



## 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, November 20, 2018 in the Municipal Building, 243 Main Street, Johnson City**

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

Absent:            Richard Balles, Trustee

Also Present:    Cheryl Sacco, Legal Counsel  
                      Cindy Kennerup, Clerk/Treasurer  
                      Dee Golazeski, Town of Union Code

Mayor Deemie called the meeting to order at 7:30pm, led the Pledge of Allegiance and noted the fire exits.

#### **MAYOR'S ANNOUNCEMENTS**

- [1] Village Offices will be closed on Thursday, November 22nd and Friday, November 23rd for Thanksgiving. Refuse Collections will be as follows: Garbage normally collected on Thursday, Nov. 22nd will be collected on Friday, Nov. 23rd. Garbage normally collected on Friday, Nov. 23rd will be collected on Monday, Nov. 26th. There will be no yardwaste on Monday, Nov. 26th.
- [2] Alternate street parking begins on December 1<sup>st</sup>.
- [3] The NYS Town Clerks Association will hold their regional meeting on Monday, December 3, 2018 from 8:30am – 1:00pm at the Binghamton Double Tree
- [4] The next regular Village Board Meeting will be Tuesday, December 4, 2018 at 7:30pm with a work session at 5:30pm.
- [5] The next Binghamton-Johnson City Joint Sewage Board Meeting will be Tuesday, December 11, 2018 at 3:00pm at Johnson City Village Hall.
- [6] The Broome County Association of Towns & Village's Holiday Party will be held on Thursday, December 13, 2018 at 6:00pm at Riverdale Banquet Hall, 2901 Watson Blvd, Endwell.
- [7] The Lights on the Carousel's first weekend is Friday, November 30th and Saturday December 1st. It will also run December 7th, 8th, 14th and 15th from 5pm – 8pm each evening.

- [8] Letters have been sent out to residents that are placing garbage in a container that has a capacity greater than 32 gallons. Section 236-3 Garbage receptacles. All garbage and rubbish shall be placed in watertight and weatherproof containers which shall not exceed 32 gallons in capacity nor weigh more than 50 pounds.
- [9] Johnson City Business & Professional Women's Holiday Parade is Thursday, November 29, 2018.

### **APPROVAL OF BOARD MINUTES**

- [1] Minutes of October 2, 2018 regular meeting and work session.

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

- [2] Minutes of October 16, 2018 regular meeting and work session.

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

- [3] Minutes of November 7, 2018 special meeting.

A motion to approve the minutes was made by Trustee King and seconded by Trustee Giblin. 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.

*Corinna Johnson, 17 Cook St.* – Gatherings at the Gazebo on Saturday, December 1<sup>st</sup>. Treasure will be playing season tunes at 5:00pm.

*Don Slota, Eldredge Ave.* – Questions the black bags and garbage cans.

Mayor Deemie explains the rules regarding garbage bags, garbage cans and the weight limit.

Mayor Deemie closed the first privilege of the floor.

### **COMMUNICATIONS**

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

- [1] 30-Day Advanced Notice to Local Municipality for GMAC Enterprises, LLC
- [2] Correspondence from Stephen Sano of HCA regarding 18 Broad Street

**COMMITTEE/BOARD REPORTS**

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

- [1] Minutes of the October 10, 2018 Broome County Safe Housing Task Force Meeting
- [2] Minutes of the October 18, 2018 Broome County Association of Municipal Clerks Meeting
- [3] Minutes of the October 24, 2018 Town of Union Board Meeting
- [4] Minutes of the October 25, 2018 Broome County Association of Towns and Villages
- [5] Minutes of the November 7, 2018 Town of Union Board Meeting
- [6] Your Home Library Director’s Report dated November 12, 2018
- [7] Binghamton Johnson City Joint Sewage Board Report dated November 9, 2018

**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] Johnson City Fire Department Annual Report for 2017
- [2] Fire Department Overtime Report for the weeks of October 4 – 17, 2018
- [3] Police Department Overtime Report for the weeks of October 4 – 17, 2018
- [4] Fire Department Overtime Report for the weeks of October 18 – 31, 2018
- [5] Police Department Overtime Report for the weeks of October 18 – 31,
- [6] Fire Department Overtime Report for the weeks of November 1 – 14, 2018
- [7] Police Department Overtime Report for the weeks of November 1 – 14, 2018
- [8] Police Department Monthly Report for August 2018
- [9] Police Department Monthly Report for September 2018
- [10] Town Of Union Code Enforcement August, September and October 2018 Monthly Reports
- [11] DPW Overtime Report for October 2018

**PAYROLL AND BILLS PRESENTED**

A motion to approve Abstract #9 of the 2018 – 2019 fiscal bills, having been audited by the Board and approved, was made by Trustee Walker and seconded by Trustee King. The motion carried with all those present voting in the affirmative.

GENERAL FUND	\$ 908,506.47
WATER FUND	\$ 181,161.33
SEWER FUND	\$ 70,987.19
REFUSE FUND	\$ 60,725.84
JSTP	\$ 2,760,926.46
DEBT SERVICE	\$ 241,366.53

Motion Carried – Vote:

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

**UNFINISHED BUSINESS**

**Resolution #2018 – 186**

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

Approve the Binghamton-Johnson City Joint Sewage Board request that a new Capital line be created for Digester #1 & #2 Coating Repairs (JH8130.559xxx) in the amount of \$100,000 and that appropriated 2018 budget be removed from Personnel Services (J8130.51000) of the same amount and also Transfer to Capital (J9950.59000) be increased by \$100,000 with corresponding interfund entries as needed by the City Comptroller.

Motion Carried – Vote:

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

Discussion: Mayor Deemie explains there is still ongoing discussion regarding the digesters and covers and coating. We will not act at this time.

**NEW BUSINESS**

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

**Resolution #2018 – 188**

A motion to authorize the forgiveness of \$638.52 to Mohammed Bashir for charges and penalties incurred at 127 Grand Avenue was made by Trustee King and seconded by Trustee Walker.

Motion Carried – Vote:

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

Discussion: Trustee Giblin states that we were made aware that this amount was for the prior owner of 127 Grand Ave and not Mr. Bashir. They were violations from the Town of Union. The Board does not feel this is his responsibility.

**Resolution #2018 – 189**

A motion to authorize water, sewer and refuse charges to David and Denise Podmajersky at 177 Myrtle Avenue be reduced to charges prior to increase due to numerous issues with filthy water entering their house because of them being at the end of a water feed line was made by

Trustee Giblin and seconded by Trustee King.

Motion Failed – Vote:

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

Discussion: Trustee Walker explains when we flush the hydrants, their water is completely drained and when we turn the water back on the flow comes out and goes into their house. Mayor Deemie further explains they live at the end of the feed and they have low water pressure to begin with. We need to do a capital project and put a pressure relief valve there. We will send them a letter when we are flushing.

### **Resolution #2018 – 190**

A motion to authorize the mayor to sign the Helen Drive Construction and Utility Agreement was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

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

### **Resolution #2018 – 191**

A motion to authorize Free Parking from the Isabelle Lot to Jennison Street, including Broad Street, Willow Street, Lewis Street, North Broad Street, Avenue D, Avenue C, Avenue B, and Avenue A and all Municipal Lots commencing November 22, 2018 (Thanksgiving Day) through and including January 1, 2019 made by Trustee Walker and seconded by Trustee King.

Motion Carried – Vote:

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

### **Resolution #2018 – 192**

A motion to authorize the mayor to sign an agreement with Johnson City Youth Soccer League regarding allowing league storage to better enhance and complement park use and experience was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

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

Discussion: Mayor Deemie states that they were looking to put up a structure to store their equipment between games and during off season. We are going to put a concrete pad and they will be putting the structure at Virginia Ave Park near the bathrooms.

**Resolution #2018 – 193**

A motion to adopt the Village of Johnson City Sexual Harassment Policy and Complaint Form for Reporting Sexual Harassment, effective October 1, 2018 was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

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

*Discussion:* Attorney Sacco states this is mandated by New York State and we are adopting their proposed policy and complaint.

**Resolution #2018 – 194**

A motion to authorize forgiveness of \$105.00 to Sonja Sorochinsky for the debris removal charge incurred at 820 Victory Street as amended to bill NYSEG was made by Trustee King and seconded by Trustee Walker.

Motion Carried – Vote:

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

*Discussion:* Trustee Walker explains NYSEG cleaned out trees and left the debris at the curb.

**Resolution #2018 – 195**

A motion to authorize the Mayor to sign an agreement with McFarland Johnson for Preliminary Engineering/Design and Right-of Way Incidentals services for the Resurfacing of Reynolds Road from Overbrook Road to Deyo Hill Road, Federal-Aid/Marchiselli-Aid Project D035912, PIN 9754.17; in the amount of \$122,135, with 80 % of the cost to be reimbursed by the Federal Highway Administration was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

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

**Resolution #2018 – 196**

A motion to authorize the Mayor to sign an agreement with McFarland Johnson for Preliminary Engineering/Design and Right-of Way Incidentals services for the Resurfacing of Harry L. Drive from Valley Plaza Drive to Oakdale Road, Federal-Aid/Marchiselli-Aid Project D035911, PIN 9754.09; in the amount of \$48,225.00, with 80 % of the cost to be reimbursed by the Federal Highway Administration was made by Trustee King and seconded by Trustee Giblin.

Motion Carried – Vote:

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

### **Resolution #2018 – 197**

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

Motion Carried – Vote:

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

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED ‘VEHICLES AND TRAFFIC’” 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 7:40 p.m. on December 4, 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 states we were given the wrong address regarding parking on Lester Ave; therefore, we need to fix by resolution because it is a Local Law.

### **Resolution #2018 – 198**

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

Motion Carried – Vote:

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

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 236 OF THE VILLAGE CODE ENTITLED ‘SOLID WASTE’” 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 7:45 p.m. on December 4, 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 we are trying to streamline the way we do things regarding solid waste, water, sewer and refuse. We are setting it up so we can change these by resolution instead of by public hearing.

### **Resolution #2018 – 199**

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

Motion Carried – Vote:

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

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 270 OF THE VILLAGE CODE ENTITLED ‘WATER’” 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 7:50 p.m. on December 4, 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.

### **Resolution #2018 – 200**

A motion to authorize the following resolution was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

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

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 222 OF THE VILLAGE CODE ENTITLED ‘SEWERS AND SEWAGE DISPOSAL’” 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 7:55 p.m. on December 4, 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.

**Resolution #2018 – 201**

A motion to appoint Rosanna Potts to the position of Account Clerk at the negotiated salary per the Collective Bargaining Agreement, effective November 21, 2018 from Broome County Civil Service List #AC was made by Trustee Giblin and seconded by Trustee King.

Motion Carried – Vote:

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

**Resolution #2018 – 202**

A motion to authorize the Mayor to sign The Memorandum of Understanding between Local 921, IAFF, AFL-CIO of the Johnson City Fire Department and Village of Johnson City as amended per legal counsel with approval by the Union was made by Trustee Walker and seconded by Trustee King.

Motion Carried – Vote:

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

Discussion: Mayor Deemie explains this is an agreement in regards to our safer grant. We have two guys that tap out on 11/22/2018. By looking at the numbers and due to retirements, the Chief was able to fund the two guys through May 24, 2019 and this gives us time to see if we can keep them past May 24<sup>th</sup>.

**Resolution #2018 – 203**

A motion to accept the petition from Mark Dellapenna requesting rezoning of a portion of 35 Burns Street and all of 37 Burns Street from Urban Single Family to Industrial; By entertaining this petition, it shall be referred to the Village planning board pursuant to Section 300-62.4 and Broome County Planning Departments. It is an Unlisted Action under SEQR and declaring the Village of Johnson City as the Lead Agency and setting the Public Hearing for January 15, 2019 was made by Trustee Walker and seconded by Trustee King.

Motion Carried – Vote:

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

**PUBLIC SAFETY**

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

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

**PUBLIC WORKS (Trustees Balles & King)** - No new business

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

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

**JOINT SEWAGE TREATMENT BOARD ((Trustees Giblin & King)** – No new business

**PRIVILEGE OF THE FLOOR – VISITORS**

Mayor Deemie opened the second privilege of the floor.

*Martin Meaney, Weymouth Ln.* – Thank you to the Mayor and his wife for cleaning up People’s Park.

Mayor Deemie closed the second privilege of the floor.

**ADJOURNMENT**

Mayor adjourned the meeting at 8:00 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.