



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

AGENDA - REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, February 4, 2020 @ 7:30pm • Village Hall, 243 Main St., 2nd 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 Village of Johnson City Zoning Board meeting will be held on Monday, February 10, 2020 at 7:30pm with a work session as 7:00pm.

[3.2] The Binghamton-Johnson City Joint Sewage Board meeting will be Tuesday, February 11, 2020 at 3:30pm at the B-JC JST Facility New Administration Building, 1st Floor Conference Room, Vestal.

[3.3] SUNY Broome is hosting a Legislative Priorities Public Voice Event. Please see attached for information.

[3.4] The next regular Village Board Meeting will be Tuesday, February 18, 2020 at 7:30pm with a work session at 5:00pm.

[3.5] The Village of Johnson City Planning Board meeting will be held on Tuesday, February 25, 2020 at 7:30pm with a work session as 7:00pm.

4. APPROVAL OF BOARD MINUTES

[4.1] Minutes of January 21, 2020 regular meeting and work session.

5. BIDS – None

6. PUBLIC HEARINGS

[6.1] Local Law Amending Chapter 264 of the Village Code entitled "Vehicles and Traffic". The purpose of this Local Law is to regulate parking on Endwell Street.

[6.2] Local Law Amending Chapter 196 of the Village Code entitled "Transient Retail Businesses and Vendors". The purpose of this Local Law is to repeal and delete Section 196-10 entitled "Bond required; imposition of tax; filing of reports; right of entry."

7. **PETITIONS RECEIVED**– None

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

9. **COMMUNICATIONS**

- [9.1] Correspondence from Paul Reynolds, President, CMA regarding leases held with the Village.
- [9.2] Correspondence from Attorney Joseph Meagher of Thomas, Collison & Meagher with notification of a public hearing for Great Eastern Hemp, LLC scheduled for Wednesday, February 12, 2020, at 5:00 p.m. at the Village Hall of the Village of Johnson City. The public hearing will be streamlined on the date and time above-referenced at www.theagency-ny.com.

10. **COMMITTEE/BOARD REPORTS**

- [10.1] Code Enforcement - *No report submitted*
- [10.2] Court – Nothing to report
- [10.3] Joint Sewage Treatment Board – Nothing to report
- [10.4] Library - Nothing to report
- [10.5] Newsletter - *No report submitted*
- [10.6] Planning – Minutes from Planning Board meeting of December 16, 2019 submitted as a Department Report
- [10.7] Public Safety - *No report submitted*
- [10.8] Public Works – *No report submitted*
- [10.9] Zoning – Nothing to report

11. **DEPARTMENT REPORTS**

- [11.1] Fire Department Overtime Report for the weeks of January 9, 2020 – January 22, 2020
- [11.2] Town of Union Code Enforcement Monthly Reports for December 2019
- [11.3] Police Department Monthly Report for December 2019
- [11.4] Minutes of the Planning Board Meeting Dated December 16, 2019

12. **PAYROLL AND BILLS PRESENTED**

Abstract #14 of the 2019 - 2020 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$501,750.83
WATER FUND	\$46704.42
SEWER FUND	\$8,661.82
REFUSE FUND	\$34156.89
JSTP	\$375,710.35
VARPUR	\$0
CAPITAL	\$0
DEBT SERVICE	\$0

13. **UNFINISHED BUSINESS**

Resolution #2020 – 19

**VILLAGE OF JOHNSON CITY
A RESOLUTION APPROVING THE PURCHASE
OF REAL PROPERTY LOCATED AT 154 ALLEN STREET.**

WHEREAS, the real property located at 154 Allen Street, Johnson City, NY, tax map number 143.72-1-29, being approximately 85 x 84 feet of vacant land, is owned by United Health Services (hereinafter the “Premises”); and

WHEREAS, the Village has entered into negotiations with United Health Services, the owners of the Premises, for purchase of property located at 333 Grand Avenue, Johnson City, NY as authorized in September of 2019 in the amount of \$200,000, a copy of such resolution is attached hereto as **Exhibit A**; and

WHEREAS, United Health Services has offered to include the Premises, 154 Allen Street, a contiguous parcel with 333 Grand Ave in the contract for no additional cost to the Village; and

WHEREAS, the total assessed value of the Premises \$600 the projected Full Market Value of the Premises is \$14,118, 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 United Health Services for no additional cost from the purchase authorized in September of 2019; 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.

Resolution #2020 – 25

Authorize the Mayor to sign a supplemental Agreement with Delta Engineer’s for additional survey and Ground penetrating radar location of underground utilities in the amount of \$13,337.00.

14. **NEW BUSINESS**

FINANCE & RULES (All Board Members)

Resolution #2020 – 33

WHEREAS, the Village of Johnson City scheduled a public hearing for February 4, 2020 at 7:35 p.m. for Local Law No. 1 of the year 2020 entitled “A LOCAL LAW AMENDING CHAPTER 264 OF

THE VILLAGE CODE ENTITLED ‘VEHICLES AND TRAFFIC’” regarding parking on Endwell 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 4th day of February, 2020 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. 1 of 2020 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 #2020 – 34

WHEREAS, the Village of Johnson City scheduled a public hearing for February 4, 2020 at 7:35 p.m. for Local Law No. 2 of the year 2020 entitled “A LOCAL LAW AMENDING CHAPTER 196 OF THE VILLAGE CODE ENTITLED ‘TRANSIENT RETAIL BUSINESSES AND VENDORS’”; 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 4th day of February, 2020 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(26) 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. 2 of 2020 entitled “A LOCAL LAW AMENDING CHAPTER 196 OF THE

VILLAGE CODE ENTITLED ‘TRANSIENT RETAIL BUSINESSES AND VENDORS’”, 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 #2020 – 35

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE ENTITLED ‘ZONING’” 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 March 3, 2020, 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 #2020 – 36

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW AMENDING THE VILLAGE ZONING MAP” regarding 400 Riverside Drive, 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 March 3, 2020, 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 #2020 – 37

Amend the current 457(b) Eligible Deferred Compensation Plan of the Village of Johnson City to allow rollovers from another agency.

Resolution #2020 – 38

In accordance with Village Law section 6-624, the Village hereby designates 219 Main Street, Johnson City to be park land.

Resolution #2020 – 39

Authorize the granting of a parade permit to the Johnson City Police Benevolent Association (JCPBA) and the DW 5K Committee to hold the Officer David “DW” Smith, Jr. Remembrance 5K Run/Walk at 9:00am on the Sunday, May 17, 2020 contingent upon receiving the necessary approvals from the NYSDOT, and coordination with the JC Police and JCDPW for road closures and required insurance.

Resolution #2020 – 40

Authorization to advertise for bids for the Curb & Gutter and Sidewalk Replacement Contract.

Resolution #2020 – 41

Authorization to advertise for bids for the Floral Avenue Pool Rehabilitation Project.

PUBLIC SAFETY

FIRE (Trustees Walker & Reynolds) – No new business

POLICE (Trustees Walker & Reynolds)

Resolution #2020 – 42

Appoint Katherine Welte to the Johnson City Police Department from Broome County Personnel Eligible List #60-728 at the base starting salary as outlined in the collective bargaining agreement, to be effective February 13, 2020, contingent upon final approval from Broome County Civil Service.

Resolution #2020 – 43

Appoint Louis Cioci to the Johnson City Police Department as the School Resource Officer assigned to the Johnson City Central School District pursuant to the agreement between the district and the Village, effective March 2nd, 2020.

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

Deputy Mayor Clark Giblin - cgiblin@villageofjc.com Trustee Martin Meaney - mmeaney@villageofjc.com

Trustee Benjamin Reynolds - breynolds@villageofjc.com Trustee John Walker - jwalker@villageofjc.com

Legislative Priorities Public Voice Event Information

Last year's **Legislative Priorities Public Voice Event** was a success and we'd like to bring the public into the budget priorities discussion again this year. As you know, the public has expressed appreciation for your participation in the past and we are hopeful that you will attend again this year.

SUNY Broome will host a "Public Voice" event on Tuesday, February 18th 2020, from 6:30-8:30 pm in Decker 201. We plan to use the same format for this event as we have in the past. We are asking the local NYS legislators to give us their top THREE legislative issues in priority fashion. We are also asking the County Executive and the Broome County Majority and Minority leaders to do the same. Since jobs creation is so important we ask that you not include this issue as it is already the top issue. We will list the issues that each legislator identifies. Using the local print and electronic media as well as contacts through our co-sponsors, we will invite citizens to SUNY Broome Community College on February 6th to identify their top priorities.

The ground rules are as follows:

- Each citizen is encouraged to bring a written list of their top priorities.
- Each citizen will be given up to one minute to identify their NYS Legislative priorities and one minute to identify their Broome County Legislative priorities.
- Elected officials or their designee are invited to attend the event to listen to citizen input but are not to talk about any of the issues; likewise citizens, are not to engage legislators/or their designees in any conversation during the event about the issues.
- A copy of citizens' views on the legislative agendas for both the local and state bodies will be given to appropriate elected officials.
- If a citizen is unable to attend the event but wishes to contribute input they may mail their issues to Lisa Strahley, Civic Engagement Coordinator, SUNY Broome.

This type of event was pioneered at Panama City Community College and has been heartily endorsed by elected officials. They see citizens coming out to offer their ideas for legislative agenda items as a sort of public opinion poll on what is deemed important.

We look forward to seeing you!!!

Lisa Strahley

Professor & Chairperson Teacher Education/Early Childhood Department
& Civic Engagement Coordinator
SUNY Broome Community College

strahleyla@sunybroome.edu

607.778.5029 (Teacher Education/EC)

607.778.5042 (Civic Engagement Office)

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. 1 FOR THE YEAR 2020**

A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE
ENTITLED "VEHICLES AND TRAFFIC"

Section 1. Chapter 264 of the Village Code shall hereby be amended as follows:

§ 264-87. Schedule XII: Parking Prohibited at All Times.

A. *Add:*

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Endwell Street	All	Third Street to Dead End

[The remainder of this section remains the same]

§ 264-100. Schedule XXV: Red-Line Streets.

Add:

<u>Name of Street</u>
Endwell Street*

[The remainder of this section remains 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.

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. 2 FOR THE YEAR 2020**

A LOCAL LAW AMENDING CHAPTER 196 OF THE VILLAGE CODE
ENTITLED “TRANSIENT RETAIL BUSINESSES AND VENDORS”

Section 1. Section 196-10 of the Village Code entitled “Bond required; imposition of tax; filing of reports; right of entry” shall be repealed and deleted in its entirety and intentionally left blank.

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. 3 FOR THE YEAR 2020**

**A LOCAL LAW AMENDING CHAPTER 300
OF THE VILLAGE CODE ENTITLED "ZONING"**

Section 1. Chapter 300 of the Village Code shall be amended as follows:

§ 300-40.9 Home occupations of Board.

- A. Remains the same.*
- B. Delete and Replace with:* The home occupation shall be carried on wholly within the principal building of an owner occupied one-family dwelling and shall not cover more than fifteen percent (15%) of the floor area.
- C. Remains the same.*
- D. Remains the same.*
- E. Remains the same.*
- F. Remains the same.*
- G. Delete and Replace with:* The selling of merchandise to walk-in customers and the selling of merchandise not produced by such home occupation is prohibited.
- H. Remains the same.*
- I. Remains the same.*
- J. Remains the same.*
- K. Insert new subsection (K). The new subsection reads as follows:* Inventory and supplies shall not occupy more than 50% percent of the area permitted to be used as a home occupation.
- L. Insert new subsection (L). The new subsection reads as follows:* The home occupation shall not involve any operation considered to be hazardous.

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. 4 FOR THE YEAR 2020**

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 parcel located at 400 Riverside Drive (Tax Map No. 159.32-2-1) shall hereby be rezoned from the Urban Single Family Zoning District and establish it as a Planned Unit Development, and the Village of Johnson City Zoning Map shall be amended accordingly:

[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.