



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING

243 MAIN STREET, JOHNSON CITY, NY 13790

www.villageofjc.com

Village Board

Gregory Deemie, Mayor

Deputy Mayor Clark Giblin Trustee Martin Meaney

Trustee Benjamin Reynolds Trustee John Walker

Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, July 16, 2019 in the Municipal Building, 243 Main Street, Johnson City

Present: Gregory Deemie, Mayor
 Clark Giblin, Deputy Mayor
 Martin Meaney, Trustee
 Benjamin Reynolds, 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.

MAYOR'S ANNOUNCEMENTS

- [1] The next regular Village Board Meeting will be Tuesday, August 6, 2019 at 7:30pm with a work session at 5:30pm at Village Hall.
- [2] The next Cruze In is scheduled for July 18, 2019 from 5:00pm – 8:00pm. The Scott Freeman Band will be playing.
- [3] The Johnson City Planning Board meeting is scheduled for Tuesday, July 23, 2019. The work session will be at 7:00pm and the meeting will be at 7:30pm in the Village Boardroom.

APPROVAL OF BOARD MINUTES

- [1] Minutes of June 18, 2019 regular meeting and work session

A motion to approve the minutes of June 18, 2019 was made by Trustee Meaney and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

BIDS - None

PUBLIC HEARINGS

[1] Declaring 179 Floral Avenue, Johnson City, NY to be unsafe and dangerous in accordance with Chapter 118 of the Village Code.

The Mayor opened the public hearing.

Ricki Ann Kadlecik, Walnut St/179 Floral – Will be remodeling 179 Floral.

Mayor Deemie responded we need to do something about it either Ms. Kadlacik or the Village because it is dangerous and needs to be taken care of now.

Ms. Golazeski explained it has to be secured the lawn is not being maintained, there is garbage around the property. She tried to contact her with no response.

Dan Deamond, Floral Ave - Owns the property adjacent to 179 Floral and stated the property has been of bad repair and a terrible state for at least seven years. He would like to see something done about it..

The Mayor closed the public hearing.

[2] Declaring 254 Grand Avenue, Johnson City, NY (aka 175 Hudson Street) to be unsafe and dangerous in accordance with Chapter 118 of the Village Code.

The Mayor opened the public hearing. Due to no one speaking, the Mayor closed the public hearing.

PETITIONS RECEIVED - None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Elizabeth Budnik, Bernice St – Has lived by 126 Bernice Street for 7 years. What can be done about this house? What can she do?

Ms. Golazeski was issued an appearance ticket at his three different addresses by regular and certified mail. We are hoping he shows up at court. If he doesn't show at court they will reschedule another court date and if he does not appear a warrant can be issued.

Attorney Sacco suggested Ms. Budnik work with code.

Mike Tugwell, Greenridge St – The river there was going to be an appeal to Army Core regarding cleaning it up. Trees are 40 feet high and they are still not going to do anything?

Mayor Deemie responded he hasn't heard anything. Previous meetings dredging was not the answer. The outflow project does not include dredging, but taking stone off the islands and changing the whole area.

Mayor Deemie closed the first privilege of the floor.

COMMUNICATIONS

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

- [1] Correspondence from Edward Haddad of 20 Summit Street, Johnson City
- [2] Correspondence from Meryl Deemie of Johnson City Elks Lodge regarding JC Booster Day
- [3] Correspondence from Mary Monopoli regarding parking ticket
- [4] Correspondence from Deborah Hasbrouck regarding sign and parking on Crocker Avenue

COMMITTEE/BOARD REPORTS

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

- [1] Minutes of the June 19, 2019 Town of Union Board Meeting
- [2] Joint Sewage Treatment Board Reports dated June 30, 2019

DEPARTMENT REPORTS

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

- [1] Fire Department Overtime Report for the weeks of June 13 – June 26, 2019
- [2] Police Department Overtime Report for the weeks of June 13 – June 26, 2019
- [3] Fire Department Overtime Report for the weeks of June 27 – July 10, 2019

PAYROLL AND BILLS PRESENTED

A motion to approve Abstract #2 of the 2019 – 2020 fiscal bills as stated and or amended and attached to the work session minutes and recorded as part of the work session minutes, having been audited by the Board and approved, was made by Trustee Giblin and seconded by Trustee Walker. The motion carried with Trustee Reynolds, Trustee Meaney, Trustee Giblin, Trustee Walker and Mayor Deemie voting in the affirmative.

GENERAL FUND	\$ 886,593.22
WATER FUND	\$ 1,194,338.58
SEWER FUND	\$ 2,034,125.99
REFUSE FUND	\$ 80,220.98
JSTP	\$ 1,687,703.74
DEBT SERVICE	\$ 2,021,967.41

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) Nays – 0 Absent – 0

UNFINISHED BUSINESS - None

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2019 – 113

A motion to approve the following resolution was made by Trustee Meaney and seconded by Trustee Reynolds.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) Nays – 0 Absent – 0

WHEREAS, the Town of Union Building has issued a report determining that the building located at 179 Floral Avenue, Village of Johnson City, New York, Tax Map No. 143.81-1-29 is unsafe or dangerous to the public, pursuant to § 118-3 of the Village Code of the Village of Johnson City, and has ordered it to be made safe and secure; and

WHEREAS, on July 16, 2019, the Village Board held a public hearing in regard to the structure at 179 Floral Avenue, Johnson City, NY; and

WHEREAS, notice of said public hearing has been published, filed at the County Clerk’s Office, and served in accordance with the Village Code; and

WHEREAS, after due deliberation, the Village Board finds that the building is unsafe to the general public. The property is a dumping point for garbage and there is a burned out car in the driveway.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act, it has been determined by the Village Board that securing the building at 179 Floral Avenue does not constitute an “action” as defined under the SEQRA regulations. Said action will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to the same; and further

RESOLVED that the Village Board of the Village of Johnson City hereby determines that the building at 179 Floral Avenue, Johnson City, NY is unsafe or dangerous to the public and orders it to be immediately secured. Because the property owner has neglected or refused to repair, clean, and secure the same within the time provided, the Village Board hereby determines said building may be secured by whatever means it deems appropriate and may assess all costs and expenses incurred by the Village of Johnson City and/or the Town of Union in connection with securing the building, against the land on which said building is located; and further

RESOLVED that in the event of refusal or neglect of the owner to comply with this Resolution and the prior notices, the owner must start the actions required by the Code Department by August 1, 2019 and end it by September 1, 2019, and if upon inspection of the structure(s) by the Code Enforcement Officer there is confirmation that the actions have not been completion by September 1, 2019 as ordered by the Village Board and set forth in the notice and herein, that the Village shall take such actions necessary and shall assess such expenses to the property; and further

RESOLVED that this Resolution shall take effect immediately.

Resolution #2019 – 114

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

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

WHEREAS, the Town of Union Building has issued a report determining that the buildings located at 254 Grand Avenue (aka 175 Hudson Street), Village of Johnson City, New York, Tax Map No. 143.72-3-22 are unsafe or dangerous to the public, pursuant to § 118-3 of the Village Code of the Village of Johnson City, and has ordered them to be made safe and secure; and

WHEREAS, on July 16, 2019, the Village Board held a public hearing in regard to the structures at 254 Grand Avenue (aka 175 Hudson Street), Johnson City, NY; and

WHEREAS, notice of said public hearing has been published, filed at the County Clerk’s Office, and served in accordance with the Village Code; and

WHEREAS, after due deliberation, the Village Board finds that the buildings are unsafe to the general public, have open doorways and windows making it accessible to and an object of attraction to minors, as well as vagrants and other trespassers

NOW, THEREFORE, BE IT RESOLVED, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act, it has been determined by the Village Board that securing the buildings at 254 Grand Avenue (aka 175 Hudson Street) does not constitute an “action” as defined under the SEQRA regulations. Said action will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to the same; and further

RESOLVED that the Village Board of the Village of Johnson City hereby determines that the buildings at 254 Grand Avenue (aka 175 Hudson Street), Johnson City, NY are unsafe or dangerous to the public and orders them to be immediately secured. Because the property owner has neglected or refused to repair and secure the same within the time provided, the Village Board hereby determines said buildings may be secured by whatever means it deems appropriate and may assess all costs and expenses incurred by the Village of Johnson City and/or the Town of Union in connection with securing the buildings, against the land on which said buildings are located; and further

RESOLVED that in the event of refusal or neglect of the owner to comply with this Resolution and the prior notices, the owner must start the actions required by the Code Department by August 1, 2019 and end it by September 1, 2019, and if upon inspection of the structures by the Code Enforcement Officer there is confirmation that the actions have not been completion by September 1, 2019 as ordered by the Village Board and set forth in the notice and herein, that the Village shall take such actions necessary and shall assess such expenses to the property; and further

RESOLVED that this Resolution shall take effect immediately.

Resolution #2019 – 115

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

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 225 OF THE VILLAGE CODE ENTITLED ‘SHOPPING CARTS’” 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 on August 6, 2019 at 7:35 p.m. at 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 #2019 – 116

A motion to approve the following resolution was made by Trustee Meaney and seconded by Trustee Reynolds.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

At a regular meeting of the Village Board of the Village of Johnson City, held at Village Hall, 243 Main Street, Johnson City, New York on the 16th day of July, 2019, the following resolution was offered and seconded:

WHEREAS, the Village of Johnson City has determined that a true and very real need exists for the acquisition of one Sutphen heavy Duty Custom Pumper (hereinafter “Equipment”) for the purchase price of \$482,446.05, and has further determined that the Equipment will be used solely for essential governmental functions and not for private business use; and

WHEREAS, the Village Board of Trustees are hereby taking the necessary steps under applicable law to arrange for the acquisition of such Equipment; and

WHEREAS, the original award was a purchasing through Sourcewell, a qualifying cooperative purchase entity, via contract #022818-SUT; the contract has been made available for use by other governmental entities; the contract was let to the lowest responsible bidder; the Village’s procurement policy allows for piggybacking;

WHEREAS, the Village has determined that the price of the contract is at or below where expected, and the savings from not having the administrative costs of the bidding process make Cooperative purchasing a cost effective measure; and

NOW, THEREFORE, the Board of Trustees of the Village of Johnson City resolves to use cooperative purchasing to purchase one Sutphen heavy Duty Custom Pumper for the purchase price of \$482,446.05 via Sourcewell via contract #022818-SUT and to do so via the Lease-Purchase Agreement option of the contract terms with Leasing 2, Inc.; as the terms of said Lease-Purchase Agreement and Escrow Agreement are in the best interest of the Village for the acquisition of such equipment,

RESOLVED that the Mayor or his designee is authorized to execute and deliver, the necessary documents, including the Lease-Purchase Agreement and Escrow Agreement, if applicable, and any related documents necessary to the consummation of the transactions contemplated by the Lease-Purchase Agreement and Escrow Agreement.

BE IT FURTHER RESOLVED that this resolution will take effect immediately upon filing with the Department of State.

Resolution #2019 – 117

A motion to appoint Thomas Connors as an additional electrical inspector to cover the Village of Johnson City until December 31, 2019 was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

Resolution #2019 – 118

A motion to appoint Mari Giurastante to the position of Planner for the Village of Johnson City on a provisional basis effective July 18, 2019 at the negotiated salary per the Collective Bargaining Agreement contingent upon the completion of a successful background check was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

Resolution #2019 – 119

A motion to approve a refund for Corey Rickerson for a reservation at CFJ Park Pavilion #3 on July 27, 2019 from 12:30 – 7:00pm due to lack of attendance was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

Discussion: Trustee Reynolds explained they received letter from Corey on July 9th and she paid to host a party at CFJ Park and she decided she was not going to hold the party. She gave three weeks notice.

Resolution #2019 – 120

A motion to appoint Lieutenant Robert Blakeslee to the position of Fire Captain, at the negotiated salary per the Collective Bargaining Agreement, from Broome County Civil Service List #78-746B effective July 18, 2019 was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

Resolution #2019 – 121

A motion to appoint Fire Fighter Matthew Lee to the position of Fire Lieutenant, at the negotiated salary per the Collective Bargaining Agreement, from Broome County Civil Service List #78-740B effective July 18, 2019 was made by Trustee Meaney and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

Resolution #2019 – 122

A motion to appoint Fire Fighter Nicholas Stashko to the position of Fire Lieutenant, at the negotiated salary per the Collective Bargaining Agreement, from Broome County Civil Service List #78-740B effective July 18, 2019 was made by Trustee Meaney and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

Resolution #2019 – 123

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

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays – 0** **Absent – 0**

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 114 OF THE VILLAGE CODE ENTITLED ‘BUILDING CODE ADMINISTRATION’” 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 on August 6, 2019 at 7:40 p.m. at 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 #2019 – 124

A motion to authorize the Mayor or Mayor’s designee to execute the 2018 assistance to Fire Fighters Grant Program Regional Grant Application Memorandum of Understanding was made by Trustee Giblin and seconded by Trustee Meaney.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

Discussion: Mayor Deemie states they are always a year behind. It is in regards to a Memorandum of Understanding with the City of Binghamton Fire Department regarding upgrading the radios in the fire department.

Resolution #2019 – 125

A motion to authorize the Mayor’s appointment of Mari Giurastante to fill a vacant seat on the Susquehanna Heritage Area Advisory Board was made by Trustee Meaney and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

Resolution #2019 – 126

A motion for Authorization to advertise for roof repairs for Your Home Public Library was made by Trustee Giblin and seconded by Trustee Meaney.

Motion Carried – Vote:

Ayes – 5 (Reynolds, Meaney, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 0

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.

Delores Plain, Jay St – Tenant put a TV out at 67 Jay St. and she didn't know about it, but got a letter about it. She wants forgiveness on bill. She told tenants not to put appliances out.

Discussion: Mayor told her to write a letter to the Board so the Board can address it at the next meeting.

Elizabeth Budnik, Bernice St – Is it written somewhere that she should have written a notice to the Board?

Mayor Deemie responded it is the operating procedure and has been for years.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor adjourned the meeting at 8:06 pm.

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.