



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*

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## TOWN OF UNION BOARD MEETING

September 16, 2015

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, September 16, 2015, at 7:30 P.M. in the Town of Union Board Room, 3111 East Main Street, Endwell, New York.

BOARD MEMBERS PRESENT: Supervisor Rose A. Sotak, Councilman Thomas R. Augostini, Councilman Frank Bertoni, Councilman Robert Mack.  
Absent: 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 was Giuseppe Roberto, Zoning Board of Appeals member.

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 Augostini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, September 2, 2015.  
Carried.

### HEARING OF VISITORS:

A resident of Endicott, asked about the news announcement regarding the purchase and demolition of the old EJ building by National Pipe and Plastics. She also asked if there is a set date for the demolition and who will pay for the cleanup.

Town Attorney Alan J. Pope said there is not a signed contract for the purchase yet.



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Councilman Robert Mack explained that National Pipe and Plastics does not own the property; they filed an application with the Regional Economic Development Council for this project.

Councilman Frank Bertoni said it is a long process for the cleanup and the Town will proceed with their plan.

Councilman Thomas R. Augostini said if National Pipe and Plastics bought the property and if the environmental studies are approved, the demolition and construction will occur. He further said that the application received priority by the Regional Economic Development Council and now has to be approved at the State level before anything can proceed.

A resident of Johnson City, asked who currently owns the BAE Building and why the Town would spend money on development plans for the property if they do not own it. He further said we need to have something built there that will bring in a lot of jobs, not a shopping plaza.

Supervisor Rose A. Sotak said the IDA owns the property and the Town is getting prepared if the property comes back to us.

Councilman Frank Bertoni said the Town has a Comprehensive Plan for that area.

Councilman Thomas R. Augostini said this property is one of three top sites in the Broome County to be developed.

A resident of Endicott, said he was at the Broome County Executive's office yesterday and was told the EJ building was coming down soon and the County is involved with it happening.

A resident of Endwell, said the yard sale signs are still on the poles on Hooper Road and suggested having a Town employee take them down.

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

## COMMUNICATIONS FOR FILING:

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

1. Minutes of the Regular Meeting and Work Session of the Board of Trustees of the Village of Johnson City held on August 18, 2015.



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2. Letter from Patrick J. Foye, Executive Director, The Port Authority of NY & NJ in reference to the scope and magnitude of the health issues faced by September 11 responders and survivors across our country.
3. Invitation to The Broome County Association of Town & Villages next meeting on Thursday, September 24, 2015 at the Spot Restaurant.
4. Minutes of the Regular Meetings of the Board of Trustees of the Village of Endicott held on July 14 and August 11, 2015.  
Carried.

### COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the letter from Scott Novitske, 219 Robble Ave., Endicott, regarding the donation of his property at 213 Ardmore St. to the Town of Union to Town Attorney Alan J. Pope.  
Carried.
2. Moved by Augostini, seconded by Bertoni to refer the letter from Saibalin Tandi, 441 Payne Road, Endicott, requesting reimbursement for damages to his residence due to a sewer back up on August 29, 2015 to Town Attorney Alan J. Pope and the Town Insurance Carrier.  
Carried.
3. Moved by Augostini, seconded by Mack to refer the letter from Mayor John Bertoni, Village of Endicott regarding Street Opening Fees invoice from the Town of Union to Commissioner of Public Works Louis V. Caforio and the Town Board.  
Carried.
4. Moved by Augostini, seconded by Bertoni to refer the 2016 Proposed Budget for the Choconut Center Fire Company, Inc. to Comptroller Laura J. Lindsley and the Town Board.  
Carried.
5. Moved by Augostini, seconded by Bertoni to refer the letter from John Puleo, Account Manager, Land Acquisitions, American Tower Corporation, in reference to American Tower Site No. 413188, Endwell, NY to Comptroller Laura J. Lindsley.  
Carried.
6. Moved by Augostini, seconded by Bertoni to refer the letter from Sharon Fischer, Community Engagement Coordinator, Tobacco Free Broome & Tioga, Broome County Health Department, in reference to additional signage and reminder cards or brochures to reinforce our smoke/tobacco free outdoor policy to Commissioner of Public Works Louis V. Caforio.  
Carried.



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7. Moved by Augostini, seconded by Bertoni to refer the Notice of Summons from Nicholas Frazier, Plaintiff, regarding mortgaged property at 2309 East Main Street, Endicott, New York to Town Attorney Alan J. Pope, Comptroller Laura J. Lindsley, and Planning Director Paul A. Nelson.  
Carried.

PETITIONS:           None.

## COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Moved by Mack, seconded by Augostini authorizing the attendance of Joseph Cook, Assessor, to the Valuation of Cell Towers Course, given by New York State Assessor's Association, Inc. on November 13, 2015 at the Columbia-Greene Community College; approval to include tuition of \$110.00, one night lodging, use of a town vehicle and per diem in accordance with Town approved guidelines.  
Carried.

Moved by Mack, seconded by Augostini to authorize military leave for Jay Harris on September 17, 2015.  
Carried.

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

Decrease:	10 1355 4099	Temp Non PR	\$	450.00
Increase:	10 1355 1030	Temporary	\$	450.00

Carried.

(Prepared Resolution filed as part of these minutes to approve Change Order #1 and #2 in an amount to be \$13,792.92 with Chicago Construction, Inc., 1788 Union Center Highway, Endicott. Change Order #1 is due to a design change based upon field observations that removed three trees. Change Order #2 reflects increases in final quantities on several line items that exceeded the initial estimates. Funding for this project is available in the CDBG FFY 2014 Sherman Street capital improvements budget line.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to execute an agreement with Metro Interfaith Management Corporation, Binghamton, New York, for professional services in connection with the Town of Union Home Improvement



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Programs funded through the CDBG and CDBG-DR grants at a rate of \$350.00 per client. Services shall include field inspections, scope of work determinations, construction contract bidding and administrations, inspection of final work and contractor payment processing.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to execute the required Civil Rights certification for FY 2016 and any other documentation required to be submitted under the Small Public Housing Authorities Paperwork Reduction Act for submission to HUD.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve a contract extension with R. B. Magliocca General Contracting for N. Loder Avenue through October 2, 2015.)

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 in an amount of \$2,718.62 with Atlantic Testing Laboratories, 6431 US Highway 11, P.O. Box 29, Canton, NY.)

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 #2 in an amount of \$1,249.13 with Atlantic Testing Laboratories, 6431 US Highway 11, P.O. Box 29, Canton, NY.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Moved by Augostini, seconded by Bertoni to approve the attendance of Gary Post at the Capital District Building Officials Education Conference, October 18 - 21, 2015 at the Holiday Inn, Albany. The Educational Conference accounts for 19 hours of the required 24 hours of training. Authorization to include registration fee of \$310.00, meals not covered in registration from dinner on October 18<sup>th</sup> through lunch on October 21, 2015, hotel fee of \$129.00 per night for 3 nights and use of a town vehicle.

Carried.



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(Prepared Resolution filed as part of these minutes authorizing to declare as surplus F-148, a 2014 Caterpillar 938K Loader so it can be traded in for a new 2015 Caterpillar 938M 3V model w/Pallet Forks through the CAT Buy Back Program for a price of \$154,244.00, net difference being \$10,918.00. The new Loader would be paid out of the Highway Capital Account that was previously approved for \$15,000.00 by the Town Board for the current year:

\$154,244.00	(New) 2015 CAT 938M 3V Loader w/Pallet Forks
<u>\$143,326.00</u>	(Trade-In) 2014 CAT 938K Loader (F-148)
\$ 10,918.00	Total Net Difference.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing to declare the following items as surplus:

- 2 Pump Stands
- 2 Pump Station Gate Valves
- 2 3HP Flyght Submersible Pumps
- 2 Remote set up Electronic Cables on reels
- 3 Electric Pump Motors.)

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

Vote: All yes.

## HEARING OF VISITORS:

A resident of Endicott, said he would like to see the Town Board address the media regarding the EJ Building status.

A resident of Endwell, spoke on the nuisance of cats and asked if there can be an ordinance on them.

A resident of Johnson City, asked about the Regional Economic Development grants and asked if we were competing against the Ithaca area for them.

Supervisor Rose A. Sotak said there will be money coming to this area from the grants.

Councilman Frank Bertoni said a lot has to do with companies willing to invest in the properties in the economic development areas.

As no one else 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 Bertoni to receive and file the following Department Reports:

1. Town Clerk's Monthly Report – August 2015.
2. Deferred Compensation Plan for Employees of The Town of Union – Financial Report - December 31, 2014.
3. State Transportation Assistance Expended Report - December 31, 2014.
4. Town of Union Financial Report - December 31, 2014.
5. Town of Union Planning Board Minutes and Testimony of Public Hearing held on Tuesday, August 11, 2015.
6. Town of Union Planning Board Decision – Special Use Permit Approval – Kashou Enterprises, Family Sports Complex, 1500 Airport Road, Tax Map #110.01-1-26.11. Carried.

## ADJOURNMENT:

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

The meeting was adjourned at 8:13 P.M.

GLS/bk

Gail L. Springer, RMC  
Town Clerk