



Town Clerk
Leonard J. Perfetti

Town of Union

Town Board
Robert Mack, *Supervisor*
Thomas R. Augostini, *Councilman*
Frank J. Bertoni, *Councilman*
Joseph P. Nirchi, Sr., *Councilman*
David Kudgus, *Councilman*

TOWN OF UNION BOARD MEETING

February 15, 2023

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, February 15, 2023 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York.

BOARD MEMBERS PRESENT: Supervisor Robert Mack, Councilman Thomas R. Augostini, Councilman Frank J. Bertoni, Councilman David Kudgus, Councilman Joseph P. Nirchi, Sr.

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

Also in attendance was Village of Endicott Mayor Linda Jackson.

Supervisor Robert Mack opened the meeting with the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS: None.

BIDS: None.

APPROVAL OF MINUTES:

Moved by Augostini, seconded by Nirchi to approve the Minutes of the Regular Town of Union Board Meeting held on Wednesday, February 1, 2023.
Carried.

HEARING OF VISITORS:

Vladi Weiderpass, 809 Madeline Drive, Endicott, spoke about what he feels is a missed opportunity for tax revenue at the former BAE site in Johnson City that was flooded.

Supervisor Robert Mack said the Board was discussing this in work session and said the problem is that every company we approached to develop there, is scared off by the floodplain. He explained that the County would have to build that site up to get it above the floodplain before they could do any development.



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Mr. Weiderpass said if it is used for solar, you would not have to bring in thousands of truckloads of fill and spend thousands of dollars doing so.

Supervisor Mack asked if solar is the best use of the property.

Mr. Weiderpass explained how the property is ideal for a solar farm with the lot being flat, it is oriented squarely North to South which maximizes the amount of solar panels that would fit there and it is right next to a high voltage transmission line. He said these are key things a solar developer looks for. He also said this property could produce enough solar energy to provide Binghamton University with half of its electricity or provide enough power for 800 homes.

He gave articles to the Board with strong support of his comments and said he hopes the Board will consider this.

Ariann Rockwell, 519 June Street, Endicott, said she was speaking on behalf of neighbors here tonight about a residence at 508 June Street, Endicott. She said they have been working with the Code Department for over a year regarding the dilapidated state the house is in, the garbage that is around the house and boarded up or broken windows. She said there is a concern about the people that are coming and going in and from the house – young people with backpacks and bikes with trailers behind them. She reported that the Sheriff has been there numerous times in the last few month. She said they have been partnering with the Town Code Department for quite some time, and have now escalated to the Health Department looking for a plan as to what they can do to get the property cleaned up, codes and ordinances be enforced, and to remove the transient residents. She has pictures for the Board to review.

Town Attorney Alan J. Pope explained that the Town of Union does things different from other Towns. He said that we do not go through the Town Court, but we apply to the Supreme Court for a search warrant when we have enough evidence, and we have had relatively good success. He said once we get the search warrant, we go in to see if it is a structural issue, a health issue, a safety issue or even a life safety issue. We bring Code Enforcement, the Health Department, and Police Presence, and if there are animals involved, we bring the Humane Society. He said each case is different. He went on to say that typically there are two parts to the process; first, we get the search warrant and go in to get more evidence for the Supreme Court, then the Court issues an order that the property owner has 30, 45, 60 or whatever time reasonable to clean up the property. If they don't, then the Supreme Court gives the Town an order to go in with our own forces and clean up the property. He said he thinks everyone knows that the government cannot just go on to someone's property, but we can with a court order, especially a Supreme Court order. He said we have had equally as bad properties in the Town and have been successful in getting them clean up. He went on to say that the Board agreed in work session for him, as Town Attorney, to start that process and that he will get with the Code Department to get whatever evidence they have to get the court order. He asked for the photos to be left here and that the spokesperson of the group



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get the names, addresses and emails for all the residents so he can communicate with everyone as a group and get an affidavit from one person or a collaboration of affidavits to make one solid affidavit for him to present with the other evidence to the Supreme Court to help the Town get the search warrant.

A man from the audience asked what the timeline on something like this is.

Town Attorney Pope explained that it is at least a 10 day process to present the evidence and at least 30 days for the Judge to rule on the warrant, and a similar amount of time to execute the warrant and come back with evidence to get the court order. He said it is not a really quick process but it is a very effective one.

Ms. Rockwell said that Code Enforcement has been really responsive to the situation and has received a number of calls from the neighbors.

Supervisor Robert Mack said he thinks the Town has removed a lot of the garbage already.

Ms. Rockwell said yes, they have removed a lot of garbage.

Supervisor Mack said the former owner of the property was a regular at our meetings and said he is sorry to see what has happened to him and the house. He also said when he was a Constable, he had to serve papers there for some situations that were going on. He is aware of the problem and knows the pain of what the neighbors are going through.

John Thompson, 718 Elm Street, Endicott, said his grandmother lives at 505 June Street, next door to the property in question and people have been using her front stairs as a drop site and the occupants of the house have been picking them up. He said he installed surveillance cameras and has videos for evidence if it would help and he would be glad to give them for evidence.

Town Attorney Alan Pope said to make sure on the list of names being generated that he designated as the one with videos so he knows who to contact for them.

As no one else wished to speak, Supervisor Robert Mack closed the first Hearing of Visitors.

COMMUNICATIONS FOR FILING:

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

1. Charter Communications Notice – January 30, 2023.



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2. 239 Review Submission – Village of Johnson City - Amendment to the Sign Regulations Local Law.

3. 239 Review Submission – Village of Johnson City - Commercial Advertising Overlay District.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to approve the letter from Jeffrey Smith, Secretary, Endwell Rotary, requesting use of Highland Park for a two day Band Organ Rally sponsored by the Endwell, Endicott and Johnson City Rotary Clubs on July 22 & 23, 2023, to celebrate the historic carousel circuit and increase tourism to the region, upon availability and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.
Carried.

2. Moved by Augostini, seconded by Bertoni to refer the letter from Lindsey & Joe Ruspantini, 345 Doyleson Avenue, Endwell, requesting reimbursement for damage done to their property at 345 Doyleson Avenue, Endwell, on November 24, 2022 from sewage back up in their basement, to Town Attorney Alan J. Pope, Commissioner of Public Works Louis V. Caforio, Deputy Commissioner of Public Works – Environmental Services Daniel Schofield and the Town's Insurance Carrier.
Carried.

3. Moved by Augostini, seconded by Bertoni to refer the Email from James Head, Soccer Shots Regional Director, Southern Tier NY and Northeast Pennsylvania, requesting use of green space or half a field to run their soccer program from March 2, 2023 to November 2, 2023 for a total of 26 weeks to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.
Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Moved by Augostini, seconded by Kudgus to approve the following Budget Transfer:

Decrease:	10 3510 4403	Printing	\$	1.00
Increase	10 3510 4517	Dog Enumeration	\$	1.00.

Carried.



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(Prepared Resolution filed as part of these minutes to approve the hiring of Maria Houmbavlis as full time Assessor's Aid with a start date of February 20, 2023 with the completion of her pre-employment testing and screening. The starting salary will be consistent with the terms of the Collective Bargaining Agreement.)

Res. by Augustini, seconded by Nirchi.
The Resolution was adopted.

Vote: All yes.

Resolution to authorize the purchase of one (1) Vermeer-BC700XL – Brush Chipper from Vermeer All Roads through the State Contract #031721-VRM for \$19,215.62, plus 4% increase of \$768.62 for delivery after May 1st, 2023 and freight \$1382.00 for a total price of \$21,366.24. This will be paid from the prior year's fund balance. (This modifies a prior Resolution of January 18, 2023.) This Resolution was held over under the rule by Councilman Frank J. Bertoni.

This Resolution was removed from the Agenda.

(Prepared Resolution filed as part of these minutes to approve the contract with Binghamton Umpires Association for Officiating Services and authorize Supervisor Robert Mack to execute the contract subject to approval of the Town Attorney.)

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

Vote: All yes.

Moved by Bertoni, seconded by Kudgus to authorize the advertisement of bids for Pool Supplies – Accu-Tabs to be received by Town Clerk Leonard J. Perfetti on Friday, March 3, 2023 at 10:00 AM, at which time they will be opened and read aloud.
Carried.

(Prepared Resolution filed as part of these minutes authorizing the purchase one (1) Groundmaster 4000-D from Grassland Equipment through State Contract #PC69682 at a cost of \$91,940.16 to be paid from ARPA Lost Revenue funds. This will replace F116, which is 19 years old.)

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

Vote: All yes.

Quotes for Concrete Pads for Glendale Park Batting Cages were requested and received as follows:

J Hulslander Custom Concrete Inc	\$12,500.00
	(Minus \$500 final discounted package price)



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Tre-Gen Concrete Corp	\$13,260.00
G DeVincentis & Son	\$14,000.00

(Prepared Resolution filed as part of these minutes to accept the quote from J Hulslander Custom Concrete Inc. Funds for this project will come out of Lost Revenue ARPA funds.)
Res. by Bertoni, seconded by Kudgus. Vote: All yes.
The Resolution was adopted.

Quotes for Rubber Stone Pads for Glendale Park Batting Cages were requested and received as follows:

J. Hulslander Custom Concrete Inc	\$19,500.00
	(Minus \$500 final discounted package price)
Rhino Flooring of St Marys	\$20,580.00
Innovative Sport Surfacing	\$28,050.00.

(Prepared Resolution filed as part of these minutes to accept the quote from J. Hulslander Custom Concrete Inc. Funds for this project will come out of Lost Revenue ARPA funds.)
Res. by Bertoni, seconded by Kudgus. Vote: All yes.
The Resolution was adopted.

Moved by Kudgus, seconded by Augustini authorizing the advertisement of Bids for CDBG FFY 2022-2023 – 300 Block of North Adams Street Reconstruction (Jenkins Street to Pine Street) to be received by Town Clerk Leonard J. Perfetti on Thursday, March 23, 2023 at 10:00 A.M. at which time they will be read aloud.
Carried.

Moved by Kudgus, seconded by Augustini authorizing the advertisement for Bids for the CDBG FFY 2022-2023 Grand Avenue Phase 6 Construction to be received by Town Clerk Leonard J. Perfetti on Thursday, March 23, 2023 at 10:00 A.M. at which time they will be read aloud.
Carried.

HEARING OF VISITORS:

As no one wished to speak, Supervisor Robert Mack 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 Report:



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1. Permits Report – January 2023.
Carried.

Councilman Thomas R. Augostini wished all the athletes from Union Endicott, Maine Endwell and Johnson City well on the upcoming STAC finals and sectionals.

ADJOURNMENT:

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

The meeting was adjourned at 7:36 P.M.

Leonard J. Perfetti
Town Clerk

LJP/bk