



**Town Clerk**  
Leonard J. Perfetti

# Town of Union

**Town Board**  
Rose A. Sotak, *Supervisor*  
Thomas R. Augostini, *Councilman*  
Frank J. Bertoni, *Councilman*  
Robert Mack, *Councilman*  
John M. Bernardo, *Councilman*

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## TOWN OF UNION BOARD MEETING

December 20, 2017

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, December 20, 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 Robert Mack, Councilman John M. Bernardo.

TOWN OFFICIALS PRESENT: Town Attorney Alan J. Pope, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruczkowski.

Also in attendance was Ada Elwood, retired Planning Board member.

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

At this time, Councilman Robert Mack presented Ada Elwood a plaque for her 20 years of service to the Town as a Planning Board member.

Ada Elwood thanked the Board.

### PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, December 20, 2017 at 7:00 P.M. to consider input on the Town of Union ADA Transition Plan: Pedestrian Facilities in the Public Right-of-Way.

Pub. & Posted on December 15, 2017

As no one wished to speak, Supervisor Rose A. Sotak closed the Public Hearing.

BIDS: None.

### APPROVAL OF MINUTES:

Moved by Augostini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, December 6, 2017.

Carried.



# Town of Union

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## HEARING OF VISITORS:

Linda Jackson, 209 E. Franklin Street, Endicott, asked about changing the speed limit by the Charles F. Johnson School to a 15 mph school zone.

Supervisor Rose A. Sotak said this request was previously made and the Union-Endicott School District was against it.

Mitch Curatolo, 1010 Autumn Drive, Endwell, said he spoke to Legislator Jason Shaw and the Broome County Sheriff regarding the drug house problem in his neighborhood and asked what the Town is going to do about the problem.

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:

1. Letter from the Town of Vestal - Notice of Application Ground Water Withdrawal Well 4-4 SRBC Pending No. 2017-084.
2. Announcement/Invitation from Diane Donahue, Our Lady of Good Counsel & St. Ambrose Churches, Endicott, announcing an Open House for the Safe Harbour Satellite Office at St. Ambrose School, 212 Garfield Avenue, Endicott, on January 5, 2018 from 11:00 AM to 1:00 PM. Safe Harbour works to promote awareness and identification of youth trafficking and provides comprehensive services to potential victims of commercial sexual exploitation.
3. Notification Pursuant to Section 239-m review for a sign variance at 800 Valley Plaza Drive, Johnson City, NY 13790.
4. Charter Communications Notice – December 13, 2017.
5. Letter from Dr. David M. Chico, NYS Agriculture and Markets, regarding Municipal Shelter Report completed on 12/01/2017.
6. Letter from Betty J. Homa, Fire District Secretary, West Corners Fire District, reporting results of the Fire District Election held on December 12, 2017.
7. Letter from Cindy Kennerup, Johnson City Village Clerk, regarding Resolution 2017-196 adopted at a Regular Meeting of the Board of Trustees of the Village of Johnson City on November 21, 2017 regarding authorization of the settlement of the pending litigation matter, Town of Union et al vs Time Warner Cable Entertainment et al.



## Town of Union

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8. Letter from Erika Pereira, Administrative Assistant, Board of Fire Commissioners, Endwell Fire District, reporting results of the Fire District Election held on December 12, 2017.  
Carried.

### COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to refer the communication from Thomas H. Behan from the Broome County Personnel office about employee salary submission to the County to Comptroller Laura J. Lindsley.  
Carried.

2. Moved by Augustini, seconded by Bertoni to refer the New York State Department of Labor Notice of Violation and Order to Comply for inspection site – Union Town Highway Maintenance Garage, 3111 East Main Street, Endwell, New York to Town Attorney Alan J. Pope and Commissioner of Public Works Louis V. Caforio.  
Carried.

PETITIONS:           None.

### COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to establish the 2017 Town of Union standard workdays for elected officials (John M. Bernardo and Leonard J. Perfetti), and to report the days worked to the New York State and Local Employees Retirement System based on the record of activities maintained and submitted by the officials to the Town.)  
Res. by Augustini, seconded by Mack.

Vote: Yes

Augustini

Bertoni

Mack

Abstain

Bernardo

The Resolution was adopted.

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

Decrease:	10 7145 4459	Recreation Services	\$ 2,500.00
Increase:	10 7145 4159	Recreation Supplies	\$ 2,500.00
Decrease:	20 8160 4513	Tipping Fees	\$ 6,000.00
Increase:	20 8160 4111	Parts	\$ 6,000.00
Decrease:	10 7145 4459	Recreation Services	\$ 200.00
Increase:	10 7145 4101	Office Supplies	\$ 200.00

Carried.



## Town of Union

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(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to sign and execute the Fire Protection Agreement with the Union Center Fire Protection District #8 from January 1, 2018 to December 31, 2018 for \$387,639.00. The Town Attorney has approved the agreement.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes as required by Section 2019-a of the Uniform Justice Court Act, authorizing the approval and submission to the New York State Office of Court Administration Department of Audit and Control, the Annual Justice Court Audit prepared by the Town Deputy Comptroller.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the Total Administrative Services Corporation – FlexSystem FSA proposal and authorize Supervisor Rose A. Sotak to sign said contract for the period of February 1, 2018 through December 31, 2018 at the following rates:

Set-Up Fee (One time)

\$200.00

Administration Fee

\$ 4.00/participant, \$50.00 Minimum per month.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign the Excellus Proposal – Classic Blue (U65) for the contract period January 1, 2018 through December 31, 2018 at the following rates, subject to change during 2018:

Individual \$ 1,021.75/mo.

Family \$ 2,497.33/mo.

The Town Attorney has approved the contract.

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve and adopt the Town of Union Workplace Violence Prevention Program and Policy; and add said Policy to the Employee Handbook.)

Res. by Bertoni, seconded by Bernardo.

Vote: All yes.

The Resolution was adopted.



## Town of Union

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(Prepared Resolution filed as part of these minutes to approve the Federal Fiscal Year 2016 Consolidated Annual Performance and Evaluation Report (CAPER) and authorize the Supervisor and Planning Director to sign any and all documentation required for submission of the CAPER to HUD.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve Change Order #2 (Change Order #1 was an extension of time only) in the amount of \$144,989.69 to the contract with Vacri Construction for the N. Loder Ave CDBG-DR funded drainage improvement project. The new contract amount shall be \$861,989.69. It should be noted that approximately 72% of the change order were costs incurred for trucking unsuitable material for disposal (tipping fees at \$27/ton) at the Broome County landfill.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to declare the Town Board as Lead Agency under the State Environmental Quality Review Act (SEQRA) for the CDBG-DR funded West Creek Bank Stabilization project. The Town Board further classifies the CDBG-DR funded West Creek Bank Stabilization project as an Unlisted Action under SEQRA.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to authorize the provisional appointment of Mary Lou Fahs to the position of Section 8 Coordinator, at the rate established by the CSEA Contract. This is currently a part time position and this appointment shall become effective for the payroll period beginning December 23, 2017.)

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

Vote: All yes.

### HEARING OF VISITORS:

Paul Gonzalez, 508 June Street, Endicott, said he attended the Gault Chevrolet award ceremony and was pleased to say that Gault Chevrolet donated a large amount of money to the Honor Flight Association he is involved in.

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

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



## Town of Union

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1. Town Clerk Monthly Report - November 2017.
2. Town of Union Planning Board Minutes and Testimony – November 21, 2017.
3. Comptroller's Financial Report – November 30, 2017  
Carried.

At this time, the Town Board wished everyone a very Merry Christmas and a Happy New Year!

Moved by Augostini, seconded by Bertoni to go into Executive Session at 7:25 P.M. to discuss personnel.  
Carried.

No action was taken in Executive Session.

Moved by Augostini, seconded by Bertoni to go out of Executive Session at 8:05 P.M.  
Carried.

### ADJOURNMENT:

Moved by Augostini, seconded by Bertoni to adjourn the meeting.  
Carried.

The meeting was adjourned at 8:06 P.M.

LJP/bk

Leonard J. Perfetti,  
Town Clerk