



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

Minutes of a Work Session of the Johnson City Village Board held at 5:30pm on Tuesday, February 7, 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
 Thomas Johnson, Deputy Treasurer
 Jeff Jacobs, Attorney for the Village

The Board met with Director of Public Services, Robert Bennett, to discuss the Baldwin Street water line. Mr. Bennett reminded the Board that they discussed this last fall. There is a leak. Trustee King asked if this is the one that goes through the tunnel. Mr. Bennett explained this goes underneath the tunnel. In summer/fall of 2015 we hired Shumaker Engineers to do an inexpensive study to see if it was feasible to go under the tunnel, go over the tunnel or even go through the tunnel. They did some thermal imaging to determine where it was. At the time, UHS was agreeable to split the cost with us. UHS still has the money in their budget to fund half of this. He has worked with Coughlin & Gerhart to come up with an agreement. In the agreement UHS would have to come up with \$20,000.00 in advance towards the design cost. The total design cost is expected to be around \$40,000.00. Once the design is completed then UHS will be billed for another \$20,000.00. Once we get to substantial completion, we will bill them for \$120,000.00 and then when there is final completion, all the punch list items are done, we will send them the bill for the remaining 50%, whatever that amount happens to be. UHS will pay 50% of the total project cost. There is no money in the current Village budget specifically for this project. Trustee Walker asked for Mr. Bennett to review the project again. Mr. Bennett explained that there is a tunnel that goes beneath Baldwin Street that takes the main hospital to the Picciano building. It has communications lines, sewer lines, water lines. Mayor Deemie stated that it is not a walk through tunnel, it is a mechanical tunnel. Mr. Bennett stated that you can walk through it. Mr. Bennett explained that the Water Department has been out there a couple of times and thought they had fixed the leak – one part of it. Then they found out that it was still leaking in another spot. There are 2 dead end lines – there is a valve at each end.

There was much discussion in regards to possible upcoming construction projects in the UHS complex area.

Trustee Meaney asked what the estimated total cost for this current project is. Mr. Bennett stated \$350,000.00. Trustee Walker asked how the job would be done. Mr. Bennett explained that there would be 2 pits, 14 feet deep that would go along either side of the tunnel and explained that sizes of the materials and casings that would be used. The Board agreed to move forward with the project.



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Mr. Bennett briefly reviewed the 2 bid openings for the valves for the Wren Street water tank and Camden Street.

The Board discussed a letter from Mr. Richard Rogler asking the Village to examine its law and the way it is written for dumpsters and what he feels is us charging a fee for a service we are not providing. Trustee Meaney stated that he drove by both of Mr. Rogler's properties and he does not have a dumpster. Mr. Bennett explained he has a private hauler. Trustee Meaney stated that he has questions for Mr. Rogler. Mayor Deemie stated that he is not asking for any refunds just to look at this law. He has had people come to him before who have dumpsters but we pick their recycling. Mr. Bennett explained that typically, if someone has a dumpster, they are throwing everything in and they are not recycling which is against state law but it is hard to catch them doing that. Trustee Balles asked if Mr. Bennett approved the private hauler. Mr. Bennett explained that it was approved after the fact. New people sometimes get private haulers first and then yell when they get their bill. Trustee Balles asked if the \$66.00 charge was a legitimate charge. Mr. Bennett explained yes and reviewed the code section. Mayor Deemie asked Mr. Bennett to check if the Village picks Mr. Rogler's recycling. Mr. Bennett stated that he checked with the Water Department and 212 accounts are being charged a dumpster fee.

Trustee Walker explained that he held over a resolution last week for a forgiveness request for 275 North Harrison Street and asked Mr. Bennett when does the Water Department know that there is a high usage of water. Mr. Bennett explained that it is quarterly. Mr. Bennett explained that when we were doing our meter program, we looked at the "cadillac" version of the program which would have had numerous transmitters throughout the Village sending signals back to an antenna at the Water Plant and we could have gotten that information daily and had a program on the computer screen. The cost for this was in the 6 figures. Mr. Bennett explained the process of reading meters and the billing cycle.

Trustee King mentioned an area at the corner of Hudson Street and Main Street where the handicap sidewalk ramp get covered by a large puddle because there is no drainage and forces people to walk in the road. Mr. Bennett explained that the state is moving towards doing their milling and paving project on Main Street this spring and he will bring it to their attention. The problem is there is no storm drainage there.

Regarding the I-Pads - Mr. Bennett explained that at the end of the day, Kim Cunningham was able to get a hold of Kara at Verizon and we are going to change the package that we have. Kara said that would be a roughly \$125/month savings. They have phone numbers associated with them but they are not phones. Trustee Meaney asked if the employee who was taking one home still is. Clerk/Treasurer Kennerup stated that is a MiFi and yes the employee is. Trustee Meaney asked why the employee had it. Mr. Bennett explained the employee had to go out of town for medical treatments and the employee was able to work while receiving treatments. We could look at getting rid of that MiFi.

The Board met with George Kolba, Chairman of the Joint Sewage Board to discuss the demolition of the office building. Mr. Kolba thought maybe we could get a \$100,000 for the building. It is only a year old and is 6 modular units attached together. He wondered if there was a Village or Town that is looking for additional office space. Mayor Deemie explained that the issue is that we are under the gun with regards to time. Mr. Kolba stated that the demolition was supposed to start in April. Mr. Bennett stated that it doesn't hurt to ask. Mayor Deemie stated that he has spoken to some people about the



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building and it may be tricky to move it. Trustee King asked if Mr. Kolba has reached out to the manufacturer/installer to see if they wanted it. Mr. Kolba explained that it is up to the owners and reminded the Board that we are in litigation with that company. Trustee Balles asked if there was analysis done to see if it can be moved. Mr. Kolba stated it was brought in in 6 pieces. Trustee Walker asked if the building could be used elsewhere on the property. Mr. Kolba explained that there is no room for it. Mayor Deemie stated that he asked all of those questions when this first came up. Trustee Meaney asked about Mr. Kolba having an idea to move the structure off site and use it. Mr. Kolba stated that he contacted a couple places but nothing came of it.

Mayor Deemie explained that Mr. Kolba is also there to speak about the sewer plant being kicked out of their building and looking for lease space and the issues with cost. The building is where the sludge holding building has to be located. Mayor Deemie stated that there is an odor control system that will have to come off line temporarily.

Mr. Kolba presented the board with options A, B and C for the temporary office space. Option A is the one preferred by the sewer board. Today Charlie Pearsall was able to get the amount down to \$9.40/sq. ft. for option A. That cuts out about half of the taxes listed. Mr. Kolba reviewed the positives of that property. Mr. Kolba stated that he had previously mentioned to the Board why couldn't this go onto a capital. He did more research today on it and it says in our own bylaws that we can't put anything that is a year or less on capital so they have to do it this way. They can cover the monthly rent and the odor control for one year. There is no start or completion date in the contract for the new building being constructed. They are hoping it will be ready in one year. Trustee Meaney asked what happens if they can't move into the new building within 13 months – can they then go into the capital and take the money out for this versus the contingency funds because it will be beyond a year. Mr. Kolba stated that he is not sure. Trustee Meaney asked if we could ask for a 13 month lease. Mr. Kolba stated that he doesn't think there will be a buyer for that building in the near future. Trustee Balles asked if he could tell them where option A is located. Mr. Kolba stated that it is on Vestal Road. Option B is by Starbucks. Mr. Kolba reviewed a piece of vacant land that he had considered and explained the pros and cons of that location. Mr. Kolba stated that they need to be out of the current location in May. Trustee Balles asked about the other expenses listed, taxes, insurance, etc. Mr. Kolba explained that when you add the extras the total is just under \$12.00 sq. ft./month - \$120,000.00/year. Trustee Balles asked how much is in the sewer board's contingency. Mr. Kolba stated \$150,000.00. Trustee Meaney stated that we have to make up for the odor control. Mr. Kolba stated that will be from the savings on the chemicals. Trustee Balles asked if there is any need for any construction in the building (option A). Mr. Kolba stated no. Trustee Balles asked if any FEMA can be used. Deputy Treasurer Johnson stated that any time we get any FEMA money it goes back to EFC and they use it to reduce our debt. Deputy Treasurer Johnson asked, when you are leasing, why are you paying real property taxes? Mr. Kolba explained that is the law structure the Town of Vestal said they had to go by – the State – that they have to charge property and school taxes. Attorney Jacobs stated that you can structure triple net leases that way. Mayor Deemie and Mr. Kolba to get firm numbers and stated that he will make sure that the committee members have an answer to him by the JSTP Board meeting next week. Trustee Balles commented that he would like someone to look into the tax issue closer. Attorney Jacobs stated that one way or another you will be paying the taxes, whether it is rolled into rent or is separate. The board's attorney will look at that.

The Board reviewed the agenda and the resolutions.



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Mayor Deemie reviewed the USDA grant that the Police want to apply for to purchase a vehicle. Trustee Meaney asked what the total weighted cost is for the vehicle. Mayor Deemie stated that he does not have that number from the Chief. The grant will cover 35% of the cost. The rest of the amount will be a low interest loan. Trustee Meaney asked about the interest rate versus the rate if we bond for it. Mayor Deemie stated he didn't know those number right now but he will find out.

Mayor Deemie asked the Board to hold off for the next 3 months with questions regarding the phone bills, cell phone bills, until we sort everything out. We are and have been working on it and we are starting to get some of the same questions. Kim C. is working on it and the Mayor stated he will keep the board updated. Trustee Meaney stated that he has been asking questions for 13 months now so why are we just starting to get it together. Mayor Deemie stated that we had a meeting with Kara with Verizon. Trustee Meaney stated that he started asking questions about the cell phones at his first meeting in January of last year. We, as Trustees and the Mayor, have a responsibility to do what is best with the taxpayer's money. How do we know if we are not doing our due diligence if we can't ask questions and are still dragging our feet getting these things processed in a timely fashion? Trustee Walker stated that he asked the question on the I-Pads and we just made a phone call and dropped it \$125.00/month. Mayor Deemie stated that Mr. Bennett stated he dropped the ball on that one. Trustee Walker stated that it doesn't seem like anyone is taking responsibility for anything in regards to that. He has a whole spreadsheet at home that he created using itemized bills that shows cell phones with no usage and most of that is in the Water Department. Trustee Walker stated that we need to look at every single bill. The small things add up. Mayor Deemie stated so do the big things that we have done over the last couple of years that have cost a lot of money. Trustee Meaney asked what our tax cap amount is for this year. Mayor Deemie stated that we don't know yet. The rate for Villages is 1.16% for this year but what our exact dollar amount is we don't know yet.

Trustee Meaney stated that when Kara from Verizon met with us on December 16th she said we could get upgrades anytime for free yet we had to pay \$149.00 for a new phone. Maybe it's time to look at other carriers. Mayor Deemie explained that it is the government rates. They have usually been similar. Trustee Walker commented on the lack of use of the I-Pads. Mayor Deemie reminded the board that Mr. Bennett explained that the usage can vary greatly depending on the time of year it is. This is a slow period compared to summer construction season. Trustee Meaney stated that he disagrees and believes that we are underutilizing what we are paying for.

Regarding the USDA grant application for the Police Department – Trustee Meaney asked if there are time constraints on that. Mayor Deemie stated he did not know. Trustee Meaney stated that he would like to know the dollar amount first. Attorney Jacobs reminded the Board that this is just authorizing that the application be submitted.

EXECUTIVE SESSION #1

A motion to enter into executive session at 6:48pm to discuss former personnel in the Accounts Payable Department was made by Trustee Walker and seconded by Trustee King. The motion carried with all those present voting in the affirmative.

A motion to exit the executive session at 6:52pm 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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EXECUTIVE SESSION #2

A motion to enter into executive session at 6:53pm to discuss personnel in the Fire Department was made by Trustee Meaney and seconded by Trustee King. The motion carried with all those present voting in the affirmative.

A motion to exit the executive session at 7:02pm was made by Trustee Meaney and seconded by Trustee King. The motion carried with all those present voting in the affirmative.

Trustee Walker asked for an update on the street lighting issue. Mayor Deemie stated that he has been talking to Tom Augostini and the project has either gone out to bid or is going out to bid. Trustee Walker stated that he has spoken to Mr. Augostini as well and reiterated his concerns over the lack of lighting at the Reynolds Road/Harry L. Drive/Rt. 201 intersection.

Trustee Walker asked where we stand with the Police and Fire Contracts. Mayor Deemie stated that the Police contract is back in their court and we are waiting to hear back from them. Trustee King explained that he and Trustee Balles were to meet with the Fire Department but had to reschedule. Trustee Meaney stated that he thought the Police filed an impasse. Mayor Deemie stated yes but they are talking again.

Trustee Walker asked about the LED lighting proposal (Lime). Mayor Deemie stated that we are not moving forward unless we put it in our budget.

Mayor Deemie reviewed the Fire District proposal. There are no changes from last time. Mayor Deemie stated that there is a big development that will be going up in Fairmont Park. Trustee Walker asked the Mayor to check with the Fire Chief and get the number of calls they were last year in Fairmont Park and Westover.

EXECUTIVE SESSION #3

A motion to enter into executive session at 7:11pm to discuss contract negotiations with the Police Department was made by Trustee Meaney and seconded by Trustee King. The motion carried with all those present voting in the affirmative.

A motion to exit the executive session at 7:20pm was made by Trustee Meaney and seconded by Trustee King. The motion carried with all those present voting in the affirmative.

Trustee Meaney asked about insurance evaluations – he understands we are moving forward with health insurance but not property and casualty. Mayor Deemie stated that comes up later in the year. Trustee Meaney commented on having to budget for it. Trustee King stated that he and Trustee Walker wanted to do it separately and explained the process they are using. For health insurance, 4 companies will be submitting their proposals by the end of the day on Feb. 14th. Of the 4, the insurance committee will recommend 2 to the Board. Those 2 companies will come in one evening to make a presentation to the Board and the Union leadership. Then they will move onto property and casualty. Trustee Meaney questioned the amount of time remaining before the budget needs to be adopted and commented on the possibility of Haylor, Freyer and Coon blocking providers causing us to have to go through another step. Trustee King stated that he will move it forward.



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Trustee Meaney asked about the purchase of a desk drawer for Bob Bennett and asked what happened to the furniture that was in the room that is his office now. Mayor Deemie explained that it was just tables. The only desk there was Amanda's and she took that to the new office. Trustee Meaney asked if FEMA go us new office furniture for the Water Department. Mayor Deemie stated that they were using tables upstairs. Clerk/Treasurer Kennerup explained that some of the Water Department's furniture is new but some of it is used furniture that the Village already had.

Trustee Meaney asked for an amendment to the work minutes from the February 7th work session to better reflect his questioning of a conflict with the SUNY ESF project and the BOA projects.

Trustee Meaney asked for information to be distributed to the Board on a quicker basis when it is received.

ADJOURNMENT

The work session was adjourned at 7:30pm.

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.