



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING
243 MAIN STREET, JOHNSON CITY, NY 13790

www.villageofjc.com

Village Board

Gregory Deemie, Mayor

Bruce King, Deputy Mayor

Richard Balles, Trustee Clark Giblin, Trustee John Walker, Trustee

Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, January 16, 2018 in the Municipal Building, 243 Main Street, Johnson City

Present: Gregory Deemie, Mayor
 Bruce King, Deputy Mayor
 Richard Balles, Trustee
 Clark Giblin, Trustee
 John Walker, Trustee

Absent: None

Also Present: Cheryl Sacco, Legal Counsel
 Cindy Kennerup, Clerk/Treasurer

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, February 6, 2018 at 7:30pm with a work session at 5:30pm
- [2] Village Offices will be closed on Monday, February 19th in observance of President's Day.

APPROVAL OF BOARD MINUTES

A motion to approve the minutes of January 2, 2018 was made by Trustee Walker and seconded by Trustee Balles. The motion carried with all those present voting in the affirmative.

BIDS – None

PUBLIC HEARINGS

- [1] Adoption of proposed Rights-of-Way Agreement between Village of Johnson City, NY and EXTENET Systems, Inc.

Mayor Deemie opened the public hearing.

There being no one wishing to speak, Mayor Deemie closed the public hearing.

PETITIONS RECEIVED - None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Carol Laskowski, Edwards St – questions the Extenet, what the boxes do and how many will there be?

The Mayor explains it is to put a mini cell service on an existing pole to give them the right of way to enhancing the signal. We will get rental money from them.

Mayor Deemie closed the first privilege of the floor.

COMMUNICATIONS- None

COMMITTEE/BOARD REPORTS

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

- [1] Minutes of the December 14, 2017 regular meeting of the Broome County Association of Municipal Clerks
- [2] Minutes of the January 3, 2018 regular meeting of the Town of Union
- [3] Minutes of the January 3, 2018 reorganizational meeting of the Town of Union

DEPARTMENT REPORTS

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

- [1] Department of Public Works Monthly Report - December 2017
- [2] Police Department Overtime Report for the weeks of December 14 – 27, 2018
- [3] Fire Department Overtime Report for the week of December 28 – January 10, 2018

PAYROLL AND BILLS PRESENTED

A motion to approve abstract #13 of the 2017 – 2018 fiscal bills, having been audited by the Board and approved, was made by Trustee King and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

GENERAL FUND	\$ 410,439.83
WATER FUND	\$ 50,719.83
SEWER FUND	\$ 169,854.48
REFUSE FUND	\$ 48,010.32
JSTP	\$ 1,477,762.87
VARPUR	\$ 147,080.04

Motion Carried – Vote:

Ayes – 5 (Giblin, King, Walker, Balles, Deemie) **Nays** – 0 **Absent** – 0

UNFINISHED BUSINESS - None

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2018 – 18

A motion to approve the following resolution was made by Trustee King and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Giblin, King, Walker, Balles, Deemie) **Nays** – 0 **Absent** – 0

WHEREAS, the Village of Johnson City scheduled a public hearing for January 16, 2018 at 7:35 p.m. for the adoption of a Rights-of-Way Agreement between the Village of Johnson City and EXTENET Systems, Inc.; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s sign board; and

WHEREAS, said public hearing was duly opened at the Village Hall, 243 Main Street, Johnson City, New York on the 16th day of January, 2018 at 7:35 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said Rights-of-Way Agreement, a copy of which is attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, the Village Clerk be and hereby is directed to enter said Agreement in the minutes of this meeting and to give due notice of the adoption of said Agreement as provided by law.

BE IT FURTHER RESOLVED, that this resolution will take effect immediately.

Resolution #2018 – 19

A motion to introduce Local Law No. 2-2018 was made by Trustee Walker and seconded by Trustee King.

Motion Carried – Vote:

Ayes – 5 (Giblin, King, Walker, Balles, Deemie) **Nays** – 0 **Absent** – 0

WHEREAS, a local law, being proposed as Local Law No. 2 of 2018, entitled “A LOCAL LAW AMENDING ARTICLE 69 OF CHAPTER 300 OF THE VILLAGE CODE ENTITLED “REVIEW AND DECISIONMAKING BODIES” a copy of which is attached hereto, was introduced at this meeting, and

WHEREAS, the Village Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law at 7:35 p.m. on March 6, 2018, at the Village Hall, 243 Main Street, Johnson City, New York, and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Discussion: Mayor Deemie explains that there was times that there was a planning or zoning board meeting and there was not a quorum to hold meeting. We are looking to have two alternates for each board so they will have a quorum to hold the meetings.

Resolution #2018 – 20

A motion to approve the following resolution was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Giblin, King, Walker, Balles, Deemie) **Nays** – 0 **Absent** – 0

WHEREAS, the Village of Johnson City is interested in submitting project proposals on behalf of the Village for consideration to the Greater Binghamton Fund;

WHEREAS, the Village's Grant Writer, Dai A. Korba has been working with the Village Board of Trustees on potential projects;

WHEREAS, the Village believes it would be in the Village's best interest to submit the best possible projects;

WHEREAS, the submission of the proposals is a SEQRA Type II action, but that additional SEQRA review may be necessary if proposals are chosen.

NOW, THEREFORE BE IT RESOLVED, that the Village hereby approves the submission of the following proposals:

- 1) A comprehensive streetscape plan (title TBD) which features improvements for all modes of transit, including pedestrian safety and amenities improvements, re-use of vacant lots as storm water mitigation spaces, public transit improvements, and the installation of an EV charging station.
- 2) The Southern Tier Craft Beverage Foundry project.
- 3) Project Facelift, a program which will assist property owners' facade rehabilitation work on buildings within the iDistrict.

IT IS ALSO RESOLVED, that these proposals, may be potentially combined into one or more proposals, or submitted separately;

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to take whatever additional actions are deemed necessary to submit these proposal(s); and

BE IT FURTHER RESOLVED, that this resolution will take effect immediately.

Discussion: The first one is the optimal multimodal transit plan (\$7.5 million), the second one is the southern tier farmhouse foundry (\$3,423,954) and the third is project facelift. This is for the \$20 million for the three iDistricts (\$350,000). These are our projects that Johnson City will be trying to get funding for.

Resolution #2018 – 21

A motion to accept and authorize the settlement of the pending PERB matter, Johnson City Police Association against Village of Johnson City; matter U-35531; and authorize the Mayor to execute any settlement documents and authorize any further action necessary to effectuate the terms of the settlement was made by Trustee King and seconded by Trustee Balles.

Motion Carried – Vote:

Ayes – 5 (Giblin, King, Walker, Balles, Deemie) **Nays** – 0 **Absent** – 0

Resolution #2018 – 22

A motion to grant permission for the JC Partners to utilize the Municipal Parking Lot behind Village Hall and the parking lot of the George Korutz Justice Building on the 3rd Thursday of May, June, July, August and September between the hours of 5:00pm and 8:00pm for a “Classic Car Cruze In” and with a location for musicians/bands to perform and resolved further, that the JC Partners shall be responsible for providing insurance naming the Village as an additional insured and the Mayor is authorized to sign an agreement between the Village and JC Partners in a form acceptable to Counsel for the Village was made by Trustee Walker and seconded by Trustee King.

Motion Carried – Vote:

Ayes – 5 (Giblin, King, Walker, Balles, Deemie) **Nays – 0** **Absent – 0**

Resolution #2018 – 23

A motion to authorize the Johnson City Elks to utilize the Johnson City Court Room and Atrium area in the George Korutz Justice Building, 31 Avenue C, on Saturday, April 7th, 2018 from 8:30am – 2:30pm contingent upon proof of liability insurance being provided with the Village of Johnson City been named as an additional insured and further requiring the Elks to contact the Town of Union for permission for the use of the Town of Union Court room also located in the Village’s Building was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Giblin, King, Walker, Balles, Deemie) **Nays – 0** **Absent – 0**

Resolution #2018 – 24

A motion to authorize the forgiveness of a \$105 charge to Louise Kachadourian for excess refuse collected at 83-85 Corliss Avenue on December 27, 2017 was made by Trustee Walker and seconded by Trustee Giblin.

Motion Failed – Vote:

Ayes – 0 **Nays – 5** (Giblin, King, Walker, Balles, Deemie) **Absent – 0**

PUBLIC SAFETY - No new business

FIRE (Trustees Balles & Walker)- No new business

POLICE (Trustees Balles & Walker)

PUBLIC WORKS (Trustees Balles & King)

RECREATION (Trustees Balles & King) - No new business

JOINT SEWAGE TREATMENT BOARD ((Trustees Giblin & King)

Resolution #2018 – 25

A motion to approve the following resolution in regards to approving and ratifying a Supplemental Agreement for professional services in connection with the Binghamton-Johnson City Joint Sewage Treatment Facilities (“JSTP”) was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Giblin, King, Walker, Balles, Deemie) **Nays – 0** **Absent – 0**

WHEREAS, the Village of Johnson City (“Village”) and the City of Binghamton (“City”) have entered into Inter-municipal Agreements VIII & IX, that among other matters, appoints the City of Binghamton as the “Lead Agency” for matters involving the redesign, bidding, contracting, reconstruction, and remediation of the JSTP (the “Phase III Remedial Project”),

WHEREAS, pursuant to Inter-municipal Agreement VIII, as modified by Inter-municipal IX (the “Phase III Remediation IMA’s”) the City of Binghamton, by and through the City Council, in its capacity as “Lead Agency,” is authorized to “advertise and/or solicit for award contracts for professional services for the Phase III Remedial Project, including but not limited to, forensic testing, and inspection; engineering; design; preparation of construction documents, plans and specifications; construction administration and project management; construction inspection and testing...” (the “Phase III Remedial Project Professional Service Contracts”),

WHEREAS, notwithstanding the foregoing, the City has forwarded and requested the Village authorize and approve a proposal from Griffiths Engineering for Supplemental Agreement No. 2 for the Flood Wall Projects at the Joint Sewage Treatment Plant; the total request is \$49,200,

WHEREAS, the Supplemental Agreement needs approval from both the City of Binghamton and the Village,

WHEREAS, the Supplemental Agreement will be presented to the City of Binghamton’s Council on January 17, 2018,

WHEREAS, the City’s resolution will require the approval of the Village Board of Johnson City,

WHEREAS, the Village desires to approve and ratify the above referenced Supplemental Agreement; and

NOW THEREFORE BE IT RESOLVED, that subject to the Approval of the Supplemental Agreement by the City of Binghamton Council, the Village Board of Trustees does hereby approve and ratify the above referenced Supplemental Agreement.

Discussion: This is an extension of contract through the end of March.

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Tom Dawes, Albert Street – Questions how much the percentages of our sewer bills will be going up. Why is there so much of a fluctuation between the Village and Binghamton.

Kudo's to the guys that do the plowing. You can tell the difference when you cross into Johnson City. They do a great job on the roads.

The Mayor explains that we do not know what the final numbers will be for the rebuild of the plant yet. We do not know what we are going to have to charge. The report was done by GHD to get the ball going. We are still working on grants, FEMA monies, and we do not know what the bottom lines are. This will run more efficiently and make it easier to stay in compliance with state regulations. There are 10 municipalities that use the plant.

Don Slota - Resolution 2018-20, how do we get money to Boland Park?

The Mayor states this money is specifically for the iDistrict which Boland Park is not a part of. This would be possibly CDBG funds. We are doing little by little. Boland will be having a new bathroom put in and tennis courts are being discussed.

Don Slota - Resolution #2018-21?

The Mayor explains there was an issue regarding clothing allowance and the way it was being paid by the Village. We didn't bring it to their attention in time. They need to pay taxes on this. We have come to an agreement.

James Zeggert, Riverside Drive – Who is the watchdog on JSTP? Why is it running so high? Who is paying them?

The Mayor explains instead of doing one project at \$90 million, we decided to take on a \$300 million project and redo the whole plant. We are mandated to have that plant. We are trying to bring the cost down with grants. Binghamton is the lead agency. The website has all the minutes. Sewer board meets with the City and Village and it is a public meeting.

Tom Dawes, Albert Street – Does each trustee cover a different section of the Village?

Mayor responds no, the Trustees are Villagewide.

Carol Laskowski, Edwards St – She has been coming to meetings since Mayor Boncek when they wanted to spend \$100 million to get rid of the odor. Whatever they do now at the JSTP they are doing; it is good. The odor is so much better.

Trustee King – they are working on the whole plant as a whole.

Mayor Deemie responds it is being processed to the best of our abilities. We are in regulations that they are allowing us at this time while we are rebuilding the plant.

Chris Waters, Adams Ave – In the December 6, 2016 Village Board minutes, the Board met with Tom Johnson to discuss the water, sewer, refuse rate increase. Deputy Johnson responded that a budget was adopted to reflect the rate increase, but nothing was done with the increase.

Mayor Deemie explains the water/sewer/refuse rate is what it takes to run our departments; piping, garbage, water, tanks, everything within the Village itself. It is operation maintenance for doing business in the Village. Trustee King states these are self-funded. They need to be looked at to make sure the rates we charge cover what we need to do to run the departments in the Village.

The Sewer one is separate number on top of those numbers. Cost of rebuild we don't have the numbers for yet.

Carol Laskowski- Binghamton is the lead agency.

Trustee King confirms Binghamton is in charge. The meetings are the 2nd Tuesday of each month at 3:00pm at the Johnson City Village Hall.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor adjourned the meeting at 8:34pm.

Cindy Kennerup
Village Clerk/Treasurer

CK/kc

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