



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

April 19, 2017

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, April 19, 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, Deputy Town Clerk Rebecca Kruczkowski, Deputy Town Clerk Karen Gance.
Absent: Town Clerk Gail L. Springer

Also in attendance were Johnson City Mayor Greg Deemie, Johnson City Clerk Cindy Kennerup, Broome County Legislature Ron Heebner, Zoning Board member Giuseppe Roberto and Planning Board member Ada Elwood.

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

PUBLIC HEARINGS: None.

BIDS:

Bids were called for on Monday, April 3, 2017 at 10:00 A.M. for Curb and Gutter/Sidewalk Replacement – Contract One.

Bids were received as follows:

Tre-Gen Concrete Corporation	\$ 81,513.00
R.B. Magliocca General Contracting	\$ 81,526.10
G. DeVincentis & Son Construction Co.	\$117,777.00
Chicago Construction Company	\$178,000.00

Moved by Augostini, seconded by Bertoni to receive and file the bids for Curb and Gutter/Sidewalk Replacement – Contract One.
Carried.

Bids were called for on Monday, April 3, 2017 at 10:00 AM for Underdrain Installation and Connections at Miscellaneous Locations.

Bids were received as follows:



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R.B. Magliocca General Contracting	\$ 46,042.50
Tre-Gen Concrete Corporation	\$ 47,520.00
G. DeVincentis & Son Construction Co.	\$ 97,700.00
Chicago Construction Company	\$151,000.00

Moved by Augostini, seconded by Bertoni to receive and file the bids for Underdrain Installation and Connections at Miscellaneous Locations.
Carried.

Bids were called for on Monday, April 10, 2017 at 10:00 A.M. for Curb and Gutter Replacement – Contract 2.

Bids were received as follows:

R.B. Magliocca General Contracting	\$178,690.00
Tre-Gen Concrete Corporation	\$197,908.00
Chicago Construction Company	\$290,000.00

Moved by Augostini, seconded by Bertoni to receive and filed the Bids for Curb and Gutter Replacement – Contract 2.
Carried.

Bids were called for on Wednesday, April 12, 2017 at 10:00 A.M. for Fairmont Park Floodwall Project.

Bids were received as follows:

G. De Vincentis & Son Construction Co.	\$ 734,000.00
ProCon Contracting, LLC	\$ 898,000.00
ZMK Construction, Inc.	\$ 944,000.00
LeChase Construction Services, LLC	\$1,120,000.00
Walsh & Sons Construction	\$1,120,703.00
Streeter Associates, Inc.	\$1,133,000.00

Moved by Augostini, seconded by Bertoni to receive and file the Bids for Fairmont Park Floodwall Project.
Carried.

APPROVAL OF MINUTES:

Moved by Augostini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, April 5, 2017.
Carried.



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HEARING OF VISITORS:

Paul Gonzalez, 508 June Street, Endicott, said he is concerned about the railroad spur line that was added at National Pipe & Plastics. He also mentioned that the Veterans Center is moving to Court Street in Binghamton.

Dan Wright, 1997 Farm to Market Road, Endwell, presented Ambit Energy as a co-op for the Town.

Supervisor Rose A. Sotak asked Councilman Frank J. Bertoni to be the contact person on this.

Erica Braun, 10 Delaware Avenue, Endicott, presented a claim for damages that was submitted in September 2016 and denied. She would like this resubmitted. She mentioned that she contacted Code Enforcement Officer David Conklin about a property across from her that needs cleaning up.

Councilman Frank J. Bertoni will contact Deputy Commissioner of Public Works for Codes and Ordinances Daria Golazeski regarding this.

Todd McCarthy, 602 Ventura Boulevard, Endwell asked for clarification on the Resolution that is on this evenings agenda regarding the telecommunication tower.

Town Attorney Alan explained that this tower is part of the Broome County Emergency Medical System and it will be replacing the current tower.

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. Minutes of a Work Session and Regular Meeting of the Johnson City Village Board held on March 21, 2017.
2. Minutes of a Regular Meeting of the Endicott Village Board held on February 14, 2017.
3. New York State Department of Environmental Conservation – Air Quality Investigation Report – National Pipe and Plastic, Inc., Endicott, NY – February 2017.
4. Invitation from Broome County Association of Towns & Villages for the April meeting being held on April 27, 2017 at The Relief Pitcher.



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5. Review Pursuant to Section 239- l & m of the Municipal Law for: DMK Development – proposed Tractor Supply, Town of Chenango.

6. Copy of letter from Alex G. Czuhanych, Project Manager, NYS Department of Environmental Conservation, Division of Environmental Remediation, to Mr. Kevin Whalen, IBM Corporate Environmental Affairs, regarding Annual Report – Ventilation System O&M, 2016 Heating Season, Former IBM Facility, Endicott, NY, AOC Index No. A7-0502-0104, NYSDEC Site No. 7-04-014.

Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to approve and refer the letter from Teri Orzel, Bazaar Chairperson, St. Joseph Church, Endicott, to Gail L. Springer, Town Clerk requesting snow fencing and poles be delivered by Tuesday June 13, 2017 for use at their Annual Parish Bazaar to be held on June 16th – June 18th, 2017 to Highway Superintendent Chester Kupiec.

Carried.

2. Moved by Augustini, seconded by Bertoni to refer the letter from Law Offices of Jason J. Rebhun, P.C. in reference to 3 Delaware Avenue, Endicott to Town Attorney Alan J. Pope, Planning Director Paul A. Nelson and Comptroller Laura J. Lindsley. The matter has been sent to foreclosure.

Carried.

3. Moved by Augustini, seconded by Bertoni to refer the letter from Tom Cochran, CEO and Executive Director, The United States Conference of Mayors, to Supervisor Rose A. Sotak, asking the Town to join the fight to stop elimination of the Community Development Block Grant (CDBG) Program to Planning Director Paul A. Nelson.

Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to approve the execution of a tax-exempt lease-purchase nonappropriation agreement by the Union Center Fire Company, Inc., and determining other matters in connection therewith.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.



Town of Union

(Prepared Resolution filed as part of these minutes to approve the Supervisor or Deputy Supervisor of the Town of Union for the execution of a tax-exempt lease-purchase nonappropriation agreement by the Union Center Fire Company, Inc.)

Res. by Augostini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve and authorize the following signatures on the JPMorgan Chase Bank, N.A. Business Signature Card:

Rose A. Sotak, Supervisor

Laura J. Lindsley, Comptroller

Leonard J. Perfetti, Deputy Supervisor

Gretchen Uhler, Deputy Comptroller.)

Res. by Augostini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve and authorize the following signatures on the JPMorgan Chase Bank, N.A. Certificate Regarding Accounts identifying the "Account Managers" authorized to open and close accounts, request banking services, and authorize changes to accounts:

Rose A. Sotak, Supervisor

Leonard J. Perfetti, Deputy Supervisor.)

Res. by Augostini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Moved by Augostini, seconded by Mack to approve the following 2017 Budget Transfers:

Decrease:	31 5110 2500	Other Equip.	\$ 2,500.00
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Increase:	31 5110 4123	Guard Rails	\$ 2,500.00.
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Carried.

Moved by Perfetti, seconded by Bertoni to authorize the advertisement of bids for Installation of Concrete Flooring for Shelter 2 at Glendale Park and Shelter 4 at Highland Park. Bids to be received by Town Clerk Gail L. Springer on Monday, May 8, 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 Supervisor Rose A. Sotak to sign the Application for Funding for the Refuse Garage Relocation NY Rising Program Project.)

Res. by Bertoni, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes authorizing the execution of a lease with Broome County of a portion of the property known as 375 Twist Run Road – Rear for the purpose of erecting and maintaining a telecommunications tower.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to sign a Permanent Easement with Joshua and Aimee Lutynski granting the Town of Union a permanent ingress and egress easement on 365 Twist Run Road in order to access and maintain the Town's property adjacent to 365 Twist Run Road.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the Bid for Curb and Gutter/Sidewalk Replacement – Contract One to Tre-Gen Concrete Corp. for their low bid price of \$81,513.00.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the Bid for Underdrain Installation and Connections at Miscellaneous Locations to R.B. Magliocca General Contracting for their low bid price of \$46,042.50.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the Bid for Curb and Gutter Replacement – Contract 2 to R.B. Magliocca General Contracting for their low bid price of \$178,690.10.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the Bid for Fairmont Park Floodwall Project to G. DeVincentis & Son Construction Co. for their low bid price of \$734,000.00.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.



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On March 31, 2017 at 10:00 A.M., the Town received Requests for Proposals for Lawn Maintenance for 2017 at Town of Union Owned Properties - South Endwell, Fairmont Park and Westover.

Proposals were received as follows:

Greenskeeper Landscaping & Lawn Care	\$34,000.00
The Lawn Wizard - Gene Tiberi	\$34,200.00
Rudolph R. Zavada, Jr.	\$45,000.00

(Prepared Resolution filed as part of these minutes to award the RFP for Lawn Maintenance for 2017 at Town of Union Owned Properties - South Endwell, Fairmont Park and Westover to Greenskeeper Landscaping & Lawn Care for their low bid price of \$34,000.00.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

HEARING OF VISITORS:

Ada Elwood, 33 Poplar Street, Johnson City, thanked the Board for awarding the floodwall project. She spoke about a sewer line that is collapsed on Woodland Avenue.

Councilman Thomas R. Augustini will take care of this.

Carol Laskoski, 37 Edward Street, Johnson City, asked for clarification on how an easement works.

Town Attorney Alan J. Pope explained about easements.

Ron Heebner, Broome County Legislature, explained the cell tower upgrades. He also said the County honored Art Johnson on his years of service as Social Service Commissioner. He mentioned that Councilman Bertoni's son Joe, is a great addition to the Legislature.

Paul Gonzalez, 508 June Street, Endicott, spoke on upcoming events/fundraisers for veterans.

Wes Miga, 4632 Mill Glen Road, Endicott, Union Center Fire Company, thanked the Board for approving the resolution.

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



Town of Union

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 Clerk Monthly Report – March 2017.
2. Town of Union Planning Board Decision – Special Permit Approval – James Wheelock, 402 Airport Road, Endicott, Tax Map # 156.18-02-43.11.
3. Town of Union Planning Board Decision – Site Plan Approval, Triple City Towing & Road Service – James Wheelock, 402 Airport Road, Endicott, Tax Map # 156.18-2-43.11.
4. Town of Union Planning Board Minutes – March 20, 2017.
5. Town of Union Planning Board Decision – Special Permit for Floodplain Development – Johnson City Water Department Maintenance Building, 44 Camden Street, Johnson City – Tax Map # 143.61-1-24.
6. Town of Union Planning Board Decision – Site Plan Approval - Johnson City Water Department Maintenance Building, 44 Camden Street, Johnson City–Tax Map # 143.61-1-24.
7. Town of Union Planning Department Decision – Verizon Wireless Telecommunications Facility – Minor Site Plan Approval, 701 Hooper Road, Endwell, Tax Map # 141.08-2-4. Carried.

ADJOURNMENT:

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

The Meeting was adjourned at 8:22 P.M.

RMK/kg

Rebecca M. Kruckowski
Deputy Town Clerk