



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

March 15, 2023

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

BOARD MEMBERS PRESENT: Town Supervisor Robert Mack, Councilman Thomas R. Augostini, 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, Deputy Town Clerk Rebecca Kruckowski.
Absent: Town Clerk Leonard J. Perfetti.

Also in attendance was Broome County Executive Jason Garner, Broome County Legislator Jason Shaw and Village of Endicott Mayor Linda Jackson.

PUBLIC HEARINGS: None.

BIDS:

Bids were called for on Friday, March 3, 2023 at 10:00 A.M. for Pool Supplies – 3” Accu-Tabs.

Bids were received as follows:

Surpass Chemical Company	\$171.20 per 60, No Delivery Charge
William L. Watson Company, Inc.	\$184.00 per 60, No Delivery Charge
Ace Aqua Supply	\$190.00 per 60, No Delivery Charge

Moved by Augostini, seconded by Bertoni to receive and file the Bids for Pool Supplies – 3” Accu-Tabs.
Carried.

Bids were called for on Thursday, March 9, 2023 for Justice Building Renovations and Flood Proofing/Town Hall Flood Proofing.

Bids were received as follows:



Town of Union

General Contract #1

First General of Southern NY, Inc.	\$1,526,412.71
Marchuska Brother's Construction, LLC	\$1,965,606.00

Mechanical Contract #2

J & K Plumbing & Heating Co. Inc.	\$ 188,000.00
Slavik and Co., Inc.	\$ 239,000.00

Plumbing Contract #3

Slavik and Co., Inc.	\$ 263,000.00
----------------------	---------------

Electrical Contract #4

E.J. Electric, LLC	\$ 184,900.00
Matco Electric Corp.	\$ 248,000.00
Panko Electric & Main, Inc.	\$ 273,000.00
Blanding Electric, Inc.	\$ 292,390.00
Diekow Electric, Inc.	\$ 319,700.00
Upstate Companies I, LLC	\$ 500,000.00

Moved by Augostini, seconded by Bertoni to receive and file the Bids for Justice Building Renovations and Flood Proofing/Town Hall Flood Proofing.

APPROVAL OF MINUTES:

Moved by Augostini, seconded by Bertoni to approve the Minutes of the regular Town of Union Board Meeting held on Wednesday, March 1, 2023.
Carried.

HEARING OF VISITORS:

County Executive Jason Garner gave an overview report of his State of the County address.

He said, overall Broome County is doing well and gave the following points:

- Unemployment numbers as of December are at the lowest rate on record since 1990. He said there are many job openings throughout the County.
- Economic Development Projects are going on throughout the County, with the Town of Union being at the center of them. UHS development and the Oakdale Mall transformation are prime development sites, with the Oakdale Mall being the number one piece of commercial real estate in the County. The Phoenix Campus in the Village



Town of Union

of Endicott has Imperium 3 and with help from State and Federal grants, Binghamton University has transformed that site into a Battery Park. Money has been allocated for the demolition of some of the IBM buildings and we are looking to transform the old EJ buildings and utilize them, either by rebuilding or demolishing them. We are looking at a 300 acre parcel of land near Airport Road to build a corporate park and are applying for grants to put in the utilities to the site. There are companies that are expressing interest. He said that Broome County is running out of space for development

- Sales Tax last year was 10 million dollars over budget, which is an indicator that the economy is doing well; we have cut taxes for the last 6 years and hope to continue this trend.
- One County initiative is to build housing. To get people to work here, we have to provide more housing opportunities for them. The Victory Building in Johnson City is almost complete with 155 new apartments to move into, and the same developer is planning to build a new 30 unit apartment building in front of it. Century Sunrise in Johnson City is looking to build a 100 unit affordable apartment complex. The IBM Country Club was demolished to build a new 75 unit apartment complex.
- Another initiative is to improve the County parks with funding of 10 million dollars. All the parks will have new bathrooms and benches. A dog park will be built at Otsiningo Park. At Grippen Park, we will be renovating the entire building for an accessible playground. A whiffle ball stadium will be built in one of the fields on the side of the park and an ice rink in the building in the winter. It will not be a full skating rink. The stadium will be used for many different events, such as concerts. Bagsai Softball Complex will have artificial turf on every field and new lighting. These improvements will allow more travel teams to come in town for competitions, which will bring revenue to the hotels and restaurants.
- Sheriff Fred Akshar has hired new corrections officers. With all the crimes combined, the crime rate in Broome County has declined. Unfortunately, overdoses have doubled since Covid. The County has received \$4,000,000.00 from the settlement with Pharmaceutical companies that will be used for more treatment to help cut the overdoses.
- One of the biggest struggles is with hiring people in the vacant positons at the County. The County is not a place to make a lot of money, but they have great insurance and



Town of Union

pension plans. Young people are not looking at the big picture; they are offered higher paying jobs and they leave. A lot of people did not come back to work after Covid and others are retiring earlier than before, so this also attributed to the vacancies.

- The County is doing great overall, and it is really great to see all the housing projects and Economic Development projects going up in the Town of Union. The fact that the Matthews and the Newmans are able to redevelop the Oakdale Mall property, it is not going to be the same as it was before, but this is what future malls are going to look like. He said Lourdes, some County offices, Beer Tree, Dick's Sporting Goods and smaller retail stores occupy the mall currently.
- A lot of what happens financially at the County is up to the State. Counties were hit pretty badly when the State made a budget that forced the Counties to cut their budgets and raise taxes to cover it.

Supervisor Robert Mack said we are so lucky that the Mall is being redeveloped with all the malls closing across the country and being torn down and ending up in the landfills.

County Executive Garner asked if anyone had any questions for him.

Carol Laskoski, 37 Edwards Street, Johnson City, asked what is happening at the Emerson Power Plant.

County Executive Jason Garner said it is his understanding that the City of Binghamton owns it and they have a California company moving in that will be producing and possibly selling marijuana. He said at the BAE site, the IDA is applying for a 2.5 million dollar grant to raise the land 10 feet in elevation. He said there have been many developers that have had interest in the property but would not commit to it because they did not want to take a chance on it flooding again. He also said that when this is done, it will be a very valuable piece of property.

Councilman Frank J. Bertoni asked if he has any specifics on the ice rink

County Executive Jason Garner said there is limited amount of money for the renovations and hockey is expensive not only to build it but also to run. The County is looking to put the rink inside half of the building. It will not be a full hockey rink, but similar to the one at Rec Park in the City of Binghamton. Options of what kind of ice to use, natural vs. artificial, is being looked at to weigh out the cost of both. He said the goal is to return that site back to the community



Town of Union

to enjoy for many activities and expects to have the building renovated by the end of the year. The Whiffle Ball field will be opened by summer and the ice rink will be in by the winter months. They will meet with legislators that represent that area to get a better idea of what people want there, whether it be pickle ball, concerts and whatever else. The building will be completely flood resistant. We know that the river will come up again and that is factoring into our thought process of what we will do. We will definitely have ice there, but what kind has not been decided.

Supervisor Robert Mack said he remembers that all the equipment needed to be elevated because of the glycol going into the river during the flood and that was a disaster.

A gentleman in the audience asked if homelessness in the area is it getting better or getting worse.

County Executive Jason Garner said he didn't have exact numbers, but it has definitely increased over the last couple years. During Covid, for 2 years landlords could not evict people, and the people did not have to pay. Now that the eviction moratorium has lifted, they were able to evict them. Landlords are more careful as to whom they have as tenants now.

He went on to say that they are working with developers to use ARPA money to develop housing projects and there will be probably 500 to 600 new units of housing will be available over the next two years; it won't be overnight. Typically these projects take two years. The IBM Country Club project will be completed in 2025. He said they work with the Land Bank to take houses from the foreclosure list; we can get grants and redo them and sell them to people who can get affordable housing. The problem is that it happened so quickly and we just do not have enough housing to place these people that need housing. We are obligated to find them housing, so we are putting them in hotels if they don't have a place to stay. It is not the ideal situation. The ideal situation is to get people in jobs and get them into permanent affordable housing. It's a stop gap measure until we have the housing projects built and is defiantly an issue. He said we just can't put people in housing and walk away.

County Executive Garner said they are building a Veterans Resource Center that will have ten houses specifically for veterans, and every veteran that lives there will get a case manager that will help them do resumes, take them to health appointments, look for jobs and all those types of things.

Supervisor Robert Mack said anybody who was in an apartment that did not pay rent and couldn't be evicted in those two years, don't come with very good references and now they can't find housing because of it.

Councilman Frank J. Bertoni said affordable housing on the surface is an admirable goal to try to achieve, but at some point we need to make sure that we are not abandoning the older neighborhoods in the Villages of Endicott and Johnson City and leaving all the people with no



Town of Union

references to go live there, while all the people with good references go to live in the new apartments. Then you actually crush the two villages because of the newer housing. He said he hopes that somehow you get to renovate some of those properties to make them part of the solution.

County Executive Jason Garner said it absolutely about all kinds of housing. He said not only do we need affordable housing, we need \$600,000.00 houses too. Higher up people from businesses like Imperium and Lockheed are looking for houses in the \$500,000.00 to \$600,000.00 range and there aren't any. He said that before Covid, the Binghamton MLS had 1200-1300 houses for sale, now there are only 300.

Supervisor Robert Mack said there are others, like physicians coming in to UHS and our own Congressman Mark Molinaro who wants to move here, that cannot find houses.

Councilman Thomas R. Augostini asked if there are any prospects of an AHL Hockey team coming in.

County Executive Jason Garner said not at this time. He said that he has to look at all aspects of the Arena use and although the Black Bears are a lower level hockey team that may not be at the playing level of the NHL, they bring in a full crowd of 3000 people at every game. There are more people going this year to a Black Bears game than the last year of the Devils. The NHL hockey teams are going to bigger cities. He is glad that we have the Black Bears, because they are an entertaining product that is bringing in the people and that is good for the community, the restaurants and other businesses. There is a noticeable difference in the revenue for the businesses when hockey is not there.

Councilman Thomas R. Augostini also thanked County Executive Garner and the Legislators for putting in the tipping fee waiver for small businesses at \$15,000.00. At the corner of North and Main Streets, all that dilapidated 5 acres are going to be torn down and the company qualifies for the waiver, and two houses in the Village of Endicott were taken down and those businesses qualified also. He said the \$15,000.00 goes for other costly uses.

He also said the County's commitment to the Land Bank is greatly appreciated and it can't be stressed enough about needing land for developments. He quoted the old saying 'Buy land because God isn't making any more of it'.

County Executive Garner said land is funny. There is a lot of open land in the County but 95% of its land owners do not want to develop.

Supervisor Robert Mack thanked County Executive Garner for coming to the meeting.



Town of Union

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 communications.

1. 239 Review – Town of Chenango regarding a proposed solar farm at 42 Smith Hill Road, rear.
2. Union Volunteer Emergency Squad Financial Report for January 2023.
3. Charter Communications Notification – March 3, 2023.
4. Letter from Donna McSwain, Adjuster, Segdwick Insurance, regarding claim #4A22080LZ060001 for loss location – Riverhurst Cemetery.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to refer the Notice of Intent to File Claim – Earlette Pittaman, 17 Barteau Street, Endwell, requesting reimbursement for damage to her car due to a Town vehicle striking it on January 23, 2023 to Town Attorney Alan J. Pope, Commissioner of Public Works Louis V. Caforio and the Town's Insurance Carrier.
Carried.
2. Moved by Augustini, seconded by Bertoni to refer the letter from Darlene L. Donald, Esq. requesting reimbursement after receiving a denial letter from the Town's Insurance Company, for her client Salvatore Marrongelli, 810/812 N. McKinley Avenue, Endicott, in regards to the damage to his property on September 17, 2022 from a sewage backup in his basement to Town Attorney Alan J. Pope.
Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to approve the Deed Transfer by the County of Broome to the Town of Union for a Cul-De-Sac at 943 Taft Avenue and for Supervisor Robert Mack to execute all related documents.)

Res. by Augustini, seconded by Kudgus.

Vote: All yes.

The Resolution was adopted.



Town of Union

Moved by Augostini, seconded by Kudgus to approve an RFP for the Development, Maintenance and Hosting of a New Town of Union Website, to be received at a date to be determined by Town Clerk Leonard J. Perfetti.
Carried.

(Prepared Resolution filed as part of these minutes to authorize the following 2023 Budget Modifications:

Increase	10 4089 0000 ARPA	ARPA Lost Revenue	\$128,660.16
Increase	10 9901 9040 ARPA	Transfer to Parks	\$128,660.16

For the purchase of the Groundmaster 4000-D, Rubber, Stone and Concrete.

Increase:	40 5990 0000 Appropriated Fund Balance	\$ 74,178.80
Increase:	40 7110 2502 Grounds Equipment	\$ 74,178.80

Increase appropriated fund balance for the Board approved purchase of a Toolcat.

Increase:	40 5990 0000 Appropriated Fund Balance	\$ 8,109.00
Increase:	40 7110 2502 Grounds Equipment	\$ 8,109.00

Increase appropriated fund balance for the Board approved purchase of a Ball Field Groomer

Increase:	40 5990 0000 Appropriated Fund Balance	\$ 21,366.24
Increase:	40 7110 2502 Grounds Equipment	\$ 21,366.24

Increase appropriated fund balance for the Board approved purchase of a Brush Chipper.

Increase:	40 5031 0000	Inter-Fund Transfers	\$ 128,660.16
Increase:	40 7110 2502 ARPA Grounds Equipment		\$ 91,940.16
Increase:	40 7110 4413 ARPA B&G Services		\$ 36,720.00.)

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

Vote: All yes.

Moved by Bertoni, seconded by Nirchi to authorize the advertisement of bids for the following projects at a date and time to be determined by the Commissioner of Public Works. These projects will be paid from the ARPA funds.

- Highway, Court/State Police, Main Building Roof Replacement
- Main Building Fire Escape
- Main Building Generator
- Taft Heights / Hooper Road sewer project.

Carried.



Town of Union

Moved by Bertoni, second by Nirchi to authorize the advertisement of bids for Camelot Drive Drainage Improvements – Construction at a date and time to be determined by the Commissioner of Public Works. This project will be paid from the ARPA funds.
Carried.

(Prepared Resolution filed as part of these minutes to award the Bid for Pool Supplies-3" Accu-Tabs to Surpass Chemical Company for their low bid price of \$171.20 per 60, delivered.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to accept the Agreement with Park Manor Plaza, LLC for use of Park Manor Plaza for July 4th Extravaganza parking and/or fireworks viewing, and for Supervisor Robert Mack to execute said agreement.)

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

Vote: All yes.

(Prepared Resolution authorizing the purchase a new 2023 Caterpillar Skid Steer 259D3 through a Buy Back Program from CAT for a price of \$67,241.00 minus trade in of \$55,000.00, net difference being \$12,241.00 per NYS OGS contract PC69406 Sourcewell 032515- CAT. FI81 will be declared surplus for trade-in purposes. The new Skid Steer will be paid out of the Parks Grounds Equipment line.

\$67,241.00 (New) 2023 CAT 259D

\$55,000.00 (Trade In) 2021 CAT 259D SIN CW97

\$12,241.00 Total Net Difference)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to accept the contract with Celebrations on the Avenue to hold our Easter Eggstravaganza 2023 at their venue on Saturday, April 1, 2023.)

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

Vote: All yes.

Resolution filed as part of these minutes authorizing Supervisor Robert Mack to execute an agreement with Metro Interfaith Housing Management Corp., 21 New St., Binghamton NY, 13903 for professional services in connection with the Town of Union Home Improvement/ First Time Home Buyer programs funded through CDBG grants. Services shall include program intakes, client processing, perform income verifications, send approval letters and transmit all information to Town Attorney for closings, provide one on one and group



Town of Union

counseling/education, and provide Certified Housing Counseling Agency status to the Town of Union programs. Funding for this contract is available in the CDBG Home Improvement/First Time Home Buyer budget lines. Metro Interfaith fee schedule: Home Improvement: Initial intake: \$200/client; executed mortgage: \$600/client. First Time Home Buyer: \$350/client.

This Resolution was held over under the Rule.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing on Wednesday, 4/19/2023 at 7:00 P.M. to receive Public Comment on the proposed Substantial Amendment to the 2019 CARES ACT: CDBG-CV & CDBG-CV3 Annual Plan for the following project:

CDBG-CV & CV3: The Town will use CDBG-CV & CV3 funds to provide financial assistance to the Johnson City School District's Wildcat Food & Clothing program.

The Town of Union will use \$74,000 of unprogrammed CDBG-CV3, and reallocate: \$1,000 from IDIS #1511. These funds will be moved into new project activity IDIS #1726. Total Project Cost: \$75,000.00.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to increase the Town of Union's current First Time Home Buyer Home Price Limit from \$90,000.00 to \$150,000.00 to adjust for the current economic climate and to bring the competitiveness of the Town of Union program in-line with other local agencies and municipalities.

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

Vote: All yes.

HEARING OF VISITORS:

As no one wished to speak, Supervisor 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 of Union Local Development Corporation Minutes – January 19, 2023.
2. Building Permits Report – February 2023.



Town of Union

3. Town of Union Zoning Board of Appeals Decision – Sonbyrne Sales, Inc., Application # 2021-008, 3100 Watson Boulevard, Tax Map # 141.2-4-26.
4. Town of Union Zoning Board of Appeals Decision – Bonnie Cutter, Application # 2022-001, 206 Lee Avenue, Tax Map # 41.16-4-31.
5. Town of Union Zoning Board of Appeals Decision – Burke Campgrounds of NY, LLC, DBA: Binghamton Jellystone Park, Application # 2022-018, 600 Boswell Hill Road, Tax Map # 124.02-1-5.
6. Town Clerk Monthly Report – February 2023.
Carried.

Councilman Thomas R. Augostini recognized the life of Mike Dellapenna, brother of former Councilwoman Sandra Bauman. He gave condolences to the family.

Councilman Joseph P. Nirchi, Sr. recognized the life of NY State Trooper Norman O'Neil who passed away after a drowning accident. He gave condolences to the family.

Supervisor Robert Mack gave condolences to both families.

ADJOURNMENT:

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

The meeting was adjourned at 8:07 P.M.

Rebecca Kruczkowski
Deputy Town Clerk

RMK/bk