



Town Clerk
Leonard J. Perfetti

Town of Union

Town Board
Richard A. Materese, *Supervisor*
Thomas R. Augostini, *Councilman*
Frank J. Bertoni, *Councilman*
Sandra C. Bauman, *Councilwoman*
Heather R. Staley, *Councilwoman*

TOWN OF UNION BOARD MEETING

March 6 2019

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, March 6, 2019 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York.

BOARD MEMBERS PRESENT: Supervisor Richard A. Materese, Councilman Thomas R. Augostini, Councilman Frank J. Bertoni, Councilwoman Sandra C. Bauman, Councilwoman Heather R. Staley.

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

Also in attendance were Village of Johnson City Trustee Ben Reynolds, Village of Endicott Trustees Linda Jackson and Cheryl Chapman, Zoning Board of Appeals member Giuseppe Roberto.

Supervisor Richard A. Materese opened the meeting with the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS: None.

BIDS:

Bids were called for on Monday, February 25, 2019 at 10:00 A.M. for Pool Supplies – 3” AccuTabs.

Bids were received as follows:

DMJ Crystal Waters	55 lb. Container/Delivered	\$145.00 (12 pail min.)
	100 lb. Container/Delivered	N/A
21 Century Pools & Spas	55 lb. Container/Delivered	\$179.10
	100 lb. Container/Delivered	N/A

Moved by Augostini, seconded by Bertoni to receive and file the bids for Pool Supplies – 3” AccuTabs.
Carried.



Town of Union

Requests for Proposals were called for on Friday, March 1, 2019 at 10:00 A.M. for Professional Engineering Services – Street Reconstruction 500 Block Exchange Avenue – West Edward Street to West Valley Street, Endicott, New York.

RFPs were received as follows:

Hulbert Engineering & Land Surveyors, DPC	\$18,130.00
Delta Engineers, Architects & Land Surveyors	\$ 20,248.00
Hunt Engineers, Architect & Surveyors	\$ 23,744.67

Moved by Augustini, seconded by Bertoni to receive and file the Request for Proposals for Professional Engineering Services – Street Reconstruction 500 Block Exchange Avenue – West Edward Street to West Valley Street, Endicott, New York.
Carried.

APPROVAL OF MINUTES:

Moved by Augustini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, February 20, 2019.
Carried.

HEARING OF VISITORS:

Linda Jackson, Village of Endicott Trustee, is excited to inform the Board that the Village is interviewing companies to do a water study on all of their wells, which they hope to be completed by August 1st. She said as of right now, the Ranney Well is the only well that does not have iron in it. She further said that when chlorine is added to the wells that have the iron in them, it causes the water to turn orange.

Pam Brigham, 409 N. Page Avenue, Endicott, said she was at the last meeting to speak about a nuisance property at 407 N. Page Avenue and that she invited other neighbors to speak about the problem.

Susan Naylor, 408 N. Page Avenue, Endicott, said she lives across the street from the property and she is selling her house because she can't tolerate the problem anymore. She said the neighbors are constantly working on cars with loud power tools late at night and they carry guns out on the porch. She also said because of the firearms, she is afraid for the children in the house and the neighbors.

Michelle Colburn, 507 Birdsall Street, Endicott, said she lives around the corner from the property and that the noise is bad at all hours of the night. She also said they are always in the street, parking cars on both sides of the street making it hard to drive through, and have



Town of Union

people in and out of the house at all times. She further said she can't enjoy spending time outside on her porch because of the noise and for fear of being hurt by them.

Glennis Lamonica, 404 N. Page Avenue, Endicott, also complained about the noise at night that goes as late as 3:00 or 4:00 AM, working on vehicles in the road, and garbage all over their yard. She said she has called the police to report someone from that house chasing a person with a firearm and also said the police are there at least five times a week. She further said her elderly neighbor is afraid to come out of her house.

Lindsay Raub, 400 N. Page Avenue, Endicott, said that the noise and banging at night keeps them awake. She also said she witnessed an adult chasing a 3 year old child around the house while screaming profanity. She is worried for the welfare of the children and the neighbors.

Pam Brigham, 409 N. Page Avenue, Endicott, said two families were not at the meeting tonight to voice their concern out of fear of retaliation.

Wes Miga, Union Center Fire Company, said they have been working for over a year with different insurance agencies to try to get a reduction in the rate they pay for Workers Compensation, which due to the nature of firefighting, is very expensive. He said they appreciate all the work that Comptroller Laura J. Lindsay did by negotiating with Haylor, Freyer and Coon to get a significant rate reduction for them, even working on Christmas Eve to get this done to be effective on January 1st.

Dan Loiselle, 3201 Wayne Street, Endwell, asked for an update on the status of the BAE site in Westover.

Supervisor Rick A. Materese said a public meeting is scheduled for March 7, 2019 at 6:00 PM at the Town Office Building regarding this subject and to look on the Town Website for further information regarding it.

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

COMMUNICATIONS FOR FILING:

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

1. Charter Communications – Notices of Upcoming Changes – February 20, 2019 & February 28, 2019.



Town of Union

2. Email Notice from New York State Department of Environmental Conservation regarding Public Meeting Scheduled for Public Comment about Cleanup Proposal for State Superfund Site on North Street Endicott related to portions of IBM Endicott Facility Site # 704014 on March 19, 2019 at 6:00 P.M. at George F. Johnson Memorial Library, Scott Room, 1001 Park Street, Endicott, New York 13760.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to approve the letter from Pam Brigham, West Endicott Neighborhood Watch, to the Town Board requesting the use of the picnic shelter at West Endicott Park on August 6, 2019 at no cost for the National Night Out and to close Maple Street from Page Avenue to Mills Avenue, and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.
Carried.

2. Moved by Augustini, seconded by Bertoni to deny the email request from Allyn Davey to Julie Beavers, Parks Department, for the use of a shelter at Highland Park on July 27, 2019 at no cost for their 100th year Davey family reunion, and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.
Carried.

3. Moved by Augustini, seconded by Bertoni to refer the letter from Rev. Dennis Ruda, All Saints National Catholic Church, to the Town Board, requesting a road concern be addressed at the intersection of East Maine Road and Kot Road due to debris and broken blacktop pieces making it difficult to exit their cemetery, to Commissioner of Public Works Louis V. Caforio and Highway Superintendent Chester Kupiec.
Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Move by Augustini, seconded by Bauman to authorize the provisional appointment of Amber Jacobson to the position of Community Development Coordinator at a rate of \$35,000.00 per year with a start date of March 11, 2019. Said appointment is subject of successful completion of the required pre-employment screening.
Carried.



Town of Union

(Prepared Resolution filed as part of these minutes to approve and authorize the following signatures on the J.P. Morgan Securities LLC Brokerage Account Authority Certificate and Trading Authorization:

Richard A. Materese	Supervisor
Thomas R. Augostini	Deputy Supervisor
Laura J. Lindsley	Comptroller
Gretchen Uhler	Deputy Comptroller.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Richard A. Materese to sign and execute the Customer Agreement with J.P. Morgan Securities LLC and other required paperwork necessary to purchase Federal Treasury Securities at Short-term US Treasury Rates.)

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

Vote: All yes.

Moved by Augostini, seconded by Staley to approve the following 2019 budget transfers:

Decrease:	10 3510 4620	Education	\$ 100.00
Decrease:	10 3510 4403	Printing	\$ 250.00
Decrease:	10 3510 4601	Travel	\$ 200.00
Decrease:	10 3510 4151	Dog Tags	\$ 400.00
Decrease:	10 3510 4101	Office Supplies	\$ 160.40
Decrease:	10 3510 4101	Books	\$ 300.00
Increase:	10 3510 4401	Equip. Maintenance	\$1,410.40
Decrease:	20 3620 2500	Other Equipment	\$1,000.00
Increase:	20 3620 4401	Equip. Maintenance	\$1,000.00

Carried.

Moved by Augostini, seconded by Staley to authorize the advertisement of bids for Curb and Gutter/Sidewalk Replacement – Contract One to be received by Town Clerk Leonard J. Perfetti on Tuesday, March 26, 2019 at 10:00 A.M. at which time they will be opened and read aloud.
Carried.

Moved by Augostini, seconded by Staley to authorize the advertisement of bids for Curb and Gutter Replacement – Contract Two to be received by Town Clerk Leonard J. Perfetti on Tuesday, March 26, 2019 at 10:00 A.M. at which time they will be opened and read aloud.
Carried.



Town of Union

Moved by Augostini, seconded by Staley to authorize the advertisement of bids for Underdrain Installation and Connection at Miscellaneous Locations to be received by Town Clerk Leonard J. Perfetti on Tuesday, March 26, 2019 at 10:00 A.M. at which time they will be opened and read aloud.

Carried.

Moved by Augostini, seconded by Staley approving the attendance of Kenneth Jennison at the NYS Floodplain and Storm Water Managers Association meeting in Suffern, New York on April 14-17, 2019. This will complete the twelve hours of required training to keep Certified Floodplain Manager Certification. Authorization to include registration fee of \$320.00 which includes lunch and breakfast for three days, hotel fees for three nights at \$115.00 per night, meals not covered by registration, tolls and use of a Town vehicle.

Carried.

(Prepared Resolution filed as part of these minutes authorizing the purchase of a new 2020 Model Year Tandem Axle Mack Granite with a 30 Yard Pak Mor R300C Refuse Body from Beam Mack Sales Service, Inc. for a purchase price of \$215,495.30, off of the Onondaga County Heavy Truck Class 8 Statewide Contract # 8996. Monies for this purchase to be paid from the 2019 Capital line.)

Res. by Augostini, seconded by Staley.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the purchase of a new 2020 Model Year Tandem Axle Mack Granite with a 30 Yard Pak Mor R300C Refuse Body from Beam Mack Sales Service, Inc. for a purchase price of \$215,495.30, off of the Onondaga County Heavy Truck Class 8 Statewide Contract # 8996. Monies for this purchase to be paid from fund balance as stated in the December 5, 2018 Permissive Referendum.)

Res. by Augostini, seconded by Staley.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the purchase of a new 2020 Mack Granite 42 FR/Mack M-Drive from Beam Mack Sales Service, Inc. for a purchase price is \$223,735.57, off of the Onondaga County Heavy Truck Class 8 Statewide Contract #8996. Monies for this purchase to be paid from the 2019 Capital line. This truck will replace the Highway Department's Truck E-23, which will be declared as surplus and be sold on Auctions International.)

Res. by Augostini, seconded by Staley.

Vote: All yes.

The Resolution was adopted.



Town of Union

(Prepared Resolution filed as part of these minutes authorizing the purchase of a new 2020 Mack Granite 64 FR/Mack M- Drive from Beam Mack Sales Service, Inc. off of the Onondaga County Heavy Truck Class 8 Statewide Contract #8996. Budget line to be used is 2019 Capital line. Purchase price is \$244,587.76. This truck will replace the Highway Department's Truck E-36, which will be declared as surplus and to be sold on Auctions International.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve the Request for Proposals prepared by MEGA, upon review of the price and terms by the Deputy Comptroller, and authorize the Supervisor to approve participation in Community Choice Aggregation and sign any and all documents needed to affect its implementation.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to award the Bid for Pool Supplies – 3” AccuTabs to DMJ Crystal Waters. LLC in the amount of \$145.00/55lb container delivered -12 pail minimum.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve the Town of Union Agreement with Park Manor Plaza, LLC for the use of Park Manor Plaza property for the July 4th Extravaganza parking and fireworks viewing.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing the purchase of two (2) 2019 Chevrolet Silverado 2500 HD 4WD Double Cab 144.2” Work Trucks with 6.6’ Box from National Auto Fleet Group. Each vehicle costs \$31,177.71 for a total cost of \$62,355.42. The funds will come out of the Capital Budget line item.)

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

Vote: All yes.

Moved by Bertoni, seconded by Staley to accept the Change of Zone Petition from Suburban Multi-Family (SMF) to Neighborhood Commercial (NC) for 110 Berkley Street (140.20-5-44), 112 Berkley Street (140.20-5-45) and 927 Rosedale Street (140.20-5-48), and to refer it to the Planning Department to make all necessary referrals under Section 239-l and -m, and to forward the rezoning petition to the Planning Board for an advisory opinion.
Carried.



Town of Union

(Prepared Resolution filed as part of these minutes to declare Lead Agency for the petition to rezone 110 Berkley Street, 112 Berkley Street, and 927 Rosedale Street from Suburban Multi-Family (SMF) to Neighborhood Commercial (NC), and to declare the project an Unlisted Action under SEQRA.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to award the CDBG funded contract for Professional Engineering Services – Street Reconstruction - 500 Block Exchange Avenue – West Edward Street to West Valley Street, Endicott, New York, to Hulbert Engineering and Land Surveying, DPC, Binghamton, New York, in an amount not to exceed \$18,130.00. The Supervisor is further authorized to execute the contract and any other documentation required to complete the project.)

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

Vote: All yes.

(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 2019 Community Development Block Grant (CDBG) Annual Action Plan for Wednesday, March 20, 2019 at 7:00 P.M.)

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

Vote: All yes.

HEARING OF VISITORS:

Michelle Colburn, 507 N. Page Avenue, Endicott, asked what the Board is going to do about their neighborhood. She said people are leaving, living in fear and afraid of retaliation.

Councilman Frank J. Bertoni said the Town is doing everything they can to make this law effective. He said the neighbors have to call Code Enforcement for code violations and if there are other problems, they must call the police. He also said that if it appears the violations are not being corrected, they can be used against them to try to get it locked down. He further said the Town will try to meet with the landlord again to get these issues resolved.

Supervisor Richard A. Materese said there isn't a person on the Board who does not want to remedy this situation. He said it is hard because the Town does not have a police department to patrol the area and unfortunately the Town has no authority to do police work.

Cheryl Chapman, Village of Endicott Trustee, said she co-wrote the lockdown law in Endicott and said the Code Department works with the Police Department on the issues. She said a lot of the time the landlords are absent and do not know what their tenants are doing and once they are notified by the Code or Police Departments, they remedy the problems quickly. She said they are having great success with their lockdown law and new codes.



Town of Union

Councilman Frank J. Bertoni explained why the law is being revised. He said the hope is to resolve the issues at the first step, by meeting with the landlord and not have to go to court, but the law has to be strong enough to get past any challenges.

Supervisor Richard A. Materese said they are attempting to meet with the landlord but cannot guarantee he will come in.

Susan Naylor, 408 N. Page Avenue, Endicott, asked what it would take to have the Village of Endicott Police patrol their area.

Supervisor Richard A. Materese said they would have to get a neighborhood petition signed and present to the Village of Endicott Board asking to extend the coverage area for Police.

Tim Brigham, 409 N. Page Avenue, Endicott said the landlord has been informed by the neighbors of the problems, but he chooses to ignore them since he is getting his rent.

Glenn Lamonica, 404 N. Page Avenue, Endicott asked what the noise ordinance is in the Town.

Councilman Thomas R. Augostini explained the noise ordinance is for the decibel level and there is not a time restriction in it.

Tim Brigham, 409 N. Page Avenue, Endicott, asked if the Town owned a decibel meter and if the problem is at night, how would it be monitored since the Code Enforcement Office does not work at night.

Pam Brigham, 409 N. Page Avenue, Endicott, said the landlord is not an absentee landlord; he lives in Endicott.

Frank Chernega, 461 Payne Road, Endicott, said he sent an email to the Board regarding solar farms, and wanted to know what the Board thought about them.

Supervisor Richard A. Materese said the moratorium on solar use in the Town is to give the Town time to develop regulations on ground panels, which the current code does not address.

Ron Dellapenta, 506 N. Page Avenue, Endicott spoke about a vacant house next door to his that is being foreclosed on. He said that he has been shoveling snow and mowing grass there, but wanted to know whose responsibility it is to take care of it.

Deputy Town Attorney Rosemarie Pope said it is the bank's responsibility to take care of it and if they are not, then notify the code enforcement office of the violations.



Town of Union

As no one else wished to speak, Supervisor Richard A. Materese 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 Report:

1. Monthly Comptroller Report – January 2019
Carried.

ADJOURNMENT:

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

The meeting was adjourned at 8:05 P.M.

Leonard J. Perfetti
Town Clerk

LJP/bk