



Town Clerk
Gail L. Springer, RMC

Town of Union

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

TOWN OF UNION BOARD MEETING

June 1, 2016

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, June 1, 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. Augostini, Councilman Frank J. Bertoni, Councilman Leonard J. Perfetti, Councilman Robert Mack.

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

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

PUBLIC HEARINGS: None.

BIDS: None.

APPROVAL OF MINUTES:

Moved by Augostini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, May 18, 2016.
Carried.

HEARING OF VISITORS:

A resident of Endicott, asked if Commissioner of Public Works Louis Caforio has heard anything from New York State DOT about the traffic situation on Main Street by National Pipe and Plastics.

Supervisor Rose A. Sotak told him that Commissioner of Public Works Louis Caforio has tried unsuccessfully to contact him many times today with a report from NYSDOT.

Councilman Thomas R. Augostini said NYSDOT is revisiting the traffic situation and will send a report back to the Town.



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Councilman Frank Bertoni told him that he did not appreciate him speaking against the Town and Commissioner of Public Works Louis Caforio on the radio talk show over this situation, especially since New York State is the agency that has to make the changes.

A resident of Endwell, complained about the old IBM Country Club property that has become an eyesore and about the high grass there.

Councilman Leonard J. Perfetti said the Code Enforcement Office has issued over 300 violations so far this season. He also said that if the owners do not take care of it, the Town will have it cut and then charge them.

A resident of Endicott, asked for an update on 1 N. Page Avenue. She presented the Board copies of the unpaid taxes since 2008 and asked why it is not listed on the County's delinquent property tax list.

Councilman Thomas R. Augostini explained that property owners can get on payment plans with the County to pay back taxes to avoid foreclosures.

Councilman Frank J. Bertoni said the Town received an environmental report on the property today to review and then to decide on proceeding to the next step.

Councilman Robert Mack said the Town also received notice today that the owner has applied to the New York State Parks, Recreation and Historic Preservation Office to have the building listed as historical. (Action #4 of this meeting)

Supervisor Rose A. Sotak said residents can write an objection letter to the New York State Parks, Recreation and Historic Preservation Office by June 21, 2016. The Town will be sending a letter of objection.

Councilman Thomas R. Augostini said a sample objection letter will be available in the Town Clerk's Office to pick up early next week.

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. Minutes of the Regular Meeting of the Board of Trustees of the Village of Endicott held on April 26, 2016.



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2. Letter from Joseph M. Dlugolenski, Division of Environmental Permits, NYS Dept. of Environmental Conservation in reference to Notice of Complete Application for Brixius Creek from Christopher St. to N. McKinley St., Christopher St. to N. McKinley St., Endicott, NY.
3. Minutes of the Regular Meeting and Work Session of the Board of Trustees of the Village of Johnson City held on May 3, 2016.
4. 239 Review Submission Form for Town of Maine Local Law Amending the Town Zoning Code Regarding Junk Yards and Vehicle Warehousing.
5. Letter from David J. Whalen, Director, Government Relations, Charter Communications, in reference to part of a national transaction, Charter Communications, Inc. combined with Time Warner Cable Inc. and Bright House Networks, LLC into a single company, New Charter. New Charter has assumed the name Charter Communications, Inc.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the Notice of Discontinuance – Citimortgage, Inc., Plaintiff vs. Michael B. McCall, et al., 103 Taylor Avenue, Endicott, New York to Town Attorney Alan J. Pope, Comptroller Laura J. Lindsley and Planning Director Paul A. Nelson.
Carried.
2. Moved by Augostini, seconded by Bertoni to refer the letter from Don Lambrino, 2126 Donna Avenue, Endicott, in reference to several issues with the wooded area north of his property and south of Felicia Blvd. to Deputy Commissioner of Public Works–Codes Daria Golazeski.
Carried.
3. Moved by Augostini, seconded by Bertoni to refer the letter from Adam J. Kovalchick, Hiawatha District District Director, Baden-Powell Council, Boy Scouts of America asking if they and ACHIEVE can again use pavilions #2 and #3 at Highland Park on July 7, 14, 21, 28 and August 4 with August 11, 2016 being a rain date at no cost to their program to Commissioner of Public Works Louis V. Caforio.
Carried.
4. Moved by Augostini, seconded by Bertoni to refer the letter from Ruth L. Pierpont, Deputy Commissioner for New York State Office of Parks, Recreation and Historic Preservation, in reference to Fair Play Factory, 1 North Page Ave., West Endicott, NY, Broome County is being considered at its next meeting, June 22, 2016, for nomination to the National and State Registers of Historic Places to Town Attorney Alan J. Pope, Deputy Commissioner of Public Work-Codes Daria Golazeski and Planning Director Paul A. Nelson.
Carried.



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PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to approve a 1.5% increase to the 2016 salary and wage rates of exempt employees who are employed as of June 1, 2016 retroactive to 1/1/2016.)

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

Vote: All yes.

Moved by Perfetti, seconded by Mack to accept a donation from the John Mack Foundation of an AED package (approx. value is \$1,750.00) to the Town for Highland Park near the tennis courts.

Carried.

The Town Board thanked the John Mack Foundation for this wonderful donation.

Moved by Bertoni, seconded by Mack to appoint Vincent Briga, 3018 Columbia Dr., Endicott, as Part-town representative and Daniel Bertoni, 1405 Riverview Dr., Endicott, as Village of Endicott representative to the Citizen Advisory Council for Community Development for terms expiring on 12/31/2017.

Carried.

Moved by Bertoni, seconded by Mack to authorize the provisional appointment of Scott Cramer to the position of Housing Rehabilitation Inspector at the rate established by the current CSEA agreement. Said appointment will be subject to a pre-employment physical and successful completion of drug/alcohol testing and background check.

Carried.

(Prepared Resolution filed as part of these minutes to the declare the Town Board Lead Agency status under the State Environmental Quality Review Act (SEQRA) for the CDBG-DR funded Loder Ave., Phase 2 Drainage Improvement 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 Phase 2, N. Loder Ave. Drainage Improvement project as an Unlisted action under SEQRA.)

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

Vote: All yes.



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(Prepared Resolution filed as part of these minutes to declare the Town Board Lead Agency status under the State Environmental Quality Review Act (SEQRA) for the CDBG-DR funded Grand Ave. Storm-Sanitary Separation project.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to classify the CDBG-DR funded Grand Ave. Storm-Sanitary Separation Project as an Unlisted action under SEQRA.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to declare the following list of town owned properties as surplus and approve a Purchase Option Agreement with Lakewood Development II, LLC, 6320 Fly Road, East Syracuse, New York 13057 for the purchase of 12 building lots in the Fairmont Park subdivision acquired through the town's CDBG-DR program for the purposes of new housing construction; subject to a permissive referendum and to authorize the Supervisor to execute such agreement subject to approval of the Town Attorney.

10 Woodland Ave, Johnson City, NY 13790 (Tax ID 142.11-2-33)
12 Woodland Ave, Johnson City, NY 13790 (Tax ID 142.11-2-34)
13 Woodland Ave, Johnson City, NY 13790 (Tax ID 142.11-2-26)
15 Woodland Ave, Johnson City, NY 13790 (Tax ID 142.11-2-25)
17 Woodland Ave, Johnson City, NY 13790 (Tax ID 142.11-2-24)
29 Woodland Ave, Johnson City, NY 13790 (Tax ID 142.11-2-44)
30 Woodland Ave, Johnson City, NY 13790 (Tax ID 142.11-2-28)
31 Woodland Ave, Johnson City, NY 13790 (Tax ID 142.11-2-43)
12 Oak Street, Johnson City, NY 13790 (Tax ID 142.11-1-20)
14 Oak Street, Johnson City, NY 13790 (Tax ID 142.11-1-21)
25 Poplar Street, Johnson City, NY 13790 (Tax ID 142.11-1-35)
37 Poplar Street, Johnson City, NY 13790 (Tax ID 142.11-1-22))

Res. by Bertoni, seconded by Mack.

Vote: Yes

Bertoni

Perfetti

Mack

Sotak

No

Augustini

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the contract for the civil engineering and architectural building engineering services for the CDBG-DR funded Johnson City Water Treatment Plant Maintenance/Storage Building in an amount not to exceed



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\$111,775.00 to Keystone Associates, Architects, Engineers and Surveyors, LLC, 58 Exchange St., Binghamton. This award is pursuant to a negotiated agreement as to scope of work and cost by and between the Village of Johnson City and Keystone Associates.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Moved by Bertoni, seconded by Mack to accept the Change of Zone Petition from Suburban Single Family (SSF) to Open Space (OS) for 499 Taft Avenue, to expand an existing cemetery onto the 0.19-acre lot (Applicant: St. Mary's Church) and to refer it to the Planning Department to make all necessary referrals under Section 239-l and -m and to forward the Rezoning application to the Planning Board for an advisory opinion.

Carried.

(Prepared Resolution filed as part of these minutes to declare the Town Board Lead Agency for the Petition to Rezone the property at 499 Taft Avenue from Suburban Single Family to Open Space.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing to be held on Wednesday, July 13, 2016 at 7:30 P.M. on the Change of Zone request for 499 Taft Avenue (tax map #141.58-1-1.2) from Suburban Single Family (SSF) to Open Space (OS)).

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Moved by Perfetti, seconded by Augustini to approve Gary Post and Daria Golazeski to attend the Floodplain Management Training on Wednesday, June 1, 2016 at Chenango Town Hall. The training accounts for 6 hours of the required 24 hours of yearly training. There is no cost for this course. Use of a Town vehicle is requested.

Carried.

Moved by Perfetti, seconded by Augustini to approve Ken Jennison and Dave Conklin to attend the 2016 Code Update Training on June 22 and 23, 2016 at Binghamton University, Vestal, NY. The training accounts for 9 hours of the required 24 hours of yearly training. This course is mandatory. There is no cost for the course. Use of a Town vehicle is requested.

Carried.

(Prepared Resolution filed as part of these minutes to purchase One (1) new 2016 Chevrolet Silverado 4 WD Double Cab (extended cab) 158.1" LT for the purchase price of \$37,532.85



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per NJPA Quote ID#1503 from National Auto Fleet Group. This would replace B-72 which will be put into the Highway Fleet. Monies for this purchase would be paid out of the 2016 Capital Budget previously approved by the Town Board.)

Res. by Perfetti, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to purchase a new 2016 Caterpillar 938M 3V model loader through a Buy Back Program from CAT for a price of \$163,286.00 minus trade in \$156,946.00 net difference being \$6,340.00 per NYS OGS contract PC66988 NJPA-032515 CAT. The new Loader would be paid out of the Highway Equipment Account.)

Res. by Perfetti, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

HEARING OF VISITORS:

A resident of Endicott, asked about the \$2.00 fee for Highland Park.

Councilman Leonard J. Perfetti said the fees are charged for the use of the pool. He also said that pool passes can be purchased for a considerable savings to people who use the pool often. He stated that seniors are free, children under 5 yrs. are free, adults \$2.00, children \$1.00 and non-residents are double.

Supervisor Rose A. Sotak said that we want people to use the pool and we have other avenues to pay like the passes.

A resident of Endicott, commended the sewer department for their help with a sewer problem at her house and said they were great.

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 Augostini, seconded by Bertoni to receive and file the following Department Reports:

1. Permits Report – April 2016.
2. Town of Union Planning Board Minutes – April 12, 2016 and Planning Board Minutes with Testimony – May 2, 2016.



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3. Town of Union Planning Board Decision – Site Plan Review Approval – Jonathan M. Pettit – First Choice Storage, 1640, 1640-Rear, 1644 Union Center-Maine Highway.
4. Town of Union Planning Board Decision – Special Use Permit Approval for Development in the Floodplain– Paul Nelson, Planning Director, Fairmont Park Floodwall.
5. Town of Union Planning Board Decision – Special Use Permit Approval for Development in the Floodplain – Paul Nelson, Planning Director – Patterson Creek Stream Bank Improvements/Restoration.
6. Town of Union Planning Board Decision – Special Use Permit Approval for Development in the Floodplain – Paul Nelson, Planning Director, Brixius Creek Stream Bank Improvements/Restoration.

Carried.

At this time, Supervisor Rose A. Sotak thanked the West Endicott Fire Department for helping to fill the pool at West Endicott Park over Memorial Day weekend after a problem with a pump.

ADJOURNMENT:

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

Carried.

The meeting was adjourned at 8:09 P.M.

Gail L. Springer, RMC
Town Clerk

GLS/bk