



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING

243 MAIN STREET, JOHNSON CITY, NY 13790

www.villageofjc.com

Village Board

Gregory Deemie, Mayor

Deputy Mayor Clark Giblin Trustee Martin Meaney

Trustee Benjamin Reynolds Trustee John Walker

Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, April 7, 2020 via Zoom Video Conference

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
 Thomas Johnson, Deputy Treasurer

Mayor Deemie called the meeting to order at 7:30pm, led the Pledge of Allegiance.

All Trustees confirmed their presence together with Treasurer Cindy Kennerup and Attorney Cheryl Sacco.

Mayor Deemie gave a statement regarding holding a virtual meeting.

MAYOR'S ANNOUNCEMENTS

- [1] Alternate Street parking ended April 1, 2020.
- [2] Yard waste collection started Monday, April 6, 2020.
- [3] The Village of Johnson City Planning Board will hold a Special Meeting on Wednesday, April 8, 2020 via Zoom Video Conference at 7:00pm.
- [4] The Town of Union Board Meeting will be Wednesday, April 8, 2020 at 7:00pm with a work session at 5:00pm.
- [5] The next regular Village Board Meeting will be Tuesday, April 21, 2020 at 7:30pm with a work session at 5:00pm.
- [6] The next regular Planning Board meeting will be held on Tuesday, April 28, 2020 at 7:30pm with a work session at 7:00pm.

APPROVAL OF BOARD MINUTES

- [1] Minutes of March 3, 2020 regular meeting and work session

A motion to approve the minutes of March 3, 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 – None

PETITIONS RECEIVED – None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Julie Deemie, Zoa Ave – Made statement regarding everyone communicating and working together better.

Mayor Deemie closed the first privilege of the floor.

COMMUNICATIONS

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

- [1] Correspondence from Lorraine McCarthy regarding water bill for 19 Lewis St.
- [2] Correspondence from David Cohen regarding 147 Allen Street.
- [3] Correspondence from Daria Golazeski of Code to Mayor Deemie and Board of Trustees regarding 29-31 Carhart Avenue

COMMITTEE/BOARD REPORTS

A motion to accept and file the following Committee/Board Reports was made by Trustee Meaney and seconded by Trustee Walker. 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 Reports dated March 9, 2020
- [4] Library Agenda and Director’s Report dated March 10, 2020
- [5] Newsletter - *No report submitted*
- [6] Planning Board Meeting minutes dated February 25, 2020
- [7] Public Safety - *No report submitted*
- [8] Public Works – Nothing to report
- [9] Zoning Board Meeting minutes dated February 10, 2020
- [10] Zoning Board Notice of Decision for 658 Riverside Drive dated March 25, 2020
- [11] Zoning Board Notice of Decision for 282 Riverside Drive dated March 25, 2020
- [12] Joint Sewage Treatment Board Reports dated March 31, 2020

DEPARTMENT REPORTS

A motion to accept and file the following Department Reports was made by Trustee Walker 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 February 20 – March 4, 2020
- [2] Police Department Overtime Report for the weeks of February 20 – March 4, 2020
- [3] Town of Union Board Meeting Minutes dated February 19, 2020
- [4] DPW & WATER Monthly Report for February 2020
- [5] Police Department Annual Report for 2019
- [6] Fire Department Overtime Report for the weeks of March 5 – March 18, 2020

- [7] Police Department Overtime Report for the weeks of March 5 – March 18, 2020
- [8] Town of Union Board Meeting Minutes dated March 4, 2020
- [9] Town of Union Code Enforcement Report for February 2020
- [10] Town of Union Board Meeting Minutes dated March 18, 2020
- [11] Police Department Monthly Report for February 2020
- [12] Fire Department Overtime Report for the weeks of March 19 – April 1, 2020

PAYROLL AND BILLS PRESENTED

A motion to approve Abstract #17 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 Walker and seconded by Trustee Giblin. The motion carried with Trustees Reynolds, Giblin and Walker and Mayor Deemie voting in the affirmative. Trustee Meaney abstained due to being out of town.

Motion Carried – Vote:

Ayes – 4 (Reynolds, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0 **Abstain** – 1 (Meaney)

GENERAL FUND	\$64,993.72
WATER FUND	\$29,793.49
SEWER FUND	\$67,178.24
REFUSE FUND	\$17,257.30
JSTP	\$141,562.74
VARPUR	\$0
CAPITAL	\$0
DEBT SERVICE	\$61,701.35

A motion to approve Abstract #18 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	\$652,133.35
WATER FUND	\$184,150.26
SEWER FUND	\$24,269.72
REFUSE FUND	\$84,245.09
JSTP	\$313,876.86
VARPUR	\$0
CAPITAL	\$0
DEBT SERVICE	\$59,206.26

UNFINISHED BUSINESS – None

NEW BUSINESS

FINANCE & RULES

Resolution #2020 – 65

Motion to authorize the Mayor to execute and take actions necessary to effectuate the Intermunicipal agreement to continue the Broome –Tioga Stormwater Coalition for Federal Phase II MS4 Stormwater Regulation Implementation In Broome and Tioga Counties 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 – 66

A motion to authorize the Mayor to execute and take actions necessary to effectuate the Memorandum of Agreement with the Municipal Corporations comprising the Broome –Tioga Stormwater Coalition for Stormwater asset mapping Implementation in Broome and Tioga Counties was made by Trustee Reynolds and seconded by Trustee Giblin.

Motion Carried – Vote:

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

Resolution #2020 – 67

A motion to authorize the Mayor to execute a consent form and to consent that the Board of Education of the Johnson City Central School District shall act as Lead Agency on JCCSD’s SEQRA review of their Solar Energy Performance Contract Project was made by Trustee Reynolds and seconded by Trustee Walker.

Motion Carried – Vote:

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

Resolution #2020 – 68

Contingent upon a similar motion being adopted by the City of Binghamton, Motion to accept the Professional Services proposal from GHD Consulting Service Inc., for sampling as required by the CSO-Long Term Control Plan (LTCP) Post-Construction Compliance Monitoring Program; which is a requirement of the Joint Sewer Treatment Plant Owners’ CSO permits; and to authorize the Mayor to execute and take actions necessary to effectuate the proposal; in an amount not to exceed the proposal amount was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried – Vote:

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

Resolution #2020 – 69

A motion to approve the following resolution was held over.

WHEREAS, the Village Board adopted Local Law #18-2018, entitled Sewers and Sewage Disposal Local Law, which permits the Village Board to increase or decrease fees by action of the Board; and

WHEREAS, pursuant to Section 222-2 of said Local Law, the Board hereby increases the Annual Sewer Rents as follows:

ANNUAL SEWER RENTS

First 1,000 cubic feet or less, minimum \$60

Over 1,000 cubic feet, \$7.25 per 100 cubic feet of water supplied.

NOW THEREFORE, BE IT RESOLVED that the Village Board of the Village of Johnson City hereby increases the fees as set forth herein, and these billing rates shall become effective with the next regular billing cycle; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

Resolution #2020 – 70

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

WHEREAS, by Memorandum, dated March 13, 2020, by the Town of Union Building Official Daria Golazeski, the Village of Johnson City, Village Board of Trustees has been requested to consider declaring unsafe and dangerous the structure at 29-31 Carhart Avenue, Johnson City, New York, which consideration requires a public hearing; and

NOW, THEREFORE, be it

RESOLVED, that the Village Board will hold a Public Hearing on May 5, 2020 at 7:35 p.m. to solicit public input on the issue concerning whether the structure at 29-31 Carhart Avenue, Johnson City, New York should be declared unsafe and dangerous; and be it further

RESOLVED, that notice of this Public Hearing shall be served by mail on the record owner of 29-31 Carhart Avenue, 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 29-31 Carhart Avenue, Johnson City, New York must be secured immediately, the Board hereby authorized the Building Inspector to immediately cause the securing of this building.

Resolution #2020 – 71

A motion to authorize the Mayor to sign the Personal Services Agreement between the Village and the Fire Chief for the period beginning June 1, 2020 for one year in a form acceptable to counsel for the Village was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

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

Resolution #2020 – 72

A motion to authorize the Mayor to sign the Personal Services Agreement between the Village and the Village Clerk/Treasurer for the period beginning January 1, 2020 for two years in a form acceptable to counsel for the Village was made by Trustee Walker and seconded by Trustee Reynolds.

Motion Carried – Vote:

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

Resolution #2020 – 73

A motion to authorize the Johnson City Rotary to host the 10th annual “Carousel Day” on Saturday, July 18, 2020 from 12pm - 5pm at CFJ Park with the Johnson City Rotary being responsible for the parks facility use application and fees, naming the Village as an additional insured for events on their liability insurance, providing the Village with a copy of same and if there are traffic control issues and/or police officers are needed they will be the responsibility of the Johnson City Rotary was made by Trustee Meaney and seconded by Trustee Reynolds.

Motion Carried – Vote:

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

Resolution #2020 – 74

A motion to authorize the refund of a late charge in the amount of \$112.59 on the 19 Lewis Street water/refuse/sewer bill to Lorraine McCarthy was made by Trustee Giblin and seconded by Trustee Meaney.

Motion Failed – Vote:

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

Resolution #2020 – 75

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

WHEREAS, by Memorandum, dated March 17, 2020, by the Town of Union Building Official Daria Golazeski, the Village Board of the Village of Johnson City has been requested to consider declaring unsafe and dangerous the structure at 156 Ackley Avenue, Johnson City, New York, which consideration requires a public hearing; and

NOW, THEREFORE, be it

RESOLVED, that the Village Board will hold a Public Hearing on May 5, 2020 at 7:35 p.m. to solicit public input on the issue concerning whether the structure at 156 Ackley Avenue, Johnson City, New York should be declared unsafe and dangerous; and be it further

RESOLVED, that notice of this Public Hearing shall be served by mail on the record owner of 156 Ackley Avenue, 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 156 Ackley Avenue, Johnson City, New York must be secured immediately, the Board hereby authorized the Building Inspector to immediately cause the securing of this building.

Resolution #2020 – 76

A motion to set a public hearing on the Village of Johnson City Tentative Budget for the 2020-2021 Fiscal year to be held Wednesday, April 15, 2020 at Village Hall, 243 Main Street 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 – 77

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, a local law entitled “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C – FISCAL YEAR 2020/2021” 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 April 15, 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.

PUBLIC SAFETY

FIRE - No new business

POLICE

Resolution #2020 – 78

A motion to authorize the Police Department to auction the 1997 Ford E350 SWAT truck to be removed from service next week and replaced with recently purchased truck 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 – 81

A motion to appoint Luke Grunder 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 24th, 2020, contingent upon final approval from Broome County Civil Service was made by Trustee Walker and seconded by Trustee Meaney.

Motion Carried – Vote:

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

PUBLIC WORKS - No new business

RECREATION - No new business

PLANNING, ZONING & CODE ENFORCEMENT - No new business

JOINT SEWAGE TREATMENT BOARD

Resolution #2020 – 79

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

A RESOLUTION AUTHORIZING THE CITY OF BINGHAMTON TO INCREASE THE CONTRACTUAL TOTAL AMOUNT FOR PROFESSIONAL SERVICES BY GHD CONSULTING SERVICES INC. BY \$45,000.00 IN ORDER TO CORRECT PRIOR LEGISLATION.

WHEREAS, pursuant to Resolution #2014-165 the Board of Trustees of the Village of Johnson City approved that the City of Binghamton act as Lead Agency to execute a contract with GHD Consulting Services Inc. (“GHD”) for professional services for the restoration and rehabilitation of the Binghamton-Johnson City Joint Sewage Treatment Plant (“BJCJSTP”); and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 14-058 dated September 17, 2014, entitled "A Resolution authorizing the Mayor to enter into a professional services agreement with GHD for the design services for the restoration and rehabilitation of the Binghamton-Johnson City Joint Sewage Treatment Plant"; and

WHEREAS, the City legislation states that the agreement with GHD for design services related to the restoration and rehabilitation of the BJCJSTP is not to exceed \$1,266,000; and

WHEREAS, GHD’s proposal for the contract stated the estimated cost for Work Order-01 thereunder was not to exceed \$595,000; and

WHEREAS, GHD’s detail supporting the legislation stated the estimated cost for Work Order-01 was not to exceed \$640,000; and

WHEREAS, on September 26, 2014 the Mayor of the City of Binghamton executed Work Order-01 with GHD in the contractual amount of \$640,000; and

WHEREAS, the difference of \$45,000 must be added to the legislatively-approved total contract amount, increasing it from \$1,266,000 as originally approved to \$1,311,000; and

WHEREAS, on March 4, 2020 the Council of the City of Binghamton adopted Permanent Resolution 20-020 entitled "A Resolution to Amend Permanent Resolution 14-058 to Increase the Total Amount for GHD "; and

WHEREAS, the Board of Trustees of the Village of Johnson City wish to ratify the change in contract amount as approved by the Council of the City of Binghamton,

NOW, THEREFORE, the Board of Trustees of the Village of Johnson City, duly convened in regular session, does hereby resolve as follows:

Section 1. The Village of Johnson City approves and ratifies the \$45,000 increase in the contract with GHD Consulting Services Inc. approved by the Council of the City of Binghamton and adopted as Permanent Resolution 20-020.

Section 2. That this resolution shall take effect immediately upon approval by a majority of the Board of Trustees of the Village.

Resolution #2020 – 80

A motion to authorize additional funds for GHD Work Order 07 – Amendment No. 4 in the amount of \$75,300 for the Binghamton-Johnson City Joint Sewage Treatment Plant was made by Trustee Walker and seconded by Trustee Meaney.

Motion Carried – Vote:

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

Trustee Meaney questioned if the MOU with the Fire Department is moving forward. He suggested that it only be for current contract year.

Mayor Deemie confirmed it will be moving forward with Board Approval.

ADJOURNMENT

Mayor adjourned the meeting at 7:56 pm.

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.