



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 SPECIAL BOARD MEETING

September 21, 2020

A Special Board Meeting of the Town Board of the Town of Union was held on Monday, September 21, 2020 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 Heather R. Staley.

TOWN OFFICIALS PRESENT: Deputy Town Attorney Rose Pope, Town Clerk: Leonard J. Perfetti.

A Public Hearing was called for on Monday, September 21, 2020 at 7:00 P.M. in accordance with Article 2, Section 202 of the New York State Eminent Domain Procedure Law to consider public comments for the proposed Eminent Domain taking of an easement interest in properties owned by Richard and Laurie Jones, located at 5 Woodland Avenue, Johnson City, NY 13790, Tax Map number 142.11-1-52, and 7 Woodland Avenue, Johnson City, New York, 13790, Tax Map number 142.11-1-28, for a Town of Union Public Safety and Improvement Project known as the Town of Union Fairmont Park Water Main Project. Published and posted for five days starting on September 9, 2020.

Planning Director Sara Zubalsky-Peer provided a presentation of the project. Deputy Town Attorney Rose Pope marked the presentation as exhibit one.

Supervisor Materese wanted to clarify that the original intent was to have an easement on both properties number 5 and number 7 Woodland Avenue. The project could go forward with just an easement on number five. Planning Director Sara Zubalsky-Peer stated that they need the eminent domain on both properties just in case.

Deputy Town Attorney Rose Pope wanted to add for the record two affidavits of service showing that Richard and Laurie Jones were properly served the Public Hearing Notice.

Richard Jones, 7 Woodland Avenue, Johnson City, New York, said the reason he was here was to challenge the proposed eminent domain maps he received. The small portion of the temporary easement at number 7 Woodland Avenue has two trees that are four foot in diameter and eighty feet tall. He wanted to know what the town plans on doing with the trees. There is also a chain link fence there. Planning Director Sara Zubalsky-Peer said if the chain link fence has to be moved and put back it would be done in kind. She also talked with the contractor and they believe they can perform the work without disturbing the trees. She also



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explained the temporary easement is for the work to be done and equipment and material to be on property during the project.

Councilman Bertoni and Supervisor Materese explained that if the trees were to die after the project, it would be looked into to see if the work that was performed caused the trees to die and they would turn it over to the town's insurance company.

Laurie Jones, 7 Woodland Avenue, Johnson City, New York, asked about the temporary easement and if it would show up on their deed. Deputy Town Attorney Rose Pope said that the temporary easement will not be recorded and will not be on the deed. She also explained that the temporary easements on both properties will go away and the only permanent easement that remains is where the pipe will be.

Supervisor Materese asked if anyone else wanted to speak.

As no one else wanted to speak, the Public Hearing will remain open for seven days for any write-in comments, and at a special meeting on September 28, 2020, it will be closed.

Moved by Councilman Bertoni and seconded by Councilwoman Staley to adjourn the meeting Carried.

The Board Meeting was adjourned at 7:37 P.M.

Respectfully submitted,

Leonard J. Perfetti, Town Clerk

LJP