



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*

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## TOWN OF UNION BOARD MEETING

September 18, 2019

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, September 18, 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 Frank J. Bertoni, Councilwoman Sandra C. Bauman, Councilwoman Heather R. Staley.  
Absent: Councilman Thomas R. Augostini,

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

Also in attendance was Giuseppe Roberto, Zoning Board of Appeals member.

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

At this time, Town Attorney Alan J. Pope spoke about the Eminent Domain Public Hearing that was closed at the last meeting. He explained that the Public Hearing was closed, but a comment period was held open until 9/18/19 at 12:00 Noon, and that no comments were received. He said it is anticipated that the Town Board will make a determination with respect to both of those properties as it relates the eminent domain process at the next Town Board meeting to be held on October 2, 2019.

### PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, September 18, 2019 at 7:00 P.M. to consider input from the residents regarding the draft version of the Town of Union's 2020-2014, five (5) year PHA Plan for the Housing Choice Voucher Program.  
Pub. & Posted: 08/22/19

As no one wished to speak, Supervisor Richard A. Materese closed the Public Hearing.

BIDS: None.



# Town of Union

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## APPROVAL OF MINUTES:

Moved by Bertoni, seconded by Bauman to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, September 4, 2019 with the following addition:

Mrs. Chapin received the information from her Freedom of Information request.  
Carried.

## HEARING OF VISITORS:

Supervisor Richard A. Materese asked the audience to refrain from clapping, cheering or booing when someone speaks. He said it is intimidating and disrespectful to others.

Jean Chapin, 8 Woodland Avenue, Johnson City, presented to the Board a petition with signatures of 96% of residents from Fairmont Park that are protesting the zoning and variance changes to allow for the proposed floodplain development and the building of the two-family houses.

Amanda Durell, 115 Patio Drive, Endwell, asked the Board to consider adopting into Town Code a similar practice from the Johnson City Code Article #1 titled Garbage, Rubbish and Refuse – Section D, 236-20 Dumpsters – section D, which limits garbage pickup between the hours of 6:00 AM to 9:00 PM on any day.

Supervisor Richard A. Materese asked if the problem got any better from the last time she was at the meeting or never stopped and is a continuing problem.

Ms. Durell said it got better for a little while, but it is bad again. She said they are not picking up the dumpsters at Weis, but are picking up the other ones. She hears the trucks driving through the lot and slamming down the dumpsters when they are empty. She also said they were there this morning between 4:30 and 5:00, and that since she drives for work, she values her sleep.

Supervisor Richard A. Materese said it will be looked into again.

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

## COMMUNICATIONS FOR FILING:

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

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# Town of Union

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1. Letter from Linda Jackson, Village of Endicott Trustee, regarding the Proposed Zoning Amendment for the Village of Endicott to allow special permits for industrial uses on Neighborhood Commercial Properties.
2. Town of Union Citizen Advisory Council for Community Development minutes for May, June & July, 2019.
3. Charter Communications Notices – September 6, 2019 & September 15, 2019.
4. Review Pursuant to 239-l & m of the Municipal Law from the Village of Endicott to amend Chapter 300 of their Code – Zoning.  
Carried.

## COMMUNICATIONS FOR ACTION:

1. Moved by Bertoni, seconded by Bauman to refer the letter from James D. Dadamio, Director of Security Services, Broome County, to Supervisor Richard A. Materese, regarding the Broome County Dog Shelter 2020 rate proposal for services to the Town of Union, to Comptroller Laura J. Lindsley and Deputy Commissioner of Public Works for Codes and Ordinances Daria Golazeski.  
Carried.
2. Moved by Bertoni, seconded by Staley to refer the Choconut Center Volunteer Fire Company 2020 Proposed Budget to Town Comptroller Laura J. Lindsley.  
Carried.
3. Moved by Bertoni, seconded by Bauman to approve the letter from Wayne Marble for The Brickyard Endwell, LLC, 800 Hooper Road, Suite 320 Endwell, NY 13760 requesting a 30-Day Waiver for an On-Premise Alcoholic Beverage License; and requesting a letter of compliance from the Codes Department stating the tavern meets Town Codes and refer it to Town Attorney Alan J. Pope, Town Clerk Leonard J. Perfetti and Deputy Commissioner of Public Works for Codes and Ordinances Daria Golazeski.  
Carried
4. Moved by Bertoni, seconded by Staley to refer the letter from Michael S. Fauci, Esq., 6 Washington Avenue, Endicott, New York, to the Town Board informing them that IBM Country Club LLC objects to the taking by eminent domain, a portion of the property (tax map # 142.02-1-19) and rejects the offer by the Town of \$26,900.00 for the taking of the property to Town Attorney Alan J. Pope and Planning Director Sara Zubalsky-Peer.  
Carried.
5. Moved by Bertoni, seconded by Bauman to receive the letter from Pam Brigham, West Endicott Neighborhood Watch, 409 N. Page Avenue, Endicott, to the Town Board informing them of the Endicott Porchfest 2020 to take place on Saturday, May 9, 2020 from 12:00 Noon



## Town of Union

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to 6:00 P.M.; and requesting the use of the West Endicott Park pavilion and bathrooms, the use of the small triangle of land located at the intersection of W. Wendell Street, W. Franklin Street and Mills Avenue, and the Town to provide port-a-potties for that day. The Town Board approved the use of the property, denied the request for port-a-potties supplied by the Town and referred to the letter to Commissioner of Public Works Louis V. Caforio, Deputy Commissioner of Public Works for Codes Ordinances Daria Golazeski and Highway Superintendent Chester Kupiec.  
Carried.

PETITIONS:           None.

### COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Moved by Bauman, seconded by Staley to authorize Gretchen Uhler to attend the New York State Office of General Services Procurement Seminar at SUNY Binghamton on October 25, 2019. The seminar will provide information on new initiatives and innovative contracts, offer tips to improve efficiency, achieve savings, and navigate the Procurement Services website. There is no cost to attend the seminar.  
Carried.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Richard A. Materese to sign and execute the UHS Workers' Compensation PPO agreement, PPO Employer Affirmation CSEA Blue Collar (40 hour group) and PPO Employer Affirmation CSEA White Collar (35 hour group) in accordance with Article 16.2 of the respective collective bargaining agreements and Article 10-A of the Workers' Compensation Law and 12 NYCRR 325-8.2. There is no increase to the annual service cost of \$9,000 with the duration from 10/1/19 to 9/30/20.)

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

Vote: All yes.

Moved by Bauman, seconded by Staley approving the attendance of Assessor Joseph Cook to the Ethics and the Assessor Course given by the NYS Assessor's Association on December 6, 2019 at the Corning Radisson Inn, Corning, New York. Authorization is to include tuition fee of \$110.00, use of a Town vehicle, and per diem in accordance with Town approved guidelines.  
Carried.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Richard A. Materese to sign and execute upon Town Attorney approval the Tyler Technologies Software as a Service Agreement consisting of system administration, system management, and



## Town of Union

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system monitoring performed for Tyler Software, and rights to access and use Tyler Software, receive maintenance and support, and Data storage and archiving. The Town utilizes the Tyler Software of MUNIS as its financial system. The term of the agreement is for three (3) years consisting of one-time fee of \$20,840.00 and annual recurring fees of \$30,223.00.)  
Res. by Staley, seconded by Bertoni. Vote; All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to declare the Town Board of the Town of Union as Lead Agency with respect to the filing of an application for grant funds with respect to the Reynolds Road Pump Station Repair and Replacement Project, and to declare the Project a Type II action under SEQRA.)  
Res. by Staley, seconded by Bertoni. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing to purchase a new 2019 Caterpillar Skid Steer 246D through a Buy Back Program from CAT for a price of \$47,059.00, minus trade in \$40,159.00, net difference being \$6,900.00 per NYS OGS contract PC66988 NJPA-032515 CAT. F-171 will be declared surplus for trade-in purposes. The new Skid Steer would be paid out of the Highway Equipment Account.)  
Res. by Staley, seconded by Bertoni. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the purchase of One (1) Wacker Jumping Jack-Model BS60-4AS through Sourcewell (NJPA) contract #041719-WAC for a price of \$2,761.00 and to purchase One (1) Wacker Plate Tamper-Model WP1550AW through Sourcewell (NJPA) contract #041719-WAC for a purchase price of \$1,939.00 from Admar Construction Equipment and Supplies. Monies for these purchases would be paid out of the Highway Other Equipment Account.)  
Res. Staley, seconded by Bertoni. Vote: All yes.  
The Resolution was adopted.

### HEARING OF VISITORS:

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



# Town of Union

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1. Town Clerk Monthly Report – August 2019.
2. Town of Union Planning Department Decision – Custom Systems Integration Relocation, Minor Site Plan Approval, 800 Hooper Road, Tax map #125.20-4-3.1.
3. Town of Union Comptroller's Monthly Report – August 2019.
4. Town of Union Planning Board Decision – Jeff Ayres, Special Permit Approval, Floodplain Development, 1553 Union Center Maine Highway, Tax map # 141.05-1-26.
5. Town of Union Planning Board Decision – Jeff Ayres, Site Plan Approval – Commercial Development, 1553 Union Center Maine Highway, Tax map # 141.05-1-26.
6. Permits Report – August 2019.  
Carried.

## ADJOURNMENT:

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

The meeting was adjourned at 7:27 P.M.

Leonard J. Perfetti  
Town Clerk

LJP/bk