



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

December 21, 2016

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, December 21, 2016 at 7:30 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: Town Attorney Alan J. Pope, Town Clerk Gail L. Springer, Deputy Town Clerk Rebecca Kruczkowski.

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: 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 7, 2016.
Carried.

HEARING OF VISITORS:

Paul Gonzalez, 508 June Street, Endicott, asked where the money is the County received from the flood for the Grippen Park Ice Rink and why it was not used to rebuild it. He further asked if money from CDBG can be used to build a skating rink in the Town of Union.

Councilman Frank J. Bertoni said the money was used for the Broome County Arena. He said a plan under County Executive Debbie Preston's administration for a skating rink was presented to the Town.



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Councilman Thomas R. Augostini said CDBG money can be used for a skating rink but it cannot be at the Grippen Park facility.

Councilman Leonard J. Perfetti said the Town will have to work with the incoming administration to follow up on the plan that was presented.

Mr. Gonzalez asked how to go about getting a freezer picked up from his daughter's house.

Supervisor Rose A. Sotak said he would have to call the Refuse Department to schedule a pick up and the freezer must be at the curb with the door off.

Mitch Curatolo, 1010 Autumn Drive, Endwell, complained again about the property on Watson Boulevard by the Polar Shot driving range. He said there are numerous vehicles parked there with for sale signs on them and asked why this is being allowed and if they have to have permits to sell them there.

Councilman Robert Mack said Code Enforcement was informed.

Town Attorney Alan J. Pope said he will alert Deputy Commissioner of Public Works for Codes and Ordinances Daria Golazeski again of the situation.

John Longo, 437 Country Knoll Drive, Endwell, said he and his neighbor have been trying to resolve an issue with the Town regarding a sewer drain between their properties that is sinking. They believe that through an easement many years ago, the Town of Union owns it.

Town Attorney Alan J. Pope explained that the Town Engineering Office has reviewed all the easements on file with the Town and no easement has been found for 441 Country Knoll Drive. He suggested they have their attorney review their abstracts and contact him. He also said the Town has twice offered to repair the sewer drain and both times the offer was refused.

Lisa Wolf, 441 Country Knoll Drive, Endwell, presented to Town Clerk Gail L. Springer her Abstract of Title for her property at 441 Country Knoll Drive for Town Attorney Alan J. Pope to review for any said easements.

Mr. Longo asked if the Town owns the property, how can he sign the one-time offer contract from the Town of Union to fix the sewer drain.

Town Attorney Alan J. Pope said an easement for a property down the street is on file but nothing for theirs.

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



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COMMUNICATIONS FOR FILING:

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

1. Charter Communications Notice – December 7, 2016.
 2. Copy of letter from Alex G. Czuharnich, Project Manager, NYS Department of Environmental Conservation, Division of Environmental Remediation, to Mr. Kevin Whalen, IBM Corporate Environmental Affairs, regarding, Request for Groundwater Monitoring Plan Modifications in 2017 Misc. Activity C (MA-C): Operation, Maintenance and Monitoring, Former IBM Facility, Endicott, NY, AOC Index No. A7-0502-0104, NYSDEC Site No. 7-04-014.
 3. Minutes of the Regular Meeting and Work Session of the Board of Trustees of the Village of Johnson City held on November 15, 2016.
 4. The Town's allocated \$149,312.42 capital reduction from the Binghamton-Johnson City Joint Sewage Board.
 5. Certificate of Inspection of Election – West Corners Fire District, held on December 13, 2016.
 6. Letter from Dave Archer, 524 Dickson St., Endicott, to Supervisor Rose A. Sotak in reference to the disruptive operations of the National Pipe & Plastics in Endicott.
 7. Standardized Notice Providing 30-Day Advanced Notice to a Local Municipality for an On-Premises Alcoholic Beverage License from Damien Cornwell, Spotlight, 1660 Union Center Maine Highway, Endicott.
 8. Email from Fred Montabone, Treasurer, West Endicott Fire District, to Town Clerk Gail L. Springer reporting results of the Fire District Election held on 12/14/16.
 9. Letter from Alice J. Fiacco, Executive Assistant, Endwell Fire District, to Town Clerk Gail L. Springer reporting results of the Fire District Election held on 12/13/16.
 10. Letter from New York State Department of State that Local Law #5 for 2016 (Amending Chapter 141 of the Public Nuisance Law) has been filed.
 11. Letter from the Village of Johnson City in reference to General Municipal Law Section 239-nn, Terry Deamer, 117 Oakdale Rd., Johnson City, NY.
 12. Letter from Marianne Katy Ford to Supervisor Rose A. Sotak supporting Johnny Only and voicing her disappointment that his services will be ending and urging to continue his services.
- Carried.



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COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to refer the Summons and Notice of Foreclosure – U.S. Bank National Association as Trustee successor in interest to Wachovia Bank, National Association as trustee for GSMPs Mortgage Loan Trust, Plaintiff vs. Anthony Arnone, Defendant 408 Jackson Avenue, Endicott to Town Attorney Alan J. Pope, Comptroller Laura J. Lindsley and Planning Director Paul A. Nelson.
Carried.

2. Moved by Augustini, seconded by Bertoni to refer the letter from Sam A. Lupo, Jr, President, Sam A. Lupo & Sons, Inc. to Derek Waddell, Town of Union Code Enforcement Officer regarding code violations at 1219 Campville Road, Endicott to Deputy Commissioner of Public Works for Codes and Ordinances Daria Golazeski.
Carried.

3. Moved by Augustini, seconded by Bertoni to refer the letter from Thomas H. Behan, Personnel Officer, Broome County Department of Personnel, to Supervisor Rose A. Sotak, regarding certification of salary changes effective January 1, 2017 to Broome County per Rule XXII of the Broome County Rules for the Classified Service to Comptroller Laura J. Lindsley.
Carried.

4. Moved by Augustini, seconded by Bertoni to refer the Notice of Motion for Order to Vacate Order of Reference, M&T Bank S/B/M to M&T Mortgage Corporation, Plaintiff, against Carl James Beno, 14 Cook St., Johnson City to Town Attorney Alan J. Pope, Comptroller Laura J. Lindsley and Planning Director Paul A. Nelson.
Carried.

5. Moved by Augustini, seconded by Bertoni to refer the letter from Mayor John Bertoni requesting funding from the 2016 fiscal year CDBG funds to transfer accordingly to replace the fencing at Logan field at the George W. Johnson Park to Town Attorney Alan J. Pope, Commissioner of Public Works Louis V. Caforio and Comptroller Laura J. Lindsley.
Carried.

6. Moved by Augustini, seconded by Bertoni to refer the letter from David Paul Hores, 905 Farm to Market Rd., Endwell requesting that the Town of Union's liability insurance pay for his portion of bills not covered after falling on the ice at Highland Park December 14, 2016 to Town Attorney Alan J. Pope and the Town Insurance Carrier.
Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:



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Moved by Mack, seconded by Perfetti to approve the following employees and the vacation days requested to be carried-over in excess of the 15-day maximum allowed:

Mary Bricker 6.0 Days
Louis Caforio 12.0 Days
Marina Lane 6.0 Days
Barbara Powell 2.5 Days

Carried.

(Prepared Resolution filed as part of these minutes to approve the Memorandum of Understanding with Broome County and the Land Bank with respect to contribution and sharing of costs for site work at 1605 Davis Avenue and for authorization for Supervisor Rose A. Sotak to execute the same; subject to approval by Town Attorney Alan. J. Pope.)

Res. by Augustini, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.

Moved by Augustini, seconded by Perfetti to approve the following 2016 budget transfers:

Decrease:	20 8021 4403 Printing	\$ 190.00
Increase:	20 8021 4101 Office Supplies	\$ 190.00
Decrease:	20 1620 4401 Equip. Maint.	\$ 2,550.00
Decrease:	20 5010 4401 Equip. Maint.	\$ 2,500.00
Increase:	20 1620 2500 Capital Improvements	\$ 5,050.00
Decrease:	10 1620 2050 Capital Improvements	\$ 4,000.00
Increase:	10 1620 4149 Supplies	\$ 4,000.00

Carried.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign the Southern Tier Stages Inc. confirmation to/from New York City on 2/19/17 and 2/22/17 at a total cost of \$2,820.00.)

Res. by Augustini, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize Trident as the carrier for the Town of Union commercial insurance coverage for 1/1/17 – 1/1/18 at a proposed premium of \$187,723.54. The premium during the year will adjust by modifications to property, equipment and vehicles.)

Res. by Augustini, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to authorize Ace/Chubb as the carrier for the Town of Union cyber insurance coverage for 1/1/17 – 1/1/18 at an annual premium of \$7,498.00.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to authorize Public Employer Risk Management Association, Inc. (PERMA) as the carrier for the Town of Union workers' compensation coverage for 1/1/17 – 1/1/18 at the alternative contribution premium of \$265,766.00.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve the Federal Fiscal Year 2015 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 Mack.
The Resolution was adopted.

Vote: All yes.

(Prepared Resolution filed as part of these minutes to authorize the Town Supervisor, based upon her availability, the Town Attorney or Deputy Town Attorney to execute Discharges of Mortgages and Subordination Agreements on behalf of the town for loans issued under the First Time Home Buyer and Home Improvement programs. Prior to execution by the Town Attorney or Deputy Town Attorney, the discharges and subordination agreements shall be reviewed and recommended by the Planning Director.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve entering into a Shared Services Agreement for Emergency Assistance between the New York State Department of Transportation and the Town of Union and authorize Supervisor Rose A. Sotak to execute the necessary documents.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve the 2016 & 2017 agreements with People Ready for temporary workers; when needed; and authorization for Supervisor Rose A. Sotak to sign the agreements.)

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

Vote: All yes.



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(Prepared Resolution filed as part of these minutes to authorize the purchase of One (1) new 2016 Smith VBox Spreader with a purchase price of \$10,900.00 from Viking Cives (USA) as per Oneida County Contract and quote #178. Monies for this purchase would be paid out of the 2016 Other Equipment line item #31 5110 2500.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to authorize the purchase of One (1) new 2016 ODB Trailer Mounted Vacuum Debris Collector – model LCT650 – NJPA Contract 060612-ODB from Old Dominion Brush Company at the purchase price of \$31,257.00. Monies for this purchase would be paid out of the Other Equipment line item #31 5110 2500.)

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

Vote: All yes.

HEARING OF VISITORS:

Paul Gonzalez, 508 June Street, Endicott, asked if the Town is responsible for repairing the apron of his daughter's driveway that has sunk.

Councilman Leonard J. Perfetti said to call Highway Superintendent Chester Kupiec and they will take a look at it.

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 Bertoni to receive and file the following Department Reports:

1. Town of Union Comptroller's Monthly Report – October 30, 2016.
2. Town of Union Planning Board Decision – Site Plan Approval: Choconut Center Volunteer Fire Company, 1011 Middle Stella Ireland Rd., Tax Map # 127.12-1-22.
3. Town of Union Planning Board Minutes and Testimonies – October 11, 2016 and November 1, 2016.
4. Permits Report – November 2016.



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5. Town of Union Planning Board Decision – Site Plan Approval: A Great Choice, 900 Riverside Dr., Tax Map #143.54-2-8.
6. Town of Union Planning Board Decision – Special Permit Approval: Outdoor Operations and Storage, 900 Riverside Dr., Tax Map #143.54-2-8.
7. Town of Union Planning Board Decision – Special Permit Approval – Floodplain Development: Oakdale Road Holdings, LLC, 900 Riverside Dr., Tax Map # 143.54-2-8. Carried.

At this time, Supervisor Rose A. Sotak thanked the Visions Credit Union for their sponsorship of the Christmas in the Park event held at Highland Park and for keeping their headquarters in the Town of Union.

The Town Board wished everyone a very Merry Christmas and a Happy New Year.

ADJOURNMENT:

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

The meeting was adjourned at 8:23 P.M.

GLS/bk

Gail L. Springer, RMC
Town Clerk