



Town Clerk
Gail L. Springer, RMC

Town of Union

Town Board
Rose A. Sotak, *Supervisor*
Thomas R. Augostini, *Councilman*
Frank J. Bertoni, *Councilman*
Leonard J. Perfetti, *Councilman*
Robert Mack, *Councilman*

TOWN OF UNION BOARD MEETING

June 7, 2017

The Regular meeting of the Town Board of the Town of Union was held on Wednesday, June 7, 2017 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York.

BOARD MEMBERS PRESENT: Supervisor Rose A. Sotak, Councilman Thomas R. Augostini, Councilman Frank J. Bertoni, Councilman Leonard J. Perfetti, Councilman Robert Mack.

TOWN OFFICIALS PRESENT: Deputy Town Attorney Kurt D. Schrader, Town Clerk Gail L. Springer, Deputy Town Clerk Rebecca Kruczkowski.
Absent: Town Attorney Alan J. Pope

Also in attendance was Giuseppe Roberto, Zoning Board of Appeals member.

Supervisor Rose A. Sotak opened the meeting with the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS: None.

BIDS:

Bids were called for on Thursday, May 25, 2017 at 10:00 A.M. for North Loder Avenue Drainage Improvement, Phase 2, Town of Union CDBG-DR Program.

Bids were received as follows:

Vacri Construction Corporation	\$ 532,000.00	Base Bid
	\$ 185,000.00	Alternate #1
G. DeVincentis & Son Construction, Co., Inc.	\$ 560,000.00	Base Bid
	\$ 159,000.00	Alternate #1
ZMK Construction, Incorporated	\$ 666,000.00	Base Bid
	\$ 211,000.00	Alternate #1
DeNinis Construction Company, Inc.	\$1,468,650.00	Base Bid
	\$ 530,000.00	Alternate #1

Moved by Augostini, seconded by Bertoni to receive and file the bids for North Loder Avenue Drainage Improvement, Phase 2, Town of Union CDBG-DR Program.
Carried.



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Bids were called for on Thursday, May 31, 2017 at 10:00 A.M. for LaRue Avenue Sanitary Sewer Replacement – King Street to #417 LaRue Avenue.

Bids were received as follows:

G. DeVincentis & Son Construction Co., Inc.	\$ 74,400.00
DeNinis Construction Company, Inc.	\$ 93,903.00
Vacri Construction Corporation	\$ 100,000.00
ProCon Contracting	\$ 125,155.00

Moved by Augustini, seconded by Bertoni to receive and file the bids for LaRue Avenue Sanitary Sewer Replacement – King Street to #417 LaRue Avenue.
Carried.

APPROVAL OF MINUTES:

Moved by Augustini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, May 17, 2017.
Carried.

HEARING OF VISITORS:

Paul Gonzalez, 508 June Street, Endicott, spoke about the upcoming picnic to raise money for the Veterans Flight to Washington, DC. He said there are currently 59 veterans signed up for the flight.

Mitch Curatolo, 1010 Autumn Drive, Endwell, asked if the house at 1763 Union Center Maine Highway is abandoned and if the code department will look into it. He also complained about the garage sale signs on poles on Hooper Road.

Supervisor Rose A. Sotak asked Councilman Frank J. Bertoni to contact Deputy Commissioner of Public Works for Codes Daria Golazeski regarding this.

As no one else wished to speak, Supervisor Rose A. Sotak closed the first Hearing of Visitors.

COMMUNICATIONS FOR FILING:

Moved by Augustini, seconded by Bertoni to receive and file the following Communications:



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1. Short Environmental Assessment Form – CDBG-DR NY Rising Community Reconstruction Program – Town of Union Refuse Garage Relocation Project, Town of Union, New York.
2. Letter from Christopher Harasta, The Sierra Club member, thanking Louis Caforio, Commissioner of Public Works, Daniel Schofield, Deputy Commissioner of Public Works- Environmental Service and Town employees for their support in the cleanup of garbage near Argonne Park.
3. Minutes of a Work Session and Regular Meeting of the Johnson City Village Board held on May 2, 2017.
4. Public Notice - Combined Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds – Town of Union Refuse Garage Relocation from Lori A. Shirley, Certifying Officer, Governor's Office of Storm Recovery.
5. Letter from Pamela M. Eshbaugh, P.E., Regional Planning and Program Manager, New York State Department of Transportation regarding NY Route 26 Pavement Improvement Project (PIN904265/Contract D263603) Pennsylvania Line to NY Route 17C, Town of Vestal; Nanticoke Creek to NY Route 38B, Towns of Union and Maine, Broome County.
6. Letter from Terrance McSorley, 331 Doyleson Avenue, Endwell, to Supervisor Rose A. Sotak regarding the restrictions on portable basketball hoops on roadsides.
7. Letter from New York State Department of Taxation and Finance, Office of Real Property Tax Services, Albany, New York to Supervisor Rose A. Sotak regarding Notice of Tentative State Equalization Rate for the 2017 Assessment Roll.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the letter from Lawrence K. Marks, Chief Administrative Judge, State of New York unified Court System, to Supervisor Rose A. Sotak requesting a copy of the most recent audit or examination (calendar year ending 2016 or fiscal year ending in 2017) of the local court's records and a copy of the Board's Resolution acknowledging that the required examination or audit was conducted to Town Attorney Alan J. Pope, Comptroller Laura J. Lindsley and the Town Court.
Carried.
2. Moved by Augostini, seconded by Bertoni to refer the letter from James P. Dempsey, 148 Harrison St., Johnson City, to Supervisor Rose A. Sotak in reference to a tree that needs to come down on a Town of Union property at 147 Hudson St. to Town Attorney Alan J. Pope and Commissioner of Public Works Louis V. Caforio.
Carried.



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3. Moved by Augustini, seconded by Bertoni to approve the letter from Tom Carter, Director of The Seton Catholic Central Octoberfest 5k and 10k Road Races, requesting the use of Highland Park on October 7, 2017 from 7 A.M. to 12 P.M. and waive the fee for Pavilion #7 for set up and registration and refer it to Commissioner of Public Works Louis V. Caforio.
Carried.
4. Moved by Augustini, seconded by Bertoni to approve the request for a 30-Day Waiver and submitting the Standardized Notice Providing 30-Day Advanced Notice to a Local Municipality for an On-Premises Alcoholic Beverage License from Robert Larnerd, for Pub@North & Main, Inc., 2906 E. Main Street, Endwell and refer it to Town Attorney Alan J. Pope, Town Clerk Gail L. Springer and Deputy Commissioner of Public Works – Codes & Ordinances Daria Golazeski.
Carried.
5. Moved by Augustini, seconded by Bertoni to approve the email from Darryl Jenson, Director of Youth Operations, Boys and Girls Club of Western Broome Family Center requesting use of the Highland Park pool at no charge on Friday, July 14, 2017 due to George F. Johnson pool being closed for the Endicott Sertoma Swim meet and refer it to Commissioner of Public Works Louis V. Caforio.
Carried.
6. Moved by Augustini, seconded by Bertoni to refer the letters from students at Maine Endwell High School (Jahmal Auguste, Mark Ludington, Jack Goosman, Jacqueline Marcovici, Daniel Gell, Dillan Terry and Nicholas Rader) in reference to various concerns in the Town of Union to Commissioner of Public Works Louis V. Caforio.
Carried.
7. Moved by Augustini, seconded by Bertoni to refer the email from William Loller to Supervisor Rose A. Sotak, Commissioner of Public Works Louis Caforio and Councilman Robert Mack requesting trees made unstable and uprooted due to the Flood Mitigation Project behind Western Heights Boulevard be removed to Commissioner of Public Works Louis V. Caforio.
Carried.
8. Moved by Augustini, seconded by Bertoni to approve the email from Theresa Asfoury, teacher from Nathan T. Hall Elementary School, to Commissioner of Public Works Louis V. Caforio requesting the use of West Endicott Park and pavilion on Tuesday, June 20, 2017 (rain date June 21, 2017) from 11:00 A.M. to 1:00 P.M. for the second grade field trip and refer it to Commissioner of Public Works Louis V. Caforio.
Carried.
9. Moved by Augustini, seconded by Bertoni to approve the email from Barbara Smart, 1038 Briarwood Drive, Endwell, to Commissioner of Public Works Louis V. Caforio requesting permission to hold a Block Party on August 26, 2017 at their residence, blocking off the cul de



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sac on Briarwood Drive and refer it to Town Clerk Gail L. Springer and Highway Superintendent Chester Kupiec.
Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to approve the 2017 salary and wage rate schedule of exempt employees ranging from 1.50% to 4.00% increases retroactive to 1/1/2017 and adjust the part-time laborer class (non-seasonal) rate to \$9.25 per hour.)

Res. by Mack, seconded by Bertoni.

Vote: Yes

Augustini

Bertoni

Perfetti

Mack

Abstain

Sotak

The Resolution was adopted.

Moved by Augustini, seconded by Mack to approve the following 2017 Budget Transfers:

Decrease:	20 3620 2200 Office Equipment	\$ 1.00
Increase:	20 3620 4400 Software Maintenance	\$ 1.00
Decrease:	10 3510 4601 Travel & Expense	\$ 40.00
Increase:	10 3510 4403 Printing	\$ 40.00

Carried.

(Prepared Resolution filed as part of these minutes to approve the following Information Technology Policies as recommended or required by the New York State Technology Law Section 208 and New York State Office of the State Comptroller:

- Breach Notification Policy
- Personal, Private, and Sensitive Information (PPSI) Policy
- Password Policy
- Wireless Security Policy
- Mobile Computing and Storage Policy
- Online Banking Policy)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to approve and authorize Supervisor Rose A. Sotak to sign and execute the letter requesting reimbursement from the Community Development Block Grant Fund to the Town of Union General Fund of \$14,587 for services rendered by the Department of Audit and Control for the year ended 2016.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve and authorize Supervisor Rose A. Sotak to sign and execute the letter requesting reimbursement from the Community Development Block Grant Disaster Recovery Fund to the Town of Union General Fund of \$5,013 for services rendered by the Department of Audit and Control for the year ended 2016.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve and authorize Supervisor Rose A. Sotak to sign and execute the letter requesting reimbursement from the Housing Voucher Fund to the Town of Union General Fund of \$22,611 for services rendered by the Department of Audit and Control for the year ended 2016.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes calling for a Public Hearing for June 21, 2017 at 7 P.M. for consideration of adopting a Local Law establishing a CCA Program for aggregation of electric and/or natural gas supply to serve all eligible customers in the Town of Union who reside outside the limits of the Villages, but with the specific right of eligible customers to opt-out of the CCA Program within a specified period at no cost.)

Res. by Bertoni, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes calling for a Public Hearing for June 21, 2017 at 7:00 P.M. pursuant to Section 300-65.11 of the Zoning Code that the Town Board revoke by Local Law the rezoning of the properties to PUD and to rezone the properties back to Suburban Single Family for the following properties -The Pines at Stoney Creek PUD

1713 Farm to Market Road, Tax map # 125.08-7-9

1723 Farm to Market Road, Tax map # 108.04-1-7

1727 Farm to Market Road, Tax map # 109.03-1-4.)

Res. by Bertoni, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to award the Bid for North Loder Avenue Drainage Improvement, Phase 2, Town of Union CDBG-DR Program to Vacri Construction Corporation for their low bid price of \$532,000.00 - Base Bid, \$ 185,000.00 - Alternate #1 – total of \$717,000.00.)

Res. by Bertoni, seconded by Augustini.
The Resolution was adopted.

Vote: All yes.

(Prepared Resolution filed as part of these minutes to extend the agreement with Whitmore Fencing through June 16, 2017 and authorize Supervisor Rose A. Sotak to sign said extension for the Logan Field Ballfield Improvements for FFY2016 CDBG Program.)

Res. by Bertoni, seconded by Augustini.
The Resolution was adopted.

Vote: All yes.

Requests for proposals were received for the Grand Avenue – Interceptor B Combined Sanitary/Storm Separation Project, Village of Johnson City, Final Design Contract.

Proposals were received as follows:

Keystone Associates	\$ 29,910.00
Hulbert Engineering	\$ 32,560.00
Delta Engineers	\$ 51,115.00

(Prepared Resolution filed as part of these minutes to award the contract to Keystone Associates, Architects, Engineers and Surveyors, Binghamton, New York in an amount not to exceed \$29,910 and authorize Supervisor Rose A. Sotak to sign the agreement for the work. Funding is available in the CDBG-DR budget.)

Res. by Bertoni, seconded by Augustini.
The Resolution was adopted.

Vote: All yes.

(Prepared Resolution filed as part of these minutes to award the Bid for LaRue Avenue Sanitary Sewer Replacement – King Street to 417 LaRue Avenue to G. DeVincentis & Son Construction, Inc., Binghamton, for their low bid of \$74,400.00.)

Res. by Augustini, seconded by Mack.
The Resolution was adopted.

Vote: All yes.

(Prepared Resolution filed as part of these minutes requesting authorization for Supervisor Rose A. Sotak to sign the State and Facilities Program Application (SAM) regarding securing funds for a rubber tire roller, road widener and excavator.)

Res. by Augustini, seconded by Mack.
The Resolution was adopted.

Vote: All yes.



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(Prepared Resolution filed as part of these minutes declare miscellaneous Closed Caption TV equipment as surplus to be sold at auction at a date and time to be determined.

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the agreement with NYSDOT for energizing of highway lighting for state highway/arterial/interstate identified as NYS Route 26 from Riverview Road to NYS Route 17C (East Main Street) including Ramps, Town of Union, Broome County and to authorize Supervisor Rose A. Sotak to execute all such project related documents subject to review and approval of the Town Attorney.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the agreement with NYSDOT for energizing of highway lighting for state highway/arterial/interstate identified as NYS Route 201 and 991C from NYS Route 17 West Bound On/Off Ramp to Harry L. Drive, Town of Union, Broome County and to authorize Supervisor Rose A. Sotak to execute all such project related documents subject to review and approval of the Town Attorney.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Moved by Augustini, seconded by Mack to authorize the advertisement of bids for Paul Street, Schuyler Street to Cheryl Drive Street Reconstruction to be received at a time and date to be determined by the Commissioner of Public Works Louis V. Caforio.
Carried.

Moved by Augustini, seconded by Mack to approve the attendance of James Wallace at the Southern Tier Building Officials meeting on June 14, 2017 at the Dryden Fire Department in Dryden, New York. Authorization to include the use of a Town vehicle and registration fee of \$35.00. The training accounts for 7 hours of the required 24 hours of yearly training.
Carried.

HEARING OF VISITORS:

Paul Gonzalez, 508 June Street, Endicott, asked for an update on the old EJ building on N. Page Avenue.

Councilman Frank J. Bertoni spoke about the status of the building.



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Deputy Town Attorney Kurt D. Schrader spoke about the appeal that was granted to the owners.

Mitch Curatolo, 1010 Autumn Drive, Endwell, said he heard on the radio that the old EJ property would be sold at the Broome County Auction.

Councilman Frank J. Bertoni said he will speak with Broome County Executive Jason Garner about getting the grass cut and will ask about the signs posted about the Auction.

As no one else wished to speak, Supervisor Rose A. Sotak closed the second Hearing of Visitors.

DEPARTMENT REPORTS ON FILE IN THE TOWN CLERK'S OFFICE:

Moved by Augustini, seconded by Bertoni to receive and file the following Department Reports:

1. Town of Union Planning Department Minor Site Plan Review Decision – Cardinal Cove Bus Shelter, 397 Glendale Avenue, Endicott, Tax Map #156.33-1-44.
 2. Town of Union Planning Department Minor Site Plan Review Decision – NYSEG Gas Training Building, 1195 Reynolds Road, Johnson City, Tax Map #127.01-1-6.
 3. Town of Union Planning Department Minor Site Plan Review Decision – Kristofors Patio Shed Roof, 1224 Campville Road, Endicott, Tax Map #156.18-1-35.
 4. Zoning Board of Appeals Decision – 747 Partridge Place, Application No. 2017-001.
 5. Town of Union Planning Department Minor Site Plan Review Decision – Smile Designers Accessory Parking Lot, 947 Harvard Street, Endicott, Tax Map #140.20-7-16.
 6. Town of Union Planning Department Minor Site Plan Review Decision – Terenzi Body Shop Addition, 1461 Union Center-Maine Highway, Endicott, Tax Map #140.12-2-39.
 7. Comptroller's Monthly Report – April 2017.
 8. Permits Report – April 2017.
- Carried.



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Moved by Augustini, seconded by Bertoni to go into Executive Session to discuss litigation and a personnel issue at 7:30 P.M.

Carried

No action was taken in Executive Session.

Moved by Bertoni, seconded by Augustini to go out of Executive Session at 8:32 P.M.
Carried.

ADJOURNMENT:

Moved by Augustini, seconded by Bertoni to adjourn the meeting.

The meeting was adjourned at 8:33 P.M.

GLS/bk

Gail L. Springer, RMC
Town Clerk