



**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

September 5, 2018

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, September 5, 2018 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 Robert Mack, Councilman John M. Bernardo.  
Absent: Councilman Frank J. Bertoni

TOWN OFFICIALS PRESENT: Town Attorney Alan J. Pope, Deputy Town Clerk Rebecca Kruckowski, Deputy Town Clerk Karen Gance.  
Absent: Town Clerk Leonard J. Perfetti.

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

PUBLIC HEARINGS: None.

BIDS: None.

### APPROVAL OF MINUTES:

Moved by Augostini, seconded by Mack to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, August 8, 2018.  
Carried.

### HEARING OF VISITORS:

Roger Faling, 106 Bernetta Street, Endicott, complained again about the manhole covers that are too deep and a danger to motorcyclists. He said he hit one of the manholes with his motorcycle and bent the wheel.

Councilman Robert Mack said he spoke with Highway Superintendent Chester Kupiec the day after the last meeting regarding the issue.

Supervisor Rose A. Sotak said Councilmen Mack and Bernardo will follow up on this.



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Paul Gonzalez, 508 June Street, Endicott, spoke on behalf of Mitch Curatolo, a regular board meeting attendee, who is too sick to come to the meeting tonight. He said Mr. Curatolo has been asking for a long time to have Autumn Drive repaved. He asked when something would be done with it.

Councilman Robert Mack said he asked Commissioner of Public Works Louis V. Caforio to look at the street and to see when it was last done.

Erica Braun, 10 Delaware Avenue, Endicott, spoke about the area in front of her property that was left unfinished after the Town repaired a sewer issue two years ago. She said she spoke with Highway Superintendent Chester Kupiec regarding this, and was told it would be taken care of within two weeks. She further said she called Mr. Kupiec three weeks later to report that nothing has been done yet.

Councilman Robert Mack said he would follow up on this concern and explained that the rain has put the repair schedule behind.

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 Mack to receive and file the following Communications:

1. Petitions and Small Claims Petitions from June 10, 2018 to August 7, 2018 regarding reassessments filed with the Town Attorney, Town Clerk and Assessor.
2. Memo from Justin Puglisi, Broome County Soil and Water Conservation District, regarding the benefits of Hydroseeding and the availability of Hydroseeding through their Critical Area Seeding Program – Post Storm Damage.
3. Letter from Leslie Boulton, P.E., Broome County Commissioner of Public Works to Town Clerk Leonard J. Perfetti regarding Certificate of Road Closure – Day Hollow Road Closure, Town of Union, Broome County on Saturday, August 25, 2018 from 4:00 P.M. to approximately 9:30 P.M. for the West Corners Fire Department 100<sup>th</sup> Anniversary Celebration.
4. Letter from Christina Dutko, Deputy Commissioner and Karen Davis, Deputy Commissioner, Broome County Board of Elections, to Leonard J. Perfetti, Town Clerk, advising that the proposed charge backs in Broome County's 2019 - 2021 Election Budgets for the Town of Union is \$148,221.00, which the legislature will vote to adopt or amend the recommended budget in November 2018.



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5. Notices from Charter Communications with upcoming changes – August 15, 2018 & August 31, 2018.
6. Letter from Deputy Commissioner of Public Works – Codes & Ordinances Daria M. Golazeski to Leonard J. Perfetti, Town Clerk regarding 239nn referral for a Special Permit for Outdoor Display Area at 100 Oakdale Road, Johnson City.
7. Letter from Leslie Boulton, P.E., Broome County Commissioner of Public Works to Town Clerk Leonard J. Perfetti regarding Certificate of Road Closure – Twist Run Road (CR #76) Closure, Town of Union, Broome County on Thursday, August 30, 2018 from 7:00 A.M. to approximately 5:00 P.M. for the purpose of replacing a highway cross culvert.
8. Copy of Email from Sean W. Murphy, NYS Department of Transportation, to Lora Zier, Broome County Department of Planning and Economic Development, regarding the proposed amendments to Chapter 300-52.6 of the Town of Union Code.
9. Letter from Mary Lou Horn, 505 Patterson Court, Endwell, to Supervisor Rose A. Sotak thanking her and Commissioner of Public Works Louis V. Caforio for responding to her concern regarding a Visions Credit Union landscaping issue.
10. Resignation Memo from Melody Spring, Part Time Justice Court Clerk, effective September 6, 2018.
11. Memo from Joseph M. Moody, Town of Union Economic Development Director regarding the resignation of Local Development Corporation member Robert Corwin effective September 9, 2018 and the appointment of Timothy R. Strong in his place.  
Carried.

### COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the Notice of Foreclosure- Wells Fargo Bank, NA, Plaintiff, vs. Matilda C. Rogers, Defendant, 60 Allen St., Johnson City to Town Attorney Alan J. Pope, Comptroller Laura Lindsley and Planning Director Paul A. Nelson.  
Carried.
2. Moved by Augostini, seconded by Bertoni to approve the Email from Mark Goldman, Committee Member, The American Cruisers Car Club, to Supervisor Rose A. Sotak thanking the Town for their support of their Cars at Highland Park show held on June 9, 2018, and requesting use of the entire Highland Park facility on June 8, 2019 for next year's show; and refer it to Parks Manager Ray Vanderpoel.  
Carried.

PETITIONS:           None



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## COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes rescinding Resolution # 137 of 2018 and authorize Daniel Schofield to remain Deputy Commissioner of Public Works for Environmental Services at a salary of \$30,000; and further authorize such Town officials, as may be necessary, to take such additional and further action to implement this resolution.)

Res. by Bernardo, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing on September 19, 2018 at 7:00 P.M. regarding warrant for cash collection for the Curb & Gutter – Shamrock Drive –Yale Street to Country Club Road Project as follows:

#2833 Country Club Road

#2832 Yale Street

#2901 Country Club Road

#2900 Yale Street

Collection period to be 61 days – starting October 1, 2018 through and including November 30, 2018.)

Res. by Mack, seconded by Bernardo.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the agreement with FORTE for use of its credit card and e-check program in conjunction with the Town's new website for payments for Town services in the Clerk's Office, Comptroller Office and Parks Department; and authorize Comptroller Laura J. Lindsley to sign said agreement upon approval of the Town Attorney's review and issuance of a discontinuance or termination of the agreement with MuniciPAY. The fees pursuant to the FORTE agreement, which shall be paid or incurred by the payee, are summarized as follows:

Credit Card Fees are \$1.95 per transaction & the E-Check fee is a \$1.75 up to \$79.50. Fees over the \$79.50 will be charged 2.45%.

The allowed credit cards will be Visa, Mastercard, Discover & American Express.)

Res. by Mack, seconded by Bernardo.

Vote: All yes.

The Resolution was adopted.

Moved by Mack, seconded by Bernardo to approve the following 2018 Budget Transfers:

Decrease:	10 1620 4201	Telephone	\$ 4,000.00
Increase:	10 1620 2050	Capital Improvement	\$ 4,000.00
Decrease:	40 7110 2500	Other Equipment	\$ 4,200.00
Increase:	40 7110 4413	Bldg. Maintenance Service	\$ 4,200.00



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Decrease:	40 7110 2050	Capital Improvements	\$ 120,117.03
Increase:	40 7110 4624	Site Improvements	\$ 120,117.03

Carried.

(Prepared Resolution filed as part of these minutes to approve the following 2018 Budget Modification:

Increase:	40 2680 0000	Insurance Recoveries	\$ 1,790.13
Increase:	40 7110 4401	Equip. Maintenance	\$ 1,790.13.)
Res. by Mack, seconded by Bernardo.			Vote: All yes.

The Resolution was adopted.

Requests for Surplus Property Proposal for the sale of 1006 Taft Avenue, Endicott, New York were called for on August 15, 2018 at 12:01 P.M.

A single proposal was received as follows:

Michael Maione	\$4501.00
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(Prepared Resolution filed as part of these minutes to accept and approve the sale of surplus land at 1006 Taft Avenue, Endicott, New York to Michael Maione for his bid price of \$4501.00, subject to a permissive referendum.)

Res. by Mack, seconded by Bernardo.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing to be held on September 19, 2018 at 7:00 P.M. regarding the proposed Code Changes for Chapter 300, Section 52, entitled Sign Regulations and Article 70 Definitions and to refer the same to the Code Enforcement Office to make the necessary referrals to the Broome County Planning Department pursuant to General Municipal Law 239 l and m and to the Planning Board for an advisory opinion.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minute to approve the agreement with CNY Appraisers in the amount of \$22,000 to appraise 201 Glendale Drive & 2001 Perimeter Drive (Former IBM facility) and for Assessor Joseph Cook to execute the said agreement.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution authorizing Supervisor Rose A. Sotak to sign the Service Contract Agreement with EBE Officesource for the maintenance of the Sharp MXC311 copier at HLA at Highland Park, retroactive to June 1, 2018. The contract date is for June 1, 2018 to June 1, 2019. )

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes approving the purchase of two (2) 2018 Chevrolet Silverado 3500 HD trucks. Vehicle one is a 2018 Chevrolet Silverado 3500 HD 4WD regular cab with dump box for \$58,712.03. Vehicle two is a 2018 Chevrolet Silverado 3500 HD 4WD crew cab pickup for \$34,243.75. Total vehicles cost will be \$92,955.78. The funds will come out of the Capital Budget line item.)

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

Vote: All yes

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to execute the required Civil Rights certification in the format proscribed by HUD and any other documentation to be submitted under the Small Public Housing Authorities Paperwork Reduction Act for submission to HUD.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to execute the contract extensions through October 26, 2018 for the following CDBG funded street reconstruction projects:

Torto Construction – W. Edward Street – Exchange Avenue to High Avenue, Endicott  
Vacri Construction – Grand Avenue – Cook Street to Helen Street, Johnson City  
G. DeVincentis – Farr Avenue – Grand Avenue to Floral Avenue, Johnson City.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes approving Change Order #1 for the CDBG funded Farr Avenue Street Reconstruction project in the amount of \$18,116.17. The new contract with G. DeVincentis & Son Construction amount will increase to \$361,016.17. This amendment was necessitated due to extra work to address unforeseen utility conflicts at the intersection of Farr Avenue and Floral Avenue, NYS contract cost adjustment index for asphalt, and increases of line item quantities required to complete the work.)

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

Vote: All yes.



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Requests for Proposals for Barton Avenue Levee Extension Design were called for on Friday, August 10, 2018 at 3:00 P.M.

Proposals were received from the following:

Techtonic  
GEI Consultants, Inc.  
Griffiths Engineering, LLC  
O'Brien & Gere Engineers, Inc.  
Keystone Associates

The proposals were reviewed and independently ranked by Commissioner of Public Works Louis V. Caforio, Community Development Coordinator Sara Zubalsky-Peer and Planning Director Paul A. Nelson. With a median score of 91, Griffiths Engineering was ranked highest among the five firms and also submitted the lowest base cost proposal for the work. This base cost does not include inspection services which, if determined to be necessary by the Commissioner of Public Works after review of the proposed design, will be negotiated and performed under a separate contract with rates not to exceed \$100.00 per hour. The number of inspection hours will be determined by the Commissioner of Public Works.

(Prepared Resolution filed as part of these minutes to award the contract for the design of the Barton Avenue Levee Extension project to Griffiths Engineering, LLC, 13 South Washington Street, Binghamton, in the amount of their base bid price of \$46,657.90.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the Supervisor to execute all documentation required for the submission of the Federal Emergency Management Agency 2018 Community Rating System program including the CC-230 Verification Form (FEMA Form 086-0-35A).)

Res. by Augustini, seconded by Mack.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to execute the contract extension through November 9, 2018 for the following CDBG-DR funded project due to delays caused by unforeseen utility conflict issue with NYSEG:

Vacri Construction – Grand Avenue/Interceptor B Storm/Sanitary Separation project.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.



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## HEARING OF VISITORS:

Carol Laskoski, 37 Edward Street, Johnson City, asked for clarification on some resolutions from this evening.

Councilman John M. Bernardo explained the resolution regarding the credit card process.

Councilman Thomas R. Augostini explained the resolution regarding Deputy Commissioner of Public Works – Environmental Services Daniel Schofield.

Councilman Robert Mack explained the resolution regarding the Public Hearing for the code changes for signs.

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 Augostini, seconded by Mack to receive and file the following Department Reports:

1. Comptrollers Monthly Report – July 31, 2018.
2. Town of Union Planning Department Decision – Verizon – Endwell Telecommunications Facility – Minor Site Plan Approval, 627 Scarborough Drive, Tax Map # 157.08-9-13.
3. Building Permits Report – July 2018.  
Carried.

## ADJOURNMENT:

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

The meeting was adjourned at 7:43 P.M.

RMK/kg

Rebecca M. Kruckowski,  
Deputy Town Clerk