



Town Clerk
Leonard J. Perfetti

Town of Union

Town Board
Richard A. Materese, *Supervisor*
Thomas R. Augostini, *Councilman*
Frank J. Bertoni, *Councilman*
Sandra C. Bauman, *Councilwoman*
Heather R. Staley, *Councilwoman*

AGENDA

TOWN OF UNION BOARD MEETING

August 5, 2020

SALUTE TO THE FLAG:

PUBLIC HEARINGS:

A Public Hearing was called for on July 22, 2020 to solicit public input on the Substantial Amendment to the CDBG FFY 2019 Annual Action Plan for the proposed use of CDBG-CV funds made available through the CARES Act for Wednesday August 5, 2020 at 7:00 PM.

The Public Hearing will also be made available via Zoom.

NOTICE OF PUBLIC HEARING AND INVITATION TO COMMENT ON THE TOWN OF UNION PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT-COVID (CDBG-CV) SUBSTANTIAL AMENDMENT TO THE FFY 2019 CDBG ANNUAL ACTION PLAN

In response to the COVID-19 pandemic, the U.S. Department of Housing and Urban Development has notified the Town of Union that it will receive an allocation of \$753,358 in CDBG-CV funds to be used to prevent, prepare for, and respond to COVID-19. This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed into law on March 27, 2020.

The Town of Union invites the public to review and comment on a proposed Substantial Amendment to the FFY 2019 Annual Action Plan for the CDBG program. The Substantial Amendment is to make available CDBG-CV funding under the CARES Act to prevent, prepare for, and respond the pandemic.

In accordance with federal regulations governing the use of CDBG funds, public input is being solicited, ending on August 5th, 2020. The draft Substantial Amendment is available for review and may be downloaded from the following web address: <https://townofunion.com/departments/community-development.html>

Funds for new activities will be allocated as follows:

CDBG-CV Administration & Project Delivery Costs: \$88,358.00

COVID-19 Emergency Rent & Utility Assistance: \$225,000.00

COVID-19 Emergency Mortgage & Utility Assistance: \$225,000.00

COVID-19 Emergency Assistance to Non-Profits: \$90,000.00

COVID-19 Economic Development Assistance: \$125,000.00

PLEASE TAKE NOTICE that in accordance with an Emergency Order of the Governor of the State of New York, notice is hereby given that a public hearing is scheduled for **Wednesday, August 5, 2020** at 7:00 o'clock or thereafter in the evening. In person attendance shall NOT exceed 50% capacity of the



Town of Union

Town Hall Board Room, less Town Board Members and Town Employees. It is anticipated that the maximum number of the public who can be in attendance at Town Hall for this Town Board meeting and public hearing will be 17 persons. All persons in attendance MUST wear a face covering to include their mouth and nose region, they MUST hand sanitize upon entry of the meeting at the hand sanitize stations provided by the Town, they MUST adhere to social distancing guidelines and remain six (6) feet apart at all times. Alternatively, or in the event that in person public attendance has met the maximum capacity, the public hearing will be accessible to the public via Zoom virtual meeting software. Any members of the public wishing to observe the meeting remotely are advised to access the meeting via Zoom Video Conference:

Meeting Link: <https://us02web.zoom.us/j/89565296864>

Meeting ID: 895 6529 6864

Dial in phone number: One tap mobile

+19292056099,,89565296864# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 895 6529 6864

Find your local number: <https://us02web.zoom.us/u/ksboFUoKy>

The public hearing will be held to solicit comments on the proposed FFY 2019 Action Plan proposed Substantial Amendment.

Interested citizens or organizations should address comments about the proposed amendment in writing to: Town of Union Department of Planning, Town Hall, 3111 East Main Street, Endwell, New York 13760. Comments may also be sent by the deadline via electronic mail to szubalsky@townofunion.com. All comments must be received by Wednesday August 5th, 2020.

All public comments will be considered before this amendment to the FFY 2019 CDBG Annual Action Plan and budget are implemented, subject to Town Board approval. The Town Board will consider the proposed amendment at its regular meeting on Wednesday, August 5th, 2020.

Hearing or speech impaired persons should call the Town's TDD number at 786-2915. If you require special accommodations to participate in the public hearing please contact the Town of Union at (607) 786-2985 at least 24 hours prior to the public hearing.

**Sara Zubalsky-Peer
Planning Director**



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BIDS:

APPROVAL OF MINUTES:

Motion to approve the Minutes of the Regular Town of Union Board Meeting held on Wednesday, July 8, 2020 and the Special Board Meeting on July 22, 2020.

HEARING OF VISITORS:

COMMUNICATIONS FOR FILING:

1. Copy of Letter from Pamela Gendron, P.E., Traffic Operations Engineer, New York State Department of Transportation, to Jason Miller, JLB Enterprises, 129 State Route 38B, Endicott, New York regarding Access Highway Request NYS Route 17C, Tioga County and Access Highway Request, NYS Route 26, Broome County.
2. Charter Communications Notices of upcoming changes – July 11, 13 & 31, 2020.
3. Notice from the William G. Pomeroy Foundation announcing the third round of Pomeroy Fund for the NYS History Grant.
4. Court of Appeals case John Cadone & Sarah Cadone vs County of Broome. Binghamton University Foundation, Village of Johnson City, New York. U.S. National Register of Historic Places.

COMMUNICATIONS FOR ACTION:

1. Email from Tom Carter requesting a permit to host the 2020 Seton Catholic Octoberfest road races at Highland Park on Saturday, October 10, 2020 from 9:00 a.m. until noon, and the use of Pavilion #7.
2. Email form Michelle Beatty, Park Manor Homeowners Association requesting to hold their annual block party on Saturday August 22, 2020 with permission to block off Parkwood Drive from 4:00 P.M. – 8:00 P.M. with barricades provided by the Town, and for the Town to notify all emergency agencies.
3. Email from Steven A. DiStefano, 2744 Magnolia Drive, Endwell, requesting a three way stop sign at the intersection of Magnolia Drive and Harper Drive, Endwell, due to the high rate of speed of vehicles and the number of children at play in the area. Five other neighbors have also supported this request.



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4. Notice of Petition, Kenn-Schl, LLC d/b/a American Homes vs. Tracy Wolf, Michael Wolf, Arrow Financial Services, Our Lady of Lourdes Memorial Hospital Wilmington Savings Fund Society, Town of Union and the Broome County Sheriff.
5. Email from Sharon Miller requesting the closure of Wilma Street, Endicott from Airey Avenue to Grippen Avenue for a "Dancin' in the Street" Party on August 15, 2020 6:00 P.M. – 9:30 P.M.
6. Email from J. Wayne Marble, Licensing Consultant for The Brickyard Endwell, LLC asking for a waiver of the 30-day notice liquor license requirement.
7. Notice of Foreclosure – 1804 Union Center Maine Highway, Endicott, New York - Connie L. Baker-Webster, Robert E. Baker, Jr.
8. Email request from Roxanne Eggleston to use of either 17C Sports Park or Glendale Park as a final destination for a Pro Police Drive on August 16, 2020, that will start in Binghamton at 2:00 P.M., travel down Main Street through Binghamton, Johnson City, Endwell and Endicott.

PETITIONS:

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

THE FOLLOWING COMMITTEE ITEMS REFERENCE A MOTION OR RESOLUTION AND ARE SIMPLY POTENTIAL ITEMS AFTER DUE CONSIDERATION:

SAFETY/ LAWS & LEGISLATION/INTERGOVERNMENTAL COMMITTEE

Frank J. Bertoni, Chairperson
Sandra C. Bauman
Heather R. Staley

Resolution of opposition to the proposed SungEel Lithium-ion Battery Recycling Facility project located in the Village of Endicott and a formal request to the Village of Endicott Board to take into consideration various facts and issues of impact on the Town of Union residents related to said proposed project.

Resolution to formally request the Village of Endicott Board to take into consideration various facts and issues of impact on the Town of Union residents related to the proposed SungEel Lithium-ion Battery Recycling Facility project proposed to be located in the Village of Endicott.



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Resolution to approve the COVID 19 Exposure Policy for the Town of Union and to authorize the immediate implementation of the same.

Resolution calling for a public hearing on September 2, 2020 to extend the wind energy moratorium for an additional six (6) months.

FINANCE/CAPITAL PROJECTS & PUBLIC WORKS COMMITTEE

Heather R. Staley, Chairperson
Thomas R. Augostini
Frank J. Bertoni

Resolution to add New York Cooperative Liquid Assets Securities System (NYCLASS) as an official depository for the Town of Union.

Resolution due to the decrease in sales tax revenue as a result of COVID-19, \$459,116.99 of the 2nd quarter sales tax revenue transfer to highway. Budget reductions in highway reduced the need for 38% of the sales tax revenue.

Motion to approve the following 2020 budget transfers – 6/30/20 Budget Reconciliations

			Increase (Decrease)
10 1110	1010	Salary Base	(7,415.10)
10 1110	1010E	Salary Excused	8,915.10
10 1110	1030	Temporary	(2,526.61)
10 1110	1030E	Temporary Excused	1,026.61
10 1110	4400	Software Maintenance	(100.00)
10 1110	4418	Over Short	100.00
10 1220	1010	Salary Base	(9,067.85)
10 1220	1030	Temporary	8,365.85
10 1220	1030E	Temporary Excused	702.00
10 1220	4101	Office Supplies	(0.33)
10 1220	4516	Inter-net Services	0.33
10 1315	4101	Office Supplies	(0.33)
10 1315	4516	Inter-net Services	0.33
10 1315	4605	Dues & Memberships	10.00
10 1315	4620	Education	(10.00)



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10 1410	1010	Salary Base	(6,669.24)
10 1410	1010E	Salary Excused	6,669.24
10 1410	1030	Temporary	(593.80)
10 1410	1030E	Temporary Excused	593.80
10 1420	4512	Professional Services	(17,500.00)
10 1430	4631	Pre-employment Checks/Testing	(7,164.00)
10 1620	4201	Telephone	(160.00)
10 1620	4225	Cell Telephones	160.00
10 1680	2500	Other Equipment	(4,278.43)
10 1680	4400	Software Maintenance	4,278.43
10 1910	4301	Property Insurance	250.00
10 1910	4305	Automobile Insurance	120.00
10 1910	4309	Miscellaneous Insurance	(370.00)
10 1989	4000	Miscellaneous Bonding Expense	17,500.00
10 1989	4512	Consultant	8,700.00
10 1989	4516	Inter-net Services	150.00
10 1989	4605	Dues & Memberships	(150.00)
10 3510	4101	Office Supplies	(0.33)
10 3510	4225	Cell Telephones	40.00
10 3510	4401	Equipment Maintenance	(40.00)
10 3510	4516	Inter-net Services	0.33
10 5182	4202	Electricity	(59,000.00)
10 5182	4401	Equipment Maintenance	(14,181.22)
10 7145	1030	Temporary	5,328.02
10 7145	1030E	Temporary Excused	1,881.41
10 7145	1036	Seasonal - Winter	(1,228.94)
10 7145	1039	Seasonal - Other	(5,980.49)
10 7145	4100	Misc. Operational Supplies	(1,702.83)
10 7145	4516	Inter-net Services	1,702.83
10 9030	8008	Social Security	(7,000.00)
10 9040	8003	Workers Compensation Insurance	(1,536.00)
10 9060	8004	Health Insurance	(20,000.00)
10 9050	8009	Unemployment Insurance	27,000.00
10 9780	6200	Principal	82,660.55
10 9780	7200	Interest - Other	(9,479.33)
20 1490	1010	Salary Base	120.00
20 1490	1080	Compensated Absences	(120.00)
20 1490	4104	Books, Periodicals & Subscript	(71.28)
20 1490	4516	Inter-net Services	0.33
20 1490	4603	Legal Notices	70.95
20 1620	4203	Water	1,500.00
20 1620	4205	Gas	9,000.00



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20 1620	4401	Equipment Maintenance	(2,000.00)
20 1620	4413	Building Maintenance & Service	3,000.00
20 1620	4423	Property Repairs	(15,200.00)
20 1910	4301	Property Insurance	2,200.00
20 1910	4302	Liability Insurance	6,200.00
20 1910	4305	Automobile Insurance	(5,500.00)
20 1910	4306	Public Officials Insurance	800.00
20 1989	4000	Miscellaneous Bonding Expense	540.00
20 1989	4201	Cellular Telephones	900.00
20 1989	4412	Copier	850.00
20 1989	4512	Consultant	(1,750.34)
20 1989	4516	Inter-net Services	0.34
20 3620	1010	Salary Base	(267.15)
20 3620	1030E	Temporary Excused	267.15
20 3620	2200	Office Equipment	(450.00)
20 3620	4225	Cell Telephones	450.00
20 5010	2100	Office Furniture	99.99
20 5010	2200	Office Equipment	(81.00)
20 5010	4000	Miscellaneous Bonding Expense	(1,791.96)
20 5010	4101	Office Supplies	(99.99)
20 5010	4516	Cable/Inter-net Services	391.00
20 5010	4601	Travel & Expense Reimbursement	(310.00)
20 8010	4099	Temporary - Non-payroll	(795.00)
20 8010	4601	Travel & Expense Reimbursement	795.00
20 8020	4515	Legal Expense	100.00
20 8020	4603	Legal Notices	(100.00)
20 8021	1010	Salary Base	9,627.64
20 8021	1030	Temporary	(9,989.00)
20 8021	1030E	Temporary Excused	361.36
20 8120	1040	Overtime	19,000.00
20 8120	2050	Capital Improvements	(19,000.00)
20 8120	2500	Other Equipment	(2,534.44)
20 8120	4000	Miscellaneous Bonding Expense	2,534.44
20 8120	4101	Office Supplies	(0.33)
20 8120	4401	Equipment Maintenance	(320.00)
20 8120	4416	Uniforms	320.00
20 8120	4516	Inter-net Services	0.33
20 8160	1020	Hourly Base	(14,000.00)
20 8160	1040	Overtime	14,000.00
20 8160	4000	Miscellaneous Bonding Expense	1,251.96
20 9030	8008	Social Security	(18,000.00)
20 9040	8003	Workers Compensation Insurance	2,000.00



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20 9050	8009	Unemployment Insurance	18,000.00
20 9055	8006	Disability Insurance	20.00
20 9060	8004	Health Insurance	(2,020.00)
31 5110	1090	Health Insurance Buy Out	1,500.00
31 5130	4111	Parts	(3,200.00)
31 5130	4400	Software Maintenance	3,200.00
31 5142	4128	De-Icing Solution	(12,000.00)
31 5142	4129	Rock Salt	12,000.00
31 9030	8008	Social Security	(4,000.00)
31 9050	8009	Unemployment Insurance	4,000.00
31 9060	8004	Health Insurance	(1,500.00)
40 7110	1010	Salary Base	(13.57)
40 7110	1020	Hourly Base	(371.75)
40 7110	1030E	Temporary Excused	385.32
40 7110	4011	OSHA	83.12
40 7110	4101	Office Supplies	(0.33)
40 7110	4110	Small Tools & Implements	(83.12)
40 7110	4201	Telephone	109.79
40 7110	4202	Electricity	(109.79)
40 7110	4301	Property Insurance	320.00
40 7110	4302	Liability Insurance	117.00
40 7110	4303	Equipment Insurance	181.00
40 7110	4305	Automobile Insurance	(350.00)
40 7110	4306	Public Officials Insurance	(200.00)
40 7110	4309	Miscellaneous Insurance	1,291.00
40 7110	4401	Equipment Maintenance	(1,359.00)
40 7110	4512	Professional Services	(1,710.00)
40 7110	4516	Inter-net Services	1,710.33
40 9030	8008	Social Security	(8,655.00)
40 9050	8009	Unemployment Insurance	8,500.00
40 9055	8006	Disability Insurance	155.00

Resolution to approve the following 2020 year end Budget Modification:

Decrease:	20 1120 0000	Sales Tax Revenue	\$ 1,501,400.00
Decrease:	20 9901 9000	Pro-rata Sales Tax	\$ 1,501,400.00
Decrease:	31 5031 0000	Inter-fund Transfers	\$ 1,501,400.00
Decrease:	31 5110 4999	Board Imposed Exp. Reduction	\$ 1,476,400.00
Decrease:	31 5130 4999	Board Imposed Exp. Reduction	\$ 25,000.00



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Resolution to transfer the following fees from the Broome County Sewer Agreement to the Part Town Capital Infrastructure Reserve:

2019 Fees	\$10,462.20
2020 Fees	\$10,651.56

Resolution to approve the following 2020 year end budget modification.

Increase:	20 3389 0000	State Aid Safety	\$ 12,943.44
Increase:	20 4510 0000	Federal Aid Safety	\$ 32,311.86
Increase:	20 3310 2050	Capital	\$ 45,255.30

Resolution to approve the following 2020 budget modification.

Increase:	40 2680 0000	Insurance Recoveries	\$ 2,479.60
Increase:	40 7110 4111	Parts	\$ 2,479.60

**EMPLOYEES/
PARKS, RECREATION & ENVIRONMENTAL COMMITTEE**

Sandra C. Bauman, Chairperson
Heather R. Staley
Thomas R. Augostini
Frank J. Bertoni

PLANNING, ZONING & ECONOMIC DEVELOPMENT COMMITTEE

Thomas R. Augostini, Chairperson
Frank J. Bertoni
Sandra C. Bauman

Resolution The substantial amendment to the FFY 2019 CDBG Annual Action Plan includes \$125,000.00 of CDBG-CV funds provided through the CARES Act to Emergency Economic Development Assistance to businesses. Approval is requested to allocate those funds to the LDC Board to administer programming that prevents, prepares for, or responds to COVID-19.

Resolution to approve the Substantial Amendment to the CDBG FFY 2019 Annual Action Plan to allocate the CDBG-CV funds provided through the CARES Act to projects that prevent, prepare for, and respond to the COVID-19 pandemic. The required public notice was published in the Press & Sun Bulletin on July 30th, 2020 and posted on the town webpage on



Town of Union

July 28th, 2020. No comments were received at the date of this memo. The comment period ends on August 5th, 2020.

Resolution to approve a request from ACHIEVE to use \$2,000.00 in FFY 2019 CDBG funding originally allocated to salaries for camp counselors for an in-person summer program to provide salaries for staff who provided virtual services to low-income Town of Union families. Virtual services were provided because the in-person summer program was cancelled due to COVID-19.

Resolution to call for a Public Hearing to be held on September 2, 2020, to consider input concerning:

1. The addition of 12 Beech Street (#142.07-1-6.2) into the PUD, as it should have originally been included;
2. Consideration of a new Planned Unit Development (PUD) incorporating the above referenced parcel into the previously approved PUD Development Plan for the Homestead Village Planned Unit Development. The new PUD is proposed for the following mixed uses: a townhouse residential development, hotel and conference center including a golf course, office use, and an engineering office use with accessory light assembly.

Resolution authorizing the Planning Director, Supervisor, and Deputy Supervisor to complete all documentation for Change Order 1 for the Grand Avenue Phase 3 street reconstruction contract with Chicago Construction approving an additional \$60,215.60 for additional fill material for a total contract cost of \$317,215.60. Change Order 1 will be paid from Johnson City's FFY 2020 CDBG allocation.

HEARING OF VISITORS:

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

1. Comptroller Monthly Report - June 2020
2. Town Clerks Monthly Report - June 2020.
3. Town of Union Planning Board Decision - Site Plan Review Approval – Steve Grant, Grant's Autohouse, LLC 1606 Union Center – Maine Highway Tax Map # 125.17-1-16.1.
4. Town of Union Planning Board Decision – Special Use Permit Approval - Floodplain Development – Steve Grant, Grant's Autohouse, 1606 Union Center – Maine Highway Tax Map # 125.17-1-16.1.



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5. Town of Union Planning Board Decision - Special Use Permit Approval - Auto Sales – Steve Grant, Grant’s Autohouse, LLC 1606 Union Center – Maine Highway Tax Map # 125.17-1-16.1.
6. Town of Union Planning Board Decision- Special Use Permit Approval – Auto Repair – Steve Grant – Grant’s Autohouse, LLC 1606 Union Center – Maine Highway Tax Map # 125.17-1-16.1.
7. Town of Union Planning Board Decision – Special Use Permit Approval –Floodplain Development – Fairmont Park Water Infrastructure Improvements.
8. Town of Union Planning Board Decision – Special Use Permit Approval – Outdoor Entertainment - Bob Kashou Enterprises, Inc. Greater Binghamton Sports Dome 1500 County Airport Road, Binghamton Tax Map # 110.04-1-37.2.
9. Monthly Permits Report - June 2020.
10. Town of Union Planning Department Decision - Site Plan Approval – AT&T Mobility Telecommunications Facility, 1190 Robinson Hill Road, Johnson City - Tax Map # 126.04-1-5.
11. Town of Union Planning Department Decision - Minor Site Plan Approval – Simulation and Control Technologies, Inc. 430 Airport Road, Tax Map # 172.01-1-18.

ADJOURNMENT:

Leonard J. Perfetti
Town Clerk

LJP/bk