



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING
60 LESTER AVENUE • JOHNSON CITY, NY 13790
www.villageofjc.com

Village Board

Martin Meaney, Mayor

Trustee John Walker

Trustee Clark Giblin

Trustee Adam Brown

Trustee Mary Jacyna

AGENDA —REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, December 17, 2024 @ 7:30pm

Village Hall Boardroom, 60 Lester Avenue, Johnson City, NY

ORDER OF BUSINESS

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **MAYOR'S ANNOUNCEMENTS**

- [3.1] The next Planning Board Meeting has been rescheduled to Thursday, December 19, 2024 at 5:30pm in the Johnson City Village Hall Board Room.
- [3.2] Village Offices will be closed on Tuesday, December 24th, Wednesday, December 25th and Wednesday, January 1st.
- [3.3] For Christmas and New Years weeks, garbage collected Wednesday will be collected on Thursday, Garbage collected on Thursday will be collected Friday, Garbage collected on Friday, will be collected on Monday.
- [3.4] Swearing in of Trustee Mary Jacyna and Trustee Lori Thorn will be on Wednesday, January 1, 2025 at 1:00pm in the Johnson City Village Hall Board Room.
- [3.5] The next regular Village Board Meeting will be Tuesday, January 7, 2025 at 7:30pm with a work session at 6:00pm in the Johnson City Village Hall Board Room.
- [3.6] Christmas trees will be collected January 6, January 13 and January 20. There will be no yard waste collection at this time.

4. **APPROVAL OF BOARD MINUTES**

- [4.1] December 3, 2024 Village Board Work Session and Regular Meeting Minutes

5. **BIDS**

- [5.1] Quotes for Snow Removal Services

BID OPENING - SNOW REMOVAL
Monday, December 16, 2024 @ 10:00 am

	Cost Estimate		
Boland's Excavating	40' x150' - \$1,100	50' x 196' - \$1,400	80' x 140' - \$2,200
TLC Landscaping	40' x150' - \$55	50' x 196' - \$60	80' x 140' - \$65

6. PUBLIC HEARINGS

- [6.1] Local Law Implementing Chapter 262 Vacant Commercial Storefronts
- [6.2] Local Law Amending Chapter 264 of the Village Code entitled “Vehicles and Traffic”

7. PETITIONS RECEIVED – None

8. PRIVILEGE OF THE FLOOR – VISITORS

9. COMMUNICATIONS

- [9.1] Correspondence from Douglas and MaryAnn Dailey, 205 Lower Stella Ireland Rd, regarding reimbursement due to water main break.

10. COMMITTEE/BOARD REPORTS

- [10.1] Joint Sewage Treatment Board Reports for November 2024

11. DEPARTMENT REPORTS

- [11.1] Police Department Overtime Report for November 20, 2024 - December 4, 2024
- [11.2] Fire Department Overtime Report for November 21, 2024 - December 1, 2024

12. PAYROLL AND BILLS PRESENTED

Abstract #10 of the 2024 - 2025 Fiscal bills, as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$93,069.32
WATER FUND	\$18,470.82
SEWER FUND	\$200,580.57
REFUSE FUND	\$45,207.58
SESAME ST	\$0
VARPUR	\$8,240.93
JSTP	\$0
SPECIAL GRANT	\$79,568.66
DEBT SERVICE	\$196,390.00

13. UNFINISHED BUSINESS

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution 254 of 2024

BOND RESOLUTION DATED DECEMBER 17, 2024.

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY IN AND FOR THE VILLAGE OF JOHNSON CITY, FOR PARKING PURPOSES, AT A MAXIMUM ESTIMATED COST OF \$100,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE

REFERENDUM, THE ISSUANCE OF \$100,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF AND SUPERSEDING A BOND RESOLUTION FOR SUCH AMOUNT INTENDED FOR PARKING LOT REFURBISHMENT.

WHEREAS, the Board of Trustees of the Village of Johnson City adopted a bond resolution on August 20, 2024 authorizing the refurbishment of a parking lot in, including costs incidental thereto, at a maximum estimated cost of \$100,000;

WHEREAS, it is now desired to purchase real property located at 17 Isabelle Place for parking purposes instead; NOW, THEREFOR

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Johnson City, Broome County, New York (the "Village"), as follows:

Section 1. The purchase of real property located at 17 Isabelle Place for parking purposes, including engineering costs, is hereby authorized at a maximum estimated cost of \$100,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$100,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **This resolution supersedes a bond resolution adopted August 20, 2024 for \$100,000 for parking lot refurbishment and is adopted subject to permissive referendum.**

Resolution 255 of 2024

BOND RESOLUTION DATED DECEMBER 17, 2024.

A RESOLUTION AMENDING A BOND RESOLUTION AUTHORIZING THE REALLOCATION OF \$300,000 AUTHORIZED BONDS FOR THE RECONSTRUCTION AND RESURFACING OF STREETS IN AND FOR THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK.

WHEREAS, the Board of Trustees of the Village of Johnson City adopted a bond resolution on August 20, 2024 authorizing the reconstruction and resurfacing of Carlton Street in and for the Village of Johnson City, Broome County, New York, including water and sewer improvements, sidewalks, curbs, gutters, drainage, landscaping, grading or improving rights-of-way and other improvements and costs incidental thereto, at a maximum estimated cost of \$1,500,000;

WHEREAS, this project has been completed and there is \$300,000 remaining unspent;

WHEREAS, it is now desired to utilize such \$300,000 for the reconstruction and resurfacing of other streets; NOW THEREFOR

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Johnson City, Broome County, New York (the "Village"), as follows:

Section 1. The August 20, 2024 bond resolution is hereby amended to permit the use of up to \$300,000 bonds for the reconstruction and resurfacing of streets, other than Carlton Street, including such incidental improvements as permitted in connection with Carlton Street.

Section 2. The faith and credit of said Village of Johnson City, Broome County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 3. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 4 This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 5. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 6. **This resolution is adopted subject to permissive referendum.**

Resolution 256 of 2024

Authorize the Village Clerk/Treasurer to make all budgetary adjustments to balance all Village operation accounts as of December 31st, 2024 within the fiscal year ending May 31st, 2025.

Resolution 257 of 2024

A RESOLUTION APPROVING THE ADOPTION OF LOCAL LAW NO. 10-2024

WHEREAS, notice was given that the Village Board scheduled a public hearing for December 17, 2024 at 7:30 p.m. for Local Law No. 10 of the year 2024 entitled “A LOCAL LAW IMPLEMENTING CHAPTER 262 VACANT COMMERCIAL STOREFRONTS”; 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 on the 17th day of December, 2024 at 7:30 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 the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5 (26) and (33); 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. 10 of 2024 entitled “A LOCAL LAW IMPLEMENTING CHAPTER 262 VACANT COMMERCIAL STOREFRONTS”, 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 upon filing with the Department of State.

Resolution 258 of 2024

A RESOLUTION APPROVING THE ADOPTION OF LOCAL LAW NO. 11-2024

WHEREAS, notice was given that the Village Board scheduled a public hearing for December 17, 2024 at 7:30 p.m. for Local Law No. 11 of the year 2024 entitled “A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED ‘VEHICLES AND TRAFFIC’”; 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 on the 17th day of December, 2024 at 7:30 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 the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5 (22) and (33); 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. 11 of 2024 entitled “A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED ‘VEHICLES AND TRAFFIC’”, 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 upon filing with the Department of State.

Resolution 259 of 2024

Reimburse Douglas and MaryAnn Dailey, 205 Lower Stella Ireland Road, for payment to Roto-Rooter in the amount of \$403.92 due to issues resulting from a water main break.

Resolution 260 of 2024

RESOLUTION TO IMMEDIATELY SECURE 129 N. BALDWIN STREET

WHEREAS, on December 14, 2024, the building at 129 N. Baldwin Street was the location of a fire which caused extensive fire and smoke damage to the residence; and

WHEREAS, pursuant to § 118-9 of the Village Code, where it reasonably appears that there is present a clear and imminent danger to the life, safety or health of any person or property unless an unsafe building is immediately repaired and secured or demolished, the Village Board may authorize the immediate repair or demolition of such unsafe building; and

WHEREAS, by correspondence dated December __, 2024, the Village Code Enforcement Officer and the Fire Marshall have requested that the Village Board consider declaring the building at 129 N. Baldwin Street, Johnson City, New York (TM# 143.32-3-23) unsafe and dangerous due to the extensive damage caused by the fire; and

WHEREAS, the expense of such repair or demolition shall be a charge against the premises on which it is located and shall be assessed, levied, and collected as provided in § 118-8 of the Village Code.

NOW, THEREFORE, BE IT RESOLVED that in accordance with § 118-9 of the Village Code, a clear and imminent danger to life, safety and health exists for persons and property, and as such the building at 129 N. Baldwin Street, Johnson City, New York must be secured immediately. The Village Board hereby authorizes the Code Enforcement Officer to immediately cause the securing of this building; and be it further

RESOLVED that this Resolution take effect immediately.

Resolution 261 of 2024

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 118 OF THE CODE ENTITLED ‘BUILDINGS, UNSAFE’” 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 shall be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law on **January 7, 2025 at 7:30 p.m.**, or as soon thereafter as may be heard; 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.

PUBLIC SAFETY

FIRE – No new business

POLICE

Resolution 262 of 2024

Appoint Dennis Pavelski to the Johnson City Police Department as a Police Officer to assume the role of a School Resource Officer assigned to the Johnson City Central School District pursuant to the agreement between the district and the Village, effective February 3rd, 2025.

Resolution 263 of 2024

Appoint Daniel Morehouse as a police officer with the Johnson City Police Department at the base starting salary as outlined in the collective bargaining agreement, to be effective January 2nd, 2025, contingent upon the results of the physical exam, psychological exam, and final approval from Broome County Civil Service.

Resolution 264 of 2024

Appoint Jack Symons as a police officer with the Johnson City Police Department at the base starting salary as outlined in the collective bargaining agreement, to be effective January 2nd, 2025, contingent upon the results of the physical exam, psychological exam, and final approval from Broome County Civil Service.

PUBLIC WORKS

Resolution 265 of 2024

Authorize the Director of Public Services to sign the Architectural/Engineering Supplemental Agreement No. 4 with Fisher Associates for additional services on the Gateway/Square Deal Arch Rehabilitation Project for the amount of \$7,500.

Resolution 266 of 2024

Authorize the Director of Public Services or his designee to accept the proposal from Delta EAS to provide professional engineering services for the Refurbishment of the Isabel Pl Parking Lot and surrounding area in an amount not to exceed \$92,000.00

PLANNING, ZONING & CODE ENFORCEMENT

Resolution 267 of 2024

A RESOLUTION OF THE VILLAGE OF JOHNSON CITY ADOPTING THE 2024 BROOME COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE

WHEREAS the Village of Johnson City Board of Trustees recognizes the threat that natural hazards pose to people and property within the Village of Johnson City; and

WHEREAS the Village of Johnson City has prepared a multi-hazard mitigation plan, hereby known as the 2024 Broome County Multi-Jurisdictional Hazard Mitigation Plan Update in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the 2024 Broome County Multi-Jurisdictional Hazard Mitigation Plan Update identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Village of Johnson City from the impacts of future hazards and disasters; and

WHEREAS adoption by the Board of Trustees demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2024 Broome County Multi-Jurisdictional Hazard Mitigation Plan Update.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE OF JOHNSON CITY, NY, THAT:

Section 1. In accordance with NYS Village Law, the Village of Johnson City Board of Trustees adopts the 2024 Broome County Multi-Jurisdictional Hazard Mitigation Plan Update. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

Resolution 268 of 2024

Authorize the Mayor or his designee to sign the HCR New York Main Street (NYMS) Monitoring Questionnaire to effectively close out the 2019 NYMS Program.

Resolution 269 of 2024

Award the snow removal services contract for the Code Department to the lowest responsible bidder, TLC Landscaping and Lawn Services; and motion to authorize the Fire Marshal or his designee to execute any documents necessary to effectuate the same.

Resolution 270 of 2024

JOINT SEWAGE TREATMENT BOARD

Approve the Binghamton-Johnson City Joint Sewage Board's request that the owners pass legislation to authorize a look back 2.91% adjustment to positions held by hourly personnel per the CSEA bargaining

agreement. There is no change to position count or the ES8130.51000.JS2HR Personal Services-HOURLY budget amount for 2025.

14. ADJOURNMENT

To contact Village Board members via e-mail please use the following addresses:

Mayor Martin Meaney - jcmayor@villageofjc.com

Trustee John Walker - jwalker@villageofjc.com Trustee Clark Giblin – cgiblin@villageofjc.com

Trustee Adam Brown – abrown@villageofjc.com Trustee Mary Jacyna – mjacyna@villageofjc.com

VILLAGE OF JOHNSON CITY

LOCAL LAW NO. 10 FOR THE YEAR 2024

A LOCAL LAW IMPLEMENTING CHAPTER 262 VACANT COMMERCIAL STOREFRONTS

Be it enacted by the Board of Trustees of the Village of Johnson City as follows:

Section 1. A new chapter shall be added to the Village Code as follows:

Chapter 262

Article I General Provisions

§262-1 Short title.

This chapter will be known as the “Vacant Commercial Storefronts Law,” and will be referred to as such in this chapter.

§ 262-2 Findings and statement of purpose.

- A. The Village of Johnson City contains many commercial storefronts that are vacant in whole or large part, and in many cases the owners or other responsible parties of these structures are neglectful of them; are failing to maintain them or secure them to adequate standards; or to restore them to productive use; and many of these structures are in violation of state and local housing and property maintenance codes.
- B. It has been established that vacant and abandoned structures cause severe harm to the health, safety, and general welfare of the community, including diminution of neighboring property values, loss of property tax revenues, accumulation of trash and debris, increased risk of fire, and potential increases in criminal activity and the Village of Johnson City incurs disproportionate costs when addressing problems associated with vacant and abandoned structures, including but not limited to police calls, fire calls, property inspections; and
- C. It is in the public interest of the Village of Johnson City to establish minimum standards of accountability for the owners and other responsible parties of vacant commercial storefronts to protect the health, safety, and general welfare of the residents of the Village of Johnson City. It is in the public interest for Village of Johnson City to impose a fee in conjunction with a registration ordinance for vacant commercial storefronts in light of the disproportionate costs imposed on the municipality by the presence of these structures.
- D. The Vacant Commercial Storefronts Law provides minimum standards for the maintenance, insurance, and registration of occupied buildings in the Central Business District containing at least one vacant commercial storefront facing Main Street, Johnson City, as well as the Neighborhood Commercial storefronts that face Harry L Drive.

§ 262-3 Exceptions.

The provisions of this chapter do not apply to:

- (1) Any owner of vacant commercial storefronts who meet the following criteria:

- a. Has filed sufficient plans to restore the property to productive use and occupancy and will make substantial progress towards such occupancy in the next six-months; and/or
- b. The appropriate authority may extend the exception from applicability when substantial progress towards productive use and occupancy may extend longer than six-months without limitation upon written request by the owner as long as the appropriate authority finds that the owner is making reasonable progress toward completion of the project. The owner shall provide appropriate authority with documentation evidencing such reasonable progress, which may include, but is not limited to, plans, financing applications, applications for land use approval.

§ 262-4 Definitions.

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms have the following meanings and shall be so construed wherever they appear in this chapter.

APPROPRIATE AUTHORITY

The Code Enforcement Office.

CIVIL PENALTY

A penalty levied by the Code Enforcement Officer against an existing permittee in accordance with this chapter.

CODE ENFORCEMENT OFFICER

The person(s) designated pursuant to Chapter 114 of the Code of the Village of Johnson City.

EVIDENCE OF VACANCY

Shall mean any and all condition(s) that would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to, overgrown or dead vegetation; accumulation of debris or abandoned personal property; and statements by neighbors, passers-by, delivery agents or government agents, among other evidence that the property is vacant.

EXTERIOR PROPERTY

The open space on the premises and on adjoining property under the control of owners or operators of such premises.

OWNER

Shall include the record title holder or contract purchaser, property manager, tenant under a recorded lease or any executor, administrator, trustee, conservator or other fiduciary, mortgagee or lienholder thereof; any agent of the title holder for the receipt of notice, legal process or other service of any individual acting in a fiduciary capacity for the record titleholder or contract purchaser or having authority to act with respect to a vacant property, any foreclosing entity that has filed a notice with the municipal clerk pursuant to the provisions of RPAPL § 1307, or any other entity determined by the appropriate authority of the Village of Johnson City to have authority to act with respect to the property.

OWNER'S AGENT

Any person, company, corporation or other entity that has the authority to act on behalf of or in the place of the owner.

PERSON

Any natural person and any entity that is recognized by law as having the rights and obligations of a natural person.

RECORD TITLEHOLDER

Any person holding title of record by deed, contract of sale, or judicial determination.

REGISTERED COMPLAINT

Any oral or written communication or personal observation upon which the Code Enforcement Officer has probable cause to believe that additional investigation is required to verify compliance with this chapter.

TENANT

A person, corporation, partnership or group, not the legal owner of record, occupying a unit.

VACANT COMMERCIAL STOREFRONT

Shall mean a first-floor storefront in the Central Business Zoning District that fronts Main Street, Johnson City, as well as the Neighborhood Commercial storefronts that face Harry L Drive, at which all lawful business or construction operations or other occupancy have substantially ceased.

Article II Administration and Enforcement

§262-5 Access and inspection.

- A. The owner of a registered vacant commercial storefront, following reasonable notice, shall provide access to the Code Official or their designees are authorized to conduct an exterior and interior inspection of the commercial storefront to determine compliance with the Village Code. If entry is refused or not obtained, the Code Official is authorized to pursue entry to the fullest extent authorized by law.
- B. For purposes of the Vacant Commercial Storefronts Law, the Code Enforcement Office shall cause inspections to be made at intervals as follows:
 - (1) Prior to registration or renewal of registration pursuant to this chapter;
 - (2) Upon receipt of a registered complaint;
 - (3) At the discretion of the Code Enforcement Office at an interval of less than three years for a property where there are persistent or consistent violations of this chapter or other laws, rules and regulations of the Village of Johnson City, County of Broome or the State of New York; or
 - (4) Otherwise in accordance with law.

- C. The inspection by the Code Enforcement Office shall determine the condition of vacant commercial storefronts located within the Village of Johnson City, and the Code Enforcement Office may issue notices as provided for in this chapter.
- D. Application of this section is subject to the limitations contained in Section 262-16.

§ 262-6 Prohibited acts and required actions.

- A. Violations of the following shall be deemed violations of the Vacant Commercial Storefronts Law:
 - (1) It shall be unlawful and a violation of this chapter for any owner of a vacant commercial storefront to provide materially false, misleading, or inaccurate information on any form submitted pursuant to this chapter.
 - (2) No owner shall, following reasonable notice and an adequate opportunity to correct the same, fail to correct a serious fire hazard or electrical violation in accordance with legal requirements.

Article III Requirements

§ 262-7 Property Maintenance.

§ 262-7.1 General.

The owner of a vacant commercial storefront shall maintain the premises as provided in this section. This obligation begins as soon as the commercial storefront becomes vacant and continues as long as the commercial storefront remains vacant.

§ 262-7.2 Exterior conditions. The owner of a building containing a vacant commercial storefront shall:

- A. Continue to cut the grass and remove weeds, garbage, debris, dead trees and fallen limbs from the property.
- B. Shovel any accumulated snow to allow public use of the adjacent sidewalk in the winter.
- C. Keep the property free from pests such as rats and other rodents.
- D. Remove or cover up exterior signage for businesses that are no longer operating at the property.
- E. Comply with all maintenance obligations detailed under Section 119-12 of the Village Code.

§ 262-7.3 Internal conditions.

The owner of a building containing a vacant commercial storefront shall keep the storefront interior free from junk, debris, trash, rodents, pigeons, and pests. Exit doors should be secured with an internal deadbolt lock. The owner shall also comply with interior protection measures detailed under Section 119-13 of the Village Code.

§ 262-7.4 Security.

- A. Exterior openings with secure doors and windows, without broken or cracked glass, may be left as-is so long as they remain secure and in good condition.
- B. Plywood may be used only during the first six months the storefront is vacant.
- C. After six months, exterior openings must be provided with new or repaired doors and windows or secured with commercial-grade metal security panels.
- D. If a property has repeated break-ins, a 24/7 monitored alarm system is required.

§ 262-7.5 Signage.

Wherever a commercial storefront is required to be registered under this chapter, the owner shall post a sign at the premises indicating the registration number; the name, address and telephone number of the owner or the owner's authorized agent for the purpose of service of process; and the name, address, and telephone number of any person responsible for day-to-day supervision and management of the premises. The sign must be at least 8.5 inches by 11 inches and lettering must be legible from the public way.

§ 262-8 Insurance.

§ 262-8.1 General.

The owner of a vacant commercial storefront shall maintain liability insurance for the premises as provided in this section.

§ 262-8.2 Time for compliance.

This obligation begins 30 days after a commercial storefront becomes vacant or 30 days after the owner becomes owner of the commercial storefront, whichever is later. The obligation continues as long as the commercial storefront remains vacant.

A commercial storefront is legally presumed to have been vacant for more than 30 days if either:

- A. It is vacant and has not been secured in accordance with this chapter.
- B. It is vacant and more than one window, door, or other opening, in any combination, is boarded up and either:
 - a. The yard contains grass or weeds more than 10 inches in height.
 - b. The yard contains an accumulation of junk and debris.
 - c. Snow and ice have not been removed to allow public use of the adjacent sidewalk
- C. It is vacant and a request has been submitted to the county assessor's office or other government agency to reduce the assessed valuation of the property on the basis of vacancy.

§ 262-8.3 Minimum coverage.

For each building that contains at least one vacant commercial storefront, the insurance policy must provide commercial general liability coverage in an amount of not less than \$1,000,000 per occurrence for bodily injury, personal injury, and property damage.

§ 262-8.4 Notice.

Any insurance policy acquired or renewed after the commercial storefront has become vacant must provide for written notice to the Code Officer within 30 days of any lapse, cancellation, or change in coverage.

§ 262-9 Owner Registration of Building Containing a Vacant Commercial Storefront.

§ 262-9.1 General.

The owner of a building containing at least one commercial storefront that is vacant must register the building with the Code Officer as provided in this section.

§ 262-9.2 Time for compliance.

This obligation begins 30 days after a commercial storefront becomes vacant or 30 days after the owner becomes owner of the commercial storefront, whichever is later. The obligation continues as long as the commercial storefront remains vacant. A commercial storefront is legally presumed to have been vacant for more than 30 days based on the criteria listed in Section 262-8.2 of this chapter.

- A. Exceptions. This obligation begins one year after a commercial storefront becomes vacant or 30 days after the owner becomes owner of the commercial storefront, whichever is later, if rental or for sale signs, including valid phone and email contact information, are displayed and legible from the adjacent public way.

§ 262-9.3 Method of registration.

The registration shall be submitted on forms provided by the Code Enforcement Office and shall include the following information supplied by the owner:

- A. A description of the premises, including, but not limited to, square footage, number of stories, age of the building, and most recent use of the building.
- B. The names and addresses of the owner or owners. If the owner is a corporation, limited liability company or partnership, the address for each director, manager, or partner. The address must include a street address; a post office box is not acceptable or any adjoining county, the name and address of any third party with whom the owner has entered into a contract or agreement for property management as required by Section 166-8 of the Village Code. The address must include a street address; a post office box is not acceptable.
- C. The names and addresses of all known lienholders and all other parties with an ownership interest in the building. Each address must include a street address; a post office box is not acceptable.
- D. A name, address, and telephone number where a responsible natural person (not a corporation, partnership, or limited liability company) can be reached at all times during business and nonbusiness hours. The address must include a street address; a post office box is not acceptable.
- E. If any mortgagee or lienholder has found the owner in default, then the status of any default proceeding or foreclosure

§ 262-9.5 Fees.

The fee for each registered building for each registration or renewal period is \$100. The registration fee or renewal fee is \$250 if the applicable registration or renewal takes place not through voluntary and timely compliance (See Section 262-9.2), but as the result of a Village identification of a violation of this chapter. Governmental agencies are exempt from registration and renewal fees.

§ 262-9.6 Duration.

A registration is valid for six months from the date of registration.

§ 262-9.7 Registration statement.

In addition to other information required by the Code Officer, the registration statement must include the name, street address, and telephone number of an authorized agent meeting the criteria listed in this section.

- A. Where requested by the Code Officer, the owner shall provide evidence of the insurance coverage required by Section 262-8 at the time of registration or renewal; however, registration or renewal may not be denied for failure to provide evidence of insurance coverage.
- B. A registration statement shall be a substantial proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Village against the owner.

§ 262-9.8 Renewal.

The owner shall renew the registration for successive six-month periods as long as the commercial storefront remains vacant.

§ 262-9.9 Amended statement.

The owner must notify the Code Officer within 20 days of any change in the registration information by filing an amended registration statement or notice of deregistration with the Code Enforcement Office in the form and manner specified by the Code Officer.

Article IV Penalties for Offense

§ 262-10 Penalties.

Any person violating any provision of the Vacant Commercial Storefronts Law, including but not limited to, failure to register and providing false information to the Enforcement Officers, shall be subject to the following penalties:

- A. Such person will be subject to a fine of \$1,000 or imprisonment not exceeding 15 days, or both.
- B. The term “person,” as used in this section, will include the owner, occupant, mortgagee or vendee in possession, assignee of rents, receiver, executor, administrator, trustee, lessee, agent or any other person, firm or corporation directly in control of the building or part thereof.
- C. Each day of violation will be deemed to constitute a separate offense.

§ 262-11 Assessment of costs.

All inspection fees, reinspection fees, demolition costs, administrative costs and legal costs incurred by the Code Enforcement Office or Village of Johnson City in the enforcement of this chapter may be collected by an assessment or levy placed against the real estate, to be collected as a property tax or by judgment entered against the owner personally or against the real estate.

Article VI Additional Provisions

§ 262-17 Application for search or administrative warrant authorized.

- A. The Code Enforcement Officer shall have the right to inspect a building or structure upon either: 1) the consent of the person in lawful possession of that building or structure sought to be inspected and the consent of the owner; or 2) upon the procurement of an administrative search warrant from a court of competent jurisdiction to enable such inspection.
- B. The Code Enforcement Officer is authorized, on sworn affidavit stating the factual basis thereof, to make application to the Village of Johnson City or to such other court as may be deemed appropriate for the issuance of an administrative search warrant. The application for a search or administrative

warrant shall, in all respects, comply with applicable laws of the State of New York and the United States.

§ 262-18 Notice of violation; method of service.

If the Code Enforcement Officer determines that there are reasonable grounds to believe that premises are being maintained in violation of this chapter, that officer shall give notice of the alleged violation to the owner or owner's agent of the premises, which notice shall contain the elements required of an information under the New York State Criminal Procedure Law. Such notice shall:

- A. Be in writing;
- B. Include a description of the real estate sufficient for identification;
- C. Describe the violation, cite the applicable section of the local law and/or uniform code, and remedial action required;
- D. Describe the facts upon which the violation is based;
- E. State that all health, safety and maintenance violations must be corrected immediately. The Code Enforcement Officer shall return at a specified date to verify conformance with the order to remedy. Any maintenance items which cannot be completed at this time because of weather constraints may be granted a time extension. Reasonable time extensions may be granted by the Code Enforcement Office based on consideration of all relevant factors;
- F. State that, if upon reinspection a violation still exists, the Code Enforcement Officer shall order that the rental permit be suspended and the structure vacated;
- G. Be mailed via first-class, registered or certified mail to the permittee or served upon any other person in accordance with the applicable provisions of the Criminal Procedure Law;
- H. State the time to file an appeal, the amount of the appeal fee, the right to call witnesses and the right to be represented by counsel.

§ 262-19 Notices on sale of property; unpaid fines.

- A. A seller of a property with a registered vacant commercial storefront, including property occupied under authority of an unrecorded contract for sale, shall inform the prospective buyer of the following at least 14 days prior to the closing:
 - (1) Any outstanding notice regarding violations of the Vacant Commercial Storefront Law;
 - (2) The existence of any court or administrative proceeding which pertains to alleged violations of the Vacant Commercial Storefront Law, stating the case numbers and names of all parties to the proceedings.
- B. Every seller of a property with a registered vacant commercial storefront shall give notice in writing to the Code Enforcement Office within two business days after closing. This notice shall include the name and address of the buyer.
- C. Each buyer of an interest in a property with a registered vacant commercial storefront shall give notice in writing to the Code Enforcement Officer within 10 business days after closing. The notice shall identify the address of the affected property, the name and address of all parties named in the contract, and the interests in the property conveyed or received by each party. The buyer shall also provide a copy of the deed, showing the date, book, and page within 10 days of recording.
- D. Any unpaid fines shall run with the land and become a lien against real property and shall be enforceable against the subsequent owner of the property.

§ 262-20 Habitual violators.

- A. An owner who fails to correct a violation within the time period given by notice, or an owner who has been required to appear before a court of competent jurisdiction for such failure, three times for the same property with a registered vacant commercial storefront or on three separate properties during a twelve-month period may be deemed a habitual violator if found by the Code Enforcement Officer, court, or Zoning Board of Appeals, where applicable, to have failed to correct the violations without good cause. Upon finding that an owner is a habitual violator, an agent or representative of such owner shall be deemed a habitual violator as to those properties.
- B. A finding that an owner is a habitual violator shall be a basis for a court of competent jurisdiction to find probable cause for the issuance of an administrative search warrant for all properties owned or managed by a habitual violator. The owner may be placed on an accelerated inspection schedule by the court, thereby reducing certification periods, if the result of the unified inspection justifies such action.

§ 262-21 Levies upon real property.

To the fullest extent authorized under the New York State Village Law and the New York State Real Property Tax Law, the Board of Trustees shall have the authority to issue levies against the owner's real property for fines and/or fees due under this chapter.

Section 2. **Remainder**

Except as hereinabove implemented, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 3. **Separability**

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. **Effective Date**

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. 11 FOR THE YEAR 2024**

**A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE
ENTITLED “VEHICLES AND TRAFFIC”**

Be it enacted by the Village Board of the Village of Johnson City as follows:

Section 1. **§ 264-28.2 “Ambulance only parking” shall hereby be amended as follows:**

§ 264-28.2 “Emergency Vehicle only parking”

Only official Law Enforcement, Fire Department, or Emergency Medical Service vehicles shall use the parking spaces described in § 264-105.1, attached to and made a part of this chapter, which are hereby reserved for the use of emergency service agencies on official business.

Section 2. **§ 264-89A “Schedule XIV: No standing here to corner” shall hereby be amended as follows:**

Add the following:

Name of Street	Side	Location
Jay Street	Both	40 feet to Wren Street
Myrtle Avenue	Both	40 feet to Wren Street
Pearl Avenue	Both	40 feet to Wren Street
Sunset Knoll Avenue	North	30 feet to Riverside Drive
Wren Street	South	50.4’ to Zoa Avenue
Wren Street	Both	40 feet to Zoa Avenue
Wren Street	South	30 feet on either side of Albany Avenue
Wren Street	South	30 feet on either side of Pearl Avenue
Wren Street	South	35 feet on either side of Myrtle Avenue
Wren Street	South	30 feet on either side of Jay Street
Zoa Avenue	Both	40 feet to Wren Street

Delete the following:

Name of Street	Side	Location
Wren Street	South	50.4’ to Zoa Avenue

Section 3. **§ 264-89B “Schedule XIV: No standing anytime” shall hereby be amended as follows:**

Add the following:

Name of Street	Side	Location
Baldwin Street	East	Entire length from Floral Avenue to Corliss Avenue
Baldwin Street	West	Between north edge of the first marked on-street parking space and Main Street
Baldwin Street	East	Between the Emergency Vehicle Parking zone and Main Street

Harrison Street	East	Entire length from Park Place to Main Street
Wren Street	Both	20 feet to Water Department Gate
Wren Street	North	30 feet on either side of Albany Avenue
Wren Street	North	30 feet on either side of Pearl Avenue
Wren Street	North	35 feet on either side of Myrtle Avenue
Wren Street	North	30 feet on either side of Jay Street

Delete the following:

Name of Street	Side	Location
Baldwin Street	East	Between Meter Nos. 29 and 30
Baldwin Street	East	Entire length from Floral Avenue to Faatz Alley
Baldwin Street	East	South of Meter No. 43
Baldwin Street	West	Between north edge of parking space of parking Meter BS1 the first marked on-street parking space and Main Street
Baldwin Street	West	Between the entrance and exit to the First Baptist driveway
Baldwin Street	West	Hospital entrance (crosswalk)
Baldwin Street	West	North of Meter No. 5
Harrison Street	East	From Park Place to south of Meter No. 25

Section 4. § 264-95 “Schedule XX: Loading Zones” shall hereby be amended as follows:

Add the following:

Name of Street	Side	Location
Baldwin Street	West	Adjacent to Wilson Hospital; Between the first Marked on-street parking space and 104 feet south of the ambulance ramp
Harrison Street	West	West side of roadway starting at NYSEG Pole#1620-7 to 121 feet north to the driveway of 46 Harrison Street

Delete the following:

Name of Street	Side	Location
Baldwin Street	West	Along Wilson Hospital, between Handicap Meter Space B6 and the ambulance ramp (loading zone/medi-vans only)

Section 5. § 264-105.1 “Schedule XXXI Ambulance Only Parking” shall hereby be amended as follows:

§ 264-105.1 “Schedule XXXI Emergency Vehicle Only Parking”

In accordance with the provisions of § 264-28.2, the following are established as emergency vehicle only parking:

Add the following:

Name of Street

Baldwin Street

Location

East side of roadway starting at 385' south of Main Street to 300' south of Main Street

Delete the following:

Name of Street

Harrison Street

Location

West side of roadway starting at NYSEG Pole #1620-7 to 121 feet north to the driveway of 46 Harrison Street

Section 6. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 7. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 8. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.



VILLAGE OF JOHNSON CITY

2025 VILLAGE OF JOHNSON CITY MEETING CALENDAR

All Village meetings and work sessions are open to the public.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Village Board	7,21	4,18	4,18	1,15	6,20	17	15	19	2,16	7,21	18	2,16
Planning Board	28	25	25	22	27	24	22	26	23	28	25	23
Zoning Board	27	24	17	21	19	16	21	18	15	20	17	15
Library Board	14	11	11	8	13	10	8	12	9	14	11	9
Recreation Com.	Meetings as announced											

Village Board of Trustees - Meetings are held on the 1st and 3rd Tuesday of the month, (except for the months of June, July, August & November) at 7:30pm in the Municipal Building, 60 Lester Avenue, with a work session at 6:00pm in the area. Meetings are subject to change from the published schedule due to the Board's agenda and/or via Zoom.

Planning Board - Meetings are held on the 4th Tuesday of the month at 7:30pm (except where noted above) in the board room at Village Hall, 60 Lester Avenue, with a work session at 7:00pm. Meetings are subject to change from the published schedule due to the Board's agenda & holidays.

Zoning Board of Appeals - Meetings are held on the 3rd Monday of the month at 6:30pm (except where noted above) in the board room at Village Hall, 60 Lester Avenue, with a work session at 6:00pm. Meetings are subject to change from the published schedule due to the Board's agenda.

Library Board - Meetings are held on the 2nd Tuesday of the month, at 5:30pm in the lower level of the library at 107 Main Street. Meetings are open to the public. Meetings are subject to change from the published schedule due to the Board's agenda.

Recreation Commission - This board meets on an as needed basis.

Holidays (No Meetings):

Wednesday, January 1st – New Year's Day
Monday, January 20th - Martin Luther King, Jr. Day
Monday, Feb. 17th - President's Day
Friday, April 18th - Good Friday
Monday, May 26th - Memorial Day
Thursday, June 19th - Juneteenth
Friday, July 4th
Monday, September 1st - Labor Day
Monday, October 13th - Columbus Day
Tuesday, November 11th – Veteran's Day
Thursday, November 27th - Thanksgiving
Friday, November 28th - Day after Thanksgiving
Thursday, Dec 25th - Christmas