



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

March 15, 2017

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, March 15, 2017 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 Kruckowski.

Also in attendance were Village of Johnson City Mayor Gregory Deemie, Julie Deemie, Citizen's Advisory Council for Community Development & Conservation Advisory Council member, Giuseppe Roberto, Zoning Board of Appeals member.

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

PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, March 15, 2017 at 7:30 P.M. to consider notice and serve a Notice of Hearing pursuant to the Eminent Domain Law for property located at 4301 Watson Boulevard (portion of Tax Map # 142.02-1-19) of approximately 5,600 square feet at and along Watson Boulevard, Endwell, New York.
Pub. & Posted 2/26/17, 2/27/17, 2/28/17, 3/1/17 and 3/2/17.

Town Attorney Alan J. Pope explained that the Town will have an agreement with the Property owner Mr. Darpino, which will eliminate the need for the eminent domain action once it is signed and cause this Public Hearing to be mute.

At this time, Supervisor Rose A. Sotak kept the first Public Hearing open.

A Public Hearing was called for on Wednesday, March 15, 2017 at 7:30 P.M. relating to sewer infrastructure improvements.
Pub. & Posted 3/4/17.

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



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BIDS: None.

APPROVAL OF MINUTES:

Moved by Augustini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, March 1, 2017.
Carried.

HEARING OF VISITORS:

Carol Laskoski, 37 Edwards Street, Johnson City, asked if the bumps on Main Street over the Patterson Creek would be fixed.

Councilman Leonard J. Perfetti said when the weather breaks and the blacktop plants are open, they will be finishing the paving to eliminate the bumps.

Julie Deemie, 153 Zoa Avenue, Johnson City, said Johnson City will be having the 5th Annual Cruise Ins on the 3rd Thursday of the month from May until September at the Avenue C municipal lots. She also said the Johnson City Rotary & Johnson City Partners will be having Carousel Day on Saturday, July 29, 2017.

Councilman Frank J. Bertoni asked that information brochures be supplied to the Town for advertisement.

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. Invitation from Broome County Associations of Towns & Villages for the March meeting being held on March 23, 2017 at The Relief Pitcher.
2. Letter from Don D. Patterson, AAI, AIS, The Partners Insurance and Financial Services, 825 Vestal Parkway West, Vestal, to Supervisor Rose A. Sotak, informing that The New York Municipal Insurance Reciprocal (NYMIR) is the largest provider of municipal insurance in Broome, Cortland, Tioga and Tompkins Counties.
3. Letter from Joan K. Spilman, Field Office Director, U.S. Department of Housing and Urban Development, Buffalo Office, 465 Main Street, Buffalo, to Supervisor Rose A. Sotak regarding



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Program Year Review (PYR) Letter; Town of Union, New York Reporting Period October 1, 2015 to September 30, 2016 Community Development Block Grant (CDBG) Program.

4. Minutes of a Work Session and Regular Meeting of the Johnson City Village Board held on Tuesday, February 21, 2017 and Special Meeting held on March 2, 2017.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to refer the letter from Carolyn P. Chalachan, Landfill Sr. Account Clerk, Broome County Department of Public Works-Division of Solid Waste Management regarding Municipal Cleanup Tip Fee Waiver and requesting form completion for choice for day of disposal to Deputy Commissioner of Public Works for Environmental Services & Occupational Safety & Health Daniel Schofield.
Carried.

2. Moved by Augustini, seconded by Bertoni to approve the letter from Christopher Harasta, 3102 Andover Drive, Endwell, member of the Susquehanna Group (the local Chapter of the Sierra Club), informing that a strip of land owned by the Town of Union across from Argonne Neighborhood Park has large amounts of debris collected on it and refer it to Town Attorney Alan J. Pope and Commissioner of Public Works Louis V. Caforio. He also requested permission to clean up this property and a waiver of the disposal fee for tires removed from the property.
Carried.

3. Moved by Augustini, seconded by Bertoni to approve the letter from Timothy P. Whitesell, President, Broome County Association of Towns and Villages, regarding 2017 Annual Membership Dues and encouraging participation in the Association and refer it to the Town Board and Comptroller Laura J. Lindsley.
Carried.

4. Moved by Augustini, seconded by Bertoni to approve the letter from Deborah Jones-Bolan, Special Olympics Certified Coach, to the Town Supervisor and Board, informing that the Broome-Tioga Special Olympics is planning on holding a Super Regional Softball Tournament for local Special Olympic athletes throughout New York State on September 30, 2017 at Glendale Park. They are requesting the use of Glendale Park – 4 softball fields and both shelters from approximately 7:30 AM to 5:00 PM on September 30, 2017 and waiving of all fees for this worthwhile event and refer it to Commissioner of Public Works Louis V. Caforio.
Carried.

5. Moved by Augustini, seconded by Bertoni to approve the email from Mark Goldman, American Cruisers Car Club, Inc. to Supervisor Rose A. Sotak requesting permission to hold their Annual Cars and Motorcycles Show to benefit area veterans, at upper Highland Park on



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Saturday, June 24, 2017 from 8:00 AM to 4:30 PM; waiving of all fees, and refer it to Commissioner of Public Works Louis V. Caforio.
Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to approve the following 2017 budget modification:

Increase: 31 2680 0000 Insurance Proceeds \$3,972.40
Increase: 31 5110 2500 Equipment \$3,972.40.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve and authorize the following signatures on the KeyBank Business/Public Entity Signature Card:

Rose A. Sotak, Supervisor
Laura J. Lindsley, Comptroller
Leonard J. Perfetti, Deputy Supervisor
Gretchen Uhler, Deputy Comptroller.)

Res. by Augustini, seconded by Mack.

Supervisor Rose A. Sotak asked the Town Attorney to check into whether the Deputy Comptroller position can be authorized to fulfill this duty.

Vote: Yes
Augustini
Bertoni
Perfetti
Mack
No
Sotak

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve and authorize the following signatures on the Town of Union Payroll Account and Trust & Agency Account at M&T Bank:

Rose A. Sotak, Supervisor
Laura J. Lindsley, Comptroller
Leonard J. Perfetti, Deputy Supervisor
Gretchen Uhler, Deputy Comptroller.



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Res. by Augustini, seconded by Mack.

Vote: Yes
Augustini
Bertoni
Perfetti
Mack
No
Sotak

The Resolution was adopted.

(Prepared Resolution was filed as part of these minutes to approve and authorize the following signatures on the KeyBank Business/Public Entity Depository Certificate identifying who is authorized to open and close accounts, and to designate signers on accounts:

Rose A. Sotak, Supervisor

Leonard J. Perfetti, Deputy Supervisor.)

Res. by Augustini, seconded by Mack.

Vote: Yes
Augustini
Bertoni
Perfetti
Mack
No
Sotak

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the sewer infrastructure improvements for the Town of Union, Broome County, NY, at an estimated cost of \$250,000 and authorizing the issuance of \$250,000 bonds of said Town to pay the cost thereof.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to amend Sections 60.6.1, 60.7 and 69.3 of Chapter 300 of the Town of Union Code of Ordinances.)

Res. by Bertoni, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the Agreement with Park Manor Plaza, LLC and Town of Union for use of Park Manor Plaza for Town of Union 4th of July Extravaganza parking and/or fireworks viewing; and authorize Supervisor Rose A. Sotak to execute said agreement. Town Attorney Alan J. Pope has approved the agreement.)

Res. by Perfetti, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to execute the contract with Binghamton Philharmonic in an amount of \$5000.00 for "Pops in the Park" on Tuesday, July 4, 2017.)

Res. by Perfetti, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing to solicit public input for inclusion in the Federal Fiscal Year 2017 Community Development Block Grant (CDBG) Annual Action Plan for Wednesday, April 5, 2017 at 7:30 P.M.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution to issue a Negative Declaration under SEQRA for the Town of Union Community Development Block Grant Disaster Recovery Program (CDBG-DR) N. Loder Avenue Drainage Improvement Project. The Supervisor is further authorized to execute the short Environmental Assessment Form as well as all other required documentation.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the release of a combined notice of No Significant Impact on the Environment (FONSI) and Request for Release of Funds (RROF) for the Town of Union Community Development Block Grant Disaster Recovery Program N. Loder Avenue Drainage Improvement Project. The Resolution will further authorize the Supervisor and/or Planning Director to execute all documentation required for submission to HUD. The Supervisor and/or Planning Director are further authorized to prepare and submit any technical corrections to the FONSI/RROF that may be required by HUD.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to issue a proclamation declaring the month of April 2017 as Fair Housing Month in the Town of Union.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to issue a proclamation declaring the week of April 17, 2017 through April 22, 2017 as Community Development Week in the Town of Union.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to amend the scope of the contract for appraisal services with Congdon & Company. Inc., 10 Madison Avenue, Endicott, New York 13760 to include the N. Loder Avenue Drainage Improvement project and authorize the Planning Director to sign the amendment and project proposal. The cost shall be \$475.00 for services related to temporary easements required for the project. The price for each easement is the same as outlined in the May 2016 RFP that was received and approved by the Town Board. Twelve temporary easements are needed for the project and will be paid from the Town's CDBG-DR grant.)

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

Vote: All yes.

Moved by Augostini, seconded by Mack to authorize the advertisement of bids for Underdrain Installation and Connection at Miscellaneous Locations. Bids to be received by Town Clerk Gail L. Springer on Monday, April 3, 2017 at 10:00 A.M. at which time they will be opened and read aloud.

Carried.

Moved by Augostini, seconded by Mack to authorize the advertisement of bids for Curb and Gutter/Sidewalk Replacement -Contract One. Bids to be received by Town Clerk Gail L. Springer on Monday, April 3, 2017 at 10:00 A.M. at which time they will be opened and read aloud.

Carried.

Moved by Augostini, seconded by Mack to authorize the advertisement of bids for Curb and Gutter Replacement - Contract Two. Bids to be received by Town Clerk Gail L. Springer on Monday, April 10, 2017 at 10:00 A.M. at which time they will be opened and read aloud.

Carried.

(Prepared Resolution filed as part of these minutes to authorize the continuation of the contract with "Greenskeeper" for Lawn Maintenance for 2017 for Town of Union Owned Properties West Corners Area (Buyout). The contract states, "The contract term will be incremental and may be extended for the next two (2) years upon mutual consent of the Town and the Contractor." This will be the final year of the contract and the contract will remain at \$7,920.00.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to enter into a Master Bridge NY Local Project agreement with the NYSDOT for the bridge rehabilitation of Country Club Road (BIN 2225790) over Patterson Creek, P.I.N. 9754.44, to perform the Preliminary Engineering



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Design work 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/Design work is \$200,000.00. The Town will be reimbursed 95% of the \$200,000 or \$190,000, with Federal Funds.

The estimated cost for the Right-of-Way Incidentals work 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 \$207,000.00 for these phases of the project.)

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

Vote: All yes.

Moved by Augustini, seconded by Mack to authorize the attendance of Chet Kupiec and eight (8) highwaymen to attend the Dig Safely Seminar to be held at the Watkins Glen Community Center on March 30, 2017. There is no cost for this event. Authorization to include the use of Town vehicles.
Carried.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign the approved contract for the Street Lighting Replacement Project that was approved at the March 1, 2017 Board Meeting.)

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

Vote: All yes.

Moved by Augustini, seconded by Mack to authorize Anthony Silvestri and James Wallace to attend the Southern Tier Building Officials meeting on April 12, 2017 at Mini Conference Center in Cortland, NY. Authorization to also include use of a Town vehicle and the registration fee of \$35 per person. The training accounts for 7 hours of the required 24 hours of yearly training.
Carried.

(Prepared Resolution filed as part of these minutes to approve the Permanent Easement with IBM Country Club, LLC and payment of \$19,500.00 (per appraisal) to IBM Country Club, LLC for said easement and to authorize the Supervisor to execute the Permanent Easement and all related documents.)

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

Vote: All yes.



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(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign the New York State Division of Homeland Security and Emergency Services Modification Agreement Form – FEMA time extension approval letter 030117 for period of September 19, 2013 to March 31, 2018. Funding amount for the period being \$259,260.0 (Federal) and \$90,740.00 (Local Share).

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

Vote: All yes.

HEARING OF VISITORS:

As no one 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 Augustini, seconded by Bertoni to receive and file the following Department Reports:

1. Town of Union Planning Board Decision – Site Plan Approval, DW Auto Sales, 1606 Union Center-Maine Highway, Tax Map #125.17-1-16.1.
 2. Town of Union Planning Board Decision – Special Use Permit Approval: Floodplain Development, DW Auto Sales, 1606 Union Center-Maine Highway, Tax Map #125.17-1-61.1.
 3. Town of Union Planning Board Decision – Special Use Permit Approval: Auto Sales, DW Auto Sales, 1606 Union Center-Maine Highway, Tax Map #125.17-1-16.1.
 4. Town of Union Planning Department Minor Site Plan Review Decision – Riverdale Banquet Hall, 2901 Watson Boulevard, Endwell, Tax Map #141.20-3-64.
 5. Town Clerk Monthly Report – February 2017.
 6. Town of Union Planning Department Minor Site Plan Review Decision – Verizon – Endwell Telecommunications Facility, 627 Scarborough Drive, Endwell, Tax Map #157.08-9-13.
 7. Comptroller's Report – January 2017.
- Carried.

At this time, Councilman Thomas R. Augustini thanked the Town employees for a great job done during the snowstorm.



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Councilman Leonard J. Perfetti said that any elderly or handicapped person having difficulty with snow removal can call 211 – First Call for Help and the National Guard will come to help.

Supervisor Rose A. Sotak also thanked the employees for their hard work.

ADJOURNMENT:

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

The meeting was adjourned at 8:09 P.M.

GLS/bk

Gail L. Springer, RMC
Town Clerk