



## VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING  
243 MAIN STREET, JOHNSON CITY, NY 13790  
[www.villageofjc.com](http://www.villageofjc.com)

### Village Board

Gregory Deemie, Mayor  
Deputy Mayor Clark Giblin    Trustee Martin Meaney  
Trustee Benjamin Reynolds    Trustee John Walker

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### **Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, February 4, 2020 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 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.
- [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, 1<sup>st</sup> Floor Conference Room, Vestal.
- [3]    SUNY Broome is hosting a Legislative Priorities Public Voice Event. Please see attached for information.
- [4]    The next regular Village Board Meeting will be Tuesday, February 18, 2020 at 7:30pm with a work session at 5:00pm.
- [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.
- [6]    On February 10, 2020 at 6:00pm there will be a Special Meeting of the Village Board in the Work Session room in regards to water/sewer/refuse rates.
- [7]    On February 9, 2020 Reality Check is having a movie, targeting teens and tobacco use at the Johnson City Middle School from 2:00pm to 4:00pm.
- [8]    On February 11, 2020 the State of the County address is being held at 6:00pm at the old Sears building, Oakdale Mall.

## **APPROVAL OF BOARD MINUTES**

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

A motion to approve the minutes of January 21, 2020 was made by Trustee Giblin and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

**BIDS**– None

## **PUBLIC HEARINGS**

[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.

Mayor Deemie explained that on Endwell Street, on all sides, Third Street to the Dead End they are going to prohibit parking at all times and add Endwell Street as a red line street which means if there is more than two inches of snow, the cars need to be off the street.

Mayor Deemie opened the public hearing. There being no one who wished to speak, Mayor Deemie closed the public hearing.

[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.”

Mayor Deemie explained basically this is removing the bond requirement.

Mayor Deemie opened the public hearing. There being no one who wished to speak, Mayor Deemie closed the public hearing.

**PETITIONS RECEIVED** – None

## **PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the first privilege of the floor.

*Julie Deemie, Zoa Ave* – Would like to bring to Chief Dodge’s attention there is an older man she saw in two locations, once on the lower part of Zoa Ave and then by the bridge by Walmart. He had a bicycle with a cart with a sign mounted to it and said something about roofing.

Chief Dodge is aware and someone sent him a picture of him today.

*Mike Bidwell* – Resolution #38, anything specific use you are looking for it?

Mayor Deemie responded the Board is going to hold it over tonight because they want to discuss it further. The goal is to make it available as a park. There is more funding for park properties. As the Board discussed, taking a piece of property there is no taxes being paid on it, but there were no taxes being paid on it before. This property goes all the way back to the parking lot by the police station so it would be able to access Main Street directly from there rather than walking all the way around from

the lot. It will open up the area and give a little more visual feel, a little more ambiance. The Board wants to have more discussion before moving forward. There are proven facts that park areas enhance your downtown.

*Don Slota, Eldredge Ave* – What are we up to as far as acreage that Binghamton University has claimed in Johnson City?

Mayor Deemie does not have the amount of acreage they have at this point.

Mayor Deemie closed the first privilege of the floor.

### **COMMUNICATIONS**

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

- [1] Correspondence from Paul Reynolds, President, CMA regarding leases held with the Village.
- [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](http://www.theagency-ny.com).

### **COMMITTEE/BOARD REPORTS**

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

- [1] Code Enforcement - *No report submitted*
- [2] Court – Nothing to report
- [3] Joint Sewage Treatment Board – Nothing to report
- [4] Library - Nothing to report
- [5] Newsletter - *No report submitted*
- [6] Planning – Minutes from Planning Board meeting of December 16, 2019 submitted as a Department Report
- [7] Public Safety - *No report submitted*
- [8] Public Works – *No report submitted*
- [9] Zoning – Nothing to report

### **DEPARTMENT REPORTS**

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

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

**PAYROLL AND BILLS PRESENTED**

A motion to approve Abstract #14 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 those present voting in the affirmative.

Motion Carried – Vote:

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

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

**UNFINISHED BUSINESS**

**Resolution #2020 – 19**

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

**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**

A motion to 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 was made by Trustee Giblin and seconded by Trustee Meaney.

Motion Carried – Vote:

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

#### **NEW BUSINESS**

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

#### **Resolution #2020 – 33**

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 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**

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

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 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**

A motion to approve the following resolution 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 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**

A motion to approve the following resolution 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 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**

A motion to amend the current 457(b) Eligible Deferred Compensation Plan of the Village of Johnson City to allow rollovers from another agency was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

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

**Resolution #2020 – 38**

In accordance with Village Law section 6-624, the Village hereby designates 219 Main Street, Johnson City to be park land. This Resolution has been held over by the Village Board.

**Resolution #2020 – 39**

A motion to 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 was made by Trustee Walker and seconded by Trustee Reynolds.

Motion Carried – Vote:

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

*Discussion:* Trustee Giblin stated he is happy to see it is still going on. He had heard it was not. Mayor Deemie agrees he is happy to see it continue.

**Resolution #2020 – 40**

A motion for authorization to advertise for bids for the Curb & Gutter and Sidewalk Replacement Contract was made by Trustee Giblin and seconded by Trustee Meaney.

Motion Carried – Vote:

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

**Resolution #2020 – 41**

A motion for authorization to advertise for bids for the Floral Avenue Pool Rehabilitation Project was made by Trustee Reynolds and seconded by Trustee Meaney.

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)**

**Resolution #2020 – 42**

A motion to 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 was made by Trustee Meaney and seconded by Trustee Giblin.

Motion Carried – Vote:

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

## **Resolution #2020 – 43**

A motion to 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 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 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. There being no one who wished to speak, Mayor Deemie closed the second privilege of the floor.

### **EXECUTIVE SESSION #1**

A motion to enter executive session at 7:48 pm to discuss sale, acquisition and lease of property was made by Trustee Giblin and seconded by Trustee Meaney. The motion carried with all those present voting in the affirmative.

A motion to exit executive session at 8:06 pm was made by Trustee Walker and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

### **EXECUTIVE SESSION #2**

A motion to enter executive session at 8:07 pm to discuss clerk's contract was made by Trustee Giblin and seconded by Trustee Meaney. The motion carried with all those present voting in the affirmative.

A motion to exit executive session at 8:18 pm was made by Trustee Walker and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

**EXECUTIVE SESSION #3**

A motion to enter executive session at 8:18 pm for legal advice was made by Trustee Walker and seconded by Trustee Meaney. The motion carried with all those present voting in the affirmative.

A motion to exit executive session at 8:24 pm was made by Trustee Meaney and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

**ADJOURNMENT**

Mayor adjourned the meeting at 8:24 pm.

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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.