



**Town Clerk**  
Leonard J. Perfetti

# Town of Union

**Town Board**  
Rose A. Sotak, *Supervisor*  
Thomas R. Augostini, *Councilman*  
Frank J. Bertoni, *Councilman*  
Robert Mack, *Councilman*  
John M. Bernardo, *Councilman*

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## TOWN OF UNION BOARD MEETING

October 18, 2017

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, October 18, 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 Robert Mack, Councilman John M. Bernardo.  
Absent: Councilman Frank J. Bertoni.

TOWN OFFICIALS PRESENT: Deputy Town Attorney Kurt D. Schrader, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruczkowski.  
Absent: Town Attorney Alan J. Pope.

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 Mack to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, October 4, 2017 and the Work Session meeting held on Wednesday, October 11, 2017.  
Carried.

### HEARING OF VISITORS:

Linda Jackson, 209 E. Franklin Street, Endicott, asked if the Town could enforce the clean up or demolition of the buildings at 1-3 N. Duane Avenue, Endicott.

Supervisor Rose A. Sotak questioned if they are in the Village of Endicott and said Councilman Thomas R. Augostini will look into it.



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David McDonough, owner of Country Pines – The Pines Pavilion and Event Center, Endicott, spoke about his ongoing code enforcement issues and said he was informed that the Town received a letter from Hinman, Howard & Kattell, threatening that a lawsuit should be filed against him if something did not change with his property.

Councilman Thomas R. Augostini said the letter should not be taken as a threat of a lawsuit, but as an indication that the use of the property needs to be in compliance with the codes.

Deputy Town Attorney Kurt D. Schrader said he does not know of any lawsuit being filed. He explained to Mr. McDonough that he is in the position to prove that the use of his property is in compliance with the codes, and if it is not, that he can file for a variance with the Zoning Board of Appeals.

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

### COMMUNICATIONS FOR FILING:

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

1. Notice from Charter Communications on a programming update for October 30, 2017.
  2. Notice of Bankruptcy Chapter 11 filed on September 18, 2017 for TOYS “R” US, INC, et al.
  3. Email from Thomas Carter from Seton Catholic Central thanking the Town of Union Parks Department for providing the venue for the Octoberfest Road Races.
- Carried.

### COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Mack to refer the email sent to the Town of Union from Mike Fitzpatrick asking about the town’s newsletter and if it is still available to Economic Development Director Joseph Moody.  
Carried.
2. Moved by Augostini, seconded by Mack to refer the communication from Office of Counter Terrorism, NYS Division of Homeland Security & Emergency Services, on an inquiry regarding development of a future Cyber Initiative database to Comptroller Laura J. Lindsley and Commissioner of Public Works Louis V. Caforio.  
Carried.
3. Moved by Augostini, seconded by Mack to refer the letter from Stephen B. Atkinson Attorney at Law regarding a property tax review decision from January 11, 2017, for Barber



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Memorial Home, Inc. to Town Attorney Alan J. Pope and Assessor Joseph Cook.  
Carried.

4. Moved by Augostini, seconded by Mack to approve the email from Andrew Van Patten, PGA Member from Southern Tier Gymnastics Academy, requesting a road closure during their Trunk or Treat event at 2901 Wayne Street on October 28, 2017 from 2:30 P.M. to 5:30 PM and refer it to Highway Superintendent Chester Kupiec and Town Clerk Leonard J. Perfetti.  
Carried.

5. Moved by Augostini, seconded by Mack to refer the Notice of Claim from State of New York Supreme Court, Broome County, Rose A. Sotak, Claimant vs Town of Union, Respondent, to Town Attorney Alan J. Pope and the Town Insurance Carrier.

Vote: Yes  
Augostini  
Mack  
Bernardo  
                Abstain  
Sotak

Carried.

PETITIONS: None.

### COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Moved by Mack, seconded by Augostini to request authorization for Supervisor Rose A. Sotak to sign, upon approval of the Town Attorney, the NYSLRS Certification form RS2415 for the title of Assistant Engineer. NYSLRS is requesting the form be returned before 10/27/17.  
Carried.

(Prepared Resolution filed as part of these minutes to approve the agreement between the Town of Union and CSEA regarding withdrawal of employee grievance, and to authorize the Supervisor and Town Attorney to execute the same.)

Res. by Mack, seconded Augostini.

Vote: All yes.

The Resolution was adopted.

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

Decrease:	40 7110 2500	Other Equipment	\$	7,000.00
Increase:	40 7110 4111	Parts	\$	7,000.00
Decrease:	10 1355 4620	Education	\$	490.00



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Increase:	10 1355 4104	Books & Periodicals	\$ 490.00
Decrease:	40 7110 2500	Other Equipment	\$ 15,000.00
Increase:	40 7110 4624	Site Improvements	\$ 15,000.00
Decrease:	20 8160 4513	Tipping Fees	\$ 15,000.00
Decrease:	20 8160 2200	Office Equipment	\$ 1,000.00
Decrease:	20 8160 2500	Other Equipment	\$ 1,425.00
Increase:	20 8160 4111	Parts	\$ 17,425.00.

Carried.

(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

Thomas R. Augostini, Deputy Supervisor.)

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

Thomas R. Augostini, Deputy Supervisor

Laura J. Lindsley, Comptroller

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 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

Thomas R. Augostini, Deputy Supervisor.)

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 KeyBank Business/Public Entity Signature Card:

Rose A. Sotak, Supervisor

Thomas R. Augostini, Deputy Supervisor

Laura J. Lindsley, Comptroller

Gretchen Uhler, Deputy Comptroller.)



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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 Town of Union Payroll Account and Trust & Agency Account at M&T Bank:

Rose A. Sotak, Supervisor  
Thomas R. Augustini, Deputy Supervisor  
Laura J. Lindsley, Comptroller  
Gretchen Uhler, Deputy Comptroller.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing to be held on Wednesday, November 1, 2017 at 7:00 P.M. to consider the 2018 Preliminary Budget and annual fire contracts for the Fire Protection Districts, and proposed Tax Cap Override local law.)

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

Vote: All yes.

Requests for proposals were received for the West Creek Bank Stabilization Design project. Proposals were received as follows:

Clark Patterson Lee	\$25,500.00
Woidt Engineering & Consulting, PC	\$27,000.00
Larson Design Group	\$28,360.00
Delta Engineers, Architects & Land Surveyors	\$29,800.00
Keystone Associates, Architects, Engineers & Surveyors	\$44,175.00

(Prepared Resolution filed as part of these minutes to award the contract for the design/engineering services for the CDBG-DR funded West Creek Bank Stabilization Design project in an amount not to exceed \$25,500.00 to the low bidder Clark Patterson Lee, 59 Court St., Binghamton, NY 13901. Funds are available in the CDBG-DR West Creek Bank Stabilization budget line.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes requesting that \$680.00 be transferred between the line items salary for program assistant to salary for executive director of the Johnson City Senior Center in their FFY 2016 CBDG contract. The program assistant worked fewer hours than anticipated and the executive director filled in. This transfer will exceed 5% amount of the contract that can be authorized by the Planning Director. The Planning Department has no objection to this line item amendment. The Supervisor, Deputy



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Supervisor, or other town official so designated by the Town Board shall be authorized to sign all documentation required to implement this contract amendment.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Moved by Augustini, seconded by Mack to request authorization to the advertisement of bids to Outfit the One (1) New and Unused 2018 Chevrolet 3500 Cab & Chassis with Dual Rear Wheels, 162" wheel base. Bids to be received by Town Clerk Leonard J. Perfetti at 10:00 a.m. on Monday, October 30, 2017 at which time they will be opened and read aloud.  
Carried.

(Prepared Resolution filed as part of these minutes to approve the Cleaning Proposal Quote from Professional Services for \$2,196.33 per month for cleaning services for the Town Buildings, effective January 1, 2018, and authorize the Supervisor to execute the proposal.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

### 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 Mack to Receive and file the following Department Reports:

1. Town Clerk Monthly Report - September 2017
2. Town of Union Comptroller's Monthly Report – September 2017

Carried.

### ADJOURNMENT:

Moved by Augustini, seconded by Mack to adjourn the meeting.

Carried.

The meeting was adjourned at 7:29 P.M.

LJP/bk

Leonard J. Perfetti,  
Town Clerk