



Town Clerk
Leonard J. Perfetti

Town of Union

Town Board
Rose A. Sotak, *Supervisor*
Thomas R. Augostini, *Councilman*
Frank J. Bertoni, *Councilman*
Robert Mack, *Councilman*
John M. Bernardo, *Councilman*

TOWN OF UNION BOARD MEETING

April 18, 2018

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, April 18, 2018 at 7:00 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 Robert Mack, Councilman John M. Bernardo.

TOWN OFFICIALS PRESENT: Town Attorney Alan J. Pope. Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruczkowski.

Also in attendance was Giuseppe Roberto, Zoning Board of Appeals member.

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

At this time, Town Attorney Alan J. Pope, explained the SEQRA process and reviewed the short form questionnaire regarding the 26 Kentucky Avenue re-zoning with the Town Board, giving them the opportunity to discuss each step of the SEQRA review.

Councilman Frank J. Bertoni said that the Town was put in a difficult position with the rezoning of this parcel, due to the fact that it sits in both the Town of Union and the Village of Endicott. He is concerned that there has been little to no discussion with the Village of Endicott regarding this situation, and is uncomfortable with going forward with it.

(Prepared Resolution filed as part of these minutes to declare the Petition to Rezone 26 Kentucky Avenue from Industrial to Urban Multi-Family an Unlisted Action under SEQRA; and to make a Negative Declaration under SEQRA, per evaluation of the submitted short Environmental Assessment Form and Planning Board's Advisory Opinion.)

Res. by Augostini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

PUBLIC HEARINGS: None.



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BIDS:

Bids were called for on Monday, April 2, 2018 at 10:00 A.M. for the new Town of Union Refuse Facility – Mechanical Re-Bid.

Bids were received as follows:

J & K Plumbing & Heating Co., Inc.	Base Bid Amount: \$ 200,000.00
	Allowance MC-01: \$ 7,500.00
	Total Bid Amount: \$ 207,500.00
Petcosky & Sons	Base Bid Amount: \$ 206,277.00
	Allowance MC-01: \$ 7,500.00
	Total Bid Amount: \$ 213,777.00
Piccirilli, Slavik & Vincent	Base Bid Amount: \$ 222,500.00
	Allowance MC-01: \$ 7,500.00
	Total Bid Amount: \$ 230,000.00

Moved by Augustini, seconded by Bertoni to receive and file the bids for the new Town of Union Refuse Facility – Mechanical Re-Bid.
Carried.

Bids were called for on Monday, April 2, 2018 at 10:00 A.M. for the new Town of Union Refuse Facility – Plumbing Re-Bid.

Bids were received as follows:

Petcosky & Sons	Base Bid Amount: \$ 323,777.00
	Allowance PC-01: \$ 5,000.00
	Allowance PC-02: \$ 20,000.00
	Allowance PC-03: \$ 2,000.00
	Allowance PC-04: \$ 5,000.00
	Total Bid Amount: \$ 355,777.00
Piccirilli, Slavik & Vincent	Base Bid Amount: \$ 341,000.00
	Allowance PC-01: \$ 5,000.00
	Allowance PC-02: \$ 20,000.00
	Allowance PC-03: \$ 2,000.00
	Allowance PC-04: \$ 5,000.00
	Total Bid Amount: \$ 373,000.00

Moved by Augustini, seconded by Bertoni to receive and file the bids for the new Town of Union Refuse Facility – Plumbing Re-Bid.
Carried.



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Bids were called for on Tuesday, April 3, 2018 at 10:00 A.M. for Curb and Gutter Replacement – Contract Two.

Bids were received as follows:

R.B. Magliocca General Contracting	\$225,797.10
DeNinis Construction Corporation	\$297,730.00

Moved by Augustini, seconded by Bertoni to receive and file the bids for Curb and Gutter Replacement – Contract Two.
Carried.

Bids were called for on Tuesday, April 17, 2018 at 10:00 A.M. for Shamrock Drive – Yale Street to Country Club Road Curb Installation and Miscellaneous Storm Sewer.

Bids were received as follows:

R.B. Magliocca General Contracting	\$ 41,821.20
DeNinis Construction Corporation	\$ 54,097.00
G. DeVincentis & Son Construction	\$ 75,000.00

Move by Augustini, seconded by Bertoni to receive and file the bids for Shamrock Drive – Yale Street to Country Club Road Curb Installation and Miscellaneous Storm Sewer.
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, April 4, 2018.
Carried.

HEARING OF VISITORS:

Linda Jackson, 209 East Franklin Street, Endicott, spoke on an issue regarding Sage Trucking using the side streets of Endicott to train their drivers and how they are destroying the curbs. She asked how the Village of Endicott could work with the Town of Union regarding code enforcement.

Councilman Frank J. Bertoni said the Town of Union and the Village of Johnson City consolidated their code enforcement offices. He further said the same agreement was made with the Village of Endicott and they pulled out of the agreement at the last minute.



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COMMUNICATIONS FOR FILING:

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

1. Letter from INSERO & Co. CPAs, LLP notifying the Town of Union of the upcoming 2017 audit.
2. Notification Pursuant to Section 239-m review for an area variance at 757 Harry L Drive, Johnson City, NY 13790.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to approve the letter from Cub Scout Pack 209 requesting a fee waiver for use of the pavilion at Highland Park for their annual picnic on June 15th, 2018; in exchange for picking up trash around the park as a community service and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.
Carried.
2. Moved by Augustini, seconded by Bertoni to approve the letter from Deborah Jones-Bolan, Special Olympics Board Member-Broome-Tioga, requesting fees be waived for the requested September 22, 2018 Special Olympics Softball Tournament and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel. The event will run from 7:00AM to 5:00PM with the use of both shelters at Glendale Park.
Carried.
3. Moved by Augustini, seconded by Bertoni to refer the letter from Todd Trencansky, 621 Lacey Drive, Endwell, concerned about shredded paper not being picked up at his residence after talking with the town regarding it and the proper way to dispose it, to Commissioner of Public Works Louis V. Caforio and Deputy Commissioner of Public Works for Environmental Services Daniel A. Schofield.
Carried.
4. Moved by Augustini, seconded by Bertoni to refer the letter from the Johnson City Walmart requesting to hold an outside event on April 21, 2018 to include a tent for their Pet Adoption Event to Deputy Commissioner of Public Works for Codes & Ordinances Daria Golazeski and Town Clerk Leonard J. Perfetti.
Carried.

PETITIONS: None.



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COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to sign and execute the East Maine Fire Protection District #12 agreement from January 1, 2018 to December 31, 2018 for \$37,472.00 upon the Town Attorney's approval.)

Res. by Mack, seconded by Bernardo.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the Grant Distribution Agreement (GDA) - State and Municipal Facilities Program (SAM) for the Purchase of an Excavator, Rubber Tire Roller and Road Widener – Project ID # 9134; and authorize Supervisor Rose A. Sotak to execute the necessary documents.)

Res. by Mack, seconded by Bernardo.

Vote: All yes.

The Resolution was adopted.

Moved by Mack, seconded by Bernardo to approve the following 2018 Budget Transfers:

Decrease:	10 7145 4459	Recreation Program Services	\$ 5,000.00
Increase:	10 7145 4462	Special Event Services	\$ 5,000.00.

Carried.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to sign and execute all the documentation required for the sale and closing of the bond anticipation note in the amount of \$5,458,779.00 as prepared and reviewed by the Town's Bond Council and the Town's Municipal Advisors.)

Res. by Mack, seconded by Bernardo.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the bid for T-Shirts for Recreation Programs and Parks and Recreation Seasonal Staff Shirts for the 2018 Season to Masters Athletic & Corporate Supply (MACS) 49 Sweet Briar Court, Endwell, New York for their bid price as follows:

Masters Athletic & Corporate Supply (MACS) - Endwell, NY

#1 – Adult/Youth T-Shirts - Sports

S, M, L, XL	Color	\$3.05
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XXL, XXXL	Color	\$4.75
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With Back Number 8"

S, M, L, XL		\$5.50
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XXL, XXXL		\$7.00
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#2 – Adult T-Shirts - Staff

S, M, L, XL	Color	\$3.05
XXL, XXXL	Color	\$4.75
With Security		
S, M, L, XL		\$5.00
XXL, XXXL		\$6.50

No additional charges for Artwork or Screen & Set Up.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Resolution at the Board's discretion to approve, approve with conditions, or deny the Change of Zone request for 26 Kentucky Avenue (Tax Map # 157.07-1-8) from Industrial (I) to Urban Multi-Family (UMF).

This Resolution was held over under the rule by Councilman Thomas R. Augustini.

(Prepared Resolution filed as part of these minutes authorizing the Supervisor to enter into an agreement with J&K Plumbing & Heating Co., 24 Thorp Street, PO Box 25 Westview Station, Binghamton, NY 13905, in an amount not to exceed \$146,000.00 for the CDBG-DR Johnson City Water Treatment Maintenance Building HVAC Contract. This contract will be administered by the Town and funds will be reimbursed through the Village of Johnson City as they are received from the Governor's Office of Storm Recovery (GOSR). The Supervisor is further authorized to execute an intermunicipal agreement detailing the process for reimbursement from the Village.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the Supervisor to enter into an agreement with Louis Picciano & Son Inc., 320 N. Jensen Rd, P.O. Box 448, Vestal NY 13851-0048, in an amount not to exceed \$135,900.00 for the CDBG-DR Johnson City Maintenance Building Plumbing Contract. This contract will be administered by the Town and funds will be reimbursed through the Village of Johnson City as they are received from the Governor's Office of Storm Recovery (GOSR). The Supervisor is further authorized to execute an intermunicipal agreement detailing the process for reimbursement from the Village.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the Supervisor to enter into an agreement with Nelcorp Electrical Contracting, 25 North Kelly Avenue, Endwell, NY 13760, in



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an amount not to exceed \$162,950.00 for the CDBG-DR Johnson City Water Treatment Maintenance Building Electrical Contract.)

Res. by Bertoni, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the withdrawal of the bid from Andrew Mancini Associates and authorize the Supervisor to enter into an agreement with Bionco Co. Inc., P.O. Box 2396, Binghamton, NY 13902, in an amount not to exceed \$1,275,000.00 for the CDBG-DR Johnson City Water Treatment Maintenance Building General Contract.)

Res. by Bertoni, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

Moved by Bertoni, seconded by Augostini to authorize Planning Director Paul Nelson to attend the L-278 CRS training course from June 4-7, 2018 in New London, CT. Authorization to include registration fee of \$45.00, hotel (4 nights), mileage, tolls, parking, and per diem meals at the town rate. The Supervisor or Deputy Supervisor is further authorized to sign the Dept. of Homeland Security General Admissions Application Short Form to authorize attendance.

Carried.

(Prepared Resolution filed as part of these minutes to approve a Plan Amendment to the CDBG Annual Plan to temporarily reallocate funding, as needed, to the Villages of Endicott and Johnson City to allow street reconstruction projects to be completed before the HUD Timeliness of Expenditure test is conducted on August 2, 2018; any forward commitment of funds will be deducted from the allocations normally allocated to the villages as part of the FY 2019 CDBG budget. Approval of the amendment shall also authorize the Comptroller to transfer funds within the MUNIS system as directed by the Planning Director. The required Public Notice was Published in the Press & Sun Bulletin on March 27, 2018 and posted on the town web page on March 23, 2018. No comments were received by the 15-day comment period which ended on April 12, 2018.)

Res. by Bertoni, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the bid for Curb and Gutter Replacement – Contract Two, to R.B. Magliocca General Contracting, 620 Squires Avenue, Endicott, for their low bid price of \$225,797.10.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to award the bid for New Refuse Facility – General Construction – GC-1, Town of Union, New York to Upstate Companies, LLC, 1690 State Route 8, Mt. Upton, New York, for their bid price of \$2,272,500.00 and to authorize the Supervisor to execute the contract.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the bid for New Refuse Facility – Electrical Construction – EC-4, Town of Union, New York to Blanding Electrical, Inc., 429 Commerce Road, Vestal, New York, for their bid price of \$220,709.00 and to authorize the Supervisor to execute the contract.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the bid for New Refuse Facility – Mechanical Construction – MC-2 Re-Bid, Town of Union, New York to J & K Plumbing & Heating Company, Inc. 24 Thorp Street, Binghamton, New York for their bid price of \$207,500.00 and to authorize the Supervisor to execute the contract.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the bid for New Refuse Facility – Plumbing Construction – PC-3 Re-Bid, Town of Union, New York to Piccirilli, Slavik & Vincent Plumbing & Heating, 37 Brandywine Street, Binghamton, New York for their bid price of \$373,000.00 and authorize the Supervisor to execute the contract. Petcosky & Sons Plumbing & Heating was found to be non-responsive and was rejected.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the bid for Shamrock Drive – Yale Street to Country Club Road Curb Installation and Miscellaneous Storm Sewer to R.B. Magliocca General Contracting, 620 Squires Avenue, Endicott, for their low bid price of \$41,821.20.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the Master Federal Aid Local Project Agreement (D035931) – Hooper Road (CR33) at Watson Boulevard PIN 9754.55 – Preliminary Engineering/Design Work and Right of Way Incidentals with New York State Department of Transportation in the amount of \$98,000.00, of which the Town will be



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reimbursed 80% with Federal Funds; and authorize the Supervisor to execute all such project related documents subject to review and approval of the Town Attorney.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

HEARING OF VISITORS:

Mitch Curatolo, 1010 Autumn Drive, Endwell, said he is aware that Main Street is a state road, but asked if the Town could encourage them to repair it.

Paul Gonzalez, 508 June Street, Endicott, said he is pleased with the big donation from Broome County to the Honor Flight program.

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 - February 15, 2018.
2. Town Clerk Monthly Report - March 2018.
3. Zoning Board of Appeals Decision – Application No. 2017-015, 913 N. McKinley Avenue.
4. Town of Union Local Development Corporation Audited Financial Statements – Fiscal Year 2017.
5. Town of Union Planning Board Decision – Special Permit: Outdoor Storage, Olivander's Auction, 3220 Lawndale Street, Endwell, Tax map # 142.17-7-2.
6. Town of Union Planning Board Decision – Site Plan Approval – Olivander's Auction, 3220 Lawndale Street, Endwell, Tax map # 142.17-7-2.
7. Town of Union Planning Board Minutes – March 13, 2018.
8. Town of Union Planning Board Decision – Special Use Permit – Tarpon Towers LLC/Verizon Wireless, 11 Frey Avenue, Endicott, Tax map # 156.11-1-47.
9. Town of Union Planning Board Minutes – Site Plan Approval - Tarpon Towers LLC/Verizon Wireless, 11 Frey Avenue, Endicott, Tax map # 156.11-1-47.
Carried.



Town of Union

ADJOURNMENT:

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

The meeting was adjourned at 7:40 P.M.

LJP/bk

Leonard J. Perfetti,
Town Clerk