



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

November 18, 2015

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, November 18, 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. Augostini, Councilman Leonard J. Perfetti, Councilman Robert Mack.
Absent: Councilman Frank Bertoni.

TOWN OFFICIALS PRESENT: Deputy Town Attorney Kurt D. Schrader, Town Clerk Gail L. Springer, Deputy Town Clerk Rebecca Kruczkowski, Comptroller Laura J. Lindsley.
Absent: Town Attorney Alan J. Pope.

Also in attendance was Zoning Board member Roberto Giuseppe.

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

PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, November 18, 2015 at 7:30 P.M. to consider approval of RPTL 421-f Home Improvement Exemption for Residential Property Owners. Pub. & Posted 11/13/15.

Supervisor Rose A. Sotak explained that this is to encourage residents to make improvements to their properties.

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

BIDS: None.

APPROVAL OF MINUTES:

Moved by Augostini, seconded by Perfetti to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, November 4, 2015.
Carried.



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HEARING OF VISITORS:

A resident of Endicott, presented pictures to the Board of a street light shining directly into his home. He said NYSEG removed the filter that was placed on the light and he asked to have the street light filter reinstalled.

Councilman Leonard J. Perfetti said NYSEG wouldn't have painted the light.

Councilman Thomas Augustini said he would have to see the history of this issue to see if it can be reinstalled.

Supervisor Rose A. Sotak asked Councilman Robert Mack to work with Commissioner of Public Works Louis V. Caforio to review this issue and let him know what can be done about it.

A resident of Endwell, spoke regarding an ongoing code issue with his neighbor and asked what more he could do to get the issue resolved. He also said there is not a town code regarding trees.

Deputy Town Attorney Kurt Schrader said his ongoing code issue with the neighbor is in litigation and the Town Board cannot supervise or direct the court proceedings. He informed him that New York State has a common law regarding trees encroaching on neighboring properties; that says a property owner can trim trees overhanging on their properties as long as doing so does not kill the tree.

A resident of Endicott, asked if the Town could help in getting the monument that was moved to the Union Center Fire Station cleaned so that the names could be read.

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

COMMUNICATIONS FOR FILING:

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

1. Letter from Gerald K. Geist, Executive Director, The Association of Towns of the State of New York, informing that the Annual 2016 Training School and Annual Meeting will be held February 14-17, 2016 at the New York Marriott Marquis in New York City with an attached voucher for the Town's dues to the Association for 2016.
2. Notice from U.S. Department of Housing and Urban Development for Authority to Use Grant Funds for Fiscal Year 2015 Community Development Block Grant Funds - Activities outlined in the FFY 2015 Annual Plan.
3. 2016 Final Budget for West Endicott Fire District.



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4. Schedule for the Endicott Holiday Parade December 5, 2015.

Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Perfetti to refer the letter from Brian K. Kittle, Wounded Warrior Amputee Softball Team asking for fees to be waived for their Slow Pitch Softball Tournament on June 10-12, 2016 at the 17C Complex to Commissioner of Public Works Louis V. Caforio.

Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Moved by Perfetti, seconded by Mack to approve Ken Jennison and James Wallace to attend the Southern Tier Building Officials meeting on December 9th and 10th at the Owego Treadway Inn. Jim will attend on December 9th and Ken will attend on December 10th. Cost is \$30.00 per session and includes lunch. Use of a Town vehicle is also requested.

Carried.

Moved by Perfetti, seconded by Mack to promote Ken Slicklen from a MEO Light position to a MEO Heavy position in the Highway Department. Salary would be determined by the current CSEA Bargaining Agreement.

Carried.

(Prepared Resolution filed as part of these minutes to approve the 2016 Final Budget and annual fire contracts for the fire protection districts.)

Res. by Augostini, 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 the 2016 Tax Levy Option Form re-levying \$11,511.71 to the 2016 tax bill, paying elections costs of \$141,575.00 and \$951.94 in water/maintenance deficits.)

Res. by Augostini, seconded by Perfetti.

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 Catalina Blvd. Street Reconstruction, Pheasant Lane to Debonair Drive in the amount of \$15,582.52 due to unforeseen extra work required, thus increasing the project total to \$334,582.52 from the original amount bid of \$319,000.00.)

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

Vote: All yes.

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

Decrease:	10 7145 2501	Rec. Equipment	\$ 500.00
Decrease:	10 7145 4462	Special Event Services	\$ 1,300.00
Increase:	10 7145 4159	Recreation Supplies	\$ 1,800.00

Carried.

(Prepared Resolution filed as part of these minutes to approve the RPTL 421-f Home Improvement Exemption for Residential Property Owners to be permanent.)

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

Vote: All yes.

Moved by Mack, seconded Perfetti pursuant to Town of Union Code §191-14 - Parking to approve parking restrictions as implemented by the Highway Superintendent as follows:

<u>Name of Street</u>	<u>Location</u>
Country Club Road (north side)	From the northwest corner of Shamrock Dr.– a distance of 75 west.

Carried.

(Prepared Resolution filed as part of these minutes calling for a Public Hearing to be held on December 2, 2015 at 7:30 P.M. to amend Town of Union Code – Chapter 151 – Peddling, Soliciting and Transient Merchants as follows (Additions are underlined, removal is strike through):

§ 151-4. Investigation; issuance of license.

The Town Clerk shall refer all applicants to the Building Official of said Town to furnish such other information as shall be required for the purpose of identification, and the Building Official shall conduct such investigation as he shall deem necessary and make a report of his investigation to the Town Clerk. If the Town Clerk shall approve such application, he shall issue the license herein provided for, for a term of sixty (60) days. Such license shall be in such form as the Town Clerk shall prescribe and it shall be signed by him. The form shall



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include the name and address of the applicant, the name and address of the person, firm or corporation, if any, for or through whom or which, or under whose auspices, the applicant is authorized to vend or, if none, a statement to such effect, a brief description of the type or types of goods, wares and merchandise to be vended and the expiration date of the license.

§ 151-8. Restrictions on activities.

A vendor shall not conduct activities in such manner as will interfere with the pedestrian or vehicular use of the public streets and places; nor shall he directly or indirectly cause or permit the public streets and places to be littered with papers, wrappings or other debris or refuse; nor shall he enter in or upon any house or building or on any land or property where there is posted on the front of the building or premises a written notice stating that vendors are not desired, unless the vendor has received the prior consent of the occupant thereof, and he shall make no false statements or representations in the course of his activities and shall conduct himself at all times in an orderly and lawful manner; nor shall he use or blow upon or ring or sound any instrument or thing or shout or cry out for the purpose of attracting attention to his wares or giving notice of his approach; nor shall he sell any confectionery or ice cream within 250 feet of any school between the hours of 8:00 a.m. and 4:00 p.m. on school days; nor shall he conduct licensed activities outside the hours of 8:00 a.m. and 6:00 p.m. daily from November 1 through April of the following year or between the hours of 8 am and 8:00 pm daily between April 2 and October 31 in any year.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve Community Development Block Grant Recovery (CDBG-DR) Program Action Plan amendment number 15 and budget modification for additional budget authority for UVES repairs, and new projects including Phase 2, N. Loder Avenue drainage improvements and Johnson City sanitary sewer interceptor B separation.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to appoint Richard Mark Woodruff to the Zoning Board of Appeals to fill the unexpired term of Alan Ewing ending on 12/31/2021.)

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

Vote: All Yes

HEARING OF VISITORS:

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



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

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

1. Town of Union Planning Department Minor Site Plan Review Decision – Approval – SKR Dental Office, 12 Beech Street, Tax Map #142.07-1-6.2.
2. Town Clerk's Monthly Report – October 2015.
3. Zoning Board of Appeals Decision – Phil's Chicken House, 1208 Union Center Maine Highway.
4. Zoning Board of Appeals Decision – Timothy and Michele Holowatch, 2909 Robins Street.
5. Town of Union Planning Board Minutes – October 21, 2015 and Testimony of Public Hearing held on June 17, 2014.

Carried.

The Town Board wished everyone a Happy Thanksgiving.

Moved by Perfetti, seconded by Augostini to go into Executive Session discuss personnel.
Carried.

No action was taken in Executive Session.

Moved by Perfetti, seconded by Mack to go out of Executive Session at 9:00 P.M.
Carried.

ADJOURNMENT:

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

The meeting was adjourned at 9:01 P.M.

GLS/bk

Gail L. Springer, RMC
Town Clerk