



Town Clerk
Gail L. Springer, RMC

Town of Union

Town Board
Rose A. Sotak, *Supervisor*
Thomas R. Augustini, *Councilman*
Frank J. Bertoni, *Councilman*
Leonard J. Perfetti, *Councilman*
Robert Mack, *Councilman*

TOWN OF UNION BOARD MEETING

March 16, 2016

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, March 16, 2016 at 7:30 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York.

BOARD MEMBERS PRESENT: Supervisor Rose A. Sotak, Councilman Thomas R. Augustini, Councilman Frank R. Bertoni, Councilman Leonard J. Perfetti, Councilman Robert Mack.

TOWN OFFICIALS PRESENT: Deputy Town Attorney Kurt D. Schrader, Town Clerk Gail L. Springer, Deputy Town Clerk Rebecca Kruczkowski.
Absent: Town Attorney Alan J. Pope.

Supervisor Rose A. Sotak opened the meeting with the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS:

(Prepared Resolution filed as part of these minutes to declare the consideration of Local Law No. 2 of 2016 to amend Chapter 300 Zoning Code and Chapter 178 Streets and Sidewalks an unlisted action and issue a negative declaration under the State Environmental Quality Review Act (SEQR) and authorize the Supervisor to sign part 3 of the Short Environmental Assessment form.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

A Public Hearing was called for on Wednesday, March 16, 2016 at 7:30 P.M. to consider a local law amending certain sections of Chapter 300 and Chapter 178.
Pub. & Posted 3/4/16.

As no one wished to speak, Supervisor Rose A. Sotak closed the first Public Hearing.

(Prepared Resolution filed as part of these minutes to declare the consideration of proposed rezoning of parts of Delaware Avenue, Kentucky Avenue and North Street an unlisted action and issue a negative declaration under the State Environmental Quality Review Act (SEQR) and authorize the Supervisor to sign part 3 of the Short Environmental Assessment form.)



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Res by Bertoni, seconded by Augostini.

Vote: Yes
Augostini
Bertoni
Perfetti
Mack
Abstain
Sotak

The Resolution was adopted.

A Public Hearing was called for on Wednesday, March 16, 2016 at 7:30 P.M. to consider amending the zoning law in the Town of Union with respect to parts of Delaware Avenue, Kentucky Avenue and North Street.
Pub. & Posted 3/4/16.

Laura Liburdi, 2408 North Street, Endicott, said she cannot sell her home because it is zoned Industrial and a buyer has a problem getting a mortgage the way it is zoned. She said changing this zoning will help in selling her home.

Supervisor Rose A. Sotak said she abstained because she is a real estate broker and she knows the issues. She agreed that this will help.

As no one else wished to speak, Supervisor Rose A. Sotak closed the second Public Hearing.

BIDS:

Bids were called for on Monday, March 14, 2016 at 10:00 A.M. for Curb and Gutter/Sidewalk Replacement – Contract One.

Bids were received as follows:

R. B. Magliocca General Contracting	\$ 43,605.00
Tre-Gen Concrete Corporation	\$ 43,880.00
Albert Torto Construction	\$ 69,000.00

Moved by Augostini, seconded by Bertoni to receive and file the bids for Curb and Gutter/Sidewalk Replacement – Contract One.
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, March 2, 2016.
Carried.



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HEARING OF VISITORS:

A resident of Endicott, asked for an update on the old EJ building on North Page Avenue.

Deputy Town Attorney Kurt D. Schrader explained the court order issued to the property owners on March 9, 2016.

A resident of Johnson City, reported on the code violations at 448 Riverside Drive, Johnson City, and asked what is being done about them. He said the property owners tore down the garage and it is a mess.

Councilman Thomas R. Augostini said the Code Enforcement Officer has been to the property and is in the process of issuing more violations, including tearing down the garage without a permit. He also said they looked at two other properties in the area for violations.

A resident of Johnson City, said she also has concerns regarding the property at 440 Riverside Drive.

A resident of Endwell, spoke about an ongoing court case he has in which the Judge recused himself. He asked what will be done now.

Deputy Town Attorney Kurt D. Schrader said the Town Board has no jurisdiction over court proceedings. He said the Court Clerks will reassign the case to a new judge and that he should contact them regarding the issue.

As no one else wished to speak, Supervisor Rose A. Sotak closed the first Hearing of Visitors.

COMMUNICATIONS FOR FILING:

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

1. Letter from New York State Department of Taxation and Finance, Office of Real Property Tax Services, Albany, New York to Supervisor Rose A. Sotak regarding Notice of Tentative Railroad Ceiling for the 2016 Assessment Roll.



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2. Letter from State Records and Law Bureau, State of New York Department of State regarding Town of Union, Local Law #1 2016 (Amend Chapter 48 – Public Works Dept. Of), filed on February 25, 2016.
3. Minutes of the Regular Meeting and Work Session of the Board of Trustees of the Village of Johnson City held on February 16, 2016.
4. Invitation to The Broome County Association of Towns & Villages Meeting on Thursday, March 24, 2016 at The Spot Restaurant.
5. Letter from New York Department of Public Service in reference to public statement hearings regarding proposed increases to delivery rates for NYSEG Corp. Carried.

COMMUNICATIONS FOR ACTION: None.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to approve following year-end 2015 Budget Modifications:

Increase:	20 1120 0000	Sales Tax Revenue	\$ 90,546.06
Increase:	20 9901 9000	Transfer to HW	\$ 90,546.06)
Res. by Augostini, seconded by Perfetti.			Vote: All yes.
The Resolution was adopted.			

Moved by Augostini, seconded by Perfetti to approve the following 2015 Year-End Budget Transfers:



Town of Union

FUND	ORG	OBJ	ACCOUNT DESCRIPTION	Budget Transfer
10	10 1010	1010	Salary Base	0.48
10	10 1010	4099	Temporary - Non-payroll	(705.96)
10	10 1010	4601	Travel & Expense Reimbursement	(4.83)
10	10 1110	1010	Salary Base	(149.05)
10	10 1110	1040	Overtime	149.05
10	10 1110	4101	Office Supplies	(777.73)
10	10 1110	4104	Books, Periodicals & Subscript	615.23
10	10 1110	4512	Consultant	162.50
10	10 1220	1010	Salary Base	807.80
10	10 1220	1030	Temporary	697.93
10	10 1220	1040	Overtime	100.59
10	10 1220	1080	Compensated Absences	(508.02)
10	10 1220	4101	Office Supplies	(392.34)
10	10 1315	4628	Employee Physicals 40+ Yrs	(100.00)
10	10 1355	4620	Education	(100.00)
10	10 1355	4628	Employee Physicals 40+ Yrs	100.00
10	10 1420	1010	Salary Base	234.42
10	10 1420	4512	Professional Services	600.00
10	10 1420	4515	Legal Expense	(834.42)
10	10 1430	4512	Consultant	(625.00)
10	10 1430	4630	Pre-employment Physicals	903.00
10	10 1430	4631	Pre-employment Checks/Testing	1,064.65
10	10 1491	4011	OSHA	(1,000.00)
10	10 1620	2500	Other Equipment	2,800.00
10	10 1620	4413	Building Maintenance & Service	(2,800.00)
10	10 1680	1010	Salaries	(1,653.86)
10	10 1680	1030	Temporary	(24,142.65)
10	10 1680	1040	Overtime	121.86
10	10 1680	1080	Compensated Absences	(3,600.00)
10	10 1680	2500	Other Equipment	(168.12)
10	10 1680	2600	Software	3,768.12
10	10 1680	4136	Computer Supplies	(115.34)
10	10 1680	4400	Software Maintenance	115.34
10	10 1680	4512	Professional Services	25,532.00
10	10 1680	4628	Employee Physicals 40+ Yrs	(100.00)
10	10 1910	4301	Property Insurance	(1,840.31)
10	10 1910	4302	Liability Insurance	1,840.31
10	10 1989	4425	General Town Code Book	(3,400.00)
10	10 1989	4516	Inter-net Services	(395.00)
10	10 1989	4805	Audit & Accounting	3,795.00
10	10 3510	1020	Hourly Base	(4,135.45)



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FUND	ORG	OBJ	ACCOUNT DESCRIPTION	Budget Transfer
10	10 3510	1040	Overtime	732.64
10	10 3510	1080	Compensated Absences	3,402.81
10	10 5182	4202	Electricity	62,383.16
10	10 5182	4401	Equipment Maintenance	(28,912.78)
10	10 5182	4512	Professional Services	(20,000.00)
10	10 6989	4601	Travel & Expense Reimbursement	4.35
10	10 7145	1010	Salary Base	(3,705.00)
10	10 7145	1030	Temporary	3,705.00
10	10 7145	4401	Equipment Maintenance	610.19
10	10 7145	4459	Recreation Program Service	(610.19)
10	10 9040	8003	Workers Compensation Insurance	158.71
10	10 9050	8009	Unemployment Insurance	4,165.92
10	10 9060	8004	Health Insurance	(17,795.01)
10			Total 10 General	-
20	20 1440	1010	Salary Base	(228.35)
20	20 1440	1040	Overtime	228.35
20	20 1620	2050	Capital Improvements	24,350.98
20	20 1620	4423	Property Repairs	(40,394.12)
20	20 1910	4301	Property Insurance	(526.33)
20	20 1910	4302	Liability Insurance	3,108.33
20	20 1910	4305	Automobile Insurance	(3,108.33)
20	20 1910	4309	Miscellaneous Insurance	526.33
20	20 1989	2200	Office Equipment	(2,000.00)
20	20 1989	4201	Cellular Telephones	(500.00)
20	20 1989	4403	Printing	(359.09)
20	20 1989	4412	Copier	359.09
20	20 1989	4512	Consultant	21,234.68
20	20 3989	1030	Temporary	(57.43)
20	20 4020	1010	Salary Base	57.43
20	20 5010	1010	Salary Base	18,245.91
20	20 5010	1080	Compensated Absences	(5,138.96)
20	20 5010	4101	Office Supplies	(19.91)
20	20 5010	4104	Books, Periodicals & Subscript	(100.00)
20	20 5010	4225	Cell Telephones	(1,300.00)
20	20 5010	4401	Equipment Maintenance	37.59
20	20 5010	4516	Cable/Inter-net Services	(30.00)
20	20 5010	4601	Travel & Expense Reimbursement	(226.00)
20	20 5010	4603	Legal Notices	(1,400.00)
20	20 5010	4605	Dues & Memberships	(7.59)
20	20 5010	4628	Employee Physicals 40+ Yrs	(100.00)
20	20 8021	1010	Salary Base	10,919.74
20	20 8021	1080	Compensated Absences	(1,924.61)



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FUND	ORG	OBJ	ACCOUNT DESCRIPTION	Budget Transfer
20	20 8021	4605	Dues & Memberships	(100.00)
20	20 8021	4628	Employee Physicals 40+ Yrs	100.00
20	20 8120	1020	Hourly Base	2,184.39
20	20 8120	1030	Temporary	(2,184.39)
20	20 8120	4428	Septic Tank Cleaning	225.00
20	20 8120	4430	Sewer Line Repairs	(225.00)
20	20 8160	4415	Refuse Collection	17.32
20	20 8160	4513	County Tipping Fees	(17.32)
20	20 8540	2050	Capital Improvements	(4,006.99)
20	20 8540	4202	Electricity	4,006.99
20	20 8989	4500	Flood Loss	(33,900.00)
20	20 8989	4602	Postage & Freight	17.11
20	20 8989	4701	Home & Community Services	49,926.03
20	20 9010	8007	Retirement	(18,956.17)
20	20 9060	8004	Health Insurance	(18,734.68)
20			Total 20 Part-Town	-
21	21 8130	1030	Temporary	76.62
21	21 8130	4612	Sewer Expense - Contractual	(82.45)
21	21 8130	8008	Social Security	29.28
21	21 9030	8008	Social Security	(23.45)
21			Total 21 Sewer	-
31	31 5110	4167	Gloves, Boots & Gear	266.31
31	31 5110	4626	CDL Reimbursement	(266.31)
31	31 5130	4110	Small Tools & Implements	(272.52)
31	31 5130	4111	Parts	272.52
31	31 5130	4626	CDL Reimbursement	(75.00)
31	31 5130	4628	Employee Physicals 40+ Yrs	75.00
31	31 5142	1040	Overtime	(411.02)
31	31 5142	4129	Rock Salt	411.02
31	31 9040	8003	Workers Compensation Insurance	15,346.43
31	31 9060	8004	Health Insurance	(15,346.43)
31			Total 31 Highway Part-Town	-
40	40 9089	8028	Medicare Reimbursement	0.20
40	40 9010	8007	Retirement	4,725.00
40	40 9030	8008	Social Security	(4,725.00)
40	40 9040	8003	Workers Compensation Insurance	3,496.33
40	40 9060	8004	Health Insurance	(3,496.53)
40			Total 40 Parks	-



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20	20 3989	4225	Cell Phones	(98.84)
20	20 1989	4424	Interest	98.84

Carried.

(Prepared Resolution filed as part of these minutes to amend Chapter 300 Zoning Code and Chapter 178 Streets and Sidewalks an unlisted action and issue a negative declaration under the State Environmental Quality Review Act (SEQR) and authorize the Supervisor to sign part 3 of the Short Environmental Assessment form.)

Res. by Bertoni, seconded by Mack. Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to rezone parts of Delaware Avenue, Kentucky Avenue and North Street an unlisted action and issue a negative declaration under the State Environmental Quality Review Act (SEQR) and authorize the Supervisor to sign part 3 of the Short Environmental Assessment form.)

Res. by Bertoni, seconded by Mack.

Vote: Yes
Augustini
Bertoni
Perfetti
Mack
Abstain
Sotak

The Resolution was adopted.

Proposals were called for on Thursday, February 18, 2016 at 11:00 A.M. for Engineering/Design Services of Johnson City Water Treatment Plant Maintenance/Storage Building - CDBG-DR Project.

Proposals were received from the following companies:

- Delta Engineers, Architects & Land Surveyors
- Keystone Associates Architects, Engineers & Surveyors, LLC
- Hunt Engineers, Architects, Engineers & Land Surveyors, PC
- Clark Patterson Lee
- BCK-IBI Group

(Prepared Resolution filed as part of these minutes authorizing contract negotiations for design of the Village of Johnson City Water Treatment Plant Maintenance/Storage Building project with Keystone Associates Architects, Engineers and Surveyors. Funding for this project is available in the CDBG-DR budget.)

Res. by Bertoni, seconded by Mack. Vote: All yes.

The Resolution was adopted.



Town of Union

(Prepared Resolution filed as part of these minutes to call for a Public Hearing to be held on April 6, 2016 at 7:30 P.M. to consider input for inclusion in the Federal Fiscal Year 2016 Community Development Block Grant (CDBG) Annual Action Plan.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to issue a proclamation declaring the month of April 2016 as Fair Housing Month in the Town of Union.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to issue a proclamation declaring the week of March 28, 2016 through April 2, 2016 as Community Development Week in the Town of Union.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign the NYSDEC-USACE Joint Permit Application and Permission To Inspect Property Form for the Brixius Creek NY-Rising drainage improvement project.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign the Sub-grantee Closeout Report Form for the FEMA Buyout Program, Project #: 4020-0055.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to issue a Negative Declaration under SEQRA for the Town of Union Community Development Block Grant Disaster Recovery Program Village of Johnson City Water Treatment Plant Maintenance/Storage Building Project. The Supervisor is further authorized to execute the short Environmental Assessment Form as well as all the other required documentation.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to issue a Negative Declaration under SEQRA for the Town of Union Community Development Block Grant Disaster



Town of Union

Recovery Program Fairmont Park Floodwall Closure Project. The Supervisor is further authorized to execute the short Environmental Assessment Form as well as all the other required documentation.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve the combined notice of No Significant Impact On The Environment (FONSI) and Request for Release Of Funds (RROF) for the Town of Union Community Development Block Grant Disaster Recovery Program Village of Johnson City Water Treatment Plant Maintenance/Storage Building Project. The Supervisor is further authorized to execute all documentation required for submission to HUD. The Supervisor and/or Planning Director are further authorized to prepare and submit any technical corrections to the FONSI/RROF that may be required by HUD.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes approving the combined notice of No Significant Impact On The Environment (FONSI) and Request For Release Of Funds (RROF) for the Town of Union Community Development Block Grant Disaster Recovery Program Fairmont Park Floodwall Closure Project. The Resolution will further authorize the Supervisor to execute all documentation required for submission to HUD. The Supervisor and/or Planning Director are further authorized to prepare and submit any technical corrections to the FONSI/RROF that may be required by HUD.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to declare Lead Agency status under the State Environmental Quality Review Act (SEQRA) for the CDBG-DR funded Johnson City Sanitary Sewer Interceptor B Separation Project.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to classify the CDBG-DR funded Johnson City Sanitary Sewer Interceptor B Separation Project as an Unlisted Action Classification under SEQRA.)

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

Vote: All yes.



Town of Union

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign the forms designating the Governor's Office of Storm Recovery as Lead Agency for the following NY Rising program projects:

Brixius Creek Streambank Repairs/Improvements
Patterson Creek Streambank Repairs/Improvements
West Creek Streambank Repairs/Improvements
Refuse Garage Relocation)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak, as Project Applicant/Sponsor, to sign the Part 1 of the Short SEQRA Environmental Assessment Forms prepared by the Governor's Office of Storm Recovery for the following NY Rising program projects:

Brixius Creek Streambank Repairs/Improvements
Patterson Creek Streambank Repairs/Improvements
West Creek Streambank Repairs/Improvements
Refuse Garage Relocation)

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

Vote: All yes.

Moved by Perfetti, seconded by Augustini to authorize Patrick Horvatt to travel to Turning Stone Resort & Casino in Verona, New York on April 7, 2016 for Dig Safely New York Annual Meeting and use of a Town vehicle.
Carried.

Moved by Perfetti, seconded by Augustini to authorize the attendance of Anthony Silvestri and James Wallace at the Southern Tier Building Officials meeting on March 17, 2016 at the Port Watson Mini Conference Center, Cortland, New York. The training counts for 4 hours of the required 24 hours of yearly training. Authorization to include registration fee of \$35.00 per person which includes lunch and use of a Town vehicle.
Carried.

Moved by Perfetti, seconded by Augustini to authorize the attendance of Gary Post, Derek Waddell and James Wallace to the 2016 Code Update Training on April 5 & 6, 2016 at the Dryden Fire Department in Dryden, New York. The mandatory training course accounts for 9 hours of the required 24 hours of yearly training. Authorization to include registration fee of \$15.00 per person plus meal reimbursement if not included in registration and use of a Town vehicle.
Carried.



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(Prepared Resolution filed as part of these minutes to award the bid for Curb and Gutter/Sidewalk Replacement – Contract One to R. B. Magliocca General Contracting, Endicott, for their low bid price of \$43,605.00.)

Res. by Perfetti, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

Moved by Perfetti, seconded by Augustini to receive bids for the Watson Blvd. Floodwall Closure at a date and time to be determined by the Commissioner of Public Works.

Carried.

HEARING OF VISITORS:

A resident of Endwell, asked who is responsible for the maintenance of the creek next to the day care center and mini golf course on Hooper Road.

Councilman Thomas R. Augustini said the property owners are responsible.

As no one else wished to speak, Supervisor Rose A. Sotak 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 – February 2016.
2. Town of Union Planning Review Team – Minor Site Plan Review Decision – John Lobevero, John's Tree Service, 4451 Watson Blvd., Tax Map # 142.02.1-5.
3. West Corners Fire District - 2016 Annual Report.
4. Planning Review Team Decision – Minor Site Plan Approval – Samaritan Counseling Center, 3001 East Main Street, Endwell, Tax Map # 157.08-2-22.
5. Comptroller's Monthly Financial Report – February 2016.

Carried.

Moved by Augustini, seconded by Bertoni to go into Executive Session to discuss personnel at 8:22 P.M.



Town of Union

Carried.

No action was taken in Executive Session.

Moved by Perfetti, seconded by Mack to go out of Executive Session at 8:50 P.M.
Carried.

ADJOURNMENT:

Moved by Perfetti, seconded by Mack to adjourn the meeting.
Carried.

The meeting was adjourned at 8:51 P.M.

GLS/bk

Gail L. Springer, RMC
Town Clerk