



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

April 21, 2021

The Regular Meeting of the Town Board of Town of Union was held on Wednesday, April 21, 2021 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York and via Zoom. A full transcript of this meeting will be available on the Town website at a later date.

**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:** Town Attorney Alan J. Pope, Deputy Town Attorney Rosemarie Pope, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruczkowski.

Also in attendance were Village of Johnson City Mayor Greg Deemie, Village of Endicott Mayor Linda Jackson, and former Broome County Legislator George Phillips.

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

Councilman Thomas R. Augostini read the following Proclamation:

### ***In Memory of Edward “Eddie” Kiluk***

**WHEREAS**, Edward Kiluk, of Owego, was a loving partner to Jennifer Morris Hanford, brother to 5 younger siblings, Kathy Phillips, Michael Kiluk, Debra Westgate, Jennifer Giammarino, and Brian Kiluk, son of Edward and Florence Kiluk, and uncle of many nieces and nephews; and

**WHEREAS**, Edward was a graduate of Seton Catholic Central High School and Broome Community College; and

**WHEREAS**, Edward began his law enforcement career as a Johnson City Police Officer before becoming a New York State Trooper, serving for nearly 30 years and spending several weeks assigned at ground zero following the terrorist attacks on 9/11; and

**WHEREAS**, Edward was a vibrant member of the greater Binghamton community with his involvement in the Endicott Sons of Italy, his organization of charity events and food deliveries, and his frequent patronage of local establishments, making friends wherever he went; and



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**WHEREAS**, Edward held a strong love and loyalty for his New York Yankees and LA Raiders and enjoyed his time spent out on the golf course; and

**Now, Therefore**, the Town of Union Board celebrates the life of Eddie and the legacy of generosity and kindness that he has left behind for his loved ones.

Councilman Thomas R. Augostini said he recognizes a few of the names on Zoom, sisters and brothers of Eddie, and thanked the family and friends of Eddie Kulik for attending tonight's meeting. He said the Town of Union would like to recognize and celebrate Eddie's public service career to our community and his dedication to his career and family. He also said as a side note, he would run into Eddie at different events and thinks the reason he was at them, was to pick up food and treats to deliver to certain people he knew. He said you would see him at the Sons of Italy picking up dinners and delivering them at Willow Point Nursing Home to his friends who are residents there. He further said, Eddie had a big heart and will be a big loss to his family, friends and to the community. His life was transformed after 9/11. The Town wants to thank everyone for attending tonight and to thank Eddie for everything he did for his community over the 60 short years of his life.

George Phillips, former Broome County Legislator, thanked the Town Board for the beautiful honor to Ed Kulik. He said his service to his community was outstanding, but his death related to the cancer he contracted from the 9/11 cleanup, is also the reason we are honoring him tonight. He thanked Mayor Deemie as well for the proclamation that is coming from the Village of Johnson City and said honors from New York State will be forthcoming for this hero who gave his life, as many others did on 9/11/2001, although, 20 years later. He said Mr. Kulik was a proud native son of Johnson City and a proud State policeman with many years of service. He said the proclamation summarized Ed's life so well. He was full of wit and humor, loved his family and friends, and took care of his elderly parents. He went on to say that it has been so very hard to have this loss 20 years after 9/11, knowing that there were so many law enforcement officers that were lost on that day. Eddie was one of those that was a part of the vital and painful recovery effort. He can't imagine what Eddie faced as a State trooper, not only while defending us from criminals, but at times of accidents and tragedies, such as 9/11. He said many of you have been down to the 9/11 Memorial and the new Freedom Tower and have seen the names of those lost on that day. Ed's name may never be on that memorial with the other victims that died that day, but he was part of the healing that came forth from the nation that's going to be there forever. His legacy lives on in this community but he will also be a special part of this incredible day of heroism in United States history. Mr. Phillips thanked the Town again for this honor.

Supervisor Richard A. Materese said the service that we give pales in comparison to the sacrifices that he and his family have made. We are thankful and grateful to him and wish our condolences to the family.



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PUBLIC HEARINGS: None.

BIDS:

Bids were called for on Monday, April 12, 2021 at 10:00 A.M. for Grand Avenue – Phase 4 Street Reconstruction – St. Charles Street to Hudson Street, Village of Johnson City, Town of Union FFY 2020 CDBG Program.

Bids were received as follows:

Chicago Construction Company, Inc.	\$ 277,000.00
Albert Torto Construction	\$ 401,521.00
DeNinis Construction Company, Inc.	\$ 426,970.00

Moved by Augustini, seconded by Bertoni to receive and file the Bids for Grand Avenue – Phase 4 Street Reconstruction – St. Charles Street to Hudson Street, Village of Johnson City, Town of Union FFY 2020 CDBG Program.  
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, April 7, 2021 with the following corrections:

Bids were received by the Deputy Commissioner of Public Works – Environmental Services Daniel Schofield on Wednesday, March 24, 2021 for Construction & Demolition and Cardboard Collection and Hauling for a three (3) year contract.

Bids were received as follows:

	<u>C &amp; D</u>	<u>Cardboard</u>	<u>Container Fee</u>
Bert Adams Disposal	\$149.00	\$149.00	\$0 <b>(Should be \$ 144.00 for both)</b>
Southern Tier Recycling	\$150.00	\$150.00	\$0

And (Prepared Resolution filed as part of these minutes to award the Bid for Construction & Demolition and Cardboard Collection and Hauling to Bert Adams Disposal, 521 Main Street, Chenango Bridge, New York for their low bid price of

	<u>C &amp; D</u>	<u>Cardboard</u>	<u>Container Fee</u>
Bert Adams Disposal	\$149.00	\$149.00	\$0. <b>(Should be \$144.00 for both)</b>

Res. Staley, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

Carried.



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## HEARING OF VISITORS:

Village of Johnson City Mayor Greg Deemie said he would be happy to help the Town spend the stimulus money. He said he saw on the agenda the two Resolutions terminating the Code Department and the Planning Department services for Johnson City and asked what lead to these decisions. He further said that he would work with the Town to transition these departments back to the Village.

Supervisor Richard A. Materese said, as he explained to Mayor Deemie on the phone, that with the Town losing Deputy Commissioner of Public Works for Codes & Ordinances Daria Golazeski and two other Code Enforcement Officers, it would not be beneficial to the Town to hire people to basically only cover Johnson City code. He also said that he heard the statement "If we are not doing code, we should not be doing planning either, since they go hand and hand." Therefore, that is where the decision has come from.

Village of Johnson City Mayor Greg Deemie said he understands the reasoning and will work together on the transition.

Councilman Thomas R. Augostini said there were a lot of discussions with DCPW for Codes Daria Golazeski, Planning Director Sara Zubalsky-Peer and Senior Planner Marina Lane about the impending retirements and changes in staff and that's what drove us to the decisions. He said in 2011 -2012 when the agreements came into place, Daria Golazeski was the biggest component to the agreement. He also said that after listening to the staff and with the retirements happening, now is the right time to make this decision going forward. He said he is not sure it would work well at this standpoint for the Village.

Mayor Deemie said they have worked well with everyone and he has had no problems. He thanked the Town for their services.

Councilman Thomas R. Augostini said a major component of the agreement, Daria Golazeski, will be a hard role to fill. He said with the code enforcement history and knowledge of the Village, Dee is on the "Mount Rushmore of Knowledge" of people from Johnson City, and the loss of her is the big reason of this change. He said "it started with Dee and will end with Dee."

Mayor Deemie again acknowledged that things have worked well and will continue to work well with the Town, and they will work together to make this transition an easy process.

Village of Endicott Mayor Linda Jackson gave an overview of the stimulus spending discussion at the Village. She said there is a long list of streets that the engineer has to be done, but many of the streets have electric or water work to be done before paving them. She said there is a wish list for every budget. She went on to say that the Village of Endicott has to match the funding from the Greater Binghamton Fund for the Washington Avenue project. She said they approved Bond money to do this, but if the stimulus money comes in, they may



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be able to use it instead for this project. She said the budget in the Village is done and the taxes are not going up very much, so hopefully the money will come in to do these wish list items.

George Phillips, as a taxpayer and current member of the Claim New York group, commended the Town on their solid budgets and on establishing the budgets. He also thanked the Clerk's office for their great transparency. He said the roads are great in his neighborhood and throughout the Town. He thanked the Town for letting him speak.

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

COMMUNICATIONS FOR FILING:       None.

COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the letter from John G. Icolich, Ingram, Yuzek, Gainin, Carroll & Bertolotti, LLP, regarding Complaints on Tentative Telecommunications Ceiling for the Year 2021 to Town Attorney Alan J. Pope and Assessor Joseph Cook.  
Carried.
2. Moved by Augostini, seconded by Bertoni to refer the letter from Richard Laganiere, Ascend Athletics, 1208 Farm to Market Road, Endicott, requesting permission to use 17C Softball Fields #'s 5, 6 & 7 on June 19, 2021 for an all-day softball tournament, to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.  
Carried.
3. Moved by Augostini, seconded by Bertoni to refer the Email from Timothy R. Strong, Public Relations & Community Engagement Manager, Visions Federal Credit Union, 3301 Country Club Road, Endicott, NY requesting permission to hold the 4 on the 4<sup>th</sup> Road Race on July 4, 2021 to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.  
Carried.
4. Moved by Augostini, seconded by Bertoni to approve and refer the letter from Nichole Johnson, President, West Endicott Fire Department, 113 N. Page Avenue, Endicott, requesting use of a Town's garbage truck on May 8, 2021 for their annual chicken barbeque, to Commission of Public Works Louis V. Caforio and Deputy Commissioner of Public Works for Environmental Services Daniel Schofield.  
Carried.



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5. Moved by Augostini, seconded by Bertoni to approve and refer the Email from Michelle Beatty, Secretary/Treasurer of Park Manor Homeowners Association, requesting permission to block off Parkwood Drive and the use of barricades for their annual block party on Saturday, June 26, 2021 from 4:00 P.M. to approximately 8:00 P.M.; and requesting the Town to notify all emergency agencies of this to Commission of Public Works Louis V Caforio and Highway Superintendent Chester Kupiec.  
Carried.

PETITIONS: None.

## COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to terminate the IMA with the Village of Johnson City for Code Services effective upon 6 months written notice with authorization for Supervisor Richard A. Materese to issue said formal written notice.)

Res. by Bertoni, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to terminate the IMA with the Village of Johnson City for Planning Services effective upon 90 days written notice with authorization for Supervisor Richard A. Materese to issue said formal written notice.)

Res. by Bertoni, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the following 2020 year end budget modification.

Increase:	20 1120 0000	Sales Tax	\$ 1,472,272.08
Increase:	20 9901 9000	Pro-rata Sales Tax	\$ 1,472,272.08.)

Res. by Staley, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the following 2021 budget modification:

Increase:	40 2680 0000	Insurance Recoveries	\$ 6,005.00
Increase:	40 7110 4149	Building & Ground Supplies	\$ 5,510.00
Increase:	40 7110 4413	B&G Maintenance	\$ 495.00.)

Res. by Staley, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.



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Moved by Staley, second by Augostini to approve the 2020-year end budget transfer.

ORG	OBJ	ACCOUNT DESCRIPTION	
10 1110	1010	Salary Base	443.80
10 1110	1010E	Salary Excused	1,013.08
10 1110	1030	Temporary	(1,976.88)
10 1110	4099	Temporary	165.00
10 1110	4101	Office Supplies	(312.45)
10 1110	4512	Consultant	355.00
10 1110	4516	IT Services	312.45
10 1315	1010	Salary Base	964.00
10 1315	1080	Compensated Abs	(964.00)
10 1410	4101	Office Supplies	126.80
10 1410	4104	Books, Periodicals & Subsc.	(160.86)
10 1410	4403	Printing	32.33
10 1410	4602	Postage	1.73
10 1420	1010	Salary Base	5,880.77
10 1420	4515	Legal	(5,880.77)
10 1430	1010	Salary Base	243.40
10 1430	1080	Compensated Abs	(243.40)
10 1680	1010	Salary Base	1,005.83
10 1680	1030	Temporary	(1,005.83)
10 1680	2200	Office Equip.	419.98
10 1680	2500	Other Equip.	(419.98)
10 1680	4101	Office Supplies	356.73
10 1680	4137	Computer Paper	24.96
10 1680	4138	Checks	(381.69)
10 1989	4000	Misc. Bonding	843.47
10 1680	4512	Consultant	(843.47)
10 3510	4151	Dog Tags	(0.20)
10 3510	4225	Cell Telephones	28.52
10 3510	4401	Equip. Maintenance	(28.52)
10 3510	4517	Dog Enumeration	0.20
10 7145	1010	Salary Base	(616.61)
10 7145	1030	Temporary	616.61
10 7145	4162	Special Event Supplies	(77.26)
10 7145	4162FD	Father Daughter Supplies	77.26
10 9710	6000	Principal Bonds	180,000.00
10 9710	7000	Interest Bonds	15,601.38
10 9780	6200	Principal NYPA	(180,000.00)
10 9780	7200	Interest NYPA	(15,601.38)



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20 1440	1010	Salary Base	(75.00)
20 1440	1030	Temporary	75.00
20 1490	1010	Salary Base	2,277.25
20 1490	1080	Compensated Abs	(1,244.16)
20 1490	4104	Books, Periodicals & Subsc.	(30.62)
20 1490	4225	Cell Telephones	(600.00)
20 1490	4601	Travel & Expense	(105.00)
20 1490	4603	Legal Notices	43.20
20 1490	4628	Employee Physicals	(100.00)
20 1491	4011	OSHA Supplies	(240.67)
20 1989	4000	Miscellaneous Bonding	1,363.12
20 1989	4512	Consultant	(1,363.12)
20 3310	4401	Equip. Maintenance	4,000.00
20 3310	4999	Board Reduction	(4,000.00)
20 3620	4225	Cell Telephones	359.80
20 3620	4401	Equip. Maintenance	(359.80)
20 5010	1010	Salary Base	3,727.85
20 5010	1080	Compensated Abs	(3,727.85)
20 8020	4515	Legal Expense	(120.16)
20 8020	4603	Legal Notices	120.16
20 8120	1020	Hourly Base	(3,252.41)
20 8120	1040	Overtime	3,252.41
20 8120	2050	Capital Improvements	(185,182.56)
20 8120	4000	Miscellaneous Bonding	84.14
20 8120	4101	Office Supplies	(84.14)
20 8120	4225	Cell Telephones	100.51
20 8120	4401	Equip. Maintenance	(100.51)
20 8120	4428	Septic Tank Cleaning	11,285.00
20 8120	4512	Professional Services	(11,285.00)
20 8160	1020	Hourly Base	1,047.85
20 8160	1030	Temporary	(15,551.87)
20 8160	1040	Overtime	(4,360.12)
20 8160	1080	Compensated Abs	(42,267.64)
20 8160	2100	Office Furniture	(62.63)
20 8160	4099	Temporary Non-payroll	8,477.40
20 8160	4101	Office Supplies	(37.11)
20 8160	4109	Chemicals	(120.00)
20 8160	4111	Parts	(5,147.80)
20 8160	4112	Tires	(68.18)
20 8160	4113	Batteries	(579.00)
20 8160	4167	Gloves, Boots & Gear	(2,317.73)
20 8160	4175	Equip. Rehab. Parts	(3,818.17)





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20 8160	4201	Telephone	(324.13)
20 8160	4401	Equip. Maintenance	(1,071.13)
20 8160	4403	Printing	(2.79)
20 8160	4415	Refuse Collection	(3.32)
20 8160	4512	Professional Services	(2,900.00)
20 8160	4513	County Tipping Fees	173,923.15
20 8160	4616	Freight & Expense	(53.68)
20 8160	4626	CDL Reimbursement	128.50
20 8160	4628	Employee Physicals	(100.00)
20 8989	2050	Capital Improvements	0.16
20 8989	4701	Home & Community Serv	(0.16)
20 9710	6000	Principal Bonds	75,000.00
20 9710	7000	Interest Bonds	5,390.96
21 8130	1030	Temporary	411.74
21 8130	4612	Sewer Expense	(858.53)
21 9010	8007	Retirement	39.50
21 9040	8003	Workers Compensation	(39.50)
21 9795	7200	Inter-fund Loans	446.79
22 8340	1030	Temporary	411.74
22 8340	4512	Professional Services	(613.65)
22 9010	8007	Retirement	39.50
22 9030	8008	Social Security	201.91
22 9040	8003	Workers Compensation	(39.50)
31 5110	1090	Health Insurance Buy Out	625.00
31 5130	4111	Parts	(3,611.67)
31 5130	4401	Equip. Maintenance	3,611.67
31 9030	8008	Social Security	(3,639.47)
31 9050	8009	Unemployment	3,639.47
31 9060	8004	Health Insurance	(625.00)
40 7110	1010	Salary Base	447.52
40 7110	1020	Hourly Base	(447.52)
40 9060	8004	Health Insurance	(110.20)
40 9089	8028	Medicare Reimbursement	110.20

Carried.

(Prepared Resolution filed as part of these minutes to approve the following year-end 12/31/20 Interfund Loans:



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Water Fund – Due to Part Town \$595,000.00

Sewer Fund – Due to Part Town \$484,100.00.)

Res. by Staley, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve an agreement for access and preliminary investigations activities including drilling ground water wells, sampling ground water and other environmental media between NYSDEC and the Town of Union, 3502 Argonne Avenue.)

Res. by Staley, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize the replacement of a 2019 Milton CAT Skid Steer (F181) with a 2021 Milton CAT Skid Steer through a replacement lease agreement for the cost of \$ 11,800.00. The 2019 equipment will be returned to Milton CAT.)

Res. by Bauman, seconded by Staley.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the hourly rate for a Town of Union Park Ranger to be paid at \$9.75/hour effective May 1, 2021, and for authorization for the Supervisor and Comptroller to implement the same.)

Res. by Bauman, seconded by Staley.

Councilman Frank J. Bertoni said that on more than one occasion Councilman Augustini has suggested that we need a spreadsheet to see all the salaries across the sheet, so we can see how much we pay them over time and we can budget for this. He said he thinks this is the wrong way to give raises and said he will probably vote no.

Supervisor Richard A. Materese clarified that they have actually done that, and have spoken about this particular increase because of the level of duties that these two people have and it has been requested by our Park Management that are in favor of the increase.

Councilman Frank J. Bertoni said it is not just for the park rangers but it's whenever we try to pay someone, we have to look at their responsibilities, how many people they oversee, what kind of danger there is and that kind of thing; and I don't believe we have done this.

Councilwoman Heather R. Staley said they have discussed this for several hours with multiple spreadsheets in Supervisor Materese's office recently.

Vote: Yes  
Augustini  
Bauman



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Staley  
Materese

No  
Bertoni

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the CDBG funded contract for the Grand Avenue Phase 4 Street Reconstruction to Chicago Construction Co. Inc., 1788 Union Center Maine Hwy, Endicott, NY 13760 in an amount not to exceed \$277,000.00; and authorize the Supervisor, Deputy Supervisor, and Planning Director to execute the contract and any other documentation required to complete the project.)

Res. by Augustini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

Proposals were called for on Monday, April 19, 2021 at 10:00 AM for Professional Engineering Services – Full Depth Mill and Pave and ADA Ramp Project; 400, 500 & 600 Blocks of Odell Avenue and Oak Hill Avenue, Village of Endicott FFY 2020 CDBG Project.

Proposals were received as follows:

Delta Engineers, Architects & Surveyors	\$18,994.00
Shumaker Consulting Engineering & Land Surveyors	\$19,242.00
Hulbert Engineering & Land Surveyors, DPC	\$20,615.00
Griffiths Engineering, LLC	\$28,400.00
Hunt Engineers, Architects & Land Surveyors	\$37,420.00

Moved by Augustini, seconded by Bertoni to receive and file the Proposals for Professional Engineering Services – Full Depth Mill and Pave and ADA Ramp Project: 400, 500 & 600 Blocks of Odell Avenue and Oak Hill Avenue, Village of Endicott FFY 2020 CDBG Project.

Carried.

(Prepared Resolution filed as part of these minutes to award the Proposal for Professional Engineering Services – Full Depth Mill and Pave and ADA ramp Project; 400, 500 & 600 Blocks of Odell Avenue and Oak Hill Avenue, Village of Endicott FFY 2020 CDBG Project, to Delta Engineers, Architects & Land Surveyors, 860 Hooper Road, Endwell, New York for their proposal price of \$18,994.00.)

Res. by Augustini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.



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## HEARING OF VISITORS:

Village of Johnson City Mayor Greg Deemie thanked the Town for the ongoing construction project on Grand Avenue.

Supervisor Richard A. Materese said the Planning Department and Sara Zubalsky-Peer have done a great job.

Village of Endicott Mayor Linda Jackson said they appreciate the Town for the upcoming CDBG projects on Odell and Oak Hill Avenues.

Councilman Frank J Bertoni said in the future, when we consider a full depth project, we should do the water also, because once the project is done, we always have a water break from the heavy equipment and banging around the pipes. We would hope not to have to go in there for another 20 years.

Mayor Jackson said the Water Board is researching this and said they should raise the fees for water to have money to do these projects.

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 Reports:

1. Town Clerk Monthly Report – March 2021.
2. Permits Monthly Report – March 2021.
3. Town of Union Planning Board Minutes & Testimony – March 9, 2021.
4. Town of Union Planning Board Decision – Erin Hazen, Senior Director of Development, Oakdale Battery Storage, LLC, Site Plan Approval: Battery Energy Storage Facility, 4311 Watson Boulevard, Tax Map # 126.04-1-10.111.  
Carried.

## ADJOURNMENT:



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

The meeting was adjourned at 8:01 P.M.

LJP/bk

Leonard J. Perfetti  
Town Clerk