



Town Clerk
Gail L. Springer, RMC

Town of Union

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

AGENDA

TOWN OF UNION BOARD MEETING

March 1, 2017

SALUTE TO THE FLAG:

PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, March 1, 2017 at 7:30 P.M. to consider amending Chapter 88 – Unsafe Buildings and Chapter 155 – Property Maintenance.
Pub. & Posted 2/24/17.

Resolution to declare the local law amending Sections 60.6.1, 60.7 and 69.3 of Chapter 300 of the Town of Union Code of Ordinances, an Unlisted Action under SEQRA; and to make a Negative Declaration under SEQRA, per evaluation of submitted short Environmental Assessment Form, Broome County's 239-Review recommendation, and the Planning Board's Advisory Opinion.

A Public Hearing was called for on Wednesday, March 1, 2017 at 7:30 P.M. to solicit public input to amend Sections 60.6.1, 60.7 and 69.3 of Chapter 300 of the Town Code of Ordinances.
Pub. & Posted 2/23/17.

BIDS:

Bids were called for on Wednesday, February 15, 2017 at 10:00 A.M. for Town of Union Street Lighting Replacement Project.

Bids were received as follows:

| | |
|--------------------------------------|----------------|
| Diekow Electric, Inc. | \$3,227,500.00 |
| Power Line Constructors, Inc. | \$3,475,185.00 |
| NELCORP Electrical Contracting Corp. | \$3,540,375.00 |
| Stilsing Electric, Inc. | \$4,308,974.00 |
| Binghamton Road Electric, LLC | \$5,079,166.00 |

Motion to receive and file the Bids for Town of Union Street Lighting Replacement Project.



Town of Union

Bids were called for on Wednesday, February 22, 2017 at 10:00 A.M. for Logan Field Improvements, 900 Watson Boulevard, Village of Endicott, New York, Town of Union CDBG Program.

Bids were received as follows:

| | |
|---|--------------|
| Whitmore Fence Company | \$ 38,729.00 |
| Budget Fence Inc. | \$ 46,420.00 |
| New York State Fence, Inc. | \$ 47,314.00 |
| Reliance Fence Company, Inc. | \$ 54,900.00 |
| Nelson & Streeter Construction Co. Inc. | \$115,318.00 |

Motion to receive and file the Bids for Logan Field Improvements, 900 Watson Boulevard, Village of Endicott, New York, Town of Union CDBG Program.

APPROVAL OF MINUTES:

Motion to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, February 15, 2017 and the Work Session held on Friday, February 17, 2017.

HEARING OF VISITORS:

COMMUNICATIONS FOR FILING:

1. Letter from Chester Socha, Jr., Johnson City, to Chet Kupiec, Highway Superintendent, thanking him for a job well done in removing tree branches from Kot Road after a recent storm.
2. Email from Adrian Arnold, Newell Rd., Endicott, commenting how pleased she was to see the Town street sweeper come by.
3. Letter from Frank Evangelisti, Director, Broome County Department of Planning and Economic Development, regarding Review Pursuant to 239-l and -m of the General Municipal Law – Project: Zoning Text to amend Sections 60.6.1, 60.7 and 69.3 of Chapter 300 of the Town Code of Ordinances and the recommendation from the Town of Union Planning Board.
4. Minutes of the Regular Meeting and Work Session of the Board of Trustees of the Village of Johnson City held on February 7, 2017.

COMMUNICATIONS FOR ACTION:



Town of Union

1. Letter from Thomas D. Seaman, Lippman O'Connor, Staff Counsel Office of Selective Insurance Company of American to Supervisor Rose A. Sotak in reference to claimant – Antonio Lambiase for an accident on 7/21/2016.
2. Notice of Decision & Order – Town of Union and Village of Johnson City, vs. Time Warner Entertainment – Advance/Newhouse Partnership d/b/a Time Warner Cable.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

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

EMPLOYEES/SAFETY COMMITTEE

Robert Mack, Chairperson
Frank J. Bertoni

Resolution to accept and place on file at the Clerk's Office the Executive Summary Report of Investigation of Supervisor Rose A. Sotak dated February 7, 2017 prepared by Special Counsel Paul J. Sweeney.

Resolution to self-report and to forward to the Town's insurance carrier the Executive Summary Report of Investigation of Supervisor Rose A. Sotak dated February 7, 2017 prepared by Special Counsel Paul J. Sweeney.

Resolution to confirm the prior confidential memo to department heads and to continue with the directive that department heads will have a Council Member, or a Council Member's designee, present for any meetings the department heads may have with Supervisor Rose A. Sotak.

Resolution to approve the retention of the law firm of Coughlin & Gerhart, LLP (Paul J. Sweeney, Esq.) as separate legal counsel to perform legal research and to report on the legal issues involved in a potential proceeding to remove Supervisor Rose A. Sotak as the Supervisor of the Town of Union pursuant to Public Officers Law section 36, and for Town Attorney Alan J. Pope to execute said retainer agreement.



Town of Union

FINANCE/CAPITAL PROJECTS COMMITTEE

Thomas R. Augustini, Chairperson
Robert Mack

Motion to approve the following 2017 Budget Transfers:

| | | | |
|-----------|--------------|--|-------------|
| Decrease: | 31 5142 4128 | Calcium Chloride | \$12,000.00 |
| Increase: | 31 5142 4129 | Rock Salt | \$12,000.00 |
| Decrease: | 10 1990 4611 | Miscellaneous Contingency | \$ 3,936.00 |
| Increase: | 10 8745 4512 | Flood & Erosion Control Prof. Services | \$ 3,936.00 |

Resolution to approve the following alternate signatures to the Town of Union checking accounts at JPMorgan Chase Bank, Key Bank, and M&T Bank and approve the digitalization of such through Broome-Tioga BOCES at the cost of \$450.00.

Leonard J. Perfetti, Deputy Supervisor
Gretchen Uhler, Deputy Comptroller

RESOLUTION AUTHORIZING THE RESURFACING OF PARKING LOTS IN AND FOR THE TOWN OF UNION, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$36,000 AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$36,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

RESOLUTION AUTHORIZING THE PURCHASE OF REFUSE TRUCKS FOR THE TOWN OF UNION, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$449,380 AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$449,380 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

RESOLUTION AUTHORIZING THE PURCHASE OF HEAVY EQUIPMENT AND MACHINERY IN AND FOR THE TOWN OF UNION, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$445,000 AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$445,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

RESOLUTION AUTHORIZING THE RECONSTRUCTION AND RESURFACING OF ROADS IN AND FOR THE TOWN OF UNION, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$600,000 AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$600,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.



Town of Union

RESOLUTION AUTHORIZING DRAINAGE IMPROVEMENTS IN AND FOR THE TOWN OF UNION, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$50,000 AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$50,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

RESOLUTION AUTHORIZING IMPROVEMENTS TO CURBS, GUTTERS AND SIDEWALKS, IN AND FOR THE TOWN OF UNION, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$275,000 AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$275,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

RESOLUTION AUTHORIZING THE ISSUANCE OF \$116,599 BONDS OF THE TOWN OF UNION, BROOME COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS PURPOSES IN AND FOR SAID TOWN.

RESOLUTION TO CALL FOR A PUBLIC HEARING TO BE HELD ON WEDNESDAY, MARCH 15, 2017 at 7:30 PM FOR THE PROPOSED TOWN OF UNION, BROOME COUNTY, NEW YORK SEWER SYSTEM IMPROVEMENTS.

Resolution to authorize Supervisor Rose A. Sotak to sign the Office of the State Comptroller, Justice Court Fund Certification Form to certify that the report of Justice John A. Black for the month of January 2017 transmitted electronically on 2/22/17 is a true and complete record of the activity of the court for that period. A check for the amount of \$1,342.00 has been received by the Comptroller's Office of the Town of Union on 2/17/17.

LAWS & LEGISLATION/INTERGOVERNMENTAL COMMITTEE

Frank J. Bertoni, Chairperson
Leonard J. Perfetti

Resolution to amend Chapter 88 – Unsafe Buildings and Chapter 155 – Property Maintenance of the Town of Union Code.

Resolution to amend Sections 60.6.1, 60.7 and 69.3 of Chapter 300 of the Town of Union Code of Ordinances, an Unlisted Action under SEQRA; and to make a Negative Declaration under SEQRA, per evaluation of submitted short Environmental Assessment Form, Broome County's 239-Review recommendation, and the Planning Board's Advisory Opinion.



Town of Union

PARKS, RECREATION & ENVIRONMENTAL COMMITTEE

Leonard J. Perfetti, Chairperson
Frank J. Bertoni

PLANNING, ZONING & ECONOMIC DEVELOPMENT COMMITTEE

Frank J. Bertoni, Chairperson
Thomas R. Augostini

Resolution to award the contract for the Logan Field fencing replacement project to the low bidder Whitmore Fence Co., Inc., 126 North St., Dryden, NY, in an amount not to exceed \$38,729.00. Final payment will be based upon material placed and measured.

Motion to authorize the attendance of Section 8 caseworkers Linda Hrostowski and Michele Bennett at the Housing Pro software training conference in Saratoga Springs, New York from June 5-7, 2017. Authorization to include registration fees of \$495.00 per attendee, per diem meals, 2 nights (per person) hotel at \$199.00 and use of a Town vehicle. This software is used to track all of the Section 8 Housing Choice Voucher Program clients. Funding for this training is available through the Section 8 program Administrative Fee reserve fund and will have no impact on the Town general fund.

Resolution to approve Change Order #1, North Loder Avenue Drainage Improvements Design Contract with Hulbert Engineering in an amount of \$10,712.00 and authorize Supervisor Rose A. Sotak to execute the Change Order. The new contract amount shall be \$53,617.00. Funds for this Change Order are available in the CDBG-DR budget.

Resolution to authorize the sale of the following properties, subject to a permissive referendum as follows:

26 Main St. Terrace, Johnson City

Crescent Academy, 1 Endicott Ave., Johnson City, NY 13790 – Sale Price - \$5,000

3799 Sally Piper Rd., Endwell

Dick and Jenna Dino, 3785 Sally Piper Rd., Endwell, NY 13760 – Sale Price \$8,000

The Supervisor or Town Attorney are authorized to execute contracts and any other documentation required for the sale of said properties.

PUBLIC WORKS COMMITTEE

Thomas R. Augostini, Chairperson
Robert Mack



Town of Union

Resolution to enter into a Master Bridge NY Local Project agreement with the NYSDOT for the bridge rehabilitations of Country Club Road (BIN2225790) over Patterson Creek, P.I.N. 9754.44, to perform the Preliminary Engineering (Phases 1-4) and the Right-of-Way Incidentals work for the above-mentioned project, and authorize Supervisor Rose A. Sotak to execute all required documents. The estimated cost of the Preliminary Engineering work (Phase 1-4) is \$80,000.00. The Town will be reimbursed 95% of the \$80,000 or \$76,000, with Federal Funds. The estimated cost for the Right-of-Way Incidentals works is \$7,000. The Town will be reimbursed 95% of \$7,000, or \$6,650 with Federal Funds. Therefore, the necessary Town Resolution must authorize \$87,000.00 for these phases of the project.

Resolution to award the Bid for Town of Union Street Lighting Replacement Project to Diekow Electric, Inc. for their bid price of \$3,227,500.00.

Resolution to authorize the use of (\$3,936.00) from budget line item #10-8745-4512 Flood & Erosion Control Professional Services to pay the (\$250.00) grant application fee, and (\$3,686.00) 1% commitment fee, for the \$368,632.00 grant awarded to the Town of Union by Empire State Development Southern Tier Regional Office for the floodgate closure and floodwall extension project for the estimated \$994,847.00 project located at 4301 Watson Boulevard, Johnson City, NY.

HEARING OF VISITORS:

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

1. Town of Union Planning Board Minutes and Testimonies – January 17, 2017.
2. Union Volunteer Emergency Squad 2016 4th Quarter Reports.

ADJOURNMENT:

GLS/bk

Gail L. Springer, RMC
Town Clerk