



# VILLAGE OF JOHNSON CITY

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

## Village Board

Gregory Deemie, Mayor

Richard Balles, Trustee      Deborah Fuller, Trustee  
Martin Meaney, Trustee      John Walker, Trustee

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### **Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, August 2, 2016 in the Municipal Building, 243 Main St., Johnson City**

Present:      Gregory Deemie, Mayor  
Richard Balles, Trustee  
John Walker, Trustee  
Martin Meaney, Trustee

Absent:      Deborah Fuller, Trustee

Also Present: Cindy Kennerup, Village Clerk/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'S ANNOUNCEMENTS**

- [1] The next regular Village Board Meeting will be Tuesday, August 16, 2016 at 7:30pm with a work session at 5:30pm
- [2] A lockdown letter has been sent to 189 Grand Avenue. A letter was sent previously but it expired.

#### **APPROVAL OF BOARD MINUTES**

A motion to approve the minutes of the July 19, 2016 regular meeting and work session was made by Trustee Balles 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.

*Bruce King, First Street* – Asked if the letter sent to 189 Grand Avenue is a duplicate of the original letter just with a new date. Is it step 2 of the process or a new step 1? Mayor Deemie stated that it is a new step 1.

*Leslie Stebbins, Baldwin Street* – In May of 2015 they presented a petition addressed to him and the Board of Trustees from the property owners on Baldwin Street regarding 242 Baldwin Street. Mrs. Stebbins stated that rather than presenting the petition to the Trustees, he shared it



## VILLAGE OF JOHNSON CITY

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with a few of his choice and personally visited them in their home and encouraged them to continue contacting the police as necessary. She claimed that the Trustees never saw the petition. It is a year later and they have the same problems, different tenants. There are drug problems and violence at that property. She is pleading for steps to be taken for a lockdown. They have been good neighbors and have maintained that property as well for grass mowing and snow shoveling, repaired doors and furniture for the tenants. Lots of domestic abuse there. The Police were there yesterday. There is also a lot of foot traffic and vehicle traffic and she can't use their shared driveway at times. One tenant is a confirmed member of the Crips gang. There have been personal threats against her. Stated that the Broome County Health Dept. wants to be condemned. House is full of mold and feces. Code has been there and written them up for multiple items. Tenants have been evicted but they continue to stay there. The tenants have damaged her vehicle and garage and have stolen chairs from her property. The landlord will do nothing and the property needs to be condemned. Mayor Deemie stated that he did not give the petition to just a select few. He explained that he did show the petition to the Police Chief and the Chief took the petition and went door to door on that street checking with the residents on the street. The surveillance team went over there and watched the area. Mayor Deemie explained that our Code is specific on how we can do a lock down. Until there is enough code violations and police reports we cannot institute a lock down. The police are aware of the situation and are watching it. Mayor Deemie stated that he is just as frustrated as they are but some of the issues are civil issues and there is nothing he can do about those. Every time she or her husband sends him an e-mail he forwards it to code or the police to act on. He has every communication they have sent him. He will review the number of police and code calls at the property. The Mayor explained under what circumstances code can enter a property. Trustee Meaney asked if there were new tenants there. Mrs. Stebbins explained that tenants had been evicted but were still hanging around. Mayor Deemie asked for a copy of the report from the Health Department which he will send to code. Mayor Deemie explained that there are several places in the Village that have severe issues. Trustee Meaney asked when the last time surveillance was done there. Mayor Deemie said he will check with the Chief. Trustee Balles asked if Mrs. Stebbins had security cameras. Mrs. Stebbins explained what she has at her property for security. She also asked if parking on the front lawn was allowed. Mayor Deemie stated that no it is not.

*Bruce King, First Street* – Stated that the Mayor has the file in front of him with all of the correspondence regarding 242 Baldwin Street and asked if he knew that Mrs. Stebbins was coming tonight. Mayor Deemie stated that he did not know she was coming but they have said numerous times that they may come. He had also briefed the Board on it. Mr. King asked if the Mayor had pulled the code complaints for that property for the last year. Mayor Deemie stated that no he hasn't had a reason to yet but he will now. The notes he has been getting from code have been about minor violations there. Mr. King stated that he is concerned because he has family that has now been threatened. The Police spoke to the person but that doesn't mean they are any safer.

*Corinna Johnson, Cook Street* – Advised Mrs. Stebbins to not call the landlord but to call the Police and Code Enforcement and tell Code Enforcement to document everything.

*Don Patch, Grand Avenue* – Asked for an update on the shopping cart law. On his way to the meeting he saw people pushing a cart down the street. Mayor Deemie explained that the Police have to see the people with the cart. It is not easy to enforce.



## VILLAGE OF JOHNSON CITY

*Julie Deemie, Zoa Avenue* – Asked about the property on Grand Avenue and if children are going in and out of there and if the County’s report says there is lead paint. She also asked if anyone has called the proper authority about the children. Mrs. Stebbins stated that there are children there and the Police know that. Mrs. Deemie stated that someone in the community needs to call child protective services.

Mayor Deemie closed the first privilege of the floor.

### **COMMUNICATIONS**

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

- [1] Notice of the August 9, 2016 regular meeting of the Joint Sewage Board

### **COMMITTEE/BOARD REPORTS**

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

- [1] Minutes of the July 13, 2016 regular meeting of the Town of Union Board

### **DEPARTMENT 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] Police Department Monthly Report – June 2016

### **PAYROLL AND BILLS PRESENTED**

A motion to approve abstract #3 of the 2016 - 2017 fiscal bills, having been audited by the Board and approved, was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried - Vote:

**Ayes** – 4 (*Meaney, Walker, Balles, Deemie*)    **Nays** – 0    **Absent** – 1 (*Fuller*)

GENERAL FUND	\$553,636.43
WATER FUND	\$57,751.07
SEWER FUND	\$52,758.88
REFUSE FUND	\$31,452.11
JSTP	\$1,406,446.83
VARPUR	\$1,406,446.83

### **UNFINISHED BUSINESS**

#### **Resolution #2016 - 101**

A motion to authorize the forgiveness of a \$60.00 fine for excess refuse collected at 325 Riverside Drive was made by Trustee Meaney and seconded by Trustee Walker.

Motion Failed - Vote:

**Ayes** – 0    **Nays** – 4 (*Meaney, Walker, Balles, Deemie*)    **Absent** – 1 (*Fuller*)



## VILLAGE OF JOHNSON CITY

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### **Resolution #2016 - 102**

A motion to authorize the forgiveness of a \$45.00 fine for excessive brush collected at 203 Harrison Street which was out too early and blocking the sidewalk causing a safety issue was made by Trustee Walker and seconded by Trustee Balles.

Motion Failed - Vote:

**Ayes** – 0    **Nays** – 4 (*Meaney, Walker, Balles, Deemie*)    **Absent** – 1 (*Fuller*)

### **NEW BUSINESS**

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

### **Resolution #2016 - 126**

A motion to authorize the granting of a parade permit for the annual St. James Church 5-K Run/2.5K Walk on Sunday, October 23, 2016 at 2:00pm contingent upon Proof of Insurance being provided listing the Village of Johnson City as an additional insured and coordination with the Johnson City Police Department and DPW for any road closures if needed was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried - Vote:

**Ayes** – 4 (*Meaney, Walker, Balles, Deemie*)    **Nays** – 0    **Absent** – 1 (*Fuller*)

### **Resolution #2016 - 127**

Authorize the Clerk/Treasurer to remove the penalty and fee levied on the Village tax bill for 573 Overbrook Road and to make such adjustments as are necessary in the Village accounting records.

*Resolution #2016-127 was removed due to the fact that the Village Board has no authority to grant the removal of penalties and fees levied on tax bills.*

### **Resolution #2016 - 128**

Authorize the Clerk/Treasurer to remove the penalty and fee levied on the Village tax bill for 9 Wren Street and to make such adjustments as are necessary in the Village accounting records.

*Resolution #2016-128 was removed due to the fact that the Village Board has no authority to grant the removal of penalties and fees levied on tax bills.*

### **Resolution #2016 - 129**

A motion to authorize the Clerk/Treasurer to remove a portion of the charges from the July 2016 utility bill for 93 CFJ Blvd. which incurred excessive charges this quarter make such adjustments as are necessary in the Village accounting records was made by Trustee Walker and seconded by Trustee Balles.

Motion Failed - Vote:

**Ayes** – 0    **Nays** – 4 (*Meaney, Walker, Balles, Deemie*)    **Absent** – 1 (*Fuller*)

### **Resolution #2016 – 130**

A motion to waive the 30 day notice period to The Grapevine Café, Wine & Tea Lounge, 220 Main Street, for a liquor license with a letter of authorization from the Mayor was made by Trustee Meaney and seconded by Trustee Balles.

Motion Carried - Vote:

**Ayes** – 4 (*Meaney, Walker, Balles, Deemie*)    **Nays** – 0    **Absent** – 1 (*Fuller*)



## VILLAGE OF JOHNSON CITY

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### **Resolution #2016 - 131**

A motion to introduce a Local Law amending Chapter 300 of the Village Code entitled "Zoning" as follows: §300-52.8 (Nonconforming signs) to add A.(3) Replacement of an existing sign face or faces for a new business or advertiser or change in existing business or advertiser logo without altering the sign structure is permitted and will not result in a loss of nonconforming status; §300-52.8 (Nonconforming signs) delete B.(3) and replace it with (3) The sign structure is replaced; Adopt a new section: §300-60.6.1. (Code Compliance Required); schedule a public hearing on said local law on September 6, 2016 at 7:35 p.m.; and to authorize publication of notice of said public hearing was made by Trustee Balles and seconded by Trustee Walker.

Motion Carried - Vote:

**Ayes** – 4 (*Meaney, Walker, Balles, Deemie*)    **Nays** – 0    **Absent** – 1 (*Fuller*)

### **PUBLIC SAFETY**

**FIRE (Trustees Balles & Walker)** – No new business

**POLICE (Trustees Balles & Walker)** – No new business

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

#### **Resolution #2016 - 132**

A motion to authorize the forgiveness of a \$60.00 fine for excess refuse collected at 95 Endicott Avenue was made by Trustee Balles and seconded by Trustee Walker.

Motion Failed - Vote:

**Ayes** – 0    **Nays** – 4 (*Meaney, Walker, Balles, Deemie*)    **Absent** – 1 (*Fuller*)

**RECREATION (Trustees Balles & Fuller)** – No new business

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

**JOINT SEWAGE TREATMENT BOARD (Trustees Fuller & Meaney)** – No new business

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

Mayor Deemie opened the second privilege of the floor.

*Debra Laraway, Broad Street* – Asked where we are as far as locking down 34 & 41 Broad Street. They have had several drug busts there in the last month. She asked the Police Chief and he said he was waiting on the Mayor. She said Code is ready to lock it down as well. Mayor Deemie explained that he and the Chief and legal and going to discuss what can be done to speed up the process of the lock down law. Mayor Deemie explained the lock down procedure. 41 Broad Street came close to a lock down last year but the owner did what he needed to do to prevent it. Ms. Laraway listed multiple code issues at the property.

*Don Patch, Grand Avenue* – Thanked the Mayor for getting the hoop taken care of at Boland Park. Asked for an update on 517 Grand Avenue – the third house from the corner. Mayor Deemie stated that he will check with Code.



## VILLAGE OF JOHNSON CITY

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*Bruce King, First Street* – Asked the Mayor to tell the Police and Fire Chiefs to remind their staffs that they can call Code if they are at a property and see something. Asked how many code calls either department has called in. He would bet it was zero. Mayor Deemie stated that he reminds the Chiefs constantly.

*Phyllis Smith, Concord Street* – Stated that 155 Lester Avenue is an eyesore. No one has lived in there in over a year. The porch is full of cardboard boxes, the grass is knee high and the screen doors are left open. The electricity has been turned off and she asked what is the status of that property. Mayor Deemie stated that he will check with Code. Mrs. Smith stated that you call code but they never get back to you.

*David Smith, Concord Street* – Asked if the code laws can be changed. Attorney Jacobs explained that it is the NYS Uniform Fire & Building Code that the code generally enforces. There are a lot of issues in the Village and it becomes a time and resource issue. Trustee Meaney stated that there is a committee looking at code enforcement and whether or not to bring it back to the Village but there seems to be a lack of communication because people make anonymous complaints so there is no way to update people on what they have done or how many times they have been at a property.

*Bruce King, First Street* – Asked if the monthly code reports are foailable? Attorney Jacobs stated that yes they are.

Mayor Deemie explained that there is a resource issue. Attorney Jacobs explained what happens when code violators are taken to court and reviewed the code violation process. Mayor Deemie stated that some of these code officers can spend days in court.

Mayor Deemie closed the second privilege of the floor.

### ADJOURNMENT

Mayor Deemie adjourned the meeting at 8:14pm.

Cindy Kennerup  
Clerk/Treasurer

CK/db