



# VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING  
243 MAIN STREET • JOHNSON CITY, NY 13790  
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## Village Board

Gregory Deemie, Mayor  
Richard Balles, Deputy Mayor  
Bruce King, Trustee    Martin Meaney, Trustee    John Walker, Trustee

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### **Minutes of a Work Session of the Johnson City Village Board held at 5:30pm on Tuesday, January 3, 2017 in the Municipal Building, 243 Main St., Johnson City**

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

Absent:            None

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

The Board met with Director of Public Services Robert Bennett to discuss the Camden Street valve replacement project and the Wren Street tank valve replacement project. Mr. Bennett reviewed the valve issues with the Wren Street tanks. Trustee Meaney asked what the estimated cost was. Mr. Bennett stated that the estimate is \$138,000 for both. The funds for one valve are in the budget. The funds for the Camden Street valves have been in the budget for years because they were waiting for the new plant to be completed. Trustee Walker asked what the life expectancy of the valves is. Mr. Bennett explained that for the large valves, it depends on how much they are used. These were last replaced approximately 30 years ago. Mr. Bennett explained that once these tanks are done he and Jeff Clark are going to start using the valves on a regular basis.

Trustee King asked about an electric bill that we are paying for 349 Reynolds Road. Mr. Bennett stated that he is not sure what it is for. Clerk/Treasurer Kennerup said that there is a bill that is paid out of water on Reynolds Road.

Trustee Walker expressed his displeasure with the street light situation in the Village, especially at the Reynolds Road and Harry L. Drive intersection. Mr. Bennett explained the problems that the local municipalities are having with the lights. A lot of the highway lights are old and need replacing. Mayor Deemie stated that it is the circuits that are messed up. They have been working on this for a while. Trustee Meaney stated that 201 is better now with the LED lights. Mr. Bennett stated that the issue is more with the DOT than the Town of Union and explained the agreement issues with the DOT and local municipalities. The Mayor stated that the Board can send a letter to the state. Trustee Walker stated that there are only a couple of lights working on Board Street. Trustee Meaney stated that he received a complaint from a resident that the street light is still missing from the corner of Columbia Drive and Rose Lane. Mr. Bennett stated that he will send another note to Lou Caforio at the Town.

Trustee Walker told Mr. Bennett that his crews did a phenomenal job with the recent snow storms.



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Trustee Balles asked about a recent water main break on Myrtle Ave. Mr. Bennett explained that it is fixed and reviewed a couple of issues the crew had at the site. Trustee Meaney asked if there is valve exercise program in place. Mr. Bennett explained that there used to be 2 guys dedicated to that when there were 16 people in the department. Now when there is a project proposed they exercise the ones on the street that will be done to make sure that they work. They are going to start exercising the at least the large valves on a regular basis.

Trustee Balles asked if a decision has been made about purchasing more road salt. Mayor Deemie stated no. Mr. Bennett explained that currently there is enough funds in the budget to buy 30 - 40 tons. The barn is currently about 80% full which is 17 - 1800 tons which may seem like a lot but with a typical storm we use 150 - 200 tons. The tough thing this year is that winter started earlier than last year and there has been a lot more snow already.

Trustee Meaney stated that he received a call from Rick Wallikas regarding his sewer issue. Mr. Bennett explained that Mr. Wallikas had submitted a FOIL request again that they were working on and stated that he had spoken to Mr. Wallikas. The sewer crew was there when the issue happened. Mr. Bennett reviewed the ongoing sewer issue there, the piece of clothing that was found in the line and explained sewer flows. Mr. Bennett stated that we have been up there every week to make sure there are no issues. When they do see a little bit of grease or things in the line he calls the nursing home and they take care of it right away. They have not had any issues there in a couple of months. Trustee Meaney asked if the Hilltop campus should be put on the same program that Buckeye, Wilson Hospital and all of the major users are on for the sewers so they can be monitored closely. Mr. Bennett explained that they monitor them weekly just like the other ones and if Trustee Meaney means the Industrial Pre-Treatment program at the Sewage Treatment Plant, that facility doesn't meet the criteria. Trustee Meaney asked why it doesn't meet the criteria. Mr. Bennett explained that he is not an expert on that, he was just told that they didn't meet it. It is more for industries that are sending chemical waste. Trustee Meaney listed Wilson and Lourdes Hospitals, and Frito-Lay and stated that he doesn't think Frito-Lay is sending chemical waste. Mayor Deemie stated it could be the cleaning stuff they use for their equipment. Mr. Bennett explained that the Village could ask the sewage plant to look into it and they could do an investigation but he doesn't think that they would do it and it would not prevent what Mr. Wallikas thinks is happening.

Trustee Meaney stated that one issue Mr. Wallikas has is that he was told if he put a backflow preventer in it would eliminate the problem so he installed one. Mr. Bennett stated that as far as he knew this was the only issue since he put the back flow in. Trustee Meaney stated that Mr. Wallikas said he had water back up into his basement and he had to rip out his carpeting. Mr. Bennett stated that if that happened, he did not hear that. Mr. Bennett explained that no other houses had issues. Mr. Bennett reminded the board what happens when a claim like this goes to the insurance company.

The Board reviewed the agenda and the resolutions.

Trustee King asked for clarification of a bill for the auditor and asked what the annual contract was for. Clerk/Treasurer Kennerup explained the bill. Trustee King stated that he has not yet received the copy of the budget that he requested and he also requested a copy of the most recent green bar.

Trustee Balles asked if there was anyone in mind for the vacancy on the plumbing board. Mayor Deemie stated no. It was up to the plumbing board if they had anyone in mind.



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Trustee Meaney asked about the mileage rate and asked if we change it through the year. Mayor Deemie stated no.

The Board discussed the sewer issue at 332 Arthur Avenue. Trustee King expressed his thoughts on reimbursing for the services they were not using as opposed to the plumbing expensing incurred. Trustee Walker asked if there was any law on the books that stated that properties have to be on the sewer system. Mayor Deemie stated yes. Trustee Walker stated that then they were in violation of the law. Trustee King reviewed the request from the property owner on Arthur Avenue. Mayor Deemie stated that Oakdale was annexed into the Village in the 1960's. Trustee Balles asked about documentation regarding this issue in Bob Bennett's office. Attorney Jacobs stated that the original code regarding sewer rents was adopted in 1973. Attorney Jacobs and Mayor Deemie explained that somebody grandfathered this property and it shouldn't have been. Trustee Walker stated they started charging the owner in 2014. Mayor Deemie stated she has a water meter so she should have been paying something. Trustee Walker asked how far back the records go. Mayor Deemie stated he would have Mary Beth in the Water Dept. Trustee Walker asked why did it take her so long to come to the Village regarding this.

Mayor Deemie stated that we will advertise the vacant part time position at the front window in the newspaper.

Mayor Deemie stated that he will approach Computel regarding finding entities that are not paying the gross receipts taxes. Trustee Meaney expressed his opinion of Computel and they amount they charge for what they recover and thought the Village should do some footwork first. He asked if the percentage is 40%. The Mayor said it is whatever you work out with them. Attorney Jacobs explained that Computel has the expertise on all of that. The companies that do this kind of work all have the same approach. Going forward, after the initial funds are recovered, they don't get anything more. It all would go to the Village. Mayor Deemie stated he would get the list of who is paying to the Board. Mayor Deemie stated that the most we can charge is 1%. Trustee Meaney asked how many years can we go back. Attorney Jacobs stated that he believes it is 3 years. Trustee Walker stated that to go that money is going to take a lot of legal work. Attorney Jacobs explained the process and what Computel does.

Mayor Deemie told Trustee King to go ahead with resurrecting the insurance committee.

In response to a Trustee's question about lunch not being reimbursed on a travel request, Mayor Deemie reviewed the travel request form and Village procedure to reimbursement. Breakfast is an \$8.00 maximum and dinner is a \$22.00 maximum. Clerk/Treasurer Kennerup explained that there was a time when the travel request did say breakfast, lunch and dinner. The board at the time wanted that changed because usually lunch was included. Mayor Deemie asked if the board wanted to change it to \$30.00/day and asked what the government per diem rate is. He also asked if the board wanted to increase the amount. Trustee Meaney asked when the last time the amount was increased. Mayor Deemie stated that it was a while ago. Mayor Deemie stated that he felt that the hotel amount was low too. Trustee Meaney asked what the state rate is. Mayor Deemie stated he will find out and let the board know. Trustee King asked for a copy of the travel request form to be sent to the board. Trustee Walker stated that the Village needs an itemized bill for these reimbursement requests.

The Board discussed quotes from Alert Alarm Security for security cameras and panic buttons in Village Hall. Mayor Deemie explained that he has our grant writer, Dai, looking to see if there are any



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grants available to help with the costs. Mayor Deemie explained that this is the company that is doing the security for the carousel now. The board discussed the location of the cameras and the panic buttons. The panic buttons would be connected to the police department. Trustee Balles asked about the cameras we currently have on Main Street and asked if these cameras would be compatible with that system. Mayor Deemie stated no. This is a whole different system. Mayor Deemie asked if we want to go ahead now or budget for it. Trustee Meaney asked what the monitoring fee is on the panic buttons if they go directly to the police station. Mayor Deemie stated he will ask. Trustee Meaney asked about the contingency fund amount. Mayor Deemie stated that we sound be receiving the extra sales tax money soon - \$105,000 that was not in the budget. Trustee King suggested having the alarm sales company come in to talk to the Board.

Trustee Balles asked if everyone has reviewed the code enforcement report. Trustee King stated that he has not received a copy yet.

Trustee Walker asked if there was an answer on the Gear Core bills. Clerk/Treasurer Kennerup explained that Gear Core is working with Laurie in DPW to train her and let her into their system.

Trustee Balles asked Attorney Jacobs about residents being able to FOIL the code report. Attorney Jacobs stated that he had not looked at it that in depth yet. Trustee Balles stated that there are names and addresses in the report of people who have filed complaints. Attorney Jacobs explained that there are sections that may be redacted. Trustee King asked if there any additional attorney fees are included in the cost analysis over what we pay now and what we would pay if we brought it back. Trustee Balles stated no, he was going to ask Cindy about that. Attorney Jacobs explained that code prosecutions are outside of the retainer and that should not change unless the Village restructures the retainer. Trustee King asked what we have paid the last few years in attorney's fees for code. Attorney Jacobs and Clerk/Treasurer Kennerup explained that it is billed separately and how it is done. Trustee Walker asked if the fees that are paid for the violations regulated by state or federal government or can we write our own laws in order to collect fees – can we collect a fee from repeat offenders. Attorney Jacobs explained how the process in the Village has changed in the last few years. If a violation goes to court, we are getting some dollar amount from the offender. Prior administrations were more focused on compliance. Trustee Balles explained part of the financials in the report for code violations. Attorney Jacobs explained that state law allows us to go up to \$1,000/day per violation. We are at \$250 or \$500.00. Trustee Walker expressed his frustration with the process for repeat offenders. There is no pain for them. Trustee Meaney asked if we could change that. Attorney Jacobs explained that we did a few years ago when we instituted the re-inspection fee. Trustee Walker asked if we could do something like the fines for the false alarms. Attorney Jacobs explained that we do have that. Trustee Meaney stated that if the state allows us to go to \$1,000/day we could increase our penalties. Attorney Jacobs explained that there are violators that just can't afford to pay. Trustee King stated that we should be able to do something right away for repeat violators and not have to take them to court. Trustee Walker said make it painful for them. Trustee Walker mentioned that someone sent him photos of a porch on St. Charles Street that was not constructed properly and illuminated with solar lights that are cable tied to it.

### **EXECUTIVE SESSION #1**

A motion to enter into executive session at 7:10pm to discuss Planning Personnel was made by Trustee Walker and seconded by Trustee Meaney. The motion carried with all those present voting in the affirmative.



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A motion to exit the executive session at 7:26pm was made by Trustee Balles and seconded by Trustee King. The motion carried with all those present voting in the affirmative.

### ADJOURNMENT

The work session was adjourned at 7:26pm.

Cindy Kennerup  
Village Clerk/Treasurer

CK/db

*Recordings of the Village Board meetings and work sessions are available for review through the Village Clerk/Treasurer's Office.*