



VILLAGE OF JOHNSON CITY
MUNICIPAL BUILDING
243 MAIN STREET, JOHNSON CITY, NY 13790
www.villageofjc.com

Village Board

Martin Meaney, Mayor
Deputy Mayor Clark Giblin

Trustee John Walker Trustee Adam Brown Trustee Mary Jacyna

Minutes of a Regular Meeting of the Johnson City Village Board held at Village Hall, 1st Floor Training Room, 243 Main Street, Johnson City, NY on Tuesday, February 7, 2023 at 7:30 p.m.

Present: Martin Meaney, Mayor
 Clark Giblin, Deputy Mayor
 Adam Brown, Trustee
 Mary Jacyna, Trustee
 John Walker, Trustee

Absent: None

Also Present: Cheryl Insinga, Legal Counsel
 Keegan Coughlin, Legal Counsel
 Jackson Bailey II, Village Clerk/Treasurer

Mayor Martin Meaney led the Pledge of Allegiance.

Mayor Meaney advised where the fire exits are located.

Mayor Meaney took roll call.

MAYOR'S ANNOUNCEMENTS

- [1] The next Village Zoning Board Meeting will be Monday, February 13, 2023 at 7:30pm with a work session at 7:00pm.
- [2] The Village Offices will be closed on Monday, February 20, 2023 for President's Day.
- [3] The next regular Village Board Meeting will be Tuesday, February 21, 2023 at 7:30pm with a work session at 5:30pm.

APPROVAL OF BOARD MINUTES

- [1] January 17, 2023 Village Board Regular Meeting and Work Session Minutes.

A motion to approve the January 17, 2023 Village Board Meeting and Work Session Minutes was made by Trustee Walker and seconded by Trustee Jacyna. 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 Meaney opened the privilege of the floor.

Don Slota, *Eldridge Ave* – questioned what is going on with Regan Development on Grand Ave.

- Attorney Coughlin confirmed they have not heard back on the HCR funding and explained follow up procedure.

Laurleen Crampton, *Riverside Drive* – asked if the Village knows anything about the status of the house at 61 Elizabeth Street and requested the Village to check on the parcel.

- Mayor Meaney advised if it is tied up in an estate it will be a long process before anything happens to it.
- Attorney Coughlin advised property went up for foreclosure in November. It will likely go up for the County auction once that process gets finalized.
- Mayor Meaney said he will talk to the Fire Marshall and Code.

Carol Laskoski, *Edward Street* – questioned house on Riverside on the corner of Eldridge or Banks. She said it has been empty for 40 years.

- Attorney said taxes must be caught up.
- Mayor Meaney explained there is nothing we can do if they are maintaining it.

Mayor Meaney closed the privilege of the floor.

COMMUNICATIONS

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

- [1] Email correspondence from Callie MacDowall of 114 Deyo Hill Rd regarding refuse bill.

COMMITTEE AND BOARD REPORTS - None

DEPARTMENT REPORTS

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

- [1] Fire Department Overtime Report for the weeks of January 5, 2023 – January 18, 2023
[2] Police Department Overtime Report for the weeks of January 5, 2023 – January 18, 2023
[3] Fire Department Overtime Report for the weeks of January 19, 2023 – February 1, 2023
[4] Police Department Overtime Report for the weeks of January 19, 2023 – February 1, 2023

PAYROLL AND BILLS PRESENTED

A motion to approve Abstract #15 of the 2022 – 2023 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 Brown. The motion carried with all those present voting in the affirmative.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

GENERAL FUND	\$1,794,585.89
WATER FUND	\$143,253.06
SEWER FUND	\$77,941.55
REFUSE FUND	\$47,112.55
JSTP	\$3,688.02
VARPUR	\$558,249.99
CAPITAL	\$0
DEBT SERVICE	\$0

UNFINISHED BUSINESS

Resolution 24 of 2023

A motion to untable Resolution #9 A Local Law Amending Section 300-52 of the Village Code Entitled “Sign Regulations” was made by Trustee Walker and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

Resolution 9 of 2023

A motion to approve the following resolution as amended was made by Trustee Walker and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW AMENDING SECTION 300-52 OF THE VILLAGE CODE ENTITLED ‘SIGN REGULATIONS’” was introduced at this meeting; and

WHEREAS, the Village Code requires referral to the Planning Board for recommendation. The Village Board hereby refers it; and

WHEREAS, the Village Code requires referral of the proposed Local Law to the Broome County Planning Department for review. The Village Board hereby refers it; 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 **7:30 p.m. on March 21, 2023**; 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.

NEW BUSINESS

FINANCE & RULES

Resolution 25 of 2023

Motion to hire Hancock and Estabrook LLP to handle a conflict matter; and to authorize the mayor or his designee to sign a retainer regarding the same was made by Trustee Walker and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 4 (Jacyna, Brown, Giblin, Walker) Nays – 0 Absent – 0 Abstain – 1 (Meaney)

Resolution 26 of 2023

Motion to hire Orrick, Herrington & Sutcliffe LLP as outside legal counsel and authorize the Mayor or his designee to sign a retainer was made by Trustee Walker and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

Resolution 27 of 2023

A motion to authorize the Mayor to sign a Fire Protection Agreement between the Village of Johnson City and the Town of Union for calendar year 2023 for the Westover Fire Protection District #6 in a form acceptable to Counsel for the Village was made by Trustee Brown and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

Resolution 28 of 2023

Motion to authorize the Mayor or his designee to enter into an inter-municipal agreement with Broome County for the administration of grant funds for improvements to Jenison Park was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

Resolution 29 of 2023

A motion to approve the following resolution as amended was made by Trustee Giblin and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW IMPLEMENTING ARTICLE 35 OF CHAPTER 300 AUTHORIZING THE CREATION OF THE ZONING DISTRICT KNOWN AS THE COMMERCIAL ADVERTISING OVERLAY DISTRICT AND AMENDING THE ZONING MAP” was introduced at this meeting; and

WHEREAS, the Village Code requires referral to the Planning Board for recommendation. The Village Board hereby refers it; and

WHEREAS, the Village Code requires referral of the proposed Local Law to the Broome County Planning Department for review. The Village Board hereby refers it; 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 **7:30 p.m. on March 21, 2023**; 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: Trustee Walker said it is just to set the public hearing on March 21, 2023.

Resolution 30 of 2023

A motion to approve the following resolution as amended was made by Trustee Jacyna and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

WHEREAS, on January 1, 2023 a large fire caused severe damage to the premises located at 10-12 Dartmouth Street, Tax Map No. 159.24-2-51 (the “subject property”), permanently displacing nine people from their residences; and

WHEREAS, on January 4, 2023, the Village of Johnson City Code Enforcement Officer performed a site inspection of the premises as required to assess and evaluate the structural integrity of the building. The Code Enforcement Officer deemed the building to be unsafe for occupancy and condemned the building. The Code Enforcement Officer’s findings were provided in writing to the property owner by letter dated January 9, 2023; and

WHEREAS, pursuant to General Municipal Law § 22, the Village of Johnson City, as the tax district of the subject property, is authorized to claim against the proceeds of fire insurance issued on real property located therein to the extent of any lien thereon which claim, when made and perfected in the manner provided in this section, shall further constitute a lien against such proceeds and which shall, as to such proceeds, be prior to all other liens and claims except the claim of a mortgagee of record named in such policy.

NOW THEREFORE, BE IT RESOLVED that the Village Board of the Village of Johnson City hereby intends to exercise its authority to claim against the proceeds of a policy of fire insurance on the subject property; and

BE IT FURTHER RESOLVED that the enforcing officer of the Village shall cause a notice of intention to claim against proceeds to be served upon the State Superintendent of Financial Services for entry in the index of tax districts as provided in Insurance Law § 331; and

BE IT FURTHER RESOLVED that the enforcing officer shall render to any insurer the certificate required and in the manner prescribed by such section and the amounts stated in such certificate shall be a lien on the proceeds of the insurance policy until paid; and

BE IT FURTHER RESOLVED that any other notice or actions necessary to proceed with a lien against the fire insurance proceeds is hereby authorized; and

AND BE IT FINALLY RESOLVED that this Resolution shall take effect immediately.

Resolution 31 of 2023

A motion to Authorize the Mayor, or his designee, to sign and execute the Grant Disbursement Agreement from Empire State Development for the Facelift Program which includes the renovation of 11 properties in an amount not to exceed \$165,696 was made by Trustee Brown and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

Discussion: Trustee Giblin stated that includes eleven properties on Main Street.

Resolution 32 of 2023

A motion to pay Empire State Development \$1,806.40 for the commitment fee and reimbursement for out-of-pocket expenses in relation to the Facelift Program was made by Trustee Walker and seconded by Trustee Brown.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

Discussion: Trustee Giblin advised this is the 1% that the Village is responsible for.

Resolution 33 of 2023

Forgive refuse bill for disposal and code violation in the amount of \$500.00 to Callie MacDowall, 114 Deyo Hill Road was made by Trustee Brown and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

RECREATION

Resolution 34 of 2023

Authorize the Johnson City Rotary to host “Carousel Day” on Saturday, July 22, 2023 from 7am - 6pm at

CFJ Park with the Johnson City Rotary being responsible for the park's facility use application and fees, naming the Village as an additional insured for events on their liability insurance, providing the Village with a copy of same and if there are traffic control issues and/or police officers are needed they will be the responsibility of the Johnson City Rotary was made by Trustee Brown and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

PUBLIC SAFETY

FIRE – No new business

POLICE – No new business

PUBLIC WORKS – No new business

PLANNING, ZONING & CODE ENFORCEMENT – No new business

JOINT SEWAGE TREATMENT BOARD

Resolution 35 of 2023

A motion to approve the Binghamton-Johnson City Joint Sewage Board's request that the Owners pass legislation to amend the 2022 Budget to increase the Capital Reserve by \$300,000 for Asset Management Plan and reduce J8130.55000 Contingency was made by Trustee Brown and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

Resolution 36 of 2023

A motion to approve the Binghamton-Johnson City Joint Sewage Board's request that the Owners pass legislation to amend the 2022 Budget to increase the Digester 5yr Cycl Cl by \$8,000 and reduce J8130.55000 Contingency by \$8,000 was made by Trustee Walker and seconded by Trustee Jacyna.

Motion Carried – Vote:

Ayes – 5 (Jacyna, Brown, Giblin, Walker, Meaney) Nays – 0 Absent – 0

ADJOURNMENT

Mayor Meaney adjourned the meeting at 7:51 pm.

Jackson D. Bailey II
Village Clerk/Treasurer

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