



**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*

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## TOWN OF UNION BOARD MEETING

March 6, 2024

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, February 28, 2024 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 Joseph P. Nirchi, Sr.  
Absent Councilman Frank Bertoni.

TOWN OFFICIALS PRESENT: Town Attorney Alan Pope, Deputy Town Attorney Rose Pope, Deputy Town Attorney Ryan R. Matt, Town Clerk Leonard J. Perfetti.

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

Town Attorney went over the SQER review part 1 and part 2 for the Titan Project.

PUBLIC HEARINGS: A public hearing was called for on March 6, 2024 to consider an amendment to the Solar Local Law to give authority to the Town Board, and not the Planning Board to determine Special Permits as it pertains to Solar applications.

Gay Canough of 533 Woodford Street in Endicott asked why and could explain what the intent was. Town Attorney Alan Pope said we had a previous Public Hearing about making it fair for the residents to add a fee because these projects are complicated and second to have the Host Community or Pilot Agreement upfront in the project so we can work out the fee the developer is going to pay to the town and again a benefit to the town residents. This Public Hearing is about do we move all or some of the special permit conditions to the Town Board. The thinking on is some of the special permit conditions could be more efficient to divide up the responsibilities between the parties. No reflection on the Planning Board, they do a great job. The board is not looking at taking the technical part away from the Planning Board.

Terrance Nolan from Loadstar Energy 6 Stonehenge Road in Warrick NY asked if this process goes forward would include review by the Planning Board, site plan review and then go to the Town Board for the Special Use Permit. Town Attorney Pope said the Board has not gotten that far yet. In his thinking the site plan review would stay with the Planning Board since they have that expertise but there are other parts of the special use permit that I think better suited for the Town Board. Mr. Nolan shared what some other towns do from his past experience,



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Bob Utter Airport Road asked if this was a way to go around the Planning board and do what you do. Supervisor Mack said no. Mr. Utter said is this spot zoning? Town Attorney said no because this is a PUD and needs two uses. They attorney Pope spoke about the type of Pilot this was.

As no one else wished to speak Supervisor Mack closed the Public hearing.

Supervisor Mack referred to Town Attorney Pope to go over the SEQR review for this project, parts one and two.

BIDS: None.

## APPROVAL OF MINUTES:

Moved by Augustini, seconded by Nirchi to approve the Minutes of the Regular Town of Union Board Meeting held on Wednesday, February 28, 2024.  
Carried.

## HEARING OF VISITORS:

Carol Leskowski 37 Edwards Street Johnson City wanted to comment on some of the SEQR review. Noise, odor and light and agricultural resources. Supervisor Mack said noise, odor and light could be affected during the construction phase. Attorney Pope said as far as agricultural they are really talking about certain species being pushed out of the area. For the full SEQR review logon to <https://www.youtube.com/watch?v=lcaixLhJNcQ&t=705s>

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

## COMMUNICATIONS FOR FILING:

Moved by Augustini, seconded by Nirchi to receive and file the following Communications:

1. Charter Communications Channel programming changes.
  2. LCD Annual Meeting Minutes Thursday December 21, 2023
  3. Email from Bob Potochniak with comments for March 6, Public Hearing Solar Local Law.
- Carried

## COMMUNICATIONS FOR ACTION:



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1. Moved by Augustini and seconded by Nirchi to approve the request and refer it to the Commissioner of Public Works and the Parks Manager for the Endwell Garden Club asking for Pavilion #7 on July 10<sup>th</sup> at 5:30 and to work on two of the Town's garden and for the fee to be waived.  
Carried
2. Moved by Augustini and seconded by Nirchi to refer the request to the Commissioner of Public Works and the Parks Manager the Email from Paula's Coffee House on North Page Ave requesting to hold a an event at the west Endicott Park for Easter, an egg hunt and pictures with the Easter Bunny.  
Carried

PETITIONS:           None.

### COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to approve the respective PILOT Agreements with Norbut Solar for each respective site, subject to Town Attorney approval, and for authority for Supervisor Robert Mack to execute each PILOT).

Res. by Nirchi, seconded by Kudgus.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to hold a Public Information Hearing/Presentation on March 20, 2024 at 7pm for CCA to present the post bid energy results).

Res. by Nirchi, seconded by Kudgus.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to amend the agreement between Town of Union and Cost Control Associates to incorporate and cover the Choconut Center Water District as marked up on the Amendment #1, and that Supervisor Robert Mack is authorized to execute the amendment marked up).

Res. by Augustini, seconded by Kudgus.

Vote: All yes.

The Resolution was adopted.



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Moved by Augustini, seconded by Nirchi to approve the attendance of Leonard J. Perfetti, Town Clerk, at the New York State Town Clerks Association Conference; April 21 – 24, 2024 in Albany, New York; approval is for registration, accommodations, meals and estimated mileage in accordance with Town approved guidelines, not to exceed \$1195.00.  
Carried

Moved by Augustini, seconded by Nirchi to receive bids for the following project Camelot Drive Drainage & Full Depth Road Reconstruction at a date and time to be determined by the Commissioner of Public Works. This project will be paid from ARPA funds.  
Carried

Moved by Augustini, seconded by Nirchi to accept the Highway Superintendents resignation as submitted.  
Carried  
Moved by Augustini, seconded by Nirchi to accept the resignation of Karen Klecar from the Board of Assessment effective February 16, 2024.  
Carried

Moved by Augustini, seconded by Nirchi to appoint Gary Leighton, 114 Patio Drive, Endwell, to the Town of Union Board of Assessment Review to fill the unexpired term previously held by Karen Klecar; term will expire September, 2027.  
Carried

(Prepared Resolution filed as part of these minutes approves and authorizes the Town of Union to transfer four hundred forth five thousand dollars to the Town of Union Local Development Corporation in American Rescue Plan Act (ARPA) Lost Revenue Replacement funds for use and in administering of the SEPP project).

Res. by Kudgus, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

### HEARING OF VISITORS:

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

### DEPARTMENT REPORTS ON FILE IN THE TOWN CLERK'S OFFICE:

None

### ADJOURNMENT:



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

The meeting was adjourned at 8:20 P.M.

Leonard J. Perfetti  
Town Clerk

LJP