



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

May 6, 2015

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, May 6, 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 Robert Mack.
Absent: Councilman Frank Bertoni and Councilman Leonard J. Perfetti.

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

Also in attendance were Planning Board member Ada Elwood and Zoning Board of Appeals member Giuseppe Roberto.

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

PUBLIC HEARINGS: None.

BIDS:

Bids were called for on Thursday, April 16, 2015 at 10:00 A.M. for Street Reconstruction Sherman Street – Floral Avenue to Grand Avenue 2014 Community Development Block Grant (CDBG).

Bids were received as follows:

Chicago Construction	\$427,000.00
Gary Dyer Excavating & Tank Service	\$452,440.00
(Error in addition – new amount	\$484,552.00)
DeNinis Construction	\$495,247.50
G. DeVincentis & Son Construction	\$569,000.00

Moved by Augustini, seconded by Mack to receive and file the bids for Street Reconstruction Sherman Street – Floral Avenue to Grand Avenue 2014 Community Development Block Grant (CDBG).
Carried.



Town of Union

Bids were called for on Thursday, April 16, 2015 at 10:00 A.M. for Western Heights Boulevard Creek Bank Stabilization – Town of Union CDBG-DR Program.

Bids were received as follows:

ZMK Construction Inc.	\$ 67,300.00
Bothar Construction, LLC	\$ 74,380.00
DiRenzo Brothers Construction, LLC	\$ 78,850.00
Chicago Construction	\$111,000.00
Dycon Construction Northeast, LLC	\$116,700.00
Byler Excavating, LLC	\$132,000.00
Boland's Excavating & Topsoil, Inc.	\$136,550.00
ProCon Construction, LLC	\$161,000.00

Moved by Augustini, seconded by Mack to receive and file the bids for Western Heights Boulevard Creek Bank Stabilization – Town of Union CDBG-DR Program.
Carried.

Bids were called for on Thursday, April 16, 2015 at 10:00 A.M. for Valleyview Drive Drainage Repairs/Stabilization – Town of Union CDBG-DR Program.

Bids were received as follows:

ZMK Construction Inc.	\$ 59,000.00
DiRenzo Brothers Construction, LLC	\$ 64,750.00
Bothar Construction	\$ 80,680.00
Boland's Excavating & Topsoil, Inc.	\$ 99,875.00
Chicago Construction	\$109,000.00
ProCon Contracting	\$111,000.00
R.B. Magliocca General Contracting	\$112,200.00
Dycon Construction Northeast, LLC	\$112,250.00
Byler Excavating, LLC	\$139,000.00

Moved by Augustini, seconded by Mack to receive and file the bids for Valleyview Drive Drainage Repairs/Stabilization – Town of Union CDBG-DR Program.
Carried.

Bids were called for on Thursday, April 30, 2015 at 10:00 A.M. for Demolition and Site Clearance Townwide Demolition Part Two (TW2-D).

Bids were received as follows:

ZMK Construction Inc.	\$ 95,000.00
Gorick Construction Co Inc.	\$ 90,200.00
LCP Group Inc.	\$ 57,626.00



Town of Union

Moved by Augostini, seconded by Mack to receive and file bids for Demolition and Site Clearance Townwide Demolition Part Two (TW2-D).
Carried.

Bids were called for on Thursday, April 30, 2015 at 10:00 A.M. for Air Sampling/Project Monitoring – Townwide Demolition Part Two (TW2-M).

Bids were received as follows:

Keystone Environmental Services	\$ 4,750.00
Delta Engineers PC	\$ 8,880.00
Atlantic Testing Laboratories Ltd.	\$ 2,350.00
SJB Services Inc.	\$ 2,400.00
GYMO, DPC	\$ 4,178.00

Moved by Augostini, seconded by Mack to receive and file the bids for Air Sampling/Project Monitoring – Townwide Demolition Part Two (TW2-M).
Carried.

Bids were called for on Thursday, April 30, 2015 at 10:00 A.M. for Demolition and Site Clearance West Corners Demolition Part Three (WC3-D).

Bids were received as follows:

ZMK Construction Inc.	\$ 66,000.00
Gorick Construction Co Inc.	\$ 68,490.00
LCP Group Inc.	\$ 43,026.00

Moved by Augostini, seconded by Mack to receive and file bids for Demolition and Site Clearance West Corners Demolition Part Three (WC3-D).
Carried.

Bids were called for on Thursday, April 30, 2015 at 10:00 A.M. for Air Sampling/Project Monitoring – West Corners Demolition Part Three (WC3-M).

Bids were received as follows:

Keystone Environmental Services	\$ 4,625.00
Delta Engineers PC	\$ 9,640.00
Atlantic Testing Laboratories Ltd.	\$ 2,350.00
SJB Services Inc.	\$ 2,600.00 (2 non-collusive, 1 signed)
GYMO, DPC	\$ 3,726.00



Town of Union

Moved by Augustini, seconded by Mack to receive and file the bids for Air Sampling/Project Monitoring – West Corners Demolition Part Three (WC3-M).
Carried.

APPROVAL OF MINUTES:

Moved by Augustini, seconded by Mack to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, April 15, 2015.
Carried.

HEARING OF VISITORS:

A resident of Endicott, spoke regarding the sewer back up problem at his residence (Action #2 of this meeting) and about his concern that the infrastructure is not large enough to handle the new construction of homes above him.

Supervisor Sotak stated that they are looking at the infrastructure throughout the Town and are working on getting grants for the improvements. She also said the infrastructure is being repaired or replaced when street reconstructions are done if needed.

A resident of Endicott, commented on the danger of vehicles turning East onto Route 17C from the National Pipe and Plastics plant and the 17C Sports Park. He further asked why a “No Left Turn” sign has not been installed.

Supervisor Sotak stated that Route 17C is not a Town road, therefore, the Town cannot erect any signs on it and the State is who needs to be contacted.

As no one else wished to speak, Supervisor Sotak closed the first hearing of visitors.

COMMUNICATIONS FOR FILING:

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

1. Notice from New York State Department of Public Service regarding 13-E-0488, et al. Letter Ruling on Town of Clinton Intervenor Funding 3.14.15.pdf.
2. Notice from New York State Department of Public Service regarding 13-E-0488 et al. Letter Ruling on PVCC Intervenor Funding 4.14.15.pdf.
3. Time Warner Programming Notices dated April 15, 2015 and April 29, 2015.



Town of Union

4. Notice from the Western Broome Veterans Memorial Parade Committee for the Memorial Parade on Monday, May 25, 2015.
5. Minutes of the Regular Meeting of the Board of Trustees of the Village of Endicott held on March 24, 2015 and April 14, 2015, Budget Meetings held on March 6, 2015 and March 13, 2015, Special Meeting held on April 21, 2015.
6. Notice of Certificate of Final Special Franchise Assessment from the State of New York Department of Taxation and Finance Office of Real Property Tax Services.
7. Minutes of the Regular Meeting and Work Session of the Board of Trustees of the Village of Johnson City held on April 7, 2015 and Budget Meetings held on April 1 and April 9, 2015.
8. Letter from Major Donald M. Faughnan, Troop Commander, Troop "C" New York State Police, to Supervisor Rose A. Sotak, thanking her and the employees of the Town for clearing the snow and cleaning the streets in front of the church in preparation of the funeral for Trooper Glen Woods.
9. Notice that the Association of Towns meeting is rescheduled for June 4, 2015.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Mack to refer the E-mail from Ada Elwood to Supervisor Rose A. Sotak requesting use of a carousel horse for display at the New York State Good Sam SAMBOREE, being held at the Herkimer County Fairgrounds, Utica, New York on July 9–12, 2015 to Commissioner of Public Works Louis V. Caforio and the Parks Department.
Carried.
2. Moved by Augostini, seconded by Mack to refer the letter from Rick and Victoria Mancini in reference to the sewer back up into their home at 601 Milan Avenue, Endicott, to Town Attorney Alan J. Pope, Commissioner of Public Works Louis V. Caforio and the Town Insurance Carrier.
Carried.
3. Moved by Augostini, seconded by Mack to refer the letter from Village of Johnson City Mayor Gregory W. Deemie in regards to court security to the Town Board.
Carried.
4. Moved by Augostini, seconded by Mack to refer the letter from Ada L. Elwood in reference to lot grading at 15 Woodland Avenue, Johnson City causing a flooding problem on her property to Town Planning Director Paul A. Nelson.
Carried.



Town of Union

5. Moved by Augostini, seconded by Mack to approve the letter from Suzanne Manley, 1140 Greenwood Glen, Endwell requesting permission to close the cul-de-sac on the top of Greenwood Glen on the afternoon of June 20, 2015 for a party; barricades requested and refer to Town Clerk Gail L. Springer, Commissioner of Public Works Louis V. Caforio and Highway Superintendent Chester P. Kupiec.

Carried.

6. Moved by Augostini, seconded by Mack to approve the letter from Bob DeBonis, Church of the Holy Family, Endwell, requesting permission to hold their annual bazaar on August 6, 7 and 8, 2015 with traffic restrictions and traffic control devices and refer to Town Clerk Gail L. Springer, Commissioner of Public Works Louis V. Caforio and Highway Superintendent Chester P. Kupiec.

Carried.

7. Moved by Augostini, seconded by Mack to refer the letter from Patricia Bostwick, 811 Morlando Drive, Endicott, regarding compensation for material loss at her property due to a sewer blockage to Town Attorney Alan J. Pope and Town Insurance Carrier.

Carried.

8. Moved by Augostini, seconded by Mack to refer the letter from Christine Nestruck, 28 Burdick Avenue, Johnson City in reference to an interaction with the Dog Control Officer and a request for an update to our ordinance to Deputy Commissioner of Public Works for Codes & Ordinances Daria Golazeski and Dog Control.

Carried.

9. Moved by Augostini, seconded by Mack to refer the Notice of Summons from Richard J. Beatty and Jeanenne A. Beatty, Plaintiffs, regarding injuries Jeanenne A. Beatty sustained at the Endwell Little League on Struble Road to Town Attorney Alan J. Pope and the Town Insurance Carrier.

Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Moved by Mack, seconded by Augostini to authorize the hiring of Tod Zarzynski in the Parks Department for part-time status per the Town of Union salary schedule.

Carried.

Moved by Mack, seconded by Augostini to authorize the hiring of Anthony Bilka in the Parks Department for part-time status per the Town of Union salary schedule.

Carried.



Town of Union

Moved by Mack, seconded by Augustini to authorize the hiring of Mark DeSanto as a full-time Park Technician for the Parks & Recreation Department. The effective starting date to be immediately following the successful completion of pre-employment testing and salary to be determined by the current CSEA Collective Bargaining Agreement.
Carried.

Moved by Mack, seconded by Augustini to hire Larry Rozelle as a permanent full-time MEO Heavy to fill a budgeted vacancy in the Highway Department. The effective starting date to be immediately following the successful completion of pre-employment testing and salary to be determined by the current CSEA Collective Bargaining Agreement.
Carried.

Moved by Mack, seconded by Augustini to hire Adam Pipher as a permanent full-time Laborer in the Sewer Department at a starting salary of \$19,817.00. The effective starting date to be immediately following the successful completion of pre-employment testing and physical.
Carried.

(Prepared Resolution filed as part of these minutes to authorize Shumaker Engineering to provide engineering services required to address Yellow Flag #9A140019, for BIN 3349790 project at a cost not to exceed \$8,787.00 and authorize Supervisor Rose A. Sotak to sign all of the necessary documents.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to authorize Shumaker Engineering to provide engineering services for the design of a road reconstruction project on Catalina Boulevard at a cost not to exceed \$6,973.00 and authorize Supervisor Rose A. Sotak to sign all of the necessary documents.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to authorize Shumaker Engineering to provide surveying and mapping services on Catalina Boulevard at a cost not to exceed \$5,870.00 and authorize the Commissioner of Public Works Louis V. Caforio to sign all of the necessary documents.)

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

Vote: All yes.



Town of Union

Moved by Augostini, seconded by Mack to approve the following 2015 Budget Transfers:

Decrease:	10 1680 2500	Other Equipment	\$2,610.00
Increase:	10 1680 4512	Professional Services	\$2,610.00

Carried.

(Prepared Resolution to approve the following 2015 budget modifications:

Increase:	20 2680 0000	Insurance Recoveries	\$6,997.00
Increase:	20 1620 4423	Property Repair	\$6,997.00.)

Res. by Augostini, 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 May 20, 2015 involving 284 Endwell Street pursuant to Chapter 88 of the Town Code with notice provided to the owner as required.)

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

(Prepared Resolution filed as part of these minutes to approve the Binghamton Philharmonic Engagement Contract as part of the extended 4th of July Extravaganza, upon the Town Attorney's review; and authorize Supervisor Rose A. Sotak to sign and execute the said agreement.)

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

(Prepared Resolution filed as part of these minutes to award the bid for Street Reconstruction Sherman Street – Floral Avenue to Grand Avenue 2014 Community Development Block Grant (CDBG) to Chicago Construction Co., Inc., Endicott, NY for their bid price of \$427,000.00.)

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

(Prepared Resolution filed as part of these minutes to award the bid for Western Heights Boulevard Creek Bank Stabilization – Town of Union CDBG-DR Program to ZMK Construction, Inc., Apalachin, NY for their bid price of \$67,300.00.)

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



Town of Union

(Prepared Resolution filed as part of these minutes to award the bid for Valleyview Drive Drainage Repairs/Stabilization – Town of Union CDBG-DR Program to ZMK Construction, Inc., Apalachin, NY for their bid price of \$59,000.00.)

Res. by Mack, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize a contract extension with Westover YMCA for the CDBG-DR capital repair/improvement project through December 31, 2015 and authorize Supervisor Rose A. Sotak to execute the said agreement.)

Res. by Mack, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to execute a contract amendment with Hulbert Engineering and Land Surveying, DPC in an amount not to exceed \$1,875.00 for survey work and legal description for a required construction easement for the N. Loder Avenue reconstruction/drainage improvement project. The new contract amount will be \$16,075.00.)

Res. by Mack, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the bid for Demolition and Site Clearance Townwide Demolition Part Two (TW2-D) base bid only to LCP Group, Inc., Vestal, NY for their bid price of \$57,626.00. The Planning Director and Supervisor are further authorized to execute all documentation required to carry out said contract including payment for services rendered. The contract for Alternate 1 is not yet being awarded. The base bid includes the following properties:

3216 Metz Ave.
36 Oakdale Rd.
4 Oakdale Rd.
265 Endwell St.
27 Donald St.)

Res. by Mack, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the bid for Townwide Part Two Air Sampling (TW2-M) base bid only to Atlantic Testing Laboratories, Ltd., Canton, NY for their bid price of \$1,880.00. The Planning Director and Supervisor are further authorized to execute all documentation required to carry out said contract including payment for services rendered. The base bid includes the following properties:

3216 Metz Ave.
4 Oakdale Rd.



Town of Union

265 Endwell St.
27 Donald St.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to award the bid for Demolition for West Corners Part Three (WC3-D) base bid and Alternates 1, 2, & 3 to LCP Group, Inc., Vestal, NY for their bid price of \$43,026.00. The Planning Director and Supervisor are further authorized to execute all documentation required to carry out said contract including payment for services rendered. The base bid and three alternates include the following properties:

1394 Union Center-Maine Highway
1380 Union Center-Maine Highway
1382 Union Center-Maine Highway
1416 River Dr.
106-108 Carl St.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to award the bid for West Corners Part Three Air Sampling (WC3-M) base bid and Alternates 1, 2, & 3 to Atlantic Testing Laboratories, Ltd., Canton, NY for their bid price of \$2,350.00. The Planning Director and Supervisor are further authorized to execute all documentation required to carry out said contract including payment for services rendered. The base bid and three alternates include the following properties:

1394 Union Center-Maine Highway
1380 Union Center-Maine Highway
1382 Union Center-Maine Highway
1416 River Dr.
106-108 Carl St.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to execute a CDBG Subrecipient Agreement with the Boys and Girls Club of Western Broome in an amount not to exceed \$21,947.19 for replacement of lighting in cooperation with a grant from NYSEG. The Supervisor and Planning Director are further authorized to execute all required documentation to implement this project. Funds for this project were included in the 2014 CDBG Annual Action Plan.)

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

Vote: All yes.



Town of Union

Proposals for Lawn Maintenance for 2015 at Town of Union Owned Properties – West Corners Area were received on April 24, 2015 at 10:00 A.M. as follows:

Greenskeeper	\$ 7,920.00
Metera & Son Land & Ground Maintenance – Dan Metera	\$ 8,994.00
The Lawn Wizard – Gene Tiberi	\$14,400.00
TBL Landscaping – Taylor Lown	\$22,345.00
Rudy Zavada, Jr.	\$22,500.00
Patterson Lawn Service – Zeb Patterson	No Bid Received

(Prepared Resolution filed as part of these minutes to award the Proposal for Lawn Maintenance for 2015 at Town of Union Owned Properties – West Corners Area to Greenskeeper, Endicott for the low bid price of \$7,920.00.)

Res. by Augostini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

HEARING OF VISITORS:

A resident of Johnson City, asked the status of the floodgate at Fairmont Park that was supposed to be completed by September of 2015.

Supervisor Sotak stated that the cost for this project has increased and the Town is trying to get funding from grants to cover what the federal funding does not cover.

Councilman Mack stated that the difference in pricing is from design alterations mandated by the federal government.

A resident of Endicott, asked what the status was on the old Endicott Johnson building.

Attorney Alan J. Pope said the litigation process is completed and now the Town has to make some decisions on the next steps to be taken.

The resident also asked with Memorial Day coming up that everyone thank a veteran and support them by buying the Purple Heart postage stamps which support the Purple Heart Foundation.

A resident of Endwell, asked what can be done about eyesore properties in the Town. He mentioned one on Hooper Road next to the Marian Apartments and another one on Union Center Maine Highway by Coppola Construction.

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



Town of Union

DEPARTMENT REPORTS ON FILE IN THE TOWN CLERK'S OFFICE:

Moved by Augustini, seconded by Mack to receive and file the following Department Reports:

1. Town of Union Planning Board Minutes – January 13, 2015
2. Permits Report – March 2015
3. Town of Union Planning Board Decision – Special Permit Approval – Outdoor Sales and Display, Boland Excavating, 1000 West Main Street, Endicott, Tax Map #156.15-2-3.
4. Town of Union Planning Board Decision – Site Plan Approval – Landscape Depot/Outdoor Sales, Boland Excavating, 1000 West Main Street, Endicott, Tax Map #156.15-2-3.
5. Town of Union Planning Board Decision – Site Plan Approval: Restaurant – Iliya Honovich 737 West Main Street, Endicott, Tax Map #146.15-2-20.
6. Town of Union Planning Board Decision – Special Permit Approval-Sit-Down Restaurant - Iliya Honovich, 737 West Main Street, Endicott, Tax Map #146.15-2-20.
7. Town of Union Planning Board Decision – Amended Homestead Village PUD Plan – Addition of Footgolf Course Site Plan Approval – William Walsh, 4101 & 4311 Watson Blvd., 13 Beech St. and the Homestead Village Subdivision, Tax Map #'s 142.07-1-9.1, 126.04-1-10.111, 142.07-1-6.12, 142.07-1-6.2, 142.11-3-1 to 36, 142.11.-3-38, 142.15-1-2&3.
8. Town of Union Local Development Corporation Audited Financial Statements for Year 2014.
9. Town of Union Local Development Corporation Meeting Minutes for February 26, 2015.
10. Town of Union Planning Board Decision – Site Plan Approval – David Ford, Centerline Communications, LLC – AT&T Project #2151731336, 331 Skye Island Drive, Endicott, Tax Map #141.13-1-14.1.
11. Town of Union Comptroller's Monthly Report – February 28, 2015.
Carried.

Moved by Augustini, seconded by Mack to go into Executive Session at 8:20 P.M. to discuss a personnel issue.
Carried.

No action was taken during Executive Session.



Town of Union

Moved by Augostini, seconded by Mack to go out of Executive Session at 9:20 P.M.
Carried.

ADJOURNMENT:

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

The meeting was adjourned at 9:21 P.M.

GLS/bk

Gail L. Springer, RMC
Town Clerk