



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

February 19, 2020

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, February 19, 2020 at 7:13 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: Town Attorney Alan J. Pope, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruczkowski.

Also in attendance was Village of Endicott Mayor Linda Jackson.

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

### PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, February 19, 2020 at 7:00 P.M. to consider amending the Town of Union Code - Chapter 31, entitled Code of Ethics, to increase the Board of Ethics Membership from three members to five members.  
Pub. & Posted: January 26, 2020.

Supervisor Richard A. Materese explained that there are currently four members on the Ethics Committee due to the suggestion from the auditor last January to add a Town employee to the Committee. He said Town Clerk Leonard J. Perfetti was added at that time.

Carol Laskoski, 37 Edwards Street, Johnson City, asked who the four members are.

Town Clerk Leonard J. Perfetti gave that information.

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

A Public Hearing was called for on Wednesday, February 19, 2020 at 7:00 P.M. to consider the Change of Zone request for 1908 Newell Road (114.11-4-50) from Open Space (OS) to Urban Single-Family (USF).  
Pub. & Posted: February 9, 2020.



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Sharon Loudon, 120 Dogwood Court, Endwell, asked how big the property is, how many houses would be built on it, and what direction the traffic would go through it.

Councilman Frank J. Bertoni said this Public Hearing was for the rezoning of the property only and that the Planning Board will decide what can be built.

Mike Malarkey, 709 Taft Avenue, Endicott, said the final plans are not completed at this time, but, the current plan has a road going through the development which would enter and exit at both Taft Avenue and Newell Road. He gave details on the houses to be built, which would be one story duplexes, similar to the Northside Villas on Newell and Pine Streets in Endicott. He further said that there is a need for houses for seniors and that they would be privately owned homes, not rentals.

Marie Salamida, 1904 Newell Road, Endicott asked if the existing driveway for the cemetery on Newell Road would be used as the entrance to the development. She said the driveway is on her property and she owns the easement for its use.

Mr. Malarkey said the driveway is not part of this particular property, so it would not be used.

Ernest Fischer, 713 Wilson Avenue, Endwell, said he received a notice for this Public Hearing and he feels a development of townhouses is highly out of character for this property and they are not consistent with the surrounding properties. He said it should not be classified as urban single family. He also asked many questions regarding the development of infrastructure and about the proposed water usage for the development.

Councilman Thomas R. Augostini gave the definition of Urban Single Family and said this development falls within that definition.

Mr. Malarkey said at this point, they do not have the determination of the water effect of this project, and that he has been in many discussions with the Village of Endicott Water Department regarding it.

Supervisor Richard A. Materese said Mr. Malarkey has to have all that approved before he can build anything and all of it will be discussed, when and if the rezoning of the property is approved.

Marie Salamida, 1094 Newell Road, Endicott, asked if there would be another opportunity for the residents to discuss any other concerns regarding the property development.

Councilman Thomas R. Augostini said residents can bring all their comments and concerns to the Planning Board for discussion on the development. He also said that before the Town Board can entertain rezoning of a property, an impact study is sent to Broome County for their



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comments. He said their response on this project is that there is no significant impact for the zoning change.

Andrew Komar, Jackson Avenue, Endicott, said he is opposed to the rezoning of the property.

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

A Public Hearing was called for on Wednesday, February 19, 2020 at 7:00 P.M. for the proposed amendment to the Town of Union Sign Law as it relates to billboard type signs and digital type signs.

Pub. & Posted: February 9, 2020.

Carol Laskoski, 37 Edward Street, Johnson City, asked where digital signs like the ones on the Vestal Parkway would be allowed in the Town of Union and that she finds them very distracting.

Councilman Thomas R. Augostini said the digital signs like the ones on the Vestal Parkway are not part of these changes. He said this law pertains to highway signs.

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

A Public Hearing was called for on Wednesday, February 19, 2020 at 7:00 P.M. for the proposed amendment to the Town of Union Local Law as it relates to the addition of a Vacant Properties Law.

Pub. & Posted: February 9, 2020.

Supervisor Richard A. Materese said the law has been posted on the Town Website and asked Town Attorney Alan J. Pope to explain it.

Town Attorney Alan J. Pope said this is a proposed new law that pertains to properties that are vacant due to foreclosures, whether they are single family or multi-family. He said with the way the foreclosure laws are, it takes a long time to get an end result and consequently a lot of those properties remain vacant and the maintenance of them goes downhill, with sometime squatters that are using the properties and a host of other different problems and issues. He further said from a municipality's standpoint, we try to reach out to the owners or property managers, but if they are in foreclosure, vacant or absentee owners, it is very difficult to deal with that situation. This law in part is meant to force the owners or property managers to register the properties with the Town of Union so that we can get a hold of them if there are safety issues. It also allows for fees to be generated if the people do not maintain their properties, we will do the work and send the bill so it is paid by somebody else and does not come back on the taxpayers.



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Supervisor Richard A. Materese said we are trying to eliminate eyesore properties.

Christopher LaRosa, 707 Maple Street, Endicott, said he is going through the foreclosure process now on his mother's house and is trying to clear up the loans that remain on the property. He said there is a lien from Town of Union that is not allowing him to get financing to clear up the rest of the loans, and he asked if there was any way they could work around this so he could get the loan.

Town Attorney Alan J. Pope said Deputy Town Attorney Rosemarie Pope is looking into this situation. He said that the Town has to protect the Town taxpayers and that he would have to work with Deputy Town Attorney Rosemarie Pope to figure this out.

Bill Didas, 3112 King Street, Endwell, asked if the proposed law is information available to review and if it is on the website.

Supervisor Richard A. Materese gave Mr. Didas a copy of the law and said it is on the website.

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

BIDS:           None.

## APPROVAL OF MINUTES:

Moved by Augostini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, February 5, 2020.  
Carried.

## HEARING OF VISITORS:

Christopher LaRosa, 707 Maple Street, Endicott, spoke again about his situation.

Councilwoman Heather R. Staley asked where the loan is from.

Mr. LaRosa said it was a \$10,000.00 Home Improvement Loan from the Town of Union.

Town Attorney Alan J. Pope said he works with his lawyer and he will speak to him and Deputy Town Attorney Rosemarie Pope regarding this issue.



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Linda Jackson, Village of Endicott Mayor, asked the Town to send a letter to National Pipe and Plastic asking them to not go down Main Street with their trucks and asked to have better signs installed that deter them from turning left on Main Street.

Councilman Frank J. Bertoni, said you can tell people not to do something, but you can't make them to stop.

Andrew Komar, 106 N. Jackson Avenue, Endicott, said he lives in the Village of Endicott asked if village residents will still be able to take construction waste to Scarborough Drive when the Village stops paying the Town for it.

Supervisor Richard A. Materese said that is something that we will have to determine after the Village gets their code set and their law changes.

Mr. Komar said he was at the Village meeting last night and it was decided that after 30 days the Village will no longer pay the Town of Union for that service. He questioned why he could not use it since he is also a Town of Union resident.

Councilman Frank J. Bertoni said the part town area residents pay for that facility in their taxes, and the Village of Endicott residents do not, so they would not be able to use it.

Mr. Komar asked if he could use the facility if he was charged.

Supervisor Richard A. Materese said this is what has to be decided.

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. Letter from Daria Golazeski, Deputy Commissioner of Public Works for Codes and Ordinances, regarding GMU 239nn Referral for Area Variance 658 Riverside Drive, Johnson City.
2. Email from Victoria Croce, 996 Taft Avenue, Endicott, with an update on a drainage issue.
3. Minutes of the regular Meeting of the Village of Endicott Board of Trustees held on January 20, 2020.





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PC66988 NJPA-032515 CAT. F-175 to be declared surplus for trade-in purposes. The new Loader would be paid out of the Highway Equipment Account.

\$177,695.00 (New) 2020 CAT 938M 3V Loader  
\$166,070.00 (Trade-In) 2018 CAT 938M 3V Loader  
\$ 11,625.00 Total Net Difference.)

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

Vote: All yes.

Moved by Bauman, seconded by Staley to authorize the advertisement of Bids for Installation of New PVC Membranes at Highland Park and West Endicott Park. Bids to be received by Town Clerk Leonard J. Perfetti on Friday, March 6, 2020 at 10:00 A.M. at which time they will be opened and read aloud.

Carried.

Moved by Bauman, seconded by Staley to authorize the advertisement of Bids for Carousel Horse Painting and Minor Repairs. Bids to be received by Town Clerk Leonard J. Perfetti on Friday, March 27, 2020 at 10:00 A.M. at which time they will be opened and read aloud.

Carried.

(Prepared Resolution filed as part of these minutes authorizing the Planning Director, Supervisor, or Deputy Supervisor to complete all documentation for the U.S. Census Bureau 2020 Boundary Annexation Survey and Boundary Validation Program.)

Res. by Augostini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

At this time, Town Attorney explained the SEQRA process and reviewed the questions for Part 2 of the application that the Town Board must answer and discuss before a change in zoning can take place.

(Prepared Resolution filed as part of these minutes to make a Negative Declaration under SEQRA per evaluation of the submitted short Environmental Assessment Form and Planning Board's Advisory opinion on the change of zoning of 1908 Newell Road from Open Space (OS) to Urban Single Family (USF).)

Res. by Augostini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the Change of Zone request for 1908 Newell Road from open Space (OS) to Urban Single Family (USF).)

Res. by Augostini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.



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## HEARING OF VISITORS:

Bruce Fisher, 713 Wilson Avenue, Endwell, asked if the study regarding the rezoning of 1908 Newell Road included traffic control within the intersections of Newell Road and subsequent streets.

Councilman Thomas R. Augostini said the Broome Metropolitan Transportation Study gave their opinion that included two suggestions that the Planning Board will take under consideration when they get the site plan to review, one is to make the bus stop ADA compliant and the other is a consideration of sidewalks.

Town Attorney Alan J. Pope said whether it is a private road within that development or a public road taken over by the Town, that has not been determined, but either way, traffic signage must be put in at both ends of the road and that will be a Planning Board determination.

Supervisor Richard A. Materese said at any time if this project goes through and there is a major increase in traffic, the traffic study can be revisited by the Broome Metropolitan Transportation.

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's Monthly Report – January 2020.
2. Town of Union Planning Board Decision – Special Permit to Sell Automobiles – John Visconti, Visconti Trucks and Recreational Vehicles, 1651 Union Center Maine Highway, Endicott, Tax Map # 125.13-1-9.
3. Town of Union Planning Board Decision – Site Plan: John Visconti, Visconti Trucks and Recreational Vehicles, 1651 Union Center Maine Highway, Endicott, Tax Map # 125.13-1-9.
4. Town of Union Planning Board Decision – Special Permit for Floodplain Development – Lobevero Family Pool, 4203 Watson Boulevard, Tax Map #142.11-2-18.
5. Town of Union Zoning Board of Appeals Decision – Application # 2019-015, CDS Housing, LLC, 609 Hooper Road, Tax Map # 141.08-02-05.  
Carried.



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## ADJOURNMENT:

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

Carried.

The meeting was adjourned at 8:25 P.M.

Leonard J. Perfetti  
Town Clerk

LJP/bk