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 – 214**

Authorize forgiveness of \$105.00 to Roger Warren for excessive refuse charges incurred on November 15, 2019 at 11 Farr Avenue, Johnson City.

**Resolution #2019 – 215**

A motion to authorize the Mayor to sign a contract with NY Atlantic Inland, Inc. for electrical inspection services for the period of January 1, 2020 – December 31, 2020 with 2 one year renewal options as recommended by the Electrical Board with there being no cost to the Village.

**Resolution #2019 – 216**

**WHEREAS**, an appearance ticket has been issued by the Town of Union Code Office due to a report by the Johnson City Police Department, and the Village Board of Trustees of the Village of Johnson City has been requested to consider declaring the structure at 191 Baldwin Street, Johnson City, New York as unsafe and dangerous, which consideration requires a public hearing; and

**NOW, THEREFORE**, be it

**RESOLVED**, that the Village Board will hold a Public Hearing on January 21, 2020 at 7:35 p.m. to solicit public input on the issue concerning whether the structure at 191 Baldwin Street, Johnson City, New York should be declared unsafe and dangerous; and be it further

**RESOLVED**, that notice of this Public Hearing shall be served on the record owner of 191 Baldwin Street, Johnson City, New York and its legal counsel, if known; and be it further

**RESOLVED**, that the Village Clerk and Counsel are authorized to take such additional and further action as is necessary to notice the Public Hearing as noted herein; and be it further

**RESOLVED** that in accordance with Section 118-9 of the Village Code, that a clear and imminent danger to life, safety and health exists for persons and property; and as such the building at 191 Baldwin Street, Johnson City, New York must be secured immediately, the Board hereby authorized the Building Inspector to immediately cause the securing of this building.

**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)**

**Resolution #2019 – 217**

Authorize the Binghamton-Johnson City Joint Sewage Board's request that the Owners pass legislation to amend the 2019 Budget to increase appropriations on the ledger account for Equipment (J8130.52000) by \$17,500 to reduce Contingency (J8130.55000) by \$17,500 to provide the needed funds.

**Resolution #2019 – 218**

Authorize the Binghamton-Johnson City Joint Sewage Board's request that the Owners pass legislation to amend the 2019 Budget to increase appropriations on the ledger account for Overtime (J8130.51900) by \$15,000 to reduce Personnel Services (J8130.51000) by \$15,000 to provide the needed funds.

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@villageoffjc.com](mailto:jcmayor@villageoffjc.com)*

*Deputy Mayor Clark Giblin – [cgiblin@villageoffjc.com](mailto:cgiblin@villageoffjc.com) Trustee Martin Meaney – [mmeaney@villageoffjc.com](mailto:mmeaney@villageoffjc.com) Trustee Benjamin Reynolds - [breynolds@villageoffjc.com](mailto:breynolds@villageoffjc.com) Trustee John Walker - [jwalker@villageoffjc.com](mailto:jwalker@villageoffjc.com)*

**VILLAGE OF JOHNSON CITY  
LOCAL LAW NO. 10 FOR THE YEAR 2019**

**A LOCAL LAW AMENDING CHAPTER 200  
OF THE VILLAGE CODE ENTITLED “PLUMBING CODE”**

Section 1. Chapter 200 of the Village Code shall be amended as follows:

**§ 200-2 Appointment, qualifications and compensation of plumbing inspectors.**

Delete and replace with:

The Board shall detail, designate or appoint an inspector or inspectors of plumbing, subject, however, to the provisions or limitations of law regulating the appointment of such inspectors by such Board. All inspectors shall be practicing plumbers and shall not inspect any plumbing that they have done in the Village of Johnson City during the period of their appointment. Before entering upon the discharge of their duties as such inspectors, they shall each be required to obtain a certificate of competency from the Village Clerk. They shall be entitled to compensation to be fixed by the Board.

**§ 200-12 Permit to connect with sewers and water mains.**

Delete and replace with:

The Superintendent of Public Works shall not issue a permit to anyone to connect with the sewers or with the water mains in the Village unless such person has obtained and shall produce license from the Village Clerk.

Delete Section 200-18 and replace with:

**§ 200-18 License required.**

Except as provided in § [200-29](#), no person shall engage in the trade, business or occupation of plumbing in the Village without first having obtained a license therefor from the Village Clerk.

Delete Section 200-19 and replace with:

**§ 200-19 Application for license.**

Every person desiring to obtain a license to engage in the trade, business or occupation of plumbing in the Village shall file in the office of the Village Clerk, written application, subscribed by the applicant and containing the following information:

- A. The applicant's true full name, place of residence and place of business.
- B. The trade, business or occupation for which the applicant desires such license and the true full name under which he or she intends to conduct such trade, business or occupation.
- C. A statement of facts showing to the satisfaction of the Village Clerk that the applicant is a practical and experienced plumber.

Delete Section 200-20 and replace with:

**§ 200-20 Examination and certificate of competency required.**

- A. A person desiring or intending to conduct the trade, business or calling of plumber or of plumbing in the Village as employing or master plumber shall be required to take the Prometrics examination. The Village will provide any applicant a list of the approved testing location(s) for such examination.
  
- B. The Village of Johnson City Village Clerk shall issue a license without an examination, to a plumber who possesses a valid license from the City of Binghamton provided that the plumber has passed the Prometrics examination at the City's testing center and done so pursuant to the joint testing agreement between the Village of Johnson City and the City of Binghamton; and provided that the joint testing agreement is still in effect.

Delete Section 200-21 and replace with:

**§ 200-21 Eligibility.**

- A. Any person shall be eligible to take the Prometrics examination as a master or employing plumber who has submitted proof of at least one year as a journeyman and five years' apprenticeship prior experience in the installation, repair and maintenance of plumbing systems in the United States, its territories and possessions under the supervision of a person or persons licensed or qualified by experience to be licensed as a licensed master plumbing contractor under the provisions of this article where no such license is required; or who has received a degree in mechanical or sanitary engineering from a college or university accredited by the State Department of Education, holds a license as a professional engineer in the state and has had at least three years' prior experience in the installation, repair and maintenance of plumbing systems in the United States, its territories and possessions under the supervision of a person or persons licensed or qualified by experience to be licensed as a master plumbing contractor under the provisions of this article.
  
- B. Applicants who were engaged in plumbing work, as above provided, prior to entering the Armed Services of the United States shall be permitted to credit their time in the service as experience in the plumbing business, but such credit shall not exceed two years.

Delete Section 200-22 and replace with:

**§ 200-22 Fee for examination.**

Each applicant must pay any fees and cost associated with taking the Prometrics examination at an approved testing location. The Village shall charge and collect from each person applying for examination a sum set by resolution of the Board.

Delete Section 200-23 and replace with:



**§ 200-23 Limitation on number of times examination may be taken.**

No applicant for a license under the provisions of this article shall be permitted to take the examination required by § 200-20 more than once in six months.

Delete Section 200-24 and replace with:

**§ 200-24 Issuance of license; restrictions.**

- A. All licenses for plumbers shall be signed by the Village Clerk. No license shall be issued to any plumber during the time in which he or she shall fail to comply with any of the provisions of the regulations relating to plumbing, drainage or ventilation or to remedy any defective work performed by him or her or under his or her direction in said Village after receiving written notice from the Board that he or she has been held responsible therefor under said regulations.
  
- B. The following insurance is required for all new and renewal licenses: comprehensive general liability, issued by an insurance company licensed to do business in the State of New York, including products and completed operations liability with a limit of \$500,000 per occurrence, bodily and property damage and \$500,000 annual aggregate. The Village of Johnson City shall be included as a named insured or additional insured for liability arising from work performed under this license. Additionally, proof of Workers Compensation and Disability Benefits or exemption on forms acceptable to Village or NYS Workers Compensation Board must be provided.
  
- C. Certificate of insurance showing the required coverage will be provided to the Village with 30 days notice of cancellation or nonrenewal.

Delete Section 200-25 and replace with:

**§ 200-25 Expiration and renewal of licenses and certificates.**

- A. All certificates of registration issued under the provisions of this article and all licenses authorizing connections with street sewers or water mains shall expire on the 31st day of December of the year following the year in which they shall be issued and may be renewed within 30 days preceding such expiration. Such renewals to be for one year from the first day of January of each year.
  
- B. The fee for renewal shall be set by resolution of the Board. Failure to renew the preceding year(s) license(s) requires full payment of the previous license fee(s). Failure to renew a license for five consecutive years will be considered as retirement from the plumbing business, and the license will be terminated. To reestablish a plumbing license, the retired master plumber must retake the Prometrics examination and receive a passing grade.

Delete Section 200-26 and replace with:



**§ 200-26 Revocation of license; notice; hearing.**

A license issued under the provisions of this article may be revoked by the Board for a violation of the rules and regulations for plumbing and drainage contained in this chapter after a hearing before such Board and upon prior notice of not less than 10 days. The notice stating the ground of complaint shall be served on the person charged with the violation.

*Delete Section 200-27 and replace with:*

**§ 200-27 Registration of name and address with Village Clerk.**

It shall be unlawful for any person to engage in or carry on the trade, business or calling of employing or master plumber in the Village unless his or her name and address shall have first been registered in the office of the Village Clerk.

*Delete Section 200-28 and replace with:*

**§ 200-28 Metal plates and signs.**

- A. Required. No person otherwise qualified shall engage in the trade, business or calling of a plumber or of plumbing in the Village as employing or master plumber until he or she has first procured from the Village Clerk a plate or sign appropriately lettered or marked "licensed plumber."
- B. Display. Such plate or sign shall be conspicuously posted in the window of the place where such business is conducted.
- C. Surrender. Any person retiring, abandoning or not actually engaged in such trade, business or calling hereinbefore mentioned shall surrender to the Village Clerk such plate or sign and shall not again engage in such trade, business or calling until he or she has again procured a sign as herein provided.
- D. Specifications; contents. The Village Clerk shall prepare plates or signs at least 14 inches wide and not less than 22 inches in length, appropriately marked "licensed plumber," the lines of each letter to be four inches long and 5/8 of an inch wide. Such plate or sign shall, on some part thereof, contain an identification number, which number, together with the names and location of the place of business of the person to whom issued, shall be recorded in the office of the Village Clerk.
- E. Issuance; fee. Every person now actually engaged or about to engage in the trade, business or calling of a plumber or of plumbing as an employing or master plumber who has otherwise complied with the provisions of law relating to the conduct of such business upon the payment of a fee, as set by resolution of the Board, to the Village Clerk shall have issued to him or her a sign or plate hereinbefore described.
- F. Transfer, etc.; violation of section. Any person to whom such plate or sign has been issued who shall loan, rent, sell or transfer the same to another person, whether such person is entitled to

receive a similar plate or sign or not, or otherwise willfully violates the provisions of this section shall forfeit his or her license.

Delete Section 200-29 and replace with:

**§ 200-29 Applicability of provisions to domestic corporations.**

- A. A domestic corporation desiring or intending to conduct the trade, business or calling of a plumber or of plumbing in the Village of Johnson City as employing or master plumber may do so, provided that one or more officers of such corporation separately or aggregately actually hold and own at least 51% of the issued and outstanding capital stock of said corporations, and provided that each of such officers holding such percentage of the stock is the holder of license from the Village Clerk.
- B. In case one or more officers of a corporation engaged in such business shall die, being the holder of a license, the corporation may continue the business during the time necessarily required to the administration of the estate of such deceased officer, not exceeding two years from the granting of letters, provided that one or more officers of the corporation is the holder of a license and, together with the legal representative of such deceased officer or officers, actually owns and holds at least 51% of the issued and outstanding capital stock of said corporation.
- C. Each and every member of said corporation holding a license shall comply will all the rules and regulations applicable to employing or master plumbers in the Village of Johnson City. Such corporation shall register as provided in § 200-19 of this article.

Delete Section 200-30 and replace with:

**§ 200-30 Permit and inspection fees.**

- A. No plumbing or drainage work shall be connected or disconnected without a permit therefor issued in the manner prescribed by the Plumbing Code of the Village of Johnson City.
- B. Fees shall be as follows:
  - 1. For commercial and industrial properties, issuance of plumbing and drainage permits, including inspection and approval: a sum as set by resolution of the Board.
  - 2. For residential properties, issuance of plumbing and drainage permits, including inspection and approval: a sum as set by resolution of the Board.
  - 3. For issuance of a permit for furnace and boiler installation, including inspection and approval: a sum as set by resolution of the Board. A licensed plumber is not required for furnace and boiler installation.
  - 4. A licensed plumber is not required for the replacement of a water heater or water softener.

Renumber the existing Section 200-35 as 200-31.

Renumber the existing Section 200-36 as 200-32.

Renumber the existing Section 200-37 as 200-33.

The following Sections shall be deleted in their entirety:

**§ 200-34 Permit and inspection fees.**

**§ 200-35 Compliance required, exceptions.**

**§ 200-36 persons authorized to perform work, compliance required**

**§ 200-37 Plumbing work to be done on building site.**

Section 2.      Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 3.      Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4.      Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**VILLAGE OF JOHNSON CITY  
LOCAL LAW NO. 11 FOR THE YEAR 2019**

**A LOCAL LAW AMENDING THE VILLAGE ZONING MAP**

Be it enacted by the Village Board of the Village of Johnson City as follows:

Section 1. The Zoning Map of the Village of Johnson City shall be amended as follows:

The following parcels or, if combined together as one or more parcels, the parcels then remaining, shall hereby be rezoned from the Urban Multi-Family Zoning District and added to the Office Overlay Zoning District, and the Village of Johnson City Zoning Map shall be amended accordingly:

601 Riverside Drive; Tax Map No. 143.79-2-15

50 Lusk Street; Tax Map No. 143.79-2-16

66 Lusk Street; Tax Map No. 143.79-2-19

*[The remainder of the Zoning Map shall remain the same]*

Section 2. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 3. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.