



## VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING  
243 MAIN STREET, JOHNSON CITY, NY 13790

[www.villageofjc.com](http://www.villageofjc.com)

### Village Board

Gregory Deemie, Mayor

Bruce King, Deputy Mayor

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

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### **Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, August 21, 2018 in the Municipal Building, 243 Main Street, Johnson City**

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

Absent:            John Walker, Trustee

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 Special Meeting of the Binghamton-Johnson City Joint Sewage Board regarding Budget Proposal 2019 will be held Thursday, August 23, 2018 at 4:00pm at Johnson City Village Hall.
- [2]    The Johnson City Field Days will be held Friday, August 31, 2018 6:00p.m.-10:00pm, Saturday, September 1, 2018 12:00pm-10:00pm, Sunday, September 2, 2018 12:00pm-10:00pm, and Monday, September 3, 2018 12:00pm – 10:00pm.
- [3]    The next regular Village Board Meeting will be Tuesday, September 4, 2018 at 7:30pm with a work session at 5:30pm.

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

- [1]    Minutes of August 7, 2018 regular meeting and work session.

A motion to approve the minutes was made by Trustee King and seconded by Trustee Balles. The motion carried with all those present voting in the affirmative.

**BIDS**

Bids were opened and read at 2:00pm on Tuesday, August 14, 2018 at Village Hall for Pagoda Restoration as follows:

<b><u>Contractor</u></b>	<b><u>Bid Amount</u></b>
EAM	\$ 99,000.00
Marchuska	\$249,800.00
W.L. Kline	\$145,048.00

**PUBLIC HEARINGS**

[1] A Local Law Amending Chapter 240 of the Village Code entitled ‘STREETS AND SIDEWALKS’.

Mayor Deemie opened the public hearing.

*Pamela Connolly, Spruce St* – please explain what the local law is. She is concerned about a property across the street from her house with overgrowth of trees and branches. It is a real hazard.

Attorney Sacco explains they are adding a new part to the law if anyone fails to trim a tree as provided after being requested to do so by either superintendent of public works, code enforcement officer or their designee. An official can come and trim the tree and charge for it. The concern is line of sight; if there is a tree or other items that may prohibit a vehicle safely passing or going around signs or corners regarding safety issues.

Mayor Deemie is familiar with situation, but will stop over to see what the issues are.

Trustee King asks if this is this also bushes that come out on a sidewalk or trees hanging to low.

Mayor confirms code has sited people for their trees hanging low.

*Corrina Johnson, Cook St.* – Corner of Cook St. they trim the front because it obstructed the view. Now the hedges are growing outward on the sidewalk.

*Julie Deemie, Zoa Ave* – inquires whether this includes shrubbery.

Attorney Sacco will check the code and find out.

*Don Slota, Eldridge Ave.* – he believes it is about shrubbery.

Mayor Deemie closed the public hearing.

**PETITIONS RECEIVED**– None

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

Mayor Deemie opened the first privilege of the floor.

*Pamela Connolly, Spruce St* – She contacted Mayor regarding 5 Spruce Street regarding owner because the house is deplorable. Owner died and house was abandoned. House was sold at an auction. It is horrendous; you can't even walk on the sidewalk. There are vines growing across lines. She wonders if the house is going to be torn down because it is a health hazard. If it is going to be demolished, the neighbors need to know.

Mayor Deemie will go take a look at the house. He will find out if it will be demolished. He will notify code and talk to the water department also. DPW was also going to take a look at the problem.

Trustee King questions whether the owner was Richard H. Moore. Is that who lived there? Ms. Connolly doesn't know the name of the man who lived there.

*Jeanette Hartrick, Spruce St* – She sent a couple letters in the past. Can the Village of Johnson City put a barrier up and keep it maintained? DPW was notified and they were going to see if they could clean it up.

*Julie Deemie, Zoa Ave* – 59 Lester. Lights on the top of the building would make the building stand out. About 10-13 years ago a study was done by County – the plan for factory buildings was for utilizing the ground floor of 59 Lester Ave and mothballing the other floors. This has gone so far beyond the plan. We should look beyond the community. We have the opportunity to grow the population in Johnson City and we should be excited.

*Corrina Johnson, Cook St* – National Night Out – There will be a dunk tank, games and activities.

*Julie Deemie, Zoa Ave* – If the home is an ACHIEVE home, the landlord has responsibility to care for the property. Resolution #156, EAM, what is it? Are they historic preservation? What types of repair are they doing?

*Pamela Connolly, Spruce St* – No one can see what's going on because of the hill. People have gotten things stolen because it is easy access. They come every two or three weeks to mow the lawn.

Mayor Deemie will look at and see who owns the property and who should be maintaining the property. If the owner is not in town, they are supposed to provide us with the number of a local maintenance person who we can contact.

*Julie Deemie, Zoa Ave* - If it is an Achieve house, it would be owned by someone in Queens and they would have obligation to maintain the property. For Resolution #156, is EAM a company familiar with historic preservation? She has a concern that they are lacking experience in historic preservation.

Mayor Deemie responds EAM is a Construction Company out of Harpursville. They have been around since 1988. They do industrial building repair and restoration. Bob Bennett and Keystone did the bid recommendation. They will be restoring the roof and windows of the pagoda.

Attorney Sacco explains the engineers put specifications together and they are pretty detailed. They are available in the Clerk's Office.

*Pamela Connolly, Spruce St* –A year ago she called DPW regarding the corner of North and Myrtle on the cul de sac corner house. If you try to go down North Street there is a big truck on corner and a car on the other side and you can't get through. When she talked to DPW they said they would go check it out and they would have a sign up in three months – no parking from here to corner.

The Mayor will check into that. In order to put signs up it has to go through a process, police, DPW, and go through board resolution. Any signage is a basically a village law that has to be done.

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 August 8, 2018 Town of Union Board Meeting

**DEPARTMENT REPORTS**

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

- [1] Fire Department Overtime Report for the weeks of July 26, 2018 – August 8, 2018

**PAYROLL AND BILLS PRESENTED**

A motion to approve abstract #4 of the 2018 – 2019 fiscal bills, having been audited by the Board and approved, was made by Trustee King and seconded by Trustee Balles. The motion carried with all those present voting in the affirmative.

GENERAL FUND	\$ 76,458.28
WATER FUND	\$ 87,846.48
SEWER FUND	\$ 6,102.27
REFUSE FUND	\$ 26,190.19
JSTP	\$ 616,844.83

Motion Carried – Vote:

**Ayes** – 4 (Giblin, King, Balles, Deemie)    **Nays** – 0    **Absent** – 1 (Walker)

UNFINISHED BUSINESS – None

NEW BUSINESS

FINANCE & RULES (All Board Members)

**Resolution #2018 – 150**

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

Motion Carried – Vote:

**Ayes** – 4 (Giblin, King, Balles, Deemie)    **Nays** – 0    **Absent** – 1 (Walker)

**WHEREAS**, the Village of Johnson City scheduled a public hearing for August 21, 2018 at 7:35 p.m. for Local Law No. 13 of the year 2018 entitled “A LOCAL LAW AMENDING CHAPTER 240 OF THE VILLAGE CODE ENTITLED ‘STREETS AND SIDEWALKS’” 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 held at Village Hall, 243 Main Street, Johnson City, New York on the 21st day of August, 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**, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of the Village of Johnson City that adoption of the proposed Local Law does not constitute an “action” as defined and can be considered without further regard to SEQRA; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Village Board hereby adopts said Local Law as Local Law No. 13-2018 entitled “A LOCAL LAW AMENDING CHAPTER 240 OF THE VILLAGE CODE ENTITLED ‘STREETS AND SIDEWALKS’” a copy of which is attached hereto and made a part hereof; and

**BE IT FURTHER RESOLVED** the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

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

**Resolution #2018 – 151**

A motion to authorize the Mayor to sign a Memorandum of Understanding with Binghamton University student Muyibat Ligali for a Masters of Public Administration Internship for August 2018 through December 2018, or through the completion of the required 300 hours, contingent upon the successful completion of a background check was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

**Ayes** – 4 (Giblin, King, Balles, Deemie)    **Nays** – 0    **Absent** – 1 (Walker)

### **Resolution #2018 – 152**

A motion to authorize the Mayor to sign a Memorandum of Understanding with Binghamton University student Thomas J. Galvin for a Masters of Public Administration Internship for August 2018 through December 2018, or through the completion of the required 300 hours, contingent upon the successful completion of a background check was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

**Ayes** – 4 (Giblin, King, Balles, Deemie)    **Nays** – 0    **Absent** – 1 (Walker)

*Discussion:* Dai Newman, grant writer explains the Memorandums. They are an offshoot of the Zombie project. Laila is done with her internship and she is going to be the Zombie Clerk and they will be supplementing her. Shay will be focusing on housing relating challenges and work with home buyers and home rehab programs and work with committee members and potential new committee members and tom will be looking at the commercial and business aspect and the vacant spaces that we could be filling with businesses, looking at it from a policy prospective and where we can make positive changes.

### **Resolution #2018 – 153**

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 21, 2018 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 King and seconded by Trustee Balles.

Motion Carried – Vote:

**Ayes** – 4 (Giblin, King, Balles, Deemie)    **Nays** – 0    **Absent** – 1 (Walker)

### **Resolution #2018 – 154**

A motion to approve a travel request for Gregory Thomas and Thomas Dellapenna to attend the New York State Magistrates Association Annual Conference 2018 from Sunday, September 23 – Wednesday, September 26, 2018 at the Sheraton at the Falls Convention Center in Niagara Falls, NY at a cost of \$1054.88 each for a total of \$2109.76 from budget line A1110.4.930 was made

by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

**Ayes** – 4 (Giblin, King, Balles, Deemie)    **Nays** – 0    **Absent** – 1 (Walker)

### **Resolution #2018 – 155**

A motion to declare the Village’s street millings as surplus and authorize the sale of surplus street millings at \$3.50 per ton, in accordance with the Broome County Contract was made by Trustee Balles and seconded by Trustee King.

Motion Carried – Vote:

**Ayes** – 4 (Giblin, King, Balles, Deemie)    **Nays** – 0    **Absent** – 1 (Walker)

### **PUBLIC SAFETY**

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

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

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

### **Resolution #2018 – 156**

A motion to award the bid for Pagoda Restoration in the amount of \$99,000.00 to EAM Construction as the lowest responsive bid and at the recommendation of Keystone Associates was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

**Ayes** – 4 (Giblin, King, Balles, Deemie)    **Nays** – 0    **Absent** – 1 (Walker)

*Discussion:* Dai Korba explains they are contractually obligated. It is a SHIPO project – State Historic Preservation Office has consulted on this. They are required by to follow the Secretary of the Interiors standards for historic preservation of the building. It is defined in their work process what they must follow.

**RECREATION (Trustees Balles & King)** - No new business

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

**JOINT SEWAGE TREATMENT BOARD ((Trustees Giblin & King)**

**Resolution #2018 – 157**

A motion to authorize the enactment of legislation for the revenue line for State Aid – Disaster (J.43960) be increased by \$13,637.79 and that Federal Aid – Disaster (line J.44960) be increased by \$40,913.36 and that total of \$54,551.15 be likewise appropriated to the Flood Capital Recovery Fund (line JF8130.559100) with corresponding interfund entries as needed by the City Comptroller was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

**Ayes** – 4 (Giblin, King, Balles, Deemie)    **Nays** – 0    **Absent** – 1 (Walker)

*Discussion:* Trustee King explains these are reimbursement money, some by the state, some by the federal government for flood recovery from either 2006 or 2011. The money will go into a fund that will go right back out toward the cost of the rebuild.

**Resolution #2018 – 158**

A motion to authorize the enactment of legislation for a transfer to be made within the existing 2018 Budget Capital to increase the TPS Channel Grinder (line JH8130.554013) by \$65,000.00 and reduce Capital Contingency (line JH8130.554040) by the same for a new Channel Grinder to replace a deteriorating unit at the TPS building was made by Trustee Balles and seconded by Trustee King.

Motion Carried – Vote:

**Ayes** – 4 (Giblin, King, Balles, Deemie)    **Nays** – 0    **Absent** – 1 (Walker)

**Resolution #2018 – 159**

A motion to authorize the enactment of legislation for a transfer to be made within the existing 2018 Budget Capital to increase the Bldg Mech HVAC Improvements (line JH8130.554006) by \$8,923.00 and reduce Capital Contingency (line JH8130.554040) by the same for HVAC work at the TPS building was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

**Ayes** – 4 (Giblin, King, Balles, Deemie)    **Nays** – 0    **Absent** – 1 (Walker)

**PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the second privilege of the floor.



Mayor Deemie explains in 2016 we added to our code regarding parking on Myrtle East 30 feet to North Street. There should be a sign. He will see why there is not a sign there.

*Corrina Johnson, Cook St.* –Century Sunrise Building Manager said that there is open house 10-4pm Sunday

*Don Slota, Eldridge Ave* – What is the TPS Bldg?

Trustee King responds it is the Terminal Pump Station it pumps the sewage to the plant.

*Pamela Connolly, Spruce St* – She knows it's going to take years to revitalize JC, but she can't wait for process to happen. She doesn't go to Main St and doesn't walk on Main St anymore. It would be nice to see signs up that tell people what is going on.

Mayor Deemie and Dai Korba discuss revitalization of downtown Johnson City. There is the JC Deli, Wilson Deli. The owner of the Green Owl building is putting ten apartments upstairs and is expecting to put in a restaurant again. They are talking about putting a coffee shop/bakery in the old pizza place. Dai is working with interns and others trying to promote Main Street. There is work going on they just haven't promoted it. We have businesses such as Grapevine Café and Jupiter Games. There is one owner who owns 6 properties and interior work is being done on all of them. We are also close to knocking down 219 Main Street and putting in a pocket park. Classes start tomorrow at the Pharmacy School. We have seen a lot more traffic on Main Street. We have a lot of road construction and cleanup going on and grant money coming in to do reconstruction of Willow Street. We want to give the first impression that we are up and coming. Things are changing, things are growing and many positive things are going on.

Dave Trippico, Jay St. – Any answers or resolve to the issues he brought to the board months ago?

Mayor Deemie explains we will be paving Harry L. Drive from Oakdale Road west to the Town of Union. When a road is in need of repair, we may lay blacktop as a temporary remedy until the road can be completely repaired. It would take \$50 million to redo all the streets in the Village.

*Don Slota, Eldridge Ave* – Are we going to have Willow Street and Grand Ave done before winter?

On Grand we have an issue with NYSEG at the moment. We got rid of one set of tracks and are in the process of getting rid of another on the north side of the tracks. We are trying to purchase the rail from the rail company and put in a rail trail that connects with the other rail trails. We don't want to do a lot with Willow Street until they are done with the Nursing School because there is a lot of infrastructure work that needs to be done. We don't want to put a new street in and then have it tore up by construction equipment.

*Julie Deemie, Zoa Ave* – President of the JC Partners –When the Main Street study was done a year ago, the study showed that 1/3 of the ownership of the buildings historically did not pay their taxes. They could not include any of those buildings in the grant as it was not fair to the property owners that did pay their taxes. She does walk the streets at night. The year that her flowers stay in the planters, she has won. This year, the flowers have stayed in the planters, they have grown; they were not pulled out.

*Pamela Connelly, Spruce St.* - Is there someone in the building across from the comic book building that used to be Despina's Greek Restaurant?

Mayor Deemie responds the Hookah Bar is in there now. The owner could not bring the apartments up to code, but it is occupied. They are allowed, they fall within regulations, but it makes it hard to stop some of these places from going in. We are trying to make changes to code so businesses can go in and we can regulate more.

*Gary Krateville, Beverly Place* – Can there be uniformity to make façade consistency. Why can't there be a code to uniform the façade to at least make them presentable. Some look trashy. Is the code that loose? They are beautiful buildings, but some are putting cheap sidings on.

Mayor Deemie responds. It's not that loose, but we do have a grant in regards to code and facades. It was a study and we are working on that right now to make the downtown more consistent in the signage, facades and downtown. It is a historic district, but we are trying to keep it to that level. The Green Owl has looked at past pictures and they took theirs back to the original.

*Gary Krateville, Beverly Place* – The lighting is terrible around the library at Lester and Main. It is so dark; it looks like a side street.

Mayor Deemie responds, Town of Union maintains the lights. He will take a look at the lighting. Some of the lights on Main Street are maintained by the State.

*Corinna Johnson, Cook St* - good goal to have businesses staying open late on Thursday nights? If the businesses are open their lights will be on.

*Pamela Connelly, Spruce St* - Has anyone ever talked to the planning board in Owego? It is a beautiful little town and it is always busy.

*Julie Deemie, Zoa Ave* – The Village through the Johnson City Partners was awarded \$479,000 back in 2011 and we renovated 9 buildings. Theresa Saraceno from Tioga County mentored us and helped us be successful.

*Dave Trippico, Jay Street* – 61 Louise Street, is there any work going on?

Mayor Deemie is not sure if DPW looked on it. They cleaned it up a little more. He talked to code and said the driveway got widened. Mayor Deemie did go look at it and not sure what they can cite it under.

Attorney Sacco explains typically it is a neighbor on neighbor issue unless it affects village property or the roadway or violates a code; it would be a private matter. We can talk to code and see if there is anything citable. Or you may have to talk to a lawyer about property damage.

As soon as the Mayor can he will meet Code up there.

Mayor Deemie closed the second privilege of the floor.

**ADJOURNMENT**

Mayor adjourned the meeting at 8:41 pm.

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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.