



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 BOARD MEETING

November 16, 2022

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, November 16, 2022 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. 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 was Amanda Dorell, Zoning Board Alternate member.

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

PUBLIC HEARINGS:

Supervisor Richard A. Materese announced that the Public Hearing for November 16, 2022 on the 3901 Watson Blvd rezoning has been canceled. He explained that the developer Mr. Walsh has withdrawn his proposal for this project, he may return at another time with another proposal, but this one is dead.

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, November 2, 2022.
Carried.



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HEARING OF VISITORS:

Christina Hlavac, 2810 Country Club Road, Endwell said she was here a month ago speaking about getting stop signs on Country Club Road and was told to present a petition for this. She said there was a change since that time, and now they want to have a radar control speed sign, like the one on Franklin Street in Endicott instead of the stop signs. She further said that it will be hard to pull out of the driveways with the stop signs. Ms. Hlavac presented the petition to the Board.

Supervisor Richard A. Materese said the Broome County Sheriff's Department has set up patrol on Country Club and we are awaiting the statistics of how many cars and their speed to take in to account.

Councilman Frank J. Bertoni asked if it is a possibility that the speed radar trailer could be moved up higher on Country Club to get additional information.

Ms. Hlavac said it was placed closer to Hooper Road instead of in the middle of Country Club where the problem is. She said she knows that when she sees the flashing speed radar, she automatically looks at her speed and slows down.

Supervisor Materese said we can check but again, we are at the mercy of the Sheriff's Department.

Maureen Hankin, 41 Eagle Drive, Endwell, commends the Town for developing a Comprehensive Town Plan, which many of our local towns do not have. She read the following statement:

In 1975, the State of New York enacted the "Freshwater Wetlands Act, Article 24, of the Environmental Conservation Law" that allows Towns to establish their own local procedures for the protection and regulation of wetlands lying within the jurisdiction of their town.

The Town enacted the "Town of Union Legislative Action #125-1". A portion of the act reads:

The Town of Union finds that freshwater wetlands are invaluable resources for flood protection, wildlife habitat, open space, water resources and recreation and other benefits associated, therewith which, if preserved and maintained in an undisturbed, natural condition, and important assets to existing and future residents of the Town.

In addition, it is the intent of the Town Board to protect the citizens of the Town of Union by preserving, protecting, and conserving freshwater wetlands and the benefits derived therefrom, to prevent the despoliation and destruction of freshwater wetlands and to regulate use and development of such wetlands consistent with the general welfare and beneficial economic, social and agricultural development of the Town.



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She said she is reassured the Board will take their own legislation into consideration when evaluating the overall and future impact on our environment when considering future proposed rezoning and PUD's.

Linda Jackson, 765 Dickson Street, Endicott, said she attended the meeting with the Public Hearing about the motel on 17c and talked about the speed on Dickson Street. She asked that when considering the plans for this development to please look at the section of the road that is not included in the reduced speed zone and the parking and increased traffic that will be associated with it. She also asked if the speed limit for the school zone is for all time or only for when school is in session.

Supervisor Richard A. Materese said we can only adjust the length of reduced speed to a certain amount.

Ms. Jackson said there was another accident this week that took down the guardrail in front of her house when a truck hopped the curb. She said this has been the fourth accident since 2007 and the first time a truck hit the front porch of her house.

Dan Valentine, 109 Dogwood Court, Endwell, said he has lived there for a year and it was a very expensive purchase. He said one of the selling points was the woodlands in the back of the property that heard could be changed to Commercial land that would allow a trailer park or storage units there. He does not want the land to be made commercial property and he feels it will diminish the value of his property, the view and his quality of life. He said he loves the area and just wants to be happy.

Councilman Frank J. Bertoni said he is pretty sure a trailer park or storage unit could not go there.

Town Attorney Alan J. Pope said he does not know what the zoning is right off, but said it looks like it is a single family residential area and a nice neighborhood.

Supervisor Richard A. Materese said we would not spot zone and say only this parcel is commercial.

Linda Reynolds, 3834 Country Club Road, Endwell, encouraged the people here tonight to continue to come to the meetings and urged everyone who is against the development of the property to come and bring their neighbors. She said she doesn't want people to get the impression that because the Public Hearing was canceled, Mr. Walsh has given up. This absolutely doesn't mean that Mr. Walsh has given up and we don't need to give up either.



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Supervisor Richard A. Materese told the audience to sign up for alerts on the Town website to know what is happening and when.

Kathleen Ray, 3820 Country Club Road, Endwell, a resident of 22 years, said the reason she moved there was the wooded backyard that made it a peaceful setting. She said her property is by the waterfall and she understands that if a storage mall goes in, there will be bright lights and a road that will be totally wrong and will change the area.

Jim Wallace, 3868 Country Club Road, Endwell, said his property is the first house on Country Club and would be adjoining the property that Mr. Walsh wants to develop. He said it would be dangerous if a road was put in because the speed is ridiculous and said the guardrail at Eagle Drive has been destroyed numerous times. He said the area is a beautiful natural wetland.

Supervisor Richard A. Materese said he feels that if you contact the Sheriff's Department, they may send someone to watch the traffic. If the Town calls, it is not as effective.

Dan Valentine, 109 Dogwood Court, Endwell, said the area to be developed is just below his house and if a road goes in, the noise and lights will not be good. He said he is going to learn more about the details regarding this and be more informed.

Supervisor Richard A. Materese said right now, this proposal is dead.

Kathleen Ray, 3820 Country Club Road, Endwell, asked about another project. She said she can see all of Vestal from where she lives, but cannot get there without going a half hour out of her way. She wants to know when the bridge in Endwell will be going in.

Supervisor Richard A. Materese said that project was squashed, unless we can raise several hundred million dollars to build it. He said the State made the decision to build a bridge in Campville instead of here. He said the Town was pushing for the project to be here, and while I would love to see this myself, no one is talking about it.

Jim Wilson, 3834 Country Club Road, Endwell, thanked everyone for coming out tonight even though the Public Hearing was canceled. He thanked the Town for having a Comprehensive Plan that is the extra weapon against projects like this. He said looks forward to what the Town has planned for spaces like that and those to protect our flood plains. He also asked about the ongoing fill permit at that site that does not have an expiration date, and said it is unfortunate, because most Town projects do. He said there seems to be construction vehicles on site starting as early as 7:00 A.M, and it has been an open construction site for a better part of two years. He asked when it will be expiring.



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Supervisor Richard A. Materese said he will look into that for you.

Carol Laskoski, 37 Edwards Street, Johnson City, said in regards to the question regarding the bridge, it was cost prohibited because of the expanse of the water it had to go over and would have cost millions to build.

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. Emails from residents opposed to the rezoning of 3901 Watson Boulevard and the southwest portion of 4101 Watson Boulevard to Planned Unit Development for the Preliminary Endwell Storage PUD Plan. (Public Hearing this evening).
2. Union Volunteer Emergency Squad, Inc. monthly report – September 2022.
3. NYSDEC Blanket Water Quality Certification for the Union Center Maine Highway Solar project at 1571 and 1657 Union Center Maine Highway.
4. Letter from Beth A. Lucas, Director, Broome County Department of Planning and Economic Development, regarding Review Pursuant to Section 239-I and m of the General Municipal Law for the Rezone of 3901 and portion of 4101 Watson Boulevard to PUD District for Indoor and Outdoor storage business with retail sales of Amish sheds as a second use.
5. Letter from Marina A. Lane, Senior Planner, regarding Advisory Opinion from the Planning Board - Endwell Storage Preliminary PUD Development for 3901 Watson Boulevard, Tax Map # 12.14-2-25.12 and Portion of 4101 Watson Boulevard, Tax Map # 142.07-1-9.1. Applicant: Walsh Realty LLC.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the West Endicott Fire District 2023 Final Budget to Comptroller Karen L. Signs.
Carried.
2. Moved by Augostini, seconded by Bertoni to refer the Endwell Fire District 2023 Final Budget to Comptroller Karen L. Signs.
Carried.



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3. Moved by Augostini, seconded by Bertoni to refer the letter from William Walsh, Walsh & Sons Construction, requesting the Public Hearing to be cancelled due to unanticipated negative feedback from the Planning Board and the local residents, and to withdraw their current proposal for the rezoning of 3901 Watson Boulevard to Town Supervisor, Town Board, Town Attorney and Sr. Planner Marina Lane.
Carried.

PETITIONS:

1. Moved by Augostini, seconded by Bertoni to receive and file the petition signed by residents opposing the rezoning of 3901 Watson Boulevard and the southwest portion of 4101 Watson Boulevard to Planned Unit Development for the Preliminary Endwell Storage PUD Plan. (Public Hearing this evening).
Carried.

2. Moved by Augostini, seconded by Bertoni to receive and file the Petition from residents of Country Club Road and surrounding areas requesting a radar controlled speed sign to be placed on Country Club Road.
Carried.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to accept the Jankowski property donation of vacant property located at, 605 June Street, Endicott, along the levee to Town of Union and authorize the Town Attorney to prepare the deed and all related paperwork.)
Res. by Bertoni, seconded by Bauman. Vote: All yes.
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve and authorize Supervisor Richard A. Materese to sign the 2023 Tax Levy Option Form due by December 5, 2022 re-levying \$4,917.86 to the 2023-tax bills, paying by January 4, 2023 elections costs of \$148,221.00 and \$1,755.31 in water/sewer/maintenance deficits. The Town will bill the Villages of Johnson City and Endicott for their water/sewer/maintenance deficits of \$564.50 and \$719.65 respectively.)
Res. by Staley, seconded by Augostini. Vote: All yes.
The Resolution was adopted.

Moved by Staley, seconded by Augostini to approve the following department requested 2022 budget transfers are respectfully submitted for consideration:



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Decrease:	31 5142 1040	Snow Overtime	\$ 1,200.00
Decrease:	31 5110 4122	Sluice Pipe	\$ 3,000.00
Increase:	31 51424129	Rock Salt	\$ 1,200.00
Increase:	31 5110 4107	Lubricating Products	\$ 3,000.00
Carried.			

Resolution to approve the 2023 Final Town of Union Budget and the 2023 Annual Fire Contracts for the Fire Protection Districts.

Moved by Staley, seconded by Augostini to hold over the Resolution to approve the 2023 Final Town of Union Budget and the 2023 Fire Contracts for the Fire Protection Districts until the Special Meeting to be held on Friday, November 18, 2022 at 3:00 P.M.
Carried.

(Prepared Resolution filed as part of these minutes to approve the Contract with The Riverdale Banquet Hall for the 2023 Father Daughter Ball to be held on February 4, 2023, with approval to include payment of the required deposit of \$750.00, and authorize Supervisor Richard A. Materese to execute the contract.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Richard A. Materese to sign and execute, upon the Town Attorney's approval, the CT Male Short Form Contract for general advisory, technical assistance, and program administration of the Town's CDBG program. The contract covers the period January 1, 2023 through December 31, 2023, with an option to extend for an additional twelve (12) months. Said contract is terminable upon 30 days written notice.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve the contract with Sara Zubalsky-Peer to manage and administer the Town of Union Section 8 program and submit any and all required documentation for the Section 8 program on behalf of the Town of Union; and authorize Supervisor Richard A. Materese to sign said contract. Said contract is terminable upon 30 days written notice.)

Res. by Augostini, seconded by Bertoni.
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 Wednesday, December 21, 2022 at 7:00 PM to consider a Substantial Amendment to the



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Town's CDBG Program. The Town of Union would like to allocate a sum of \$200,000.00 of Unobligated CDBG funds towards a new roof for the West Endicott Fire Department. The estimated total cost for the West Endicott Fire Department Roof Repairs is \$450,000.00.)

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

1. Permits Monthly Report – October 2022.
2. Town Clerk Monthly Report – October 2022.
3. Town of Union Planning Board Decision – Special Permit Approval: Development in a Floodplain – MZ Auto Collision (Auto Body Shop) 323, 327 & 331 Chaumont Drive and 3129 Kensington Road, Endwell. Tax Map #'s 157.08-3-46, 157.08-3-71, 157.08-3-72 and 157.08-3-47. Application # PB-2022-039A.
4. Town of Union Planning Board Decision – Site Plan Review - MZ Auto Collision (Auto Body Shop), 323, 327 & 331 Chaumont Drive and 3129 Kensington Road, Endwell. Tax Map #'s 157.08-3-46, 157.08-3-71, 157.08-3-72 and 157.08-3-47. Application # PB-2022-039B.
5. Town of Union Planning Board Decision- Site Plan Approval: Office for Construction Company – Augustine Construction, 1226 Campville Road, Endicott Tax Map # 156.18-1-34. Application # PB-2022-40.
Carried.

Supervisor Richard A. Materese reminded everyone that in this season of buying gifts to please consider our small businesses, Mom & Pop shops and our local merchants now and throughout the holidays.

Councilwoman Heather R. Staley said she had the privilege of speaking to the 12th grade students at Tiger Ventures about how the local government works. She said the students are pretty sharp and most of them studied science and are concerned about the environment and



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want to see more solar projects in the area. She asked for prayers for a friend that was in a car accident that isn't feeling to well today.

Councilwoman Sandra C. Bauman recognized Carol Porcino, a teacher of 38 years at Johnson City Schools and a lifetime Johnson City resident. She gave condolences to the family.

Councilman Thomas R. Augostini thanked everyone for coming tonight and said Town code and the preservation of neighborhoods are very important. He said anytime there is a discussion about a change in zoning or public policy, the people of the community have a right to come and discuss it. He said even though the Public Hearing was canceled, this is exactly how government should work, by having a healthy discussion and then make a decision or not.

Supervisor Richard A. Materese congratulated all the people elected to office and he introduced Robert Mack, Supervisor Elect, who is in the audience tonight. He also congratulated those who took the initiative to run for office and said it's important that we get more people involved and to run for office. Supervisor Materese said as he explained at the last meeting, we've been going through some tough times with our Comptroller's office and getting things done. He said we have a new Comptroller who has been here a week and a half, and she is doing a great job. He said we've had people here in the Town who went above and beyond their normal jobs to make sure she is coming in and being able to figure out what is going on here. He wished everyone a Happy and Blessed Thanksgiving.

ADJOURNMENT:

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

The meeting was adjourned at 7:49P.M.

Leonard J. Perfetti
Town Clerk

LJP/bk