



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, March 3, 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 Hibernian St. Patrick's Day Parade is Saturday, March 7, 2020. The parade will begin at 1:30pm.
- [3.2] The Village of Johnson City Zoning Board meeting will be held on Monday, March 9, 2020 at 7:30pm with a work session at 7:00pm.
- [3.3] The Binghamton-Johnson City Joint Sewage Board meeting will be held on Tuesday, March 10, 2020 at 3:30pm at the Sewage Treatment Facility New Administration Building, 1st Floor Conference Room, Vestal
- [3.4] The next regular Village Board Meeting will be Tuesday, March 17, 2020 at 7:30pm with a work session at 5:00pm.
- [3.5] The 11th Annual Memorial Service to commemorate the lives lost in 2009 is scheduled for Friday, April 3, 2020 at 6:00pm at the American Civic Association, 131 Front Street, Binghamton.

4. APPROVAL OF BOARD MINUTES

- [4.1] Minutes of February 10, 2020 special meeting
- [4.2] Minutes of February 18, 2020 regular meeting and work session.

5. BIDS – None

6. PUBLIC HEARINGS

- [6.1] Local Law Amending Chapter 300 of the Village Code entitled "Zoning" regarding Home Occupations
- [6.2] Local Law Amending the Village Zoning Map for rezone of 400 Riverside Dr

- [6.3] Local Law Amending Chapter 140 of the Village Code entitled “Electrical Code of the Village of Johnson City”
- [6.4] Local Law Amending the Village Zoning Map for rezone of 183 Marie Street
- [6.5] Public Hearing to consider the adoption of new sewer rents for municipal sewer users in the Village of Johnson City.

7. **PETITIONS RECEIVED**– None

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

9. **COMMUNICATIONS**– None

10. **COMMITTEE/BOARD REPORTS**

- [10.1] Code Enforcement - *No report submitted*
- [10.2] Court – *No report submitted*
- [10.3] Joint Sewage Treatment Board – *No report submitted*
- [10.4] Library – *No report submitted*
- [10.5] Newsletter - *No report submitted*
- [10.6] Planning – *No report submitted*
- [10.7] Public Safety - *No report submitted*
- [10.8] Public Works – *No report submitted*
- [10.9] Zoning – *No report submitted*
- [10.10] Minutes of January 23, 2020 Broome County Association of Towns and Villages meeting

11. **DEPARTMENT REPORTS**

- [11.1] Fire Department Overtime Report for the weeks of February 6 – February 19, 2020
- [11.2] Police Department Overtime Report for the weeks of February 6 – February 19, 2020
- [11.3] Town of Union Board Meeting Minutes dated February 5, 2020
- [11.4] Police Monthly Report for January 2020

12. **PAYROLL AND BILLS PRESENTED**

Abstract #16 of the 2019 - 2020 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$509,107.16
WATER FUND	\$121,864.62
SEWER FUND	\$80,316.44
REFUSE FUND	\$34,475.99
JSTP	\$7,451.90
VARPUR	\$886,794.24
CAPITAL	\$0
DEBT SERVICE	\$0

13. UNFINISHED BUSINESS

Resolution #2020 – 50

RESOLUTION OF THE Village of Johnson City

REQUESTING AMENDMENTS TO NEW YORK STATE'S CRIMINAL JUSTICE REFORMS

WHEREAS while there was a need to reform New York's criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

WHEREAS cities and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

WHEREAS municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

NOW THEREFORE BE IT RESOLVED THAT the *Village of Johnson City* supports the following set of amendments proposed by the New York State Conference of Mayors that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the *Village of Johnson City* be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator *Fred Akshar* and Assembly Member *Donna Lupardo*, the New York State Conference of Mayors, and local media outlets.

14. **NEW BUSINESS**

FINANCE & RULES (All Board Members)

Resolution #2020 – 53

WHEREAS, the Village of Johnson City scheduled a public hearing for March 3, 2020 at 7:35 p.m. for Local Law No. 3 of the year 2020 entitled “A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE ENTITLED ‘ZONING’”; 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 3rd day of March, 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 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. 3 of 2020 entitled “A LOCAL LAW AMENDING CHAPTER 300 OF THE VILLAGE CODE ENTITLED ‘ZONING’”, 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 – 54

WHEREAS, the Village of Johnson City scheduled a public hearing for March 3, 2020 at 7:35 p.m. for Local Law No. 4 of the year 2020 entitled “A LOCAL LAW AMENDING THE VILLAGE ZONING MAP” regarding 400 Riverside Drive; 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 3rd day of March, 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 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. 4 of 2020 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 #2020 – 55

WHEREAS, the Village of Johnson City scheduled a public hearing for March 3, 2020 at 7:35 p.m. for Local Law No. 5 of the year 2020 entitled “A LOCAL LAW AMENDING CHAPTER 140 OF THE VILLAGE CODE ENTITLED ‘ELECTRICAL CODE OF THE VILLAGE OF JOHNSON CITY’”; 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 3rd day of March, 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. 5 of 2020 entitled “A LOCAL LAW AMENDING CHAPTER 140 OF THE VILLAGE CODE ENTITLED ‘ELECTRICAL CODE OF THE VILLAGE OF JOHNSON CITY’”, 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 – 56

WHEREAS, the Village of Johnson City scheduled a public hearing for March 3, 2020 at 7:35 p.m. for Local Law No. 6 of the year 2020 entitled “A LOCAL LAW AMENDING THE VILLAGE ZONING MAP” regarding 183 Marie 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 3rd day of March, 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 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. 6 of 2020 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 #2020 – 57

Authorize advertisement for bids for Harry L Drive from Valley Plaza Drive to Oakdale Road Pavement Preservation, PIN 9754.09.

Resolution #2020 – 58

Authorize advertisement for bids for Reynolds Road from Overbrook Road to Deyo Hill Road Pavement Preservation, PIN 9754.17.

Resolution #2020 – 59

Authorize the Mayor to execute a release agreement regarding the previously agreed upon purchase contract for 19 Avenue B and execute any necessary paperwork to release the Village from the purchase contract.

Resolution #2020 – 60

Authorize the Mayor to sign the Option to Purchase regarding the purchase of 30 Avenue C, Johnson City, NY and to execute any necessary paperwork to purchase said property.

Resolution #2020 – 61

A motion to authorize the Mayor to sign an agreement with FreshySites for the re-design and implementation of a Village website in a form acceptable to counsel for the Village.

Resolution #2020 – 62

A motion to approve a request for Precious Turkow Dickson and family to hold the 5th Annual Jamison Turkow Memorial Walk for Addiction Awareness at CFJ Park on Saturday, May 2, 2020 from 1:00pm – 5:00pm contingent upon proof of insurance being provided listing the Village of Johnson City as an additional insured and the submission of security details.

PUBLIC SAFETY

FIRE (Trustees Walker & Reynolds) – No new business

POLICE (Trustees Walker & Reynolds)

Resolution #2020 – 63

Appoint Justin Ketchum 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 March 12th, 2020, contingent upon final approval from Broome County Civil Service.

Resolution #2020 – 64

Accept the \$10,000 Livescan Equipment Grant from the New York State Department of Criminal Justice Services.

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