



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, May 5, 2020 @ 7:30pm via Zoom Video Conference Work Session @ 5:00pm via Zoom Video Conference

Join Zoom Meeting

<https://zoom.us/j/810901701>

Meeting ID: 810 901 701

Password: 015034

Dial by phone +1 646 558 8656

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. STATEMENT REGARDING ZOOM VIDEO CONFERENCE

3. MAYOR'S ANNOUNCEMENTS

- [3.1] The next regular Zoning Board meeting will be held on Monday, May 11, 2020 at 7:30pm with a work session at 7:00pm via Zoom Video Conference.
- [3.2] The next regular Village Board Meeting will be Tuesday, May 21, 2020 at 7:30pm with a work session at 5:00pm.
- [3.3] DW 5K Race cancelled

4. APPROVAL OF BOARD MINUTES

- [4.1] April 21, 2020 Regular Meeting and Work Session Minutes

5. BIDS – None

6. PUBLIC HEARINGS

- [6.1] Declare the building at 29-31 Carhart Avenue, Johnson City, NY to be unsafe and dangerous in accordance with Chapter 118 of the Village Code.

[6.2] Declare the building at 156 Ackley Avenue, Johnson City, NY to be unsafe and dangerous in accordance with Chapter 118 of the Village Code.

7. **PETITIONS RECEIVED**– None

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

9. **COMMUNICATIONS**– None

[9.1] Correspondence from Raphael Palumbo regarding garbage fee at 100 Harry L Drive

10. **COMMITTEE/BOARD REPORTS**

- [10.1] Code Enforcement – Nothing to Report
- [10.2] Court – Nothing to Report
- [10.3] Joint Sewage Treatment Board Report’s dated April 30, 2020
- [10.4] Library – Your Home Public Library Director’s Report dated April 14, 2020
- [10.5] Newsletter - *No report submitted*
- [10.6] Planning Board - *No report submitted*
- [10.7] Public Safety - *No report submitted*
- [10.8] Public Works - *No report submitted*
- [10.9] Zoning Board - *No report submitted*

11. **DEPARTMENT REPORTS**

- [11.1] Fire Department Overtime Report for the weeks of April 16 – April 29, 2020
- [11.2] Police Department Overtime Report for the weeks of April 16 – April 29, 2020
- [11.3] Police Department Monthly Report for March 2020
- [11.4] Town of Union Monthly Reports for March 2020

12. **PAYROLL AND BILLS PRESENTED**

Abstract #20 of the 2019 - 2020 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$414,023.17
WATER FUND	\$42,202.35
SEWER FUND	\$10,582.72
REFUSE FUND	\$35,533.80
JSTP	\$71,461.92
VARPUR	\$0
CAPITAL	\$0
DEBT SERVICE	\$0

13. **UNFINISHED BUSINESS**

Resolution #2020 – 85

WHEREAS, the Village of Johnson City, NY desires to sell the property formerly constituting the dead end section of Saint Charles Street, which is located between two formerly separate parcels that now are part of Tax Map #143.64-3-41 (please see attached for reference); and

WHEREAS, pursuant to Village Law § 1-102 a village board of trustees may, by resolution, sell real property; and

WHEREAS, the Village Board has received an offer from United Health Services, Inc. to purchase said property; and

WHEREAS, said portion of land contains approximately 0.13 acres; and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to accept the offer for the sale of said property to United Health Services, Inc. (\$1,000 plus all legal fees associated); and

NOW, THEREFORE, BE IT RESOLVED, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Village Board that sale said property is a Type II action as defined under the SEQRA regulation; and no further action is needed; and further

RESOLVED that the Village Board hereby declares said portion of property to be surplus property and no longer needed for municipal purposes; and further

RESOLVED that the Village Board hereby determines that the above-referenced portion of property formerly constituting the dead end section of Saint Charles Street shall be sold; and that the Town of Union Assessor has confirmed that the purchase price is fair market value and further

RESOLVED that the Village Board hereby authorizes the Mayor to execute any and all documents that are necessary and proper to finalize the real property transaction; and further

RESOLVED that this Resolution shall take effect immediately.

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2020 – 90

A motion to authorize the Mayor to sign the Personal Services Agreement between the Village and Police Chief Brent Dodge for the period beginning June 1, 2020 to June 1 2023, in a form acceptable to counsel for the Village.

Resolution #2020 – 91

WHEREAS, the Town of Union Code Enforcement Office has issued a report determining that the building located at 29-31 Carhart Avenue, Village of Johnson City, New York, Tax Map No. 143.66-1-44 is unsafe or dangerous to the public, pursuant to § 118-3 of the Village Code of the Village of Johnson City, and has ordered it to be made safe and secure; and

WHEREAS, on May 5, 2020, the Village Board held a public hearing in regard to the structure at 29-31 Carhart Avenue, Johnson City, NY; and

WHEREAS, notice of said public hearing has been published, filed at the County Clerk’s Office, and served in accordance with the Village Code; and

WHEREAS, after due deliberation, the Village Board finds that the building is unsafe to the general public, as the building has open doorways and windows, which is making it accessible to and an object of attraction to minors, as well as to vagrants and other trespassers.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act, it has been determined by the Village Board that securing the building at 29-31 Carhart Avenue does not constitute an “action” as defined under the SEQRA regulations. Said action will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to the same; and further

RESOLVED that the Village Board of the Village of Johnson City hereby determines that the building at 29-31 Carhart Avenue, Johnson City, NY is unsafe or dangerous to the public and orders it to be immediately secured. Because the property owner has neglected or refused to repair and secure the same within the time provided, the Village Board hereby determines said building may be secured by whatever means it deems appropriate and may assess all costs and expenses incurred by the Village of Johnson City and/or the Town of Union in connection with securing the building, against the land on which said building is located; and further

RESOLVED that in the event of refusal or neglect of the owner to comply with this Resolution and the prior notices, the owner must start the actions required by the Code Department by June 6, 2020 and end it by August 6, 2020, and if upon inspection of the structure(s) by the Code Enforcement Officer there is confirmation that the actions have not been completion by August 6, 2020 as ordered by the Village Board and set forth in the notice and herein, that the Village shall take such actions necessary and shall assess such expenses to the property; and further

RESOLVED that this Resolution shall take effect immediately.

Resolution #2020 – 92

WHEREAS, the Town of Union Code Enforcement Office has issued a report determining that the building located at 156 Ackley Avenue, Village of Johnson City, New York, Tax Map No. 159.32-3-4 is unsafe or dangerous to the public, pursuant to § 118-3 of the Village Code of the Village of Johnson City, and has ordered it to be made safe and secure; and

WHEREAS, on May 5, 2020, the Village Board held a public hearing in regard to the structure at 156 Ackley Avenue, Johnson City, NY; and

WHEREAS, notice of said public hearing has been published, filed at the County Clerk’s Office, and served in accordance with the Village Code; and

WHEREAS, after due deliberation, the Village Board finds that the building is unsafe to the general public, as the building has open doorways and windows, which is making it accessible to and an object of attraction to minors, as well as to vagrants and other trespassers.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act, it has been determined by the Village Board that securing the building at 156 Ackley Avenue does not constitute an “action” as

defined under the SEQRA regulations. Said action will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to the same; and further

RESOLVED that the Village Board of the Village of Johnson City hereby determines that the building at 156 Ackley Avenue, Johnson City, NY is unsafe or dangerous to the public and orders it to be immediately secured. Because the property owner has neglected or refused to repair and secure the same within the time provided, the Village Board hereby determines said building may be secured by whatever means it deems appropriate and may assess all costs and expenses incurred by the Village of Johnson City and/or the Town of Union in connection with securing the building, against the land on which said building is located; and further

RESOLVED that in the event of refusal or neglect of the owner to comply with this Resolution and the prior notices, the owner must start the actions required by the Code Department by June 6, 2020 and end it by August 6, 2020, and if upon inspection of the structure(s) by the Code Enforcement Officer there is confirmation that the actions have not been completion by August 6, 2020 as ordered by the Village Board and set forth in the notice and herein, that the Village shall take such actions necessary and shall assess such expenses to the property; and further

RESOLVED that this Resolution shall take effect immediately.

Resolution #2020 – 93

A resolution to amend Res #2020 - 83 Adoption of the 2020-21 Budget (on 04/21/2020). On the Summary Page, a clerical error was noted in the amount of assessed valuation recorded for next year's budget. The only effect of this error was a change to the tax rate per \$1000 assessed from \$361.3535 to \$362.5965. There was no change in the amount of real property taxes to be levied on June 1st, 2020.

Resolution #2020 – 94

Authorize forgiveness in the amount of \$300-\$450 to Borys Mayba on the 416 Arthur Ave property water/refuse/sewer bill due to a water heater leak.

Resolution #2020 – 95

Authorize forgiveness to Raphael Palumbo for a fee in the amount of \$105.00 for putting garbage out too early at 100 Harry L Drive.

PUBLIC SAFETY

FIRE (Trustees Walker & Reynolds) – No new business

POLICE (Trustees Walker & Reynolds) – No new business

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. 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