



Town Clerk
Leonard J. Perfetti

Town of Union

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

TOWN OF UNION BOARD MEETING

March 1, 2023

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, March 1, 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. Augustini, Councilman Frank J. Bertoni, Councilman Joseph P. Nirchi, Sr., Councilman David Kudgus.

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 Village of Endicott Mayor Linda Jackson.

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

PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, March 1, 2023 at 7:00 P.M. to consider the Substantial Amendment to the CDBG-DR Annual Plan for proposed projects.

CDBG-DR Projects:

Authorizing the use of CDBG-DR funds to pay the settlement agreement between the Town of Union and Walsh/ Homestead Village.

Authorizing the use of CDBG-DR funds to complete the flood proofing projects of the Town of Union Municipal, Court buildings, & New York State Police Barracks.

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|--------------------------|---------------------|
| Walsh Settlement: | \$ 80,000.00 |
| Flood proofing projects: | <u>\$401,149.14</u> |
| Total amount: | \$481,149.14 |

Pub. & Posted: 02/20/2023

As no one wished to speak, Supervisor Robert Mack closed the Public Hearing.



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BIDS:

Bids were called for on Tuesday, February 21, 2023 at 10:00 A.M. for Drainage Improvements Project.

Bids were received as follows:

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| G. DeVincentis & Son Construction | \$ 984,000.00 |
| Albert Torto Construction | \$1,485,988.00 |
| M.R. Dirt Incorporated | \$1,558,777.00 |
| F.P. Kane Construction | \$1,733,000.00 |
| Chicago Construction Company, Inc. | \$1,800,000.00 |
| Byler Excavating | \$1,865,000.00 |

Moved by Augostini, seconded by Bertoni to receive and file the Bids for Drainage Improvements Project.

Carried.

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 15, 2023.

Carried.

HEARING OF VISITORS:

June Leonard, 3611 Pruyne Street, Endwell, gave an update on 3608 Briar Court, Endwell. She said she called the Supreme Court to find out the status of the application for the court order. She was informed that the paperwork has been signed by the judge, but they cannot find the owners to serve them, and that this could go on forever. She asked if she saw people there, should she call the police or the Code Department and if there were any other suggestions to get this done.

Town Attorney Alan Pope said the original application was for the owners to close up any entrances that the cats are getting into, which they have not; the cats are still there. He believes the construction part has not been completed and some of the junk has been picked up. He said the Town has filed a second application, that has not been signed by the judge yet, to have the owners board up the entire first floor, giving them 30, 45 or 60 days to do it, which we know they will not do, and then the Town can go in to do it. Hopefully, within 60 to 90 days the town can take care of it, and he further said that if people are going in through the second floor windows, the Town will board them up too.

Mrs. Leonard asked what would happen if the owners cannot be found.



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Town Attorney Alan Pope said we will find them, we did before and will again. He told Mrs. Leonard to call his office or email him for updates.

Richard Jones, 7 Woodland Avenue, Johnson City, asked when will his fence that the Town moved be repaired or replaced. He said he spoke to someone from the Parks Department and they said it would be done in the spring.

Town Attorney Alan J, Pope said the judge wanted the fence fixed, either with new or used fencing and that the Town has done what was ordered. He also said the Town will not repair any other parts of the fence; and that the Commissioner of Public Work spoke to the Parks Department and they denied ever talking to Mr. Jones about it. He said that whoever Mr. Jones talked to were not Town employees.

Mr. Jones said he disagrees that the repairs were done as ordered.

Town Attorney Pope said the Town did exactly what the judge said had to be done and that Mr. Jones is more than welcome to get back to the judge to discuss this.

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

COMMUNICATIONS FOR FILING:

Moved by Augustini, seconded by Bertoni to receive and file the following Communication:

1. Union Volunteer Emergency Squad, Inc.- Cash Receipts & Report for Period - 12/01/2022 – 12-31-2022.

Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to approve upon availability, the Email from Susan Fuchs, President of Garden Club of Endwell, requesting use of Pavilion #7 at Highland Park on July 19, 2023 at 5:30 P.M. to meet and then work on the gardens at the park and also requesting the fees to be waived and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.

Carried.

PETITIONS: None.



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COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to approve and submit, as required by Section 2019-a of the Uniform Justice Court Act, to the New York State Office of Court Administration Department of Audit and Control, the Annual Justice Court Audits of both the Fines and Bail accounts of Town Justice Gregory Thomas and Town Justice Christopher Grace for the fiscal year ending in 2022 as prepared by the Town Comptroller's Office.)
Res. by Augustini, seconded by Kudgus. Vote: All yes.
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the purchase of a new 2023 Caterpillar Skid Steer 246D3 SSL through a Buy Back Program from CAT for a price of \$63,365.00 minus trade in \$47,250.00 net difference being \$16,115.00 per NYS OGS contract PC69406 Sourcewell 032515-CAT. F-198 will be declared surplus for trade-in purposes. The new Skid Steer would be paid out of the Highway Equipment Account.

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| \$63,365.00 | (New) 2023 CAT Skid Steer 246 D3 SSL |
| <u>\$47,250.00</u> | (Trade-In) 2021 CAT Skid Steer 246 D |
| \$16,115.00 | Total Net Difference.) |

Res. by Bertoni, seconded by Nirchi. Vote: All yes.
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the purchase a new 2024 Caterpillar 938M 3V model Loader through a Buy Back Program from CAT for a price of \$222,240.00 minus trade in \$165,000.00 net difference being \$57,240.00 per NYS OGS contract PC69406 Sourcewell 032515 CAT. F-184 to be declared surplus for trade-in purposes. The new Loader would be paid out of the Highway Equipment Account.

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| \$222,240.00 | (New) 2024 CAT 938M 3V Loader |
| <u>\$165,000.00</u> | (Trade-In) 2020 CAT 938M 3V Loader |
| \$ 57,240.00 | Total Net Difference.) |

Res. by Bertoni, seconded by Nirchi. Vote: All yes.
The Resolution was adopted.

Moved by Bertoni, seconded by Nirchi authorizing the advertisement of Bids for Underdrain Installation and Connection at Miscellaneous Locations to be received by Town Clerk Leonard J. Perfetti on Monday, March 20, 2023 at 10:00 A.M. at which time they will opened and read aloud.
Carried.

Moved by Bertoni, seconded by Nirchi authorizing the advertisement of Bids for Curb and Gutter/Sidewalk Replacement to be received by Town Clerk Leonard J. Perfetti on Monday,



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March 20, 2023 at 10:00 A.M. at which time they will be opened and read aloud.
Carried.

Moved by Bertoni, seconded by Nirchi authorizing the attendance of Joseph Mastrogiacomo and Jason Montabone, Sewer Department, to attend the Gorman-Rupp Factory Training, April 20-21, 2023 at the Gorman-Rupp Facility. Authorization to include use of a Town vehicle and parking fees.
Carried.

(Prepared Resolution filed as part of these minutes authorizing Deputy Commissioner of Public Works Daniel Schofield to sign and execute the maintenance agreement with Postler & Jaeckle Corporation. This is an annual agreement effective May 1, 2023, and is for the maintenance of the Town's heating and air conditioning systems in the Town Buildings.)
Res. by Bertoni, seconded by Nirchi. Vote: All yes.
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the Bid for Drainage Improvements – ARPA Project to G. DeVincentis & Son Construction for their low bid price of \$984,000.00.)
Res. by Bertoni, seconded by Nirchi. Vote: All yes.
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize the purchase a new 2024 Model Year Tandem Axle Mack Granite with 30 Yard Pak Mor R300C Refuse Body from Beam Mack Sales Service, Inc. for the Purchase Price: \$ 271,449.00 from Onondaga County Heavy Truck Class 8 Statewide Contract # 8996. Monies for this purchase will be paid from 2023 Capital Budget.)
Res. by Bertoni, seconded by Nirchi. Vote: All yes.
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve an increase of \$4,967.00 to the Village of Endicott: N. Adams Ave Street Reconstruction Engineering contract for Boring Samples. This will not require a budget modification as this change order will come from the existing CDBG funding provided by the Village of Endicott.)
Res. by Kudgus, seconded by Augustini. Vote: All yes.
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing on Wednesday, April 5th, 2023 at 7:00 PM to solicit public input for inclusion in the FFY 2024-



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2028 Consolidated Plan and FFY 2023 Community Development Block Grant (CDBG) Annual Action Plan.)

Res. by Kudgus, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize the update of the Town of Union Authorized Signatories & removal of former employees for SAM.Gov. (Annually the Town Planning Director or Comptroller must recertify their registration which allows the Town to apply for Federal grants.)

Remove Authorization(s): Sara Zubalsky-Peer, Gretchen Uhler & Gina Paugh

Add Primary Authorization: Christopher Kylor, Planning Director

Add Authorization: Karen Signs, Town Comptroller.)

Res. by Kudgus, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing signatures from Robert Mack, Karen Signs, Heidi Ranger, and Christopher Kylor for the purposes of executing any required documents for the Housing Trust Fund Corporation and implementation of the NY State Community Development Block Grant—Disaster Recovery (CDBG-DR) program through the Governor's Office of Storm Recovery (GOSR) on behalf of the Town for the calendar year.)

Res. by Kudgus, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize the update of the Town of Union Authorized Signatories for IDIS/HEROS Environmental Reviews.

Remove Primary Authorization: Richard Materese

Remove Secondary Authorization: Sara Zubalsky-Peer

Add Primary Authorization: Robert Mack, Town Supervisor

Add Secondary Authorization: Thomas Augostini, Deputy Town Supervisor

Add Emergency Authorization: Christopher Kylor, Planning Director.)

Res. by Kudgus, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing on Wednesday, April 19, 2023 at 7:00 P.M. to discuss & implement revisions to the Town of Union Citizen's Participation Plan. Planning Director will work with Town Board, Citizen's Advisory Committee and seek input from the Town of Union community in order to modernize and update the current Citizen's Participation Plan, last revised: 2010.)

Res. by Kudgus, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.



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Moved by Kudgus, seconded by Augustini to issue a proclamation declaring the month of April 2023 as Fair Housing Month in the Town of Union.
Carried.

Moved by Kudgus, seconded by Augustini to issue a proclamation declaring the week of April 10-15, 2023 as Community Development Week.
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 Reports:

1. Town Clerk's Monthly Report – January 2023.
2. Town of Union Planning Board Minutes – January 10, 2023.
3. Town of Union Planning Board Decision – Application # PB-2023-02 - Lou Caforio, Commissioner of Public Works, - Town of Union, Special Permit – Development in a Floodplain Glendale Park Walking Path Improvements, 400 Glendale Drive, Tax Map # 156.34-1-29.
4. Town of Union Planning Department Decision – Application # PD-2023-06 – UMH NY Corp. and UMH JGJ Corp. – Minor Site Plan Approval: Accessory Cooling Towers, 286-290 Deyo Hill Road., Tax Map # 127.02-1-18 & 127.02-1-17.
5. Town of Union Planning Board Decision – Application # PB-2023-01 – United Health Services Hospitals, Inc. – Site Plan Approval – UHS Daycare, 619 Main Street, Tax Map # 143.54-1-31.

Carried.

Councilman Thomas R. Augustini thanked the students from Mr. Rindy's class for being at the meeting tonight. He also congratulated all the successful sports teams from M-E, U-E and JC school districts.

Councilman Frank J. Bertoni said The Broome County Industrial Development Agency, LLC is holding a Public Hearing on March 9, 2023 at 12:00 p.m. (noon) at the Town of Union in the



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Board Room. This hearing is on the proposed 4301 Watson Blvd, LLC. Project for assistance with the development of the property in the Town of Union, Broome County, NY.

Supervisor Robert Mack reminded the Board members of the St. Patrick's Day parade will be this Saturday and they are welcome to march with him.

ADJOURNMENT:

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

The meeting was adjourned at 7:32 P.M.

Leonard J. Perfetti
Town Clerk

LJP/bk