



# VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING  
243 MAIN STREET • JOHNSON CITY, NY 13790  
www.villageofjc.com

## Village Board

Gregory Deemie, Mayor  
Luke Slota, Deputy Mayor

Richard Balles, Trustee    Bruce King, Trustee    Deborah Fuller, Trustee

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### Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, November 17, 2015 in the Municipal Building, 243 Main St., Johnson City

Present:            Gregory Deemie, Mayor  
                      Luke Slota, Deputy Mayor  
                      Richard Balles, Trustee  
                      Bruce King, Trustee  
                      Deborah Fuller, Trustee

Absent:            Thomas Johnson, Village Clerk/Treasurer

Also Present:    Cindy Kennerup, Deputy Village Treasurer  
                      Jeff Jacobs, Attorney for the Village

Mayor Deemie called the meeting to order at 7:30pm, led the Pledge of Allegiance and noted the fire exits. Mayor Deemie asked for a moment of silence for the victims of the recent terrorist attack in Paris, France.

#### MAYOR'S ANNOUNCEMENTS

- [1] The next regular Village Board Meeting will be Tuesday, December 1, 2015 at 7:30pm with a work session at 5:30pm
- [2] The last weekly yardwaste collection will be on Monday, November 23, 2015. Collections will resume in the spring.
- [3] The refuse collection for Thanksgiving week will be as follows:  
Garbage normally collected on Thursday, Nov. 26<sup>th</sup> will be collected on Friday, Nov. 27<sup>th</sup>.  
Garbage normally collected on Friday, Nov. 27<sup>th</sup> will be collected on Monday, Nov. 30<sup>th</sup>.  
Monday, Nov. 30<sup>th</sup> - No yardwaste. All other routes will be collected on their normally scheduled days.
- [4] Village Offices will be closed on Thurs., Nov. 26<sup>th</sup> & Fri, Nov. 27<sup>th</sup> for Thanksgiving
- [5] The JCBPW Association's Annual Holiday Parade will be at 7pm on Thursday, December 3<sup>rd</sup> on Main Street.
- [6] County Executive Debbie Preston will be attending the Dec. 1<sup>st</sup> Village Board Meeting

#### APPROVAL OF BOARD MINUTES

A motion to approve the minutes of the October 20, 2015 regular meeting and work session was made by Trustee Balles and seconded by Trustee Slota. The motion carried with all those present voting in the affirmative.

BIDS - None

#### PUBLIC HEARINGS

- [1] Local Law #8-2015, amending Chapter 264 of the Village Code entitled "Vehicles and Traffic": §264-87 (Schedule XII: Parking Prohibited at All Time) to prohibit parking on the



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West side of Willow Street from 300 feet North of Corliss Avenue to the intersection of Willow Street and Corliss Avenue; §264-89 (Schedule XIV: No Standing) to prohibit standing on South side of Main Street 30 feet to Crocker Avenue, the South side of Main Street 30 feet to Albert Street, and the South side of Main Street 30 feet to Hudson Street.

Mayor Deemie opened the public hearing.

*Carol Laskowski, Edward Street* – Asked for a more exact location of where parking will be prohibited.

Mayor Deemie closed the public hearing.

### **PETITIONS RECEIVED**

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

Mayor Deemie opened the first privilege of the floor. There being no one wishing to speak, Mayor Deemie closed the first privilege of the floor.

#### **COMMUNICATIONS**

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

- [1] Letter from Village resident Alan NeJame complimenting the JC Police & JC DPW
- [2] Time Warner Programming Notice dated November 4, 2015

#### **COMMITTEE/BOARD REPORTS**

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

- [1] Minutes of the May 26, 2015 Planning Board meeting
- [2] Minutes of the June 23, 2015 Planning Board meeting
- [3] Minutes of the October 21, 2015 regular meeting of the Town of Union Board
- [4] Minutes of the October 15, 2015 meeting of the Broome Co Assoc. of Municipal Clerks
- [5] Minutes of the November 4, 2015 regular meeting of the Town of Union Board
- [6] Minutes of the July 14, 2015 regular meeting of the B-JC Joint Sewage Board
- [7] Minutes of the August 11, 2015 regular meeting of the B-JC Joint Sewage Board
- [8] Minutes of the September 8, 2015 regular meeting of the B-JC Joint Sewage Board
- [9] Minutes of the October 13, 2015 regular meeting of the Village of Endicott Board

#### **DEPARTMENT REPORTS**

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

- [1] Department of Public Works Monthly Report – October 2015
- [2] Code Enforcement Monthly Report – September 2015

#### **PAYROLL AND BILLS PRESENTED**

A motion to approve abstract #9 of the 2015 - 2016 fiscal bills, having been audited by the Board and approved, was made by Trustee Balles and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0



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GENERAL FUND	\$1,253,059.81
WATER FUND	\$183,163.58
SEWER FUND	\$49,159.68
REFUSE FUND	\$59,525.08
JSTP	\$534,098.49
VARPUR	\$534,098.49

### **UNFINISHED BUSINESS**

#### **Resolution #203**

A motion to authorize the Mayor to sign an agreement with Grey Goose Graphics for the design and implementation of a new Village website in a form acceptable to counsel for the Village was made by Trustee Slota and seconded by Trustee Balles.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

### **NEW BUSINESS**

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

#### **Resolution #207**

A motion to adopt local Law #8-2015, amending Chapter 264 of the Village Code entitled “Vehicles and Traffic”: §264-87 (Schedule XII: Parking Prohibited at All Time) to prohibit parking on the West side of Willow Street from 300 feet North of Corliss Avenue to the intersection of Willow Street and Corliss Avenue; §264-89 (Schedule XIV: No Standing) to prohibit standing on South side of Main Street 30 feet to Crocker Avenue, the South side of Main Street 30 feet to Albert Street, and the South side of Main Street 30 feet to Hudson Street was made by Trustee Slota and seconded by King.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

#### **Resolution #208**

A motion to authorize the Village Treasurer to forward the 2015-16 Unpaid Village Property Taxes (levied on June 1, 2015) to the Broome County Commissioner of Finance in the amount of: Real Property Taxes - \$735,154.07, Interest & Penalties - \$58,812.36, Late Mail Fees - \$372.00, for a total amount relieved of \$794,338.43 was made by Trustee King and seconded by Trustee Slota.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

#### **Resolution #209**

A motion to amend the Bond Resolution regarding improvements to the sewage treatment plant which was originally adopted on April 17, 2001 and heretofore amended on April 6, 2004, September 19, 2006 and June 28, 2012 was made by Trustee King and seconded by Trustee Slota. (See long form resolution)

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0



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### **Resolution #210**

A motion to authorize the Mayor to sign a Drainage Easement Indemnification Agreement with CC Premier Properties, LLC for property located at 519 Columbia Drive was made by Trustee Slota and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

### **Resolution #211**

A motion to authorize the publication of a Village mailing at a total cost not to exceed \$3,500.00 was made by Trustee King and seconded by Trustee Slota.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

### **Resolution #212**

A motion to create the position of part time Village Court Bailiff was made by Trustee Slota and seconded by Trustee Fuller.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

### **Resolution #213**

A motion to appoint Robert Transue to the position of part time Village Court Bailiff at a rate of \$18.00/hour effective November 19, 2015 contingent upon the completion of a successful background check was made by Trustee Slota and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

### **Resolution #214**

A motion to authorize the Village Treasurer to make certain budget adjustments was made by Trustee Slota and seconded by Trustee King. (see attached)

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

### **Resolution #215**

A motion to introduce Local Law #9-2015, amending Chapter 250 of the Village Code entitled "Taxation", Article VI, Home Improvement Exemption, to provide tax exemption to capital improvements to one and two family homes for the taxable status period from March 1, 2015 and thereafter with application for the exemption must be made with the Town of Union Assessment Office, and to schedule a public hearing on said local law on December 1, 2015 at 7:35 p.m. and to authorize publication of notice of said public hearing.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

### **Resolution #216**

A motion to authorize the Clerk/Treasurer to remove a portion of the charges from the October utility bill for 73 Arch Street, which incurred excessive charges this quarter although there was



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no evidence of a leak at the property and to make such adjustments as are necessary in the Village accounting records was made by Trustee Slota and seconded by Trustee Balles.

Motion Failed - Vote:

**Ayes** – 0      **Nays** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Absent** – 0

### **PUBLIC SAFETY**

#### **FIRE (Trustees Slota & Balles)**

##### **Resolution #217**

A motion to authorize the Mayor to sign a Fire Protection Agreement between the Village of Johnson City and the Town of Union for calendar year 2015 for the Westover Fire Protection District #6 was made by Trustee King and seconded by Trustee Slota.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

#### **POLICE (Trustees Slota & Balles)**

##### **Resolution #218**

A motion to approve a travel request for Chief Brent Dodge to attend the “Leadership in Police Organization” Seminar from November 30 – December 4, 2015 in Saratoga Springs, NY at a cost of \$150.00 from budget line A3120.4.930 was made by Trustee King and seconded by Trustee Slota.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

### **PUBLIC WORKS (Trustees Slota & Fuller)**

##### **Resolution #219**

A motion to approve change order #1 with R. DeVincentis Construction, Inc. for the Rehabilitation of Arch Street Bridge over Olive Street, Little Choconut Creek, and the Norfolk Southern Railroad (PIN 9753.75 D# 033940) to change the final completion date from the 11<sup>th</sup> day of December, 2015 to the 1<sup>st</sup> day of July, 2016 was made by Trustee Slota and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)      **Nays** – 0      **Absent** – 0

### **RECREATION (Trustees Slota & Fuller)** – No new business

**PLANNING, ZONING & CODE ENFORCEMENT (Trustees King & Balles)** – No new business

### **JOINT SEWAGE TREATMENT BOARD (Trustees King & Balles)**

##### **Resolution #220**

A motion to approve, and direct the Mayor to execute, a release agreement by the City of Binghamton, Village of Johnson City, and Binghamton-Johnson City Joint Sewage Board, on behalf of their lawfully governing bodies, and American Alternative Insurance Corporation (AAIC) for and in consideration of AAIC’s payment of \$500,000.00 in exchange for the



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release and settlement of all outstanding claims that arise or could have arisen directly or indirectly out of or in any way relating to damage(s) or destruction to personal property, for which coverage is provided under policies SDISSP 9154666-0/0 and SDISSX 9251764-0/0 for losses and/or damages sustained to the BAF Complex, C-Cell Filter monofloor nozzle decks and that were the subject of the litigation in the United States District Court for the Northern District of New York under case number 3:12-cv-553 was made by Trustee King and seconded by Trustee Slota.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)    **Nays** – 0    **Absent** – 0

### **Resolution #221**

A motion to authorize the Binghamton-Johnson City Joint Sewage Board Fiscal Officer to modify the Joint Sewage Board Budget to increase the appropriations in the budget line J8130.54450 Vehicle Repairs and lower the appropriation on line J8130.54150 Chemicals by the same amount was made by Trustee Slota and seconded by Trustee King.

Motion Carried - Vote:

**Ayes** – 5 (*Fuller, Slota, King, Balles, Deemie*)    **Nays** – 0    **Absent** – 0

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

Mayor Deemie opened the second privilege of the floor.

*Carol Laskowski, Edward Street* – Asked about Res #213. Is the Bailiff allowed to carry a gun? Mayor Deemie stated that yes he can. Also asked about the Res. #210 and what the project is that is going in there. Mayor Deemie explained that it is a business office.

*Julie Deemie, Zoa Avenue* – Stated that the budget adjustment sheets are very confusing and asked for someone to explain how to read them.

*Donald Slota, Eldridge Avenue* – Stated that he heard that DeVincentis Construction couldn't finish the sidewalk and curb work this year because they were so busy and turned the work over to Tre-Gen. He is still waiting for the tree stump in front of this house to be taken care of. Stated that the area under the 201 bridge on Boland Drive is a mess with garage. Asked for the signs to be put back up that used to be there.

Mayor Deemie closed the second privilege of the floor.

### **ADJOURNMENT**

Mayor Deemie adjourned the meeting at 8:04pm.

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Thomas Johnson  
Village Clerk/Treasurer