



VILLAGE OF JOHNSON CITY  
MUNICIPAL BUILDING  
243 MAIN STREET, JOHNSON CITY, NY 13790  
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**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 Work Session of the Johnson City Village Board held at 5:00pm on  
Tuesday, August 4, 2020 via Zoom Video Conference**

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

Absent:       None

Also Present: Cheryl Sacco, Legal Counsel  
                  Cindy Kennerup, Clerk/Treasurer  
                  Chief Brent Dodge  
                  Robert Bennett, Director of Public Services  
                  Daria Golazeski, Town of Union Code Enforcement

Mayor Deemie called the meeting to order at 5:00 p.m., took roll call and continued on with the meeting.

Lex Blum of Park Mobil discussed parking meters with Mayor Deemie and the Trustees. Mr. Blum gave an online presentation which included:

- Company overview
  - National company
  - Municipalities, airports, universities (such as Cornell and Ithaca), private companies
  - Ranked three in the navigation category
  - 1,000 apps in use this morning
  - New York City is their largest client with 80,000 parking spaces on their platform with 60-100,000 transactions daily.
- Product platform
  - Download the app from their iPhone or device.
  - Sign up for app with email
  - Choose Zone for designated area
  - Put in vehicle information
  - Proceed with payment

- Transaction fee which is passed onto the user
- Only make money when people use the platform
- No up-front capital needed
- Consumer engagement
  - Parking alerts and notifications
    - Emails
    - Texts
    - In app notifications
  - Extend parking session
  - Businesses could offer discount parking through app
  - Discounts can be entered before or during parking session and will drop price for percentage or flat rate discount.

Park Mobil is a leader in connected car truly frictionless parking. Only technology that is fully integrated into the production of automobiles. On demand reservations are available on the dash of BMWs and Volvos. You just need an account.

Park Mobil is integrated into the entire mobility ecosystem and are integrated in 100 different systems including payment processors, access control systems, parking availability vendors, enforcement companies, parks equipment, meter charging stations and meters that accept credit cards.

How will you know if they haven't paid at the meter if they paid on Park Mobil?

- Park Mobil Enforce
  - They supply each client with free Park Mobil Enforce and enables your parking enforcement to check the vehicles on street or in lots who have paid for parking.
  - The enforcement team can use the solution in the field to verify payment prior to issuance of a citation or penalty.
  - Can be accessed via any internet mobile device
  - It will show all active mobile sessions in real time
- Security
  - They are structured secure and take privacy extremely seriously.
  - SSA 16 standards
  - PCI and DSS level 1 compliant
    - Process credit cards in the most secure environment possible.
    - Their business is predicated on maintaining customer data privacy and is an extremely important measure.
  - Quality Management Certification
    - Park Mobil demonstrates the ability to consistently provide products and services to the customer per regulatory requirements
    - NCAP approved
    - Cyber Insurance for data breach
    - Compliant by CCPA
- They are up to date with the most compliant and regulatory standards on the market today.
- They will set up an Excel Spreadsheet for Zone and Rate structure which will include all the meters in the Village.

- They will do a PR Campaign, issue a press release from the Mayor and will help decide what will be fitting for the launch.
- 30-day post launch assessment
- 60 days out the Village will be assigned an Account Manager.
- Update the signage for meters. Zone number is very important.
- Park Mobil video can be put on the Village Website

Question and Answers from Mayor Deemie and the Trustees:

Mayor Deemie stated, some meters can take credit cards, how does it work with the old meters? Do we need to replace them?

- Mr. Blum explained they can still use the coin meter and Park Mobil can be an alternate payment method. They will put decals on the meters and it would become a contactless parking.

Trustee Giblin said he was glad they take care of the signs for the meters and questioned the processing fee. Is it the same everywhere or more in heavy populated cities?

- Mr. Blum responded if Park Mobil is used, they charge 3% plus 15¢ on every transaction to cover the transaction fees. If someone has their own payment process server, they could integrate with those merchant accounts, and send payment directly to the entity and Park Mobil would invoice directly with a transaction fee.

Trustee Giblin established the transaction fee would still be 3% plus 15¢.

- Mayor Deemie confirmed the current metered parking is 25¢ per hour.
- Mr. Blum stated where you have lower parking amounts, they implement a minimum amount of parking time that way users aren't paying more in transaction fees than parking. They would probably implement a two-hour minimum time requirement bumping the fee up to 50¢ and they would pay 35¢ on top of the 50¢ for a total 85¢ per each transaction. Out of that Park Mobil would charge 3% plus 15¢ to process the payment. It would be 17¢ in processing and they would remit 33¢ to the Village.
- Trustee Reynolds said and people would still be able to pay traditionally and avoid the fee.

Trustee Giblin asked about the comparison between other companies and Park Mobil.

- Mr. Blum answered, the main thing with Park Mobil is that there are no up-front costs only transaction fees. If the Village wants to get their own processor, that is an option. Park Mobil provides:
  - Parking
  - Implementation
  - Hosting
  - Support
  - Network has 19 billion users where Flowbird has a million. There is a big gap where Flowbird is available.

Trustee Reynolds acknowledged many of the students coming to the area have been in environments where they have had to use something like this previously.

Mayor Deemie agreed and stated the students in the area would be more likely to use an app like this and he liked the concept behind it. It would also be handy for people going into the hospital, not having to run down and fill the meters and getting tickets because they couldn't make it down to the meters.

Trustee Meaney liked the concept and would like to reevaluate what we charge per hour. He would like to see the meters gone 100%, they would have to pay by the app and thinks it would be beneficial to the Village in the long run.

Trustee Walker agreed with Marty that the first step is to look at our rates. He thinks raising the rate would be something to look at in the near future.

Attorney Sacco questioned whether NCPA competitively bid that and it was awarded?

- Mr. Blum responded they put out a mobile payment services bid in 2012 where any vendor could have had a bid response. He does not know how many they accepted. He knows Park Mobil is one that is part of the NCPA (National Cooperative Purchasing Alliance) agreement. The agreement is valid for another year and will go out to bid again in November 2021.
- Ithaca and Cornell have been clients for 6-7 years.

Mr. Blum will send Trustee Reynolds the presentation and video and he can forward it along to the Board.

Trustee Reynolds brought up Whoosh! and suggested looking into whether they offer the virtual option that would keep the user interface the same with Johnson City and Binghamton.

Mayor Deemie questioned whether BU uses Whoosh!

Trustee Reynolds will look into virtual options.

Mayor Deemie informed the Board he has been getting resumes in for Bob's position. He put the job on LinkedIn and the Broome County website.

Robert Bennett, Director of Public Services discussed the following:

- Personnel
  - Replaced three guys in DPW
  - Nick Bidwell of the Water Department is going to JCPD
  - Arbitration hearing
  - Jeff's position
    - Dennis Anderson is taking over for Jeff and has been shadowing Jeff for the last week.
    - Dennis has been with the Department for six years.
    - He has a Class D which is a Distribution Operator position and he has a year to get the 2B Plant Operator's position. The place they take the class from has a 2B class starting in September.
    - All the positions are civil service. He has already taken one to get hired and one for the position he has now, Senior Water Distribution Operator.

Attorney Sacco asked Mr. Bennett if there was a current list.

- Mr. Bennett responded the only list that is current is the Water Distribution Operator Trainee or Probationary people. The exam was given in February and it is still in Albany.

He spoke with Robin from civil service and she is trying to get that before the end of the month.

Attorney Sacco inquired if that will cause an issue?

Mr. Bennett answered we will be down a couple people. The Water Department will call DPW if they need any assistance.

- Floral Ave Pool
  - The Health Dept gave the go ahead
  - Notice to Bidders was sent to the Press today
  - Bid opening will be next week
  - Bid will be awarded at the next board meeting

Mr. Bennett and Mayor Deemie spoke about the Clerk/Account Clerk position.

- Interviewed Clerk applicants and they did not work out
- Received Account Clerk list and put out canvass letters
- As of the end of the day today, we had not heard back from anyone.

Mayor Deemie complimented the water department on taking care of the main breaks quickly.

Mr. Bennett

- Water main break on Helen Drive
- Malfunctioning valve on Main Street
- Aetna problem was not a spring issue, it was a valve that was not a part of the water line project. A lot of the older valves have non-stainless steel bolts. They dug the valve up and changed the bolts to stainless steel and that took care of the issue.

Mr. Bennett asked if anyone had questions about what he sent on the Watson Boulevard high water bill.

- Trustee Meaney thanked Bob for the helpful information and informed the board he reached out to the homeowner and explained the process behind how these things come about.

Trustee Walker asked Mr. Bennett about Martin Avenue. The \$7,000 is that strictly for water/sewer? Was there a water leak?

- Mr. Bennett responded we only know there was an internal water issue. We can surmise it was an elderly woman who was a hoarder and that may or may not have played into the problem. The house was so packed full of what she was keeping, she didn't realize there was a leak going on.

Mayor Deemie spoke about piggybacking with Greece. To them it didn't seem like piggybacking, but a revenue generating operation. Basically, you are paying a 6.5% licensing fee to use Gordian's program to contract with these contractors. Greece gets a 1% kickback.

Trustee Giblin voiced that the Village doesn't pay those fees. It needs to be looked into further.

Mayor Deemie explained whoever is looking for the contractor pays the fees. If you are the business looking to use their licensing or software to find a contractor, you are the one that is going to pay the licensing fee which is 6.5% of the project cost. That is a \$900,000 hit to this project. We should have been aware of this at the beginning of the project because it is a cost we have to factor into the project. It is on top of the project cost itself. He is waiting to hear from the state on this. Do we want to push this or put this out to bid.

Trustee Meaney questioned if that was the correct analysis. He interprets that it is already built into the cost. The Smith Group has a book and those are the contractors they are going to use that the prices are set there and that's how they develop a price.

Mayor Deemie stated this is Gordian's price. You are paying to use Gordian's licensing software on top of the getting all the contractors together, getting all the bids done, etc. He would like the rest of the Board to read it and give him their take on it. Mayor Deemie acknowledged the Agreement he sent the Board is the Agreement with Gordian and the Town of Greece. He informed the Board if they go to the Town of Greece website there is a link and it explains a little more about the costs and fees.

Talking with outside counsel, Mayor Deemie did not get a good read on whether it is piggybacking or co-op or what it really is. His take on a co-op is you go in together to buy a bunch of equipment and you don't pay an extra fee on top of it.

Trustee Meaney communicated that other municipalities within the county are using this process and have said this is piggybacking and he believes it is piggybacking.

Mayor Deemie stated that under the piggybacking law it mentions materials, vehicles, supplies, maintenance, repair parts or services. It does not mention construction or construction projects. He is trying to find if there is an amendment.

Trustee Giblin does not believe it is piggybacking, but cooperative bidding.

Trustee Walker asked if there are municipalities that are using this, can't we contact them and get the answer from them.

Mayor Deemie answered just because they are using it does not mean it is legal or correct. He wants an answer beyond someone that is using it. He wants to make sure he has the correct answer for a project this big and the amount of money being spent before we move forward.

Trustee Giblin agreed, but said he believes the City of Binghamton and Village of Endicott are using it.

Thomas Johnson suggested running it by the Legal Department at the Comptroller's office.

Mr. Bennett discussed the following:

- Resolution #2020-127
- 254 Grand Avenue
  - DPW has been over there several times, boarded things up and people rip it down. The last time they were there, someone was there who was on something and they had to call the police.

- It is an eyesore.

Daria Golazeski reviewed Resolution #2020-126

- Holes were poked in the concrete walls
- As of August 31<sup>st</sup>, there is \$41,000 in back taxes plus another penalty from August 1<sup>st</sup>.
- Can't get a hold of the property owner
- Tried serving three different ways last time and only one service was accepted.
- Broome County was going to foreclose a few years ago and didn't and now we have to wait and see what the Governor does with the Foreclosure Law.
- Demolition
- If we try to get into Supreme Court, it will cost more money, but not sure what else to do

Attorney Sacco explained this is the second time the Board has seen this motion on this property. We held a public hearing and the Board found it unfit to allow us to repair or clean up. We typically do not add a demolition clause because we don't want the obligation, but we did add one here. We will hold a public hearing and hopefully the people show up and accept the service. The Board will need to make a decision of whether to demo it, but the question about the CDBG funds is an issue. Or, do we use this as a springboard to get into Supreme Court to ask for some type of injunctive relief, the cleaning, the repairing or demolition at that point. We are not expecting the owners to demo and does not think the Village should use this as a vehicle to demo, but does think we should try and get into a higher court.

Trustee Meaney said even if the Court grants injunctive relief, it doesn't mean they are going to do anything.

Attorney Sacco agreed, but it would be a Supreme Court Order they didn't comply with. We could phrase it such that if they don't do it then we could ask the Court for other relief, we could talk about code enforcement, repairing or we could do it ourselves and the Court gives us another level of immunity where doing it just via this hearing doesn't give us the same level.

Trustee Meaney asked if we go through, tear the building down and we don't get any CDBG and we are on the hook for the demolition, we have to pay that versus how long are we going to be tangled up in court costs and fees and it is still going to sit there for another five or six years.

Attorney Sacco responded there is an option to keep continuing to repair and replace and incur those costs and wait for someone to come in and foreclose, there is a liability there, but the Board needs to decide what your approach will be. There is not an easy answer here.

Ms. Golazeski explained you would be waiting another couple years because of the foreclosure process. If they cut another deal with the County like they did last time where they paid the taxes, the County got their money and didn't care what the property looked like. They didn't even get good names on the paperwork, they only cared the taxes were paid, not the effect it had on the Village or on the neighborhood. If we go through that again, it will continue. Eminent domain is a very costly process. If we let it sit, it will cost more and more money and it will end up falling down.

Attorney Sacco stated this resolution is setting the public hearing, giving the owners notice, giving them the opportunity to come in. She would recommend passing the resolution.



Mayor Deemie spoke with Legislator Dan Reynolds and explained the situation. He is going to see what he can do.

### **EXECUTIVE SESSION #1**

A motion to enter executive session at 6:26 pm regarding pending litigation was made by Trustee Meaney and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

A motion to exit executive session at 6:31 pm was made by Trustee Meaney and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

Mayor Deemie asked if anyone has any more questions for Mr. Bennett. Hearing none, Mr. Bennett left the meeting.

Mayor Deemie stated they have been discussing the Greater Binghamton Fund, Bergman Associates, Historic Districts national vs. local vs. control of what is going on, how to make things happen, how things do happen, what can be done. He wanted to make the Board aware and get their take on some of what is going on.

Mayor Deemie wants to create the following:

- Advisory committee
- Historic review committee

Mayor Deemie wants to create a local historic district which will give us a little more control on the properties in the Village, what can be done with them and how things can be done. If there is no federal or state funding, we have control if we have a local historic district, otherwise it is controlled by the national historic district.

Attorney Sacco discussed the following:

- The Planning Board acts as the historic review committee
- The decision that something be historic is made by an advisory committee which the Mayor appoints, including an engineer, a historian, a landscape architect and a few other things.
- The advisory committee makes a recommendation to the Planning Board of whether to put a property into the local historic district.
- The Planning Board makes a recommendation to the Village Board.

Do you want to keep it that way or do you want it to go to the Planning Board or create a separate commission? There is a monetary piece, a mural piece, a sign piece.

Ms. Golazeski stated a local district has to have everything established before any demo can take place in the historic district. Binghamton University and the Johnson City School District are exempt from the local ordinance. The Foundation has to follow the local zoning. They have to justify why it needs to be demoed and why it can't be saved. Example: Century Sunrise.



Mari Guirastante's main concern or main interest in having this be designated as a local district is the design.

Over the past however many years we can look at Main Street as it is now. A lot of the buildings have been done a real disservice, the design isn't good, the standards aren't good, the preservation isn't good. People that own these buildings haven't preserved them well. She is working with the County to create using existing BOA funds to create a local historic preservation guideline book. It details what types of colors should be used, what styles of buildings are downtown and how to preserve them. The historic advisory committee would advise the Planning Board would serve as a mechanism to guide the proper growth, not to inhibit, so that we maintain the buildings over the long haul to make sure they are treated properly and there designed well when we have new businesses come in. It ensures the Trustees will be able to monitor what's happening to make sure things are done properly. We don't have a bonified historic preservation planner, she is doing the best she can with the knowledge she has, but with the national historic district that does exist in Johnson City, there are really a lot of special types of knowledge that should be on hand at any given moment with the development that is happening especially concerning these new businesses, the Main Street Grant, the Facelift Program, Greater Binghamton Fund. These guidelines are being drafted by the County via Bergman. She thinks they had to pass it through the legislature to extend the grant that already exists and once they are in place, the historic review board will serve as the mechanism to guide this new structure we will hopefully be putting in place.

Commission on Architecture and Urban Design is another mechanism we could go through.

- Independent board and is not sure that is the way we want to go.
  
- Historic Committee Advisory Board
  - Who will be on this Board?
    - Need to have knowledge of preservation architecture and design
    - Residency requirement
    - Previously served on a historic board

Trustee Giblin asked what has cause this problem and what has brought this up?

Ms. Giurastante responded we have a handful of people coming into getting their projects reviewed and we are at this place where there is a lot of positive change going on in Johnson City and a lot of it revolves around historic downtown. She does see there are some businesses that have maintained the historic integrity. There are a lot of building that have done a disservice to the downtown area. Our standard for development should be higher.

Attorney Sacco stated there are two ways to do this:

Historic Piece - iDistrict Design Guidelines which would allow review of non-historic buildings. Mari works with Bergman and gets the historic guidelines, we use one of the three options of the Planning Board as review with the Committee to the Village Board, you empower the Planning Board completely, or you find a third independent group. She does not think going with the independent group is the right way to go and is not sure the Village Board wants to review every historic repair.

Trustee Giblin questioned what Bergman is doing with the historic guidelines.

Attorney Sacco responded Bergman is assisting Mari with recommending what the guidelines look like.

Dee added as discussed last month, there was money available with their contract with the County to help us develop them instead of finding money and hiring someone else.

Trustee Reynolds asked if someone wants to make a change to their building that is outside the guidelines, would there be an avenue for them to apply, like a permit, to do that?

Attorney Sacco answered potentially and explained the process. There might be an appeal or litigation. There is always due process.

Trustee Meaney inquired, if BU doesn't have to subscribe to this, they seem to be the main entity buying up Main Street, are we just spinning our wheels?

Mayor Deemie stated as Dee said the Foundation has to abide by this BU doesn't and the Foundation is the one buying the properties.

Mari confirmed there isn't a single person in any of the grant programs she is working with, Facelift encompasses up to twelve buildings and the Main Street Grant could be up to six buildings, that have any affiliation with the University and they are all in the Main Street area, all within the national historic registry district and they all be subject to the design guidelines.

Mayor Deemie said the historic district is almost the same as the iDistrict. There are more than just BU or the Foundation buying properties in the Village. We have many people looking and buying properties in the Village.

Mari acknowledged she has realtors contacting her every day for their clients, including doctors. Most of the people contacting her are from the City of Binghamton that have developed some large businesses in Binghamton and are investing in downtown Johnson City as we speak. They are seeing Johnson City as the next place to invest. They are looking at the guidelines in Binghamton that go through the commission of architecture and design and are advised properly on how to maintain these buildings. Since she is not a historic preservation planner, she does need some assistance. There are a lot of interested people in Johnson City and she wants to see it done properly.

There is a lot of other possible projects for the Village. The Board wanted more oversight on what is going on with these properties. This is one avenue to look at so we have a little more say in the future of Johnson City. President Stenger is willing to work with the Village.

Mari will send the Binghamton design guidelines to the Board. They are an educational resource for anyone who is in the planning department.

Attorney Sacco stated the first step is the Advisory Committee. Once we have the people on it, the Planning Board would act as the local historian and would get recommendations to add properties. Once they go through that process, it would come to the Village Board. Mari is already talking to Bergman, with no cost to the Village, about the guidelines which this Board would have to approve.

Trustee Walker asked what the cost to the Village would be for the Advisory Board.

Mayor Deemie responded they will be volunteers. He will send out a list of who we need for the committee. We will need five people and Janet Ottman, our local historian, will be one.

The Board is in agreement.

Police Chief Brent Dodge explained they are down to spots, but have selected two candidates for the positions which are on the agenda. Civil Service has given approval to hire both individuals. He gave an update on department:

- Tim Colgan retired last week
- Justin Davy returned to his home town in Chenango County
- Two are in the academy and two are out injured.
- We are still under COPS Grant so they are obligated to maintain staffing level. Unless we want to pay back the grant money, we need to fill these two spots. This will ensure we won't be down next year.

Mayor Deemie and the Trustees discussed the Agenda and Resolutions.

Mayor Deemie informed the Board, unless there is a change to the Executive Order this will be the last Zoom meeting. The next one would be a Zoom plus meeting. We will be in person at Village Hall, but will be a limit on the number of people and will give people the opportunity to Zoom in if they would like.

Trustee Meaney questioned the FEMA payment of \$20,000. He thought FEMA was going to give us money for the rebuild of the DPW building. Ultimately, it came down to that we didn't respond in the appropriate time frame so we lost the funding?

Mayor Deemie would have to talk to Bob. He will see what information he can get for the Board. FEMA is asking for the money back so we have to pay it. He recalls there being a lot of issues with FEMA.

Attorney Sacco reviewed Local Law 8.

Trustee Walker inquired as to what recourse we have to shut down any concerts if something happens like did in the Town of Southampton.

Ms. Golazeski stated yes, it is under the Executive Orders. There is authority with the Police and Code. She suggested doing jointly. We do not have good guidance on the code aspect, but there is guidance for the police on what they can ticket them for. There is a whole new section in the Fire Code.

Trustee Reynolds questioned forgiveness on Resolution #2020-120. He didn't have a chance to read the email.

Mayor Deemie responded the readings were what the readings were. There was a high usage, the water was used.

Trustee Meaney explained from what Bob provided it seemed consistent with a leaky toilet. He gave graphs, further usage and information on what causes these problems and historic readings

from around the Watson Boulevard property. Everything was consistent with a problem there, not with anyone else. There was nothing that connected it to the construction. The meters don't operate to our benefit, but to the consumer's benefit.

Trustee Meaney informed Ms. Golazeski that above the old snack bar at the old IBM Country Club the windows are suddenly open there. They weren't open last week and he was through there Sunday and they were. They may be accessing the second-floor windows by the carport.

Ms. Golazeski said she will take care of it. Unfortunately, they can't go in the building, but they have to get permission to go on the golf course.

Trustee Walker told the Board he had an opportunity to go over and visit the fire station and the new truck and it is beautiful. They are doing training this week and in the next week or two they will put it in service.

Trustee Giblin announced something from police department or PBA should be coming across the Mayor's desk for his review.

### **ADJOURNMENT**

Mayor adjourned the meeting at 7:15 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.