



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

October 19, 2016

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, October 19, 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:

Requests for Proposals were called for on Thursday, October 10, 2016 at 3:00 P.M. for Professional Engineering Services – Street Reconstruction Project – 800 Block of Broad Street, Village of Endicott, 2016 Town of Union CDBG Project.

Proposals were received as follows:

Griffiths Engineering	\$10,600.00
Delta Engineering	\$13,235.00
Shumaker Consulting	\$16,950.00
Cedarwood Engineering Services	\$22,500.00
Keystone Engineering	\$23,500.00
Aubertine & Currier	\$27,306.00
Hunt Engineers, Architects & Surveyors	\$41,900.00

Moved by Augostini, seconded by Bertoni to receive and file the proposals for Professional Engineering Services – Street Reconstruction Project – 800 Block of Broad Street, Village of Endicott, 2016 Town of Union CDBG Project.
Carried.



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Requests for Proposals were called for on Monday, October 17, 2016 at 10:00 A.M. for Patterson Creek Stream Bank Improvements/Restoration Project.

Proposals were received as follows:

Boland's Excavating & Topsoil, Inc.	\$579,381.00
Bothar Construction	\$631,123.00
Gorick Construction	\$704,495.00
Dycon Construction Northeast, LLC	\$818,960.00

Moved by Augustini, seconded by Bertoni to receive and file the proposals for Patterson Creek Stream Bank Improvements/Restoration Project.
Carried.

APPROVAL OF MINUTES:

Moved by Augustini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, October 5, 2016.
Carried.

HEARING OF VISITORS:

Genevieve Kermidas, 605 Lakeview Drive, Endicott, spoke on behalf of the Glendale Lake Association (Bosket Lake). She said the Association drained the lake to do maintenance on their shorelines and docks. They are concerned on how shallow the lake has become due to the amount of sediment that has filled the lake after the 2006 and 2011 floods and from the Town's storm sewer drains that flow into the lake. They are asking the Town to help remove the sediment. Photos were submitted to the Town Board for review.

Supervisor Rose A. Sotak said she would have Planning Director Paul A. Nelson to look into this and see if funds are available.

Town Attorney Alan J. Pope said from a legal standpoint, unless there is a documented agreement or easement with the Town, they cannot go onto private property to do any work. He asked how far out their property lines go and who owns the land under the lake. He suggested that the Association retain a real estate attorney to review their deeds and abstracts and see if there are any agreements in them.

Paul Gonzalez, 508 June Street, Endicott, asked what the Historic Preservation had in mind for the old EJ Building on N. Page Avenue.

Town Attorney Alan J. Pope said we are waiting for the determination from the judge as to who is the current owner of the property; either Broome County or 1 N. Page Avenue.



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

COMMUNICATIONS FOR FILING:

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

1. Letter from Susan E. Reif, Union Endicott Central School District Clerk, notifying of School Board member change, appointing Joseph Zurine, 905 Sarah Lane, Endicott, NY to finish the unexpired term of Mrs. Kathy Marecek.
2. Charter Communications Notice – October 5, 2016.
3. Letter from Mary Jo Thorn, CEO, ACHIEVE, 125 Cutler Pond Road, Binghamton, regarding the agreement of ACHIEVE and Chenango County ARC/CWS to unify both organizations during 2016-2017.
4. Invitation to The Broome County Association of Towns & Villages Meeting on Thursday, October 27, 2016.
5. Letter to Paul Nelson, Planning Director, from Aurora Gonzalez-McLean, Assistant Director of Monitoring & Compliance/Assistant General Counsel and Nicole Green, Compliance Officer, Governor's Office of Storm Recovery, in reference to Desk Audit and On-Site Monitoring Results for the Town of Union.
6. Notice from U.S. Department of Housing and Urban Development regarding Authority to Use Grant Funds – Entitlement Program Activities described in FY2016 (42nd year) Annual Action Plan for the Community Development Block Grant Program -Town-wide in the Town of Union, New York, Broome County.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to refer the 2017 Proposed Budget for the Choconut Center Volunteer Fire Company, Inc. to Comptroller Laura J. Lindsley.
Carried.
2. Moved by Augustini, seconded by Bertoni to refer the letter from John O. Chandler Jr., J.O.C. Construction, LLC, 195 Sulphur Springs Road, Owego, New York regarding an accident on July 26, 2016 involving a Town Parks Department's service truck that backed into his dump truck on Camden Street, Johnson City to Town Attorney Alan J. Pope, Commissioner of Public Works Louis V. Caforio, Highway Superintendent Chester Kupiec and the Town Insurance Carrier.
Carried.



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3. Moved by Augustini, seconded by Bertoni to refer the letter from Kimberly Riis, Endicott, in reference to giving the town a piece of land at Bean Hill Rd., Endicott to Town Attorney Alan J. Pope and Commissioner of Public Works Louis V. Caforio.
Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Moved by Mack, seconded by Perfetti to retroactively appoint Cindy Mills to Deputy Assessor at an annual rate of \$42,000.00 effective October 17, 2016, due to the retirement of Deputy Assessor Julie Dugan.
Carried.

At this time, Supervisor Rose A. Sotak said that Julie has been an excellent employee for many years and will be greatly missed. The rest of the Board agreed.

Moved by Augustini, seconded by Perfetti to approve the following 2016 budget transfers:

Decrease:	31 5110 2500	Other Equip	\$ 6,000.00
Increase:	31 5110 4120	Stone	\$ 6,000.00
Decrease:	20 8160 4513	Tipping Fee	\$ 20,000.00
Increase:	20 8160 4111	Parts	\$ 12,000.00
Increase:	20 8160 4175	Equip Rehab Parts	\$ 8,000.00
Decrease:	20 8021 4401	Equip Maintenance	\$ 2.86
Increase:	20 8021 4132	Drafting Supplies	\$ 2.86
Decrease:	10 7145 4162	Special Event Supplies	\$ 750.00
Increase:	10 7145 2501	Recreation Equip.	\$ 750.00

Carried.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing to be held on Wednesday, November 2, 2016 at 7:30 P.M. to consider the 2017 Preliminary Budget and annual fire contracts for the Fire Protection Districts, and proposed Tax Cap Override local law.)

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

Vote: All yes.



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(Prepared Resolution filed as part of these minutes to approve the following 2016 budget modification:

Increase:	20 2680 0000	Insurance Proceeds	\$ 2,053.50	
Increase:	20 1620 4413	Bldg. Maintenance	\$ 2,053.50)	
Res. by Augustini, seconded by Perfetti.				Vote: All yes.
The Resolution was adopted.				

(Prepared Resolution filed as part of these minutes to award the contract for the design/engineering services for the CDBG funded 800 Block-Broad St., Endicott Project in an amount not to exceed \$10,600.00 to the low bidder Griffiths Engineering, Binghamton.)
Res. by Bertoni, seconded by Mack. Vote: All yes.
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve Change Order #1 for CDBG-DR funded Endicott Storm Drainage Improvement (McKinley-Pine St.) Project in an amount not to exceed \$10,394.30 to contract with Chicago Construction.)
Res. by Bertoni, seconded by Mack. Vote: All yes.
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the amendment to the FFY 2015 CDBG Annual Action Plan and authorize the commitment and transfer of funds as indicated in the public notice. Said approval shall also authorize Supervisor Rose A. Sotak to execute all contracts and related documentation to implement the project.)
Res. Bertoni, seconded by Mack. Vote: All yes.
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the Patterson Creek Bank Repair/Stabilization contract to the lowest responsive bidder - Boland's Excavating & Topsoil, Inc. in the amount of \$579,341.00 (there was a \$40 error in their original submission price) and authorize the Supervisor to execute all documentation necessary to undertake the project and make payments pursuant to the terms of the agreement. Said authorization shall also include execution of the construction contract, and two GOSR documents:

1. Amendment to The Application for Funding, and
2. Subrecipient Agreement

Funding for this project is available in the NY Rising Patterson Creek Bank Repair/Stabilization capital improvements budget line. (Construction contracts may not be executed until GOSR has granted final approval.)

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



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(Prepared Resolution filed as part of these minutes to approve Change Order #1 for the Curb/Gutter and Sidewalk Replacement – Contract #1 in the amount of \$46,164.00, the project total is now \$89,769.00.)

Res. by Perfetti, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve Change Order #1 for the Curb and Gutter Replacement – Contract #2 in the amount of \$26,742.75, the project total is now \$202,068.75.)

Res. by Perfetti, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

HEARING OF VISITORS:

Paul Gonzalez, 508 June Street, Endicott, said the Twin Tiers Honor Flight will be held on November 12, 2016 and he hopes many Town Officials will be there to welcome them home when they return from Washington, DC. He said there are 59 veterans this year participating in the flight.

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. Town Clerk Monthly Report – September 2016.
2. Town of Union Planning Board Decision - Special Use Permit Approval – Retail Sales, Tommy's Appliance Service & Repair, 728 Riverside Drive, Tax Map #143.62-1-21.
3. Town of Union Planning Board Decision – Site Plan Approval – Tommy's Appliance Service & Repair, 728 Riverside Drive, Tax Map #143.62-1-21.
4. Town of Union Planning Board Minutes – September 13, 2016.
5. Town of Union Planning Board Decision – Site Plan Approval – Krebbeks Auto Overflow, 712 & 720 Main Street, Tax Map # 143.53-4-38 and 143.53-4-39.
6. Town of Union Planning Board Decision – Special Permit Approval: Motor Vehicle Sales, Krebbeks Auto Overflow, 712 & 720 Main Street, Tax Map # 143.53-4-38 and 143.53-4-39.
7. Town of Union Planning Board Decision – Special Permit Approval: Stand Alone Drive Through Use; Visions ATMs, 511 Hooper Road, Tax Map # 142.13-1-12.



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8 Town of Union Planning Board Decision – Site Plan Approval – Visions ATMs, 511 Hooper Road, Tax Map # 142.13-1-12.
Carried.

ADJOURNMENT:

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

The meeting was adjourned at 8:00 P.M.

GLS/bk

Gail L. Springer, RMC
Town Clerk