



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*

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## TOWN OF UNION BOARD MEETING

December 16, 2015

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, December 16, 2015 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 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 Augustini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, December 2, 2015.  
Carried.

### HEARING OF VISITORS:

A resident of Endwell, said the signs to buy houses are still being put up on the poles. He also asked for an explanation regarding Section #807 of the Resolution of this meeting.

Town Attorney Alan J. Pope said the Resolution will be put on hold to study it further.

A Town of Union employee, asked if Section #805 of the Resolution would also be held over and that it is her understanding that only a few other employees besides the Town Board would be affected by these changes. She further said other municipalities do not offer their part-time employees the benefit of health insurance and that this is a huge benefit to our Town Board receiving it.



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Councilman Robert Mack said the Town Board members are considered full-time employees by New York State.

Councilman Thomas R. Augostini said that hours worked are tracked and have to be reported to the State.

Councilman Frank Bertoni said he feels these Resolutions correct a wrong action that was previously put into place. He said his salary has not changed since he was elected and the insurance premiums keep increasing.

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. Time Warner Programming Notice dated December 2, 2015 and New Monthly Prices.
2. Minutes of the Regular Meeting of the Board of Trustees of the Village of Endicott held on November 10, 2015.
3. Result of the Endwell Fire District Election held on December 8, 2015.
4. Letter of resignation from Town Justice Michael A. Korchak effective January 1, 2016.
5. Public Notice from Thomas J. King, Esq. Certifying Officer, Governor's Office of Storm Recovery regarding combined Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds – Johnson City Water Treatment Plant Resiliency Improvements.
6. Result of the West Corners Fire District Election held on December 8, 2015.
7. Letter from Linda Lasch, Principal Clerk, State of New York Department of State regarding Town of Union, Local Law #3, 2015, filed on December 8, 2015.  
Carried.

## COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the letter from Mayor John Bertoni, Village of Endicott, requesting funding from the 2015 Fiscal Year CDBG Funds to transfer accordingly to demolish 215 Bermond Avenue, Endicott to Planning Director Paul A. Nelson.  
Carried.



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2. Moved by Augostini, seconded by Bertoni to refer the letter from Richard M. Lord, Chief of Mitigation Programs and Agency Preservation Officer, New York State Homeland Security and Emergency Services to Supervisor Rose A. Sotak in reference to Pre-Disaster Mitigation – (Joint Explanatory Statement), LPDM-PJ-02-NY-2010-001, Town of Union Fairmont Park Project, Broome County for Contract Agreement Amendments to Commissioner of Public Works Louis Caforio and Planning Director Paul A. Nelson.  
Carried.

3. Moved by Augostini, seconded by Bertoni to refer the letter from Vera Cwynar, 3621 Pheasant Lane, Endwell, regarding damage to her residence due to the dirt and debris from the reconstruction of Catalina Boulevard to Town Attorney Alan J. Pope, Commissioner of Public Works Louis Caforio and the Town Insurance carrier.  
Carried.

PETITIONS:           None.

## COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to amend the Town of Union Employee Handbook effective January 1, 2016 as follows:

### 805 Health Insurance

The Town of Union shall provide a health insurance plan to each eligible full time employee, including Elected Officials, and their immediate families. Coverage will begin on the first day of the month following the employee's date of employment, provided all eligibility requirements of the insurance plan are met.

Contribution – Eligible employees not covered under a collective bargaining agreement shall contribute to the cost of the premiums as follows:

Base Salary less than \$30,000.00*	Annual Contribution
Individual Plan	\$ 500.00
Family Plan	\$ 1,000.00
Base Salary greater than \$30,000.00*	Annual Contribution
Individual Plan	Equal to the collective bargaining agreement contribution
Family Plan	Equal to the collective bargaining agreement contribution

\*Base salary to adjust annually at the beginning of the fiscal year by CPI averages from July to June.)

Res. by Perfetti, Seconded by Mack.

The Resolution was held over under the Rule by Councilman Thomas R. Augostini.



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(Prepared Resolution filed as part of these minutes to amend the Town of Union Employee Handbook effective January 1, 2016 as follows:

## 809 Dental Plan

The Town of Union shall provide a dental plan to each eligible full time employee, including Elected Officials, and their immediate families. Coverage will begin on the first day of the month following the employee's date of employment, provided all eligibility requirements of the insurance plan are met.

Contribution – Eligible employees not covered under a collective bargaining agreement shall contribute at the rate equal to that of the collective bargaining agreement contribution.)

Res. by Perfetti, seconded by Mack.

Vote: Yes  
Augostini  
Bertoni  
Mack  
Perfetti

Vote: No  
Sotak

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to amend the Town of Union Employee Handbook effective January 1, 2016 as follows:

## 810 Vision Plan

The Town of Union shall provide a vision plan to each eligible full time employee, including Elected Officials, and their immediate families. Coverage will begin on the first day of the month following the employee's date of employment, provided all eligibility requirements of the insurance plan are met.

Contribution – Eligible employees not covered under a collective bargaining agreement shall contribute at the rate equal to that of the collective bargaining agreement contribution.)

Res. by Perfetti, seconded by Mack.

Vote: Yes  
Augostini  
Bertoni  
Mack  
Perfetti

Vote: No  
Sotak

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to amend the Town of Union Handbook effective January 1, 2016 as follows:

## 807 Health Insurance for Retired Employees

The Town of Union shall provide a health insurance plan to each eligible full time employee, including Elected Officials, who retires from the Town, and the retiree's eligible spouse. Should a retiree decease, the Town will continue to provide coverage for the surviving spouse so long as said surviving spouse remains unmarried.

Eligibility – To be eligible for coverage, the retiree must have ten (10) years of Town service and applied for and been granted a bona fide retirement benefit from the New York State Employees' Retirement System. A retiree who stops retirement benefits to return to public employment shall no longer be eligible for this benefit.

Contribution – Eligible retirees not covered under a collective bargaining agreement shall contribute to the cost of the premium as follows:

Hired Before December 31, 1997 0% of the premium for both the retiree and spouse

Base Salary less than \$30,000.00 at time of retirement:

Hired After December 31, 1997:	Individual Plan	\$ 500.00
	Family Plan	\$ 1,000.00

Base Salary greater than \$30,000.00 at time of retirement:

Hired After December 31, 1997 50% of the premium for both the retiree and spouse.)

Res. by Perfetti, seconded by Mack.

The Resolution was held over under the Rule by Councilman Thomas R. Augustini.

Moved by Perfetti, seconded by Mack to authorize military leave for Jay Harris, from January 8-25, 2016.

Carried.

Moved by Augustini, seconded by Perfetti to approve following 2015 Budget Transfers:

Decrease:	31 5110 2045	Summer Blacktop	\$ 1,250.00
Increase:	31 5110 4126	Blacktop Maintenance	\$ 1,000.00
Increase:	31 5110 4110	Small Tools	\$ 250.00
Decrease:	31 5142 4128	Calcium Chloride	\$ 6,400.00
Increase:	31 5142 4129	Rock Salt	\$ 6,400.00
Decrease:	31 5110 2045	Summer Blacktop	\$ 4,300.00
Increase:	31 5110 4123	Guard Rail	\$ 4,300.00



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Decrease:	10 7145 4459	Recreation Program Services	\$ 745.00
Increase:	10 7145 4403	Printing	\$ 620.00
Increase:	10 7145 4462	Special Event Services	\$ 125.00
Decrease:	31 5130 4111	Parts	\$ 2,250.99
Increase:	31 5130 2600	Software	\$ 1,469.00
Increase:	31 5130 2500	Other Equipment	\$ 781.99
Carried.			

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign and execute, upon the Town Attorney’s approval, the renewal agreement with the CSEA Employee Benefit Fund providing for the Dutchess Dental Plan – Reduced Rate from July 1, 2014 to June 30, 2015 for \$122.16/month; from July 1, 2015 to December 31, 2015 for \$123.38/month and the Platinum 12 Vision Plan – Reduced Rate from July 1, 2014 to June 30, 2015 for \$24.10/month; July 1, 2015 to December 31, 2015 for \$24.34.)

Res. by Augustini, seconded by Perfetti. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign and execute, upon the Town Attorney’s approval, the Agreement for Municipal Cooperative Activities with BT-BOCES to provide MUNIS Support Services from January 1, 2016 to December 31, 2016 at a cost of \$20,552.00, Network Operations Center hosting at \$2,500.00, and optional services at 75.00/hour.)

Res. by Augustini, seconded by Perfetti. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes calling for a public hearing to be held on January 6, 2016 at 7:30 P.M. to consider input on the Emergency Medical Services (EMS) Agreement between the Town of Union and the Union Volunteer Emergency Squad, Inc.)

Res. by Augustini, seconded by Perfetti. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign and execute, upon the Town Attorney’s approval, the UHS/EAP Business Direct Agreement and Business Associate Agreement effective 1/1/16 through 12/31/16 providing an employee assistance program and support for the annual amount of \$3,146.00.)

Res. by Augustini, seconded by Perfetti. Vote: Yes  
Sotak  
Augustini  
Bertoni  
Perfetti  
Abstain  
Mack

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to update the fee schedule for 2016. Section 86-16 allows for updates of the fee schedule by Board Resolution as follows:

## Union Fee Schedule 2016

New Construction	
Single Family	\$10 first \$2,000 plus \$2/\$1000
Two Family	\$10 first \$2,000 plus \$2/\$1000
Three or More	\$25 first \$2,000 plus \$3.50/\$1,000 there after
Mobile Home	\$10 first \$2,000 plus \$2/\$1000
Commercial /Industrial	\$25 first \$2,000 plus \$3.50/\$1,000 there after
Accessory Sheds- 1 & 2 Family	\$25.00 for first \$10,000 in cost, \$2.00 per thousand thereafter
Garages, siding, roofs, pool, decks, sheds	\$25.00 for first \$10,000 in cost, \$2.00 per thousand thereafter
Alterations	
One or Two Family	\$10 first \$2,000 plus \$2/\$1000
Multi family	\$25 first \$2,000 plus \$3.50/\$1,000 there after
Additions-Commercial/Industrial	\$25 first \$2,000 plus \$3.50/\$1,000 there after
Alterations- Commercial/Industrial	\$25 first \$2,000 plus \$3.50/\$1,000 there after
Modifications to Cell Tower	\$25 first \$2,000 plus \$3.50/\$1,000 there after Building Permit Renewal Fee -minimum amount of original permit Failure to obtain permit before start of work fee increase 100%
Signs	\$40 <100 sf; \$60 >100 <150 sf; \$150 >150 sf
Demolition	
Residential	\$10 first \$2,000 plus \$2/\$1000
Commercial	\$25 first \$2,000 plus \$3.50/\$1,000 there after
Excavation Permit	\$25.00
Zoning Compliance Letters	
1 & 2 Family	\$15.00
Multi family	\$25.00
Commercial/Industrial	\$50.00
Certificate of compliance	
One and Two Family	\$25.00
Multifamily	\$25 for first 2 units \$10 per unit thereafter
Commercial/Industrial	\$50.00
Planning Board	
Site Plan	



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Minor site plan	\$50.00
Existing Buildings <10,000sf	\$100.00
Existing Buildings >10,000sf	\$200.00
New Construction	\$250 or \$0.02/sf, whichever is greater
Special Meeting	\$350 plus cost of legal ad if required
Special Permit	
Aquifer Permit	\$100
Special use permit	\$100
Floodplain Development	\$100
Tower Special Permit	\$5,000
Micro Cell-new Tower	\$75
Micro Cell - existing structure	\$50
Zoning Board	
Variance	Commercial use or area variance-\$200; Residential use or area variance \$100.
Special meeting	\$500.00
Rezoning	\$250 plus \$25/parcel
Subdivision	\$250 or \$15/lot, whichever is greater
PUD	
PUD-Residential only	Residential only \$500 plus \$10/unit
PUD-Commercial/Industrial only	Commercial/industrial only\$750 plus \$0.02/s.f.
PUD Mixed Residential/Commercial	Residential/Commercial mixed \$750 plus \$0.02/s.f. non-residential plus \$10/unit residential
Clerk	
Vendors	\$200.00 per person
Amusement	\$50.00
Firework	\$50.00
Transient Retail Business	\$200.00
Temporary Merchant	\$100.00.)

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

Vote: All yes.

(Prepared Resolution to approve the Federal Fiscal Year 2014 Consolidated Annual Performance and Evaluation Report (CAPER) and authorize Supervisor Rose A. Sotak and Planning Director Paul A. Nelson to sign any and all documentation required for submission of the CAPER to 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 Village of



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Johnson City Water Treatment Plant Maintenance facility construction project. The property is located at 44 Camden Street, Johnson City.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to classify the Village of Johnson City Water Treatment Plant Maintenance facility construction project as a Type II Action under SEQRA. The property is located at 44 Camden Street, Johnson City.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Moved by Bertoni, seconded by Mack to appoint Norman H. Davis, Jr., Endicott as an alternative member for the Zoning Board of Appeals for a term of two years. Section 300-69.3 B (3) of the Zoning Code allows for the appointment at a term determined by the Town Board. This member would serve on an as needed basis.

Carried.

(Prepared Resolution filed as part of these minutes to declare Lead Agency under State Environmental Quality review Act (SEQRA) for the Town of Union Floodwall Project. The project is located on Watson Boulevard in Johnson City at the eastern edge of the former IBM Country Club.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to classify the Town of Union Floodwall Project (FEMA LPDM-PJ-02-NY-2010-001) construction project as an Unlisted Action under SEQRA. The project is located on Watson Boulevard in Johnson City at the eastern edge of the former IBM Country Club.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the bid for Rental and Disposal of C & D (Construction & Demolition) Debris Containers and Scrap Metals Part 1 as follows:

Bert Adams Disposal Inc., P.O. Box 549, Chenango Bridge, New York

Part I: A. No Charge

B. Transportation to dispose of C & D Waste per container: \$135.00



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Weitsman Recycling, LLC, P.O. Box 420, Owego, New York

Part II: A. No Charge

B. No Charge

C. Payment to Town of Union for scrap metals per container: \$ 86.51.)

Res. by Perfetti, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize Highway Superintendent Chester Kupiec to sign the Shared Service Agreement for Emergency Assistance from the New York State Department of Transportation.)

Res. by Perfetti, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

### HEARING OF VISITORS:

As no one 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's Monthly Report – November 2015.
2. Permits Report – November 2015.
3. Town of Union Planning Board Minutes – October 13, 2015 and Testimony of Public Hearing held on November 10, 2015.
4. Town of Union Planning Board Decision – James, John and Leon Anastos, SPATHI Group, LLC, 3140 Watson Boulevard, Endwell, New York, Site Plan Approval – Broadway Diner – Parking Lot, 47 North Avenue B, Tax Map # 142.17-6-8.
5. Town of Union Planning Board Decision – James, John and Leon Anastos, SPATHI Group, LLC, 3140 Watson Boulevard, Endwell, New York, Site Plan Approval - Walk In Cooler Addition, 3140 Watson Boulevard, Tax Map # 142.17-6-6.
6. Town of Union Planning Board Decision – Special Permit Denial, Personal Services Use – Jason Ford: Jade Hair Salon, 103 Brink Street, Endwell, Tax Map # 141.20-6-4.  
Carried.

At this time, Supervisor Rose A. Sotak and the Town Board wished everyone a Merry Christmas and a happy and healthy New Year.



# Town of Union

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Moved by Perfetti, seconded by Mack to go into Executive Session to discuss a personnel issue at 8:05 P.M.

Carried.

No action was taken in Executive Session.

Moved by Augustini, seconded by Mack to out of Executive Session at 8:45 P.M.

Carried.

Moved by Perfetti, seconded by Mack to appoint Veronica M. Gorman, as Town Justice to replace Michael Korchak, effective January 1, 2016.

Vote: Yes  
Sotak  
Bertoni  
Mack  
Perfetti

Vote: No  
Augustini

Carried.

## ADJOURNMENT:

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

Carried.

The meeting was adjourned at 8:55 P.M.

GLS/bk

Gail L. Springer, RMC  
Town Clerk