



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

September 2, 2015

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, September 2, 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 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.

Also in attendance were New York State Assemblywoman Donna A. Lupardo, Broome County Executive Debra A. Preston, Deputy Broome County Executive John Bernardo, Broome County Legislatures Ronald Heebner and Jason Shaw, Town of Union Planning Board member Ada Elwood and Town of Union Zoning Board member Giuseppe Roberto.

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

At this time, Supervisor Rose A. Sotak welcomed the distinguished guests and invited Broome County Executive Debra A. Preston to speak.

Broome County Executive Debra A. Preston gave an update on the Airport Corridor sewer line project and said it is expected to be completed in mid 2016. The corridor sewer line will use the Endicott Waste Water Treatment Plant not the Binghamton/Johnson City Sewer Plant and will allow a corporate park to be built to bring in new businesses to the area. She said the County is working diligently on the budget and informed the Board that they are working on giving the sales tax money back to the municipalities. She further said the County has not forgotten about the ice rink and will continue discussions with SCORE and investigating the project.

County Legislature Jason Shaw spoke on the Christ the King school building in Endwell for future uses.

Supervisor Rose A. Sotak asked for any questions or comments to County Executive Preston from the Board and audience.



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Councilman Leonard J. Perfetti asked that the County continue to work with the Town to move forward with the ice rink project.

Councilman Thomas R. Augostini said there is 150 million dollars in municipal restructuring funds available through grants and asked that the laws be restructured to help relieve that money.

A resident of Endicott, said he has a veteran's discount card from the County and that his card is not honored any longer at the Arena since it has changed names and management.

A resident of Endicott, asked if widows of veterans will also be able to use the veteran's card.

County Executive Preston said the cards will be valid at the Arena and she will get back to them regarding this.

New York State Assemblywoman Donna A. Lupardo spoke on the Regional Economic Council projects being awarded in the Southern Tier to bring jobs and revitalize the area. She is asking for information from the Board and residents regarding projects that are wanted or needed in her district, so she can push for them. She also spoke on the anti-poverty incentives available and asked for information regarding poverty in the Southern Tier.

Councilman Leonard J. Perfetti said he would like to see an amphitheatre in our area.

Councilman Thomas R. Augostini said he will put a list of ideas together. He said we need to capitalize on the money that is being spent around us in other areas by using businesses in our area. He gave the example of Binghamton University; as parents bring the students from all over the country for school, they are spending money in our area for hotels, restaurants and stores.

Councilman Frank Bertoni said he is frustrated with the application process when dealing with the State. He said the process can get halted for whatever reason and then has to start all over again from the beginning. He is asking for help for municipalities to be able to get through the process easier. He also spoke on the issuance of a DEC permit to the Huron Campus for sewage treatment processing that was issued without notification to the neighbors. He further said he would like to see a bill processing center here.

A resident of Endwell, asked why veterans cannot purchase veteran's license plates at the local DMV office instead of through the Albany office.

A resident of Endicott spoke on the mental health issues and the detriment that the closing of the Broome Developmental Center will cause to our area.

Assemblywoman Lupardo said the closing of the Broome Developmental Center is not a done deal and it is not over yet.



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Legislature Jason Shaw asked about the plume cleanup at the Huron campus and if IBM was still responsible it.

Assemblywoman Lupardo said that IBM is responsible.

Legislature Ronald Heebner spoke on the application for the Fairmont Park floodwall project and if the State can help with the final amount of money needed to finish the project.

Councilman Robert Mack explained about the floodwall project and why more money is needed.

Supervisor Rose A. Sotak said the Town has applied for a grant for the extra money needed for the project, but has not heard anything yet. She said any help from the County and State would be appreciated.

A resident of Endicott, spoke about a sewage backup issue at her residence during the 2011 flood and that there were communications between both the Village of Endicott and the Town of Union regarding the installation of back flow devices to prevent further backups, but nothing has been done. She wants to know who is responsible to fix this and when it is going to be done.

A resident of Endicott, gave more information about the same issue and said the Village of Endicott failed to get enough bidders for the project and turned it back over to the Town of Union to remediate. He asked who is going to take care of this before there is another backup issue.

Supervisor Rose A. Sotak said that they will look into it and find out what the status is.

Supervisor Rose A. Sotak thanked the guests for speaking with the Board and residents.

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, August 5, 2015 and Work Session held on August 12, 2015.

Carried.



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HEARING OF VISITORS:

Legislature Ronald Heebner, informed the Board of a presentation on Heroin Awareness Night to be held on Tuesday, October 27, 2015 at 6:30 PM at the Sarah Jane Johnson Methodist Church, Johnson City, and asked the Board to attend.

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

COMMUNICATIONS FOR FILING:

Moved by Augustini, 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 July 21, 2015 and August 4, 2015.
2. Letter from Gerald K. Geist, Executive Director, The Association of Towns of the State of New York to Rose A. Sotak, Supervisor, informing of the Town's dues to the Association for 2016.
3. Certificate of the Final State Equalization Rate for the Town of Union for the 2015 Assessment Roll from NYS Dept. of Taxation & Finance Office of Real Property Tax Services.
4. Letter from Ada Elwood, 33 Poplar Street, Johnson City, to Supervisor Rose A. Sotak regarding various concerns she has in Fairmont Park.
5. Time Warner Programming Notices dated August 19th and September 2nd, 2015.
6. Notice from New York State Department of State of the filing of Local Law No. 2 of 2015 – Amending Chapter 186 Telecommunication Facilities and Chapter 83 – Brush, Grass & Weeds.
7. Email from John A. Flynn, Jr., Director, Broome County – Division of Purchasing, in reference to the 2015 Broome-Tioga Auction to be held on September 26th.
8. 239 Review Submission Form from the Town of Vestal for Basso Home Occupation Request, 153 Vestal Road.
9. Petitions and Small Claims Petitions from June 26, 2015 to August 13, 2015 regarding reassessments filed with the Town Attorney, Town Clerk and Assessor.
10. Notice from New York State Department of Public Service regarding two proceedings currently before the Commission.
Carried.



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COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the email from Gina Rapasadi, Director of Special Events, Rescue Mission Alliance of Syracuse, requesting permission to hold their annual Freeze Out 5K Run/Walk on Friday, February 26, 2016 at Highland Park from 4:00 PM to 8:00 PM to Commissioner of Public Works Louis V. Caforio.

Carried.

2. Moved by Augostini, seconded by Bertoni to refer the 2016 Proposed Budget for the East Maine Fire Company to Comptroller Laura J. Lindsley.

Carried.

3. Moved by Augostini, seconded by Bertoni to refer the Notice of Claim – Susan Ackerman, Claimant –vs- Town of Union for damages to her residence at 3610 Lyndale Street, Endwell on or about June 12, 2015 from a sewer back up to Town Attorney Alan J. Pope and the Town Insurance Carrier.

Carried.

4. Moved by Augostini, seconded by Bertoni to refer the Notice of Commencement of Action Subject to Electronic Filing – Citimortgage, Inc., Plaintiff, in regards to 101 Theron Street, Johnson City to Town Attorney Alan J. Pope, Planning Director Paul A. Nelson and Comptroller Laura J. Lindsley.

Carried.

5. Moved by Augostini, seconded by Bertoni to approve the letter from Richard A. Materese, Executive Director, Boys & Girls Club of Western Broome requesting a shelter fee waiver for the Boys & Girls Club of Western Broome Family Center for a picnic on Sunday, August 30, 2015 and refer it to Commissioner of Public Works Louis V. Caforio.

Carried.

6. Moved by Augostini, seconded by Bertoni to refer the letter from Lisa Smith, Esq., Special Counsel, Unified Court System, Sixth Judicial District, to Mayor Greg Deemie, in reference to the Johnson City/Union 2012-2013 JCAP Grant that was awarded in the amount of \$59,904.00 to Town Attorney Alan J. Pope, Comptroller Laura J. Lindsley, Town Justices and their Court Clerks.

Carried.

7. Moved by Augostini, seconded by Bertoni to refer the letter from Stephen Sano, Executive Director, The Handicapped Children's Association of Southern New York, Inc., to Supervisor Rose A. Sotak in reference to an interest and intent to establish a community residential facility for the developmentally disabled at 444 Payne Road, Endicott, NY to Town Attorney Alan J. Pope, Planning Director Paul A. Nelson, Comptroller Laura J. Lindsley and Assessor Joseph Cook.

Carried.



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PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

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

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to sign and execute, upon completion and the Town Attorney's approval, a consulting agreement with Cynthia Matyas as a human resource consultant to the Town of Union at the billable rate of \$25.00 per hour with a maximum of 100 hours for the remainder of 2015.)
Res. by Perfetti, seconded by Mack. Vote: All yes.
The Resolution was adopted.

Moved by Perfetti, seconded by Mack authorizing the attendance of Ken Jennison and James Wallace at the Southern Tier Building Officials meeting on Wednesday, September 16, 2015 at the Oxford Gun Club, Oxford, New York; authorization to include \$30.00 per person registration fee and use of a Town vehicle. There will be 5 hours of CEU's.
Carried.

(Prepared Resolution filed as part of these minutes to approve following 2015 Budget Modifications:

Increase:	10 2001 0000	Recreation	\$2,250.00
Increase:	10 7145 4459	Recreation Program Services	\$2,250.00)

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

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

Decrease:	31 5110 4117	Sand and Gravel	\$1,000.00
Decrease:	31 5110 4124	Catch Basins	\$1,000.00
Increase:	31 5110 4110	Small Tools	\$2,000.00

Carried.



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Moved by Augostini, seconded by Perfetti authorizing the increase in pay for Crossing Guards from the current rate of \$8.25 an hour to \$10.00 an hour. The Crossing Guards have not had an increase in eight years.

Carried.

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

Decrease:	10 1110 4601	Travel	\$ 500.00
Increase:	10 1110 1040	Overtime	\$ 500.00
Decrease:	10 1220 4403	Printing	\$ 100.00
Decrease:	10 1220 4102	Stationary	\$ 100.00
Increase:	10 1110 1040	Overtime	\$ 200.00
Decrease:	10 1430 4512	Consultant	\$ 1,500.00
Increase:	10 1430 4631	Pre-Employment	\$ 1,500.00
Decrease:	10 1680 1030	Temporary	\$ 1,500.00
Increase:	10 1680 4400	Software Maintenance	\$ 1,500.00
Decrease:	10 3510 4101	Office	\$ 16.00
Increase:	10 3510 4601	Travel	\$ 16.00
Decrease:	20 1440 1010	Salary	\$ 500.00
Increase:	20 1440 1040	Overtime	\$ 500.00
Decrease:	20 19894403	Printing	\$ 2,451.00
Increase:	20 1989 4000	Bonding	\$ 2,451.00
Decrease:	20 5010 1010	Salary	\$18,311.00
Increase:	20 5010 4000	Bonding	\$18,311.00
Decrease:	20 8020 1030	Temporary	\$ 4,000.00
Increase:	20 8020 1010	Salary	\$ 4,000.00
Decrease:	20 8021 1030	Temporary	\$10,000.00
Increase:	20 8021 1010	Salary	\$10,000.00
Decrease:	20 8989 4701	H&C Services	\$ 2,140.00
Increase:	20 8989 4606	Legal Notices	\$ 140.00
Increase:	20 8989 1030	Temporary	\$ 2,000.00
Decrease:	31 5110 4626	CDL	\$ 200.00
Increase:	31 5110 4628	Physicals	\$ 200.00
Decrease:	40 7110 4101	Office	\$ 90.00
Decrease:	40 7110 4620	Education	\$ 628.00
Increase:	40 7110 4000	Bonding	\$ 628.00
Increase:	40 7110 4424	Interest	\$ 90.00

Carried.

Moved by Perfetti, seconded by Mack to waive, upon approval of the Town Attorney and Town Insurance Carrier, a part of \$148.20, pertaining to beer, for the Angel in the Outfield Memorial Softball Tournament that is scheduled for September 12, 2015 at the Route 17C Sports Facility. The waiver will become valid ONLY after the event sponsor provided the



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Town with the appropriate Certificate(s) of Insurance, Indemnity Agreement and a "Special Permit" issued by the NYS Liquor Authority.
Carried.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to execute Change Order #1 in an amount estimated to be \$8,470.00 and approve a contract extension through September 25, 2015 with ZMK Construction, Inc., 3430 State Route 434, Apalachin, New York for Western Heights Boulevard Creek Bank Stabilization.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Moved by Bertoni, seconded by Mack authorizing Senior Planner Marina Lane to attend the Upstate New York Chapter of the American Planning Association one day conference in Syracuse, New York on Friday, September 18, 2015; approval to include the registration fee of \$20.00.

Carried.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak to enter into an agreement with Keystone Associates Architects, Engineers and Surveyors, LLC, 58 Exchange St., Binghamton in an amount not to exceed \$41,077.00 for the Brixius Creek Bank Stabilization and Related Improvements project being funded through the NY Rising program.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Moved by Perfetti, seconded by Augostini to declare F-96, a 2002 New Holland Backhoe, serial #31035252 as surplus. The vehicle is being replaced with a new CAT Backhoe using the Capital account that was established and will be sold through an on-line internet auction.

Carried.

Moved by Perfetti, seconded by Augostini authorizing the purchase of a New 2016 International Terrastar 4X4 with Viking Plow and Body Package using the Onondaga County Contract #7974 through Stadium International for a total cost of \$108,118.00. This will replace C-25, a 2008 GMC Topkick Dump, VIN# 1GDE5C3938F407673, authorization to declare C-25 as surplus to be sold through an online internet auction when the new truck is delivered.

Carried.



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HEARING OF VISITORS:

A resident of Johnson City, presented pictures to the Board and reported on code violations at 448 Riverside Drive. He said he has spoken to Code Enforcement and wants something done about the violations.

As no one else 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 Augustini, seconded by Bertoni to receive and file the following Department Reports:

1. Town of Union Planning Department Minor Site Plan Review Decision – Approval – Binghamton MSA Limited Partnership d/b/a Verizon Wireless, 519 Day Hooper Road, Tax Map #142.09-7-33.
2. Town of Union Planning Board Minutes and Testimony of Public Hearing held on Tuesday, July 14, 2015.
3. Town of Union Planning Board Decision – Special Permit Approval – Donna Marie Cuillerier, 300 Shady Drive, Tax Map #158.05-1-2.
4. Town Clerk Monthly Report for July 2015.
5. Town of Union Comptroller's Monthly Report – July 2015.
6. Permits Report – August 2015.
7. Town of Union Local Development Corporation Meeting Minutes for July 23, 2015. Carried.

Councilman Robert Mack announced that the 9/11 Memorial at Lower Highland Park will be dedicated on September 11, 2015 at 6:30 PM in Lower Highland Park.

ADJOURNMENT:

Moved by Augustini, seconded by Bertoni to adjourn the meeting.
The meeting was adjourned at 8:58 P.M.

GLS/bk

Gail L. Springer, RMC
Town Clerk