



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 John Walker Trustee Adam Brown

AGENDA—REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, November 16, 2021 @ 7:30pm via Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/85998176279?pwd=YzMZ3g2amQ0TTU0prdWRBMmlMdz09>

Meeting ID: 859 9817 6279

Passcode: 778033

ORDER OF BUSINESS

1. ***PLEDGE OF ALLEGIANCE***

2. ***EXECUTIVE ORDER***

3. **MAYOR'S ANNOUNCEMENTS**

- [3.1] The Village Planning Board Meeting will be held Tuesday, November 23, 2021 at 7:30pm with a work session at 7:00pm
- [3.2] The next regular Village Board Meeting will be Tuesday, December 7, 2021 at 7:30pm with a work session at 5:00pm via Zoom.
- [3.3] The Village Zoning Board Meeting will be held Monday, December 13, 2021 at 7:30pm with a work session at 7:00pm.

4. **APPROVAL OF BOARD MINUTES**

- [4.1] October 19, 2021 Village Board Meeting Minutes
- [4.2] October 28, 2021 Village Board Special Meeting Minutes

5. **BIDS** – None

6. **PUBLIC HEARINGS** – None

7. **PETITIONS RECEIVED** – None

8. **PRIVILEGE OF THE FLOOR – VISITORS**

9. **COMMUNICATIONS**

[9.1] Correspondence dated October 22, 2021 from Jody and George Zlock of 39 Deyo Hill Road regarding road/curb issue.

[9.2] Correspondence dated October 28, 2021 from Mary Ellen Fennimore of 21 Edward Street regarding water bill late fee.

[9.3] Email correspondence dated November 2, 2021 from Noknoy Chaimang of Corliss Ave regarding refuse bill fine.

[9.4] Correspondence dated November 9, 2021 from APS3 Corporation, Janet Sobiech and Anthony P. Sobiech III, informing the Village of its intent to renew the New York State Liquor license for their restaurant, Red's Kettle Inn, (APS3 Corp DBA Red's Kettle Inn).

10. COMMITTEE/BOARD REPORTS

- [10.1] Code Enforcement – No report submitted
- [10.2] Court – No report submitted
- [10.3] Joint Sewage Treatment Plant Reports dated October 31, 2021 and November 5, 2021
- [10.4] Library – No report submitted
- [10.5] Newsletter - No report submitted
- [10.6] Planning Board – Planning Board Meeting Minutes for September 28, 2021
- [10.7] Public Safety – Nothing to Report
- [10.8] Public Works – Nothing to Report
- [10.9] Zoning Board – Nothing to Report

11. DEPARTMENT REPORTS

- [11.1] Fire Department Overtime Report for the weeks of October 14, 2021 – October 27, 2021
- [11.2] Police Department Overtime Report for the weeks of October 14, 2021– October 27, 2021
- [11.3] Police Department Overtime Report for the weeks of October 28, 2021– November 18, 2021
- [11.4] Fire Department Overtime Report for the weeks of October 28, 2021 – November 10, 2021

12. PAYROLL AND BILLS PRESENTED

Abstract #9 of the 2021 - 2022 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$1,189,411.97
WATER FUND	\$270,012.75
SEWER FUND	\$29,765.76
REFUSE FUND	\$52,540.32
JSTP	\$253,428.78
VARPUR	\$0
CAPITAL	\$0
DEBT SERVICE	\$226,232.43

13. UNFINISHED BUSINESS

Resolution #2021 – 167

A motion to allow Fire Marshal Blakeslee to sign an agreement with Delta Engineers for the design of concrete and brick refurbishment at the Southside Fire Station.

Resolution #2021 – 170

A motion to appoint Firefighter Brandon Toro-Segarra 'Fire Prevention Officer', at no change in salary.

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2021 – 173

A motion to authorize the Village Treasurer to forward the 2021-2022 Unpaid Village Property Taxes (levied on June 1, 2021) to the Broome County Commissioner of Finance in the amount of: Real Property Taxes - \$578,348.15, Interest & Penalties - \$46,267.85, 2nd Notices Mail Charges - \$375 for a Total Amount Relieved - \$ 624,991.00.

Resolution #2021 – 174

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED ‘VEHICLES AND TRAFFIC’” 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 7:35 p.m. on December 7, 2021; 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 #2021 – 175

WHEREAS, the Village of Johnson City, NY desires to resolve a clerical error from the Village’s acquisition of certain real property at 333 Grand Avenue and 154 Allen Street, Johnson City, NY 13790; and

WHEREAS, mistakenly included in this transfer was certain real property located at 13 Bennett Avenue, Johnson City, NY 13790, and is more specifically located at Tax Map No. 143.72-1-26 (hereinafter the “Premises”); and

WHEREAS, at no time did the Village, nor the Grantor, United Health Services intend for the Premises to be included in the previous transfer; and

WHEREAS, United Health Services, Inc., had previously sold the Premises to the neighboring property owners Ralph E. Brassard and Susan D. Brassard; and

WHEREAS, the Village wishes to remedy the clerical error via transfer of the Premises to the Brassards; and

WHEREAS, pursuant to Village Law § 1-102 (1) a village board of trustees may, by resolution, sell real property; and

WHEREAS, said Premise contains approximately 0.31 acres; and

WHEREAS, the Village Board of Trustees after due deliberation, finds it in the best interest of the Village to transfer the Premises to the Brassards; and

NOW, THEREFORE, BE IT RESOLVED, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Village Board that sale said property is a Type II action as defined under the SEQRA regulation; and no further action is needed; and further

RESOLVED that the Village Board hereby declares said portion of property to be surplus property and no longer needed for municipal purposes, nor intended to be acquired by the Village; and further

RESOLVED that the Village Board hereby determines that the above-referenced Premises, known as 13 Bennett Avenue, Johnson City, NY 13790, and is more specifically located at Tax Map No. 143.72-1-26 shall be transferred to Ralph E. Brassard and Susan D. Brassard for consideration of remedying the previous clerical error; and further

RESOLVED that the Village Board hereby authorizes the mayor to execute any and all documents that are necessary and proper to finalize the real property transaction; and further

RESOLVED that this Resolution shall take effect immediately.

Resolution #2021 – 176

Reimbursement of the water bill late fee in the amount of \$19.80 for Mary Ellen Fennimore, 21 Edward Street.

Resolution #2021 – 177

Forgiveness of the refuse bill fine in the amount of \$105.00 for Noknoy Chaimang, 173 Corliss Ave.

Resolution #2021 – 178

Resolution to appoint Darlene J Swift to the position of full time Clerk in the Village Court from the Broome County Certified List# 21-522 at a starting salary of \$24,499.36 per year, per the collective bargaining unit, effective after she gives her notice to her current employer and upon successful completion of a background check. There will be evaluation completed after 6 months.

PUBLIC SAFETY

FIRE (Trustees Giblin & Meaney) – No new business

POLICE (Trustees Giblin & Meaney) – No new business

PUBLIC WORKS (Trustees Giblin & Walker)

Resolution #2021 – 179

Authorize Department of Public Works Account Clerk Rosanna Potts for a leave of Absence beginning January 7, 2022 and ending May 2, 2022.

Resolution #2021 – 180

Authorization to appoint Patrick J Reno to the position of DPW Probationary Laborer at a salary of \$17.97 per hour effective, December 3, 2021. This appointment is contingent upon the successful completion of a background investigation and the required pre-employment drug screening.

Resolution #2021 – 181

Authorization to Appoint Brittan R Stimak to the position of DPW Probationary Laborer at a salary of \$17.97 per hour effective, December 2, 2021. This appointment is contingent upon the successful completion of a background investigation and the required pre-employment drug screening.

Resolution #2021 – 182

Motion to ratify the purchase of an ODB XtremeVac Model LCT650 Tow Behind Leaf Collector in an amount not to exceed **\$38,464.00**, on a cooperative purchase via Sourcewell with contract number: 031121-ODB.

Resolution #2021 – 183

Designation of Responsible Local Official

WHEREAS, NYS DOT requires the Village Board of Trustees to adopt a resolution designating Joshua Holland, Director of Public Services, as the Responsible Local Official for project administration, including the use of the Equitable Business Opportunities (EBO) system, for the Floral Avenue Repaving Project and the Lester Avenue Bridge Deck Replacement Project.

THEREFORE, BE IT RESOLVED that Director of Public Services Holland is designated as the Responsible Local Official for purposes of project administration, including use of the EBO System for the Floral Avenue Repaving Project and the Lester Avenue Bridge Deck Replacement Project.

RECREATION (Trustees Giblin & Walker) – No new business

PLANNING, ZONING & CODE ENFORCEMENT (Trustees Brown & Meaney) – No new business

JOINT SEWAGE TREATMENT BOARD (Trustees Brown & Giblin)

Resolution #2021 – 184

Approve the Binghamton-Johnson City Joint Sewage Board request that the Owners pass legislation to amend the 2021 Budget by increasing the appropriations for Chemicals (J8130.54150) by \$150,000.00, increase Sludge & Waste Disposal (J8130.54804) by \$75,000.00, and Reduce Personal Services (J8130.51000) by the amount of \$225,000.00.

15. ADJOURNMENT

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

Mayor Gregory Deemie - jcmayor@villageofjc.com

Deputy Mayor Clark Giblin – cgiblin@villageofjc.com

Trustee Martin Meaney – mmeaney@villageofjc.com Trustee John Walker - jwalker@villageofjc.com

Trustee Adam Brown – abrown@villageofjc.com

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. ____ FOR THE YEAR 2021**

**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. Section 264-46 of the Village Code shall hereby be amended as follows:

The title of § 264-46 shall be changed by deleting “Signal, legend upon meters; charges” and replacing it with “Parking Fees.”

§ 264-46A. shall be deleted and replaced with the following:

- A. <https://ecode360.com/12626613 - 12626613> The fees for parking a vehicle in a metered or paid parking area shall be at a rate as set forth by action of the Village Board.

Section 2. Section 264-48 of the Village Code shall hereby be amended as follows:

§ 264-48 Operation of meters.

- A. Duty of operator; effect of deposit. Wherever any vehicle shall be parked in any space adjacent to a parking meter or Village owned paid parking area, the owner, operator or driver thereof shall, upon entering said parking space, immediately deposit a coin or coins of the United States in the parking meter alongside of said parking space, or immediately remit payment via the designated parking payment application made available for the said metered zone or paid parking area. Said parking space may then be used for the length of time for which payment was rendered within the parking limits as provided herein for the part of the street in which said parking space is located.
- B. Overtime parking. If said vehicle remains for a greater length of time than is permitted in said parking space, an indication showing illegal parking shall be made by the parking meter and/or the parking payment application, and in that event such vehicle shall be considered as parked overtime, and the parking of vehicles overtime or beyond the period of time fixed by this article on such street and in said space shall be a violation of this article. It shall be unlawful for any person to cause, allow, permit or suffer any such vehicle registered in his name to be parked overtime or beyond the lawful period of time.

Section 3. Section 264-50 of the Village Code shall hereby be amended as follows:

§ 264-50 Hours when regulations in effect.

The provisions of this article relating to parking in metered spaces shall be applicable only on Monday through Saturday between the hours of 8:00 a.m. and 6:00 p.m., legal holidays excepted.

Section 4. Section 264-93 of the Village Code shall hereby be amended as follows:

Delete:

Main Street	2 hrs.; All; All	North	Business No. 415
Municipal parking lots	3 hrs.; All/All		All municipal parking lots
Municipal parking lots	9:00 p.m. to 6:00 a.m./All —		All municipal parking lots

Willow Street	permit parking only 2:00 a.m. to 6:00 a.m./All	Willow Street Lot
<u>Add:</u>		
Municipal parking lots	2:00 a.m. to 6:00 a.m./All — permit parking only	All municipal parking lots

Section 5. Remainder

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

Section 6. 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 7. 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.