



Town Clerk  
Leonard J. Perfetti

# Town of Union

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

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## TOWN OF UNION BOARD MEETING

April 3, 2019

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, April 3, 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. Augustini, Councilman Frank J. Bertoni, Councilwoman Sandra C. Bauman, Councilwoman Heather R. Staley.

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

Also in attendance was Village of Endicott Trustee Linda Jackson.

PUBLIC HEARINGS: None.

### BIDS:

Bids were called for on Monday, March 25, 2018 at 10:00 A.M. for Grand Avenue - Street Reconstruction – Helen Street to Elizabeth Street, Village of Johnson City, Town of Union CDBG Program.

Bids were received as follows:

Chicago Construction Company, Inc.	\$184,000.00
G. DeVincentis & Son Construction	\$267,000.00
DeNinis Construction Company, Inc.	\$307,332.70

Moved by Augustini, seconded by Bertoni to receive and file the bids for Grand Avenue - Street Reconstruction – Helen Street to Elizabeth Street, Village of Johnson City, Town of Union CDBG Program.

Carried.

Bids were called for on Tuesday, March 26, 2019 at 10:00 A.M. for Curb & Gutter/Sidewalk Replacement – Contract 1.

Bids were received as follows:



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R.B. Magliocca General Contracting	\$106,124.60
Chicago Construction Company, Inc.	\$174,000.00

Moved by Augustini, seconded by Bertoni to receive and file the bids for Curb & Gutter/Sidewalk Replacement – Contract 1.  
Carried.

Bids were called for on Tuesday, March 26, 2019 at 10:00 A.M. for Curb & Gutter Replacement – Contract 2.

Bids were received as follows:

R.B. Magliocca General Contracting	\$306,546.60
Chicago Construction Company, Inc.	\$404,000.00

Moved by Augustini, seconded by Bertoni to receive and file the bids for Curb & Gutter Replacement – Contract 2.  
Carried.

Bids were called for on Tuesday, March 26, 2019 at 10:00 A.M. for Underdrain Installation & Connections at Miscellaneous Locations.

Bids were received as follows:

Tre-Gen Concrete Corporation	\$ 75,883.00
R. B. Magliocca General Contracting	\$ 82,964.00
Chicago Construction Company Inc.	\$103,000.00
Broome Bituminous Products, Inc.	\$128,739.25

Moved by Augustini, seconded by Bertoni to receive and file the bids for Underdrain Installation & Connections at Miscellaneous Locations.  
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, March 20, 2019.  
Carried.

### HEARING OF VISITORS:



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Neal Gramento, 1119 Farm to Market Road, Endwell, said he heard that the Town is considering making Struble Park a dog park and he is opposed to this. He said that a K-9 police officer lets his dog run daily in the park and other dog owners are starting to let their dogs run too. He also said that every year the Town puts up temporary No Parking signs on Farm to Market Road for the 4<sup>th</sup> of July fireworks, and he feels that it is a waste of time and employee man hours, since no one enforces them.

Supervisor Richard A. Materese said the Town is considering to allow only service dogs such as police dogs in the park.

Paul Gonzalez, 508 June Street, Endicott, said he attended a local veterans meeting and said there will be a lot of services for veterans at the new facility opening in Vestal.

Supervisor Richard A. Materese asked if there would be physician services at the new facility.

Mr. Gonzalez said there will be many offices and services there. He also said the new State budget approved free burial for veterans.

Supervisor Richard A. Materese said he believes that it is for burials in veterans' cemeteries only.

Jason Sylvester, 925 Byford Boulevard, Endwell, said he was at a meeting six months ago to discuss the condition of the trees at lower Highland Park that border Byford Boulevard. He asked for an update on this issue. He said he knows that the Commissioner of Public Works has looked into this, but he has not received any response from him. He also asked if an active map will be put on the website that will show sectors or zones of the Town where and when leaf collections are being done. He said this will be helpful so a resident can rake their leaves out to the curb and not two weeks in advance.

Councilman Frank J. Bertoni said he will follow up with Commissioner of Public Works Louis V. Caforio regarding the trees. He went on to say a map on the website would be difficult to make accurate due to factors such as leaves falling late or snow covering the leaves later in the season. He said these factors would affect the pickup schedule and problems would develop if your sector was scheduled, no leaves were on the ground for pickup and the teams go on to other sectors and maybe not get back to yours.

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

COMMUNICATIONS FOR FILING:



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

1. Letter from John M. Kunzman, 600 Boswell Hill Road, Endicott, in response to a letter he received from Town Attorney Alan J. Pope regarding the paving of Shale Drive, Endicott.
2. New York State Department of Building Standards and Codes, Uniform Code Administration and Enforcement Report (Reporting Year 2018).
3. Charter Communications Notice – March 29, 2019.  
Carried.

## COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to refer the Notice of Foreclosure – Citimortgage, Inc. vs. Barbara Ann Brown for 25 Hooper Road, Endwell, to Town Attorney Alan J. Pope, Deputy Commissioner of Public Works for Codes & Ordinances Daria Golazeski and Planning Director Sara Zubalsky-Peer.  
Carried.
2. Moved by Augustini, seconded by Bertoni to approve the letter from Chris Konrad, Secretary, Maine Endwell Little League, requesting permission to hold their Opening Day Parade on Saturday, April 27, 2019 at 10:00 AM starting at Maine Endwell High School parking lot progressing to Struble Sports Complex on Struble Road, Endwell. Authorization to include temporary closures of Farm to Market Road at Hooper Road, Farm to Market Road and Pleasant Lane, Farm to Market Road to Hillside Terrace, along with Struble Road and Rosewood Terrace, and refer it to Commissioner of Public Works Louis V. Caforio and Highway Superintendent Chester Kupiec.  
Carried.
3. Moved by Augustini, seconded by Bertoni to approve the letter from Matthew Smith, The Pourhouse Pub and Grill, 4402 Watson Boulevard, Johnson City, requesting a 30-Day Waiver for an On-Premises Alcoholic Beverage License – alteration to the existing premises to add 2 summer bars to the covered porch area subject to approval of Deputy Commissioner of Public Works for Codes & Ordinances Daria Golazeski.  
Carried.

PETITIONS:           None.

## COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:



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(Prepared Resolution filed as part of these minutes to approve the proposed amendments to the Public Nuisance Law of Chapter 141 – Nuisances.)

Res. by Augustini, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing on April 17, 2019 at 7:00 P.M. with respect to amendments and changes to the Town of Union Local Law Chapter 130 entitled Garbage, Rubbish, Refuse and Recyclables.)

Res. by Augustini, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to amend Sections 191-14, 191-15 and 191-17 as follows while school is in session:

## 191-14 PARKING PROHIBITED IN DESIGNATED LOCATIONS

REPEAL:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Briar Lane	West	From Pruyne Street to 40 feet South

ADD:

<u>NAME OF STREET</u>	<u>LOCATION</u>
Pruyne Street	North From 30 feet West of the intersection of Verna Drive to the intersection of Winston Drive

## 191-15 PARKING TIME LIMITED IN DESIGNATED LOCATIONS

REPEAL:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>HOURS</u>	<u>LOCATION</u>
Pruyne Street	East	9:15 p.m. to 3:15 p.m. Monday - Friday	From Briar Lane a distance of 270 feet East
Pruyne Street	South	8:00 a.m. to 4:00 p.m. Monday – Friday	From Briar Lane East to Verna Drive

## 191-17 STOPPING PROHIBITED IN DESIGNATED LOCATIONS



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ADD:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>HOURS</u>	<u>LOCATION</u>
Briar Lane	West	8:00 a.m. to 4:00 p.m. Monday – Friday	From Pruyne Street to 40 feet South
Pruyne Street	South	8:00 a.m. to 9:00 a.m. 3:00 p.m. to 4:00 p.m. Monday – Friday	From 235 feet East of Hooper Road to the intersection of Briar Lane
Pruyne Street	South	8:00 a.m. to 9:00 a.m. 3:00 p.m. to 4:00 p.m. Monday – Friday	From the intersection of Briar Lane to 75 feet West of the Verna Drive intersection.)

Res. by Augustini, seconded by Bauman.  
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 May 1, 2019 at 7:00 P.M. regarding the proposed Code Changes for Chapter 300, Section 52, entitled Sign Regulations and Article 70 Definitions and to refer the same to the Code Enforcement Office to make the necessary referrals to the Broome County Planning Department pursuant to General Municipal Law 239 l and m and to the Planning Board for an advisory opinion.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve the amended salary schedule for 2019 as discussed in Executive Session before this meeting as follows:

Approve an additional 1% salary increase retroactive to 1/1/19 for the titles of Deputy Clerk, Real Property Appraiser, and Personnel Clerk.

Approve the part-time water laborers salaries at \$8,000 per year effective on the check date of 4/12/19.)

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

Vote: All yes.



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Moved by Augustini, seconded by Staley to approve the following Budget Transfer:

Decrease:	10 3510 4101	Office Supplies	\$ 410.00
Increase:	10 3510 4401	Equip. Maintenance	\$ 410.00

Carried.

(Prepared Resolution filed as part of these minutes to award the Bid for Curb & Gutter/Sidewalk Replacement – Contract 1 to R.B. Magliocca General Contracting, 620 Squires Avenue, Endicott for their low bid price of \$106,124.60.)

Res. by Augustini, seconded by Staley. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the Bid for Curb & Gutter Replacement – Contract 2, to R.B. Magliocca General Contracting, 620 Squires Avenue, Endicott, for their low bid price of \$306,546.60.)

Res. by Augustini, seconded by Staley. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the proposed 2019-2020 Recreation Fee Adjustments as follows:

Increase all program fees by \$5.00.

Increase non-residents' fee for all programs from \$10.00 to \$15.00.

Change Summer Fun Early Drop Off/Late Pick Up to \$15.00 per week for early drop off and \$15.00 per week for late pick up, with a maximum family rate of \$90.00 per week.)

Res. by Bertoni, seconded by Bauman. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the Supervisor to enter into an agreement with Chicago Construction Company, Inc., 1788 Union Center Highway, Endicott, New York, for the Grand Avenue- Street Reconstruction – Helen Street to Elizabeth Street, Village of Johnson City, Town of Union CDBG Program project in an amount not to exceed \$184,000.00. Funds are available in the CDBG FFY 2018 Village of Johnson City Capital Improvement budget line.)

Res. by Bertoni, seconded by Staley. Vote: All yes.  
The Resolution was adopted.



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Moved by Bertoni, seconded by Staley to approve the attendance of Senior Planner Marina Lane to the Upstate New York Chapter of the American Planning Association conference on April 5, 2019 at SUNY ESF in Syracuse, New York. Authorization is to include the registration fee of \$35.00 and use of a town vehicle.  
Carried.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing to be held on Wednesday, April 17, 2019 at 7:00 P.M. on the Change of Zone request for 110 Berkley Street (140.20-5-44) and 112 Berkley Street (140-20-5-45) from Suburban Multi-Family (SMF) to Neighborhood Commercial (NC).)  
Res. by Bertoni, seconded by Staley. Vote: All yes.  
The Resolution was adopted.

Moved by Bertoni, seconded by Staley authorizing Acting Planning Director Paul A. Nelson to advertise Requests for Proposal – Professional Engineering Services – Fairmont Park Subdivision Water System Improvement Project. Proposals to be received by Town Clerk Leonard J. Perfetti on Thursday, April 25, 2019 at 10:00 A.M. at which time they will be opened and read aloud.

## HEARING OF VISITORS:

Carol Laskoski, 37 Edwards Street, Johnson City, asked if Town Attorney Alan J. Pope could explain the Nuisance Law that was passed this evening.

Town Attorney Alan J. Pope explained the changes to the Nuisance Law, also known as the Lockdown Law.

Supervisor Richard A. Materese also explained that proof of illegal activity, such as eye witnessing by police or residents, filmed recording of the activity, and/or a signed affidavit by a witness that the activity is taking place at the residence, is needed before any action can take place in the Lockdown procedure. He further said it cannot be alleged illegal activity.

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 Augustini, seconded by Bertoni to receive and file the following Department Reports:



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1. Comptroller's Monthly Report – February 2019.
2. Zoning Board of Appeals Decision – BC Enterprise Solutions, LTD, 1143 Elton Drive, Endwell, Tax Map # 125.14-1-24, Application Number 2018-015.  
Carried.

At this time, Councilman Frank J. Bertoni announced the Town of Union, in partnership with the Village of Endicott and Broome County, is proposing the development of an extension of the Chugnut Trail. The project will connect the existing Chugnut trail near the intersection of River Terrace and Vestal Avenue in the Village of Endicott, to the Town of Union Route 17C Sports Complex.

The Town of Union Town Board will be hosting a Public Information Meeting regarding the proposed Chugnut Trail Extension design. The presentation will be facilitated by the project design consultant Elan Planning, Design and Landscaping Architecture PLLC of Saratoga Springs, New York. The presentation will be included as an agenda item at the Town of Union Board meeting on Wednesday, April 17<sup>th</sup> beginning at 7:00 P.M. at Town Hall. The presentation will be followed by an opportunity for public comment or questions.

Councilwoman Sandra C. Bauman recognized the lives of the 13 people killed at the American Civic Association tonight on the 10<sup>th</sup> anniversary of their deaths.

## ADJOURNMENT:

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

The meeting was adjourned at 7:45 P.M.

Leonard J. Perfetti  
Town Clerk

LJP/bk