

TOWN OF UNION
BROOME COUNTY, NEW YORK

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In the Matter of:

Town Board Work Session & Meeting
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January 20, 2021
3111 East Main Street
Endwell, New York 13760

APPEARANCES:

FOR THE TOWN OF UNION

RICHARD A. MATERESE
Town Supervisor

THOMAS R. AUGOSTINI
FRANK J. BERTONI
SANDRA C. BAUMAN
HEATHER R. STALEY
Councilpersons

LEONARD PERFETTI
Town Clerk

REBECCA KRUCZKOWSKI
Deputy Town Clerk

ALAN POPE
Town Attorney

LOU CAFORIO
Commissioner of Public Works

JOSEPH COOK
Assessor

Digitally recorded proceeding,
Transcribed by: Ria Jara
Czerenda Court Reporting
71 State St.
Binghamton, NY 13901

1 (On the record at 0:00:57)

2 MR. RICHARD A. MATERESE: -- in Endwell. And
3 a resident was complaining that he didn't like it. So
4 we sent Code up there to look at it. Code doesn't
5 know if there was anything we can do about it.

6 MALE VOICE: Right in, Joe.

7 MR. JOSEPH COOK: I didn't want to interrupt
8 but I just --

9 MR. MATERESE: No. You're fine.

10 MR. COOK: -- if I'm doing okay.

11 MR. MATERESE: Doesn't know if there's
12 anything we can do about it. She's going to check to
13 see. But actually she sent me that picture which I
14 thought was a pretty impressive picture.

15 FEMALE VOICE: What does it say? I just see
16 dear Karen.

17 MR. MATERESE: I think it friendly. Was it?

18 FEMALE VOICE: Yeah, I get it. It's
19 something about love of holidays or something.

20 MR. MATERESE: And Boris (phonetic).

21 FEMALE VOICE: Yeah. "I'm Boris something,
22 and I love holidays." So it's probably some kind of a
23 dare on somebody to put it out there or keep it out
24 there.

25 MALE VOICE: There's got to be inside those.

26 FEMALE VOICE: Yes.

1 MALE VOICE: I got to go now.

2 MR. MATERESE: Okay.

3 MALE VOICE: I'm going out the front door.

4 MR. MATERESE: Yeah. The proclamations of
5 these Girl Scouts, if you read the proclamation in
6 this scouting thing, they're going to receive an
7 accreditation at some national thing or school thing.
8 So we're sending the girls to them.

9 FEMALE VOICE: Okay. But this isn't
10 happening tonight? This isn't happening tonight?

11 MR. MATERESE: No, it's not happening
12 tonight.

13 FEMALE VOICE: Okay.

14 MR. MATERESE: But I just wanted to get it,
15 you know, get it done as quickly as we can. We're
16 just waiting and letting some people in. And we'll
17 get ready for our session. Hey, Lou, that's hard.

18 MR. LOU CAFORIO: Okay. Let's do it again.

19 MR. MATERESE: Oh, Lou, tell me you don't
20 have anything here for 2021 or 2020 going through.

21 MR. CAFORIO: We need to sign it for this
22 year.

23 MR. MATERESE: I know. But I mean --

24 MR. CAFORIO: We can't start that.

25 MR. MATERESE: Okay. Once we sign that, we
26 go right back into negotiating?

1 MR. CAFORIO: No. No. I think we get a
2 little bit of time to really -- probably, you know.
3 We had a good one, so I figure probably they'd go like
4 that.

5 MR. MATERESE: Okay.

6 MR. CAFORIO: I'm not sure about the verdict,
7 you know.

8 FEMALE VOICE: But we got to vote.

9 MALE VOICE: Yeah. But I think, you know,
10 I'd like to just, guys, speak one line. It's supposed
11 to be fully developed. As I said, it's complicated
12 whether or not we vote.

13 MALE VOICE: (Indiscernible)

14 FEMALE VOICE: It does, believe me. We say
15 it does.

16 MALE VOICE: I don't know about you, but I am
17 relieved. I am.

18 MALE VOICE: I am.

19 (Inaudible)

20 MALE VOICE: Yeah, I know.

21 MALE VOICE: Oh, really?

22 MALE VOICE: Yeah. You can't hold it back.

23 MR. MATERESE: All right. Get everybody back
24 in here, folks.

25 (Inaudible)

26 MR. MATERESE: Are we good, Lenny?

1 MR. LEONARDO PERFETTI: We're good now.

2 MR. MATERESE: Okay. The panel will be right
3 back in. But, Frank, do you have any more rooms
4 behind the group of Endicott? Frank, can you hear me?

5 MR. FRANK BERTONI: No, I don't.

6 MR. MATERESE: Okay.

7 MR. BERTONI: I've run into six dead ends in
8 a row. I keep calling, and texting, and emailing.
9 And all I get is (audio glitch) can do it. That's
10 all.

11 MR. MATERESE: Thank you, Frank. Also I got
12 an email today from Greg (indiscernible) about the
13 planning agreement. So they're about to start their
14 budget negotiation. They want to know what we're
15 talking about with planning. Have we done any of that
16 yet?

17 MALE VOICE: No, I don't think -- we should
18 probably get with Dianne and Marina to see what our
19 proposal looks like.

20 MR. MATERESE: Yeah. That's our main, so you
21 haven't heard anything about it?

22 MALE VOICE: No.

23 MR. MATERESE: Okay.

24 MR. BERTONI: I think the logical course is
25 to follow a plan similar to the one in Code. You

1 know, there's a schedule. And whatever work we put
2 in, we bill them for it.

3 MALE VOICE: That makes sense.

4 MR. MATERESE: Tell me, have you changed --

5 MALE VOICE: Everything.

6 MR. MATERESE: All right.

7 MALE VOICE: I don't know if you meant
8 (indiscernible) with Endicott in talking about their
9 road cuts.

10 MR. MATERESE: Road cuts, that's it.

11 MALE VOICE: So I did meet with Anthony --

12 MR. MATERESE: Oh, sorry.

13 MALE VOICE: Not on the interviews for
14 agreement. I think that's -- we didn't talk about
15 that. Their last Water Board meeting was either on
16 the 16th or 17th of December. That was the snowstorm.

17 MR. MATERESE: Right.

18 MALE VOICE: So that got cancelled. He has
19 everything that he needs. They have another one,
20 another Water Board meeting next week. Their January
21 1. Then he thinks that it will be settled next week,
22 the road cut.

23 MR. MATERESE: Oh, good. Okay.

24 MALE VOICE: Yeah. And then what he said
25 that they would like to do is figure out -- instead of
26 like -- Lou, we don't know the curve cut. Whether in

1 the road or behind the curve it goes. It's they've
2 come to an agreement on like a lump sum, have that in
3 place for three years, and then revisit if that's
4 still the correct number.

5 MR. MATERESE: Okay. That sounds good.

6 MALE VOICE: Yeah.

7 MR. MATERESE: If it's final, it would be
8 great.

9 MALE VOICE: So hopefully next week it's
10 settled. And then, Lou, I'll talk to you about, you
11 know --

12 MR. CAFORIO: Is that this agreement that we
13 talked to them about before?

14 MALE VOICE: Yeah. About having just a one
15 set price amount for the road cut. Have them in
16 effect three (audio glitch) revisit with those
17 avenues.

18 MR. CAFORIO: Okay.

19 MALE VOICE: Although it seems so far this
20 year it's not cold yet. We want to get (inaudible)
21 start of Jan across a little bit. (Inaudible)

22 MALE VOICE: Exactly. Right.

23 MALE VOICE: It's incredible. Really it is.

24 MR. MATERESE: Really already this year.

25 MALE VOICE: Oh yeah.

1 MALE VOICE: Very cool. We have one right
2 now.

3 MALE VOICE: I looked at it. They weren't
4 even there yet, over on Piper (phonetic) Boulevard.
5 Below water. Out of center line, the curb lines.
6 It's just that. I mean they haven't even reached --

7 MR. MATERESE: No.

8 MALE VOICE: That's what's concerning, is if
9 you have a lot of them.

10 MALE VOICE: Yeah.

11 MR. MATERESE: Joe, I'm just waiting for Alan
12 to get back on. So please do your thing. Let's start
13 while we're waiting.

14 MR. ALAN POPE: I'm here. I'm here.

15 MR. MATERESE: Oh, okay.

16 MR. BERTONI: Can I ask that either Alan or
17 Lou maybe either send us or at some point review for
18 us the whole Patio Drive history so that we kind of
19 all know where we're coming from? Because, you know,
20 I think we've only dealt with this on very limited
21 places when they came in and asked for the pumps. You
22 know, as a board, we (audio glitch) these people like
23 we've been saying no to them for 30 years now. I
24 don't know.

25 You know, they're claiming that we're part of
26 their system and we're claiming we're not. So is

1 there any like -- can you like maybe send us an email
2 or something that kind of just briefly -- it doesn't
3 have to be real extensive, but just something that
4 kind of gives us a history of how this -- what's the
5 issue here? You know?

6 MR. MATERESE: Alan's going to give a bit of
7 an explanation tonight and then we can go from there.

8 MR. POPE: So, Frank, I can do that. And I
9 don't know what the questions are going to be from the
10 public today, but I'm prepared to talk in general with
11 the public about Patio Drive. But I can certainly do
12 like what you're asking. I can give a more detailed
13 email update, you know, to the board. And Lou can
14 certainly, you know, weigh in on that if I miss any of
15 those details.

16 MR. BERTONI: One of the things I was -- the
17 reason I have a question is, well, it was my
18 understanding, maybe I'm wrong, that the giant or the
19 voice didn't flow through there. And they're saying
20 that the stuff is coming from Weis. You know what I
21 mean? So I don't know. I don't get all that at all.
22 I thought everything came from up, in the upper
23 Endwell area there. Up on the hill.

24 MR. POPE: So we should be able to, between
25 Lou and I, in a detailed email certainly cover those
26 kinds of things. You know, I just think, as everybody

1 know, there's been the threat of litigation by that
2 group. And so even tonight I'm going to be somewhat
3 guarded in the response. Right? We don't want to get
4 into a debate or I don't, as the Town attorney, want
5 to get into a debate with them. But I need to at
6 least lay down or set forth, lay down is not the right
7 word but set forth kind of the basic facts as we know
8 it based upon our investigation.

9 MR. BERTONI: Okay. All of these were people
10 that come in and claimed that the Town of Union, you
11 know, we promised them something 40 years ago. And
12 it's just not the case, you know. So that would be
13 good if you could do that. Thank you.

14 MR. MATERESE: Okay. We have Joe Cook here
15 tonight. Joe's going to explain something that may or
16 may not happen in the Town of Union, a situation that
17 had been presented to us. So, Joe, you're on.

18 MR. COOK: Okay. So everybody's probably
19 aware that --

20 MR. MATERESE: Wait. Excuse me. Can you
21 hear Joe?

22 MR. BERTONI: No.

23 MR. COOK: It's probably the microphone, sir.
24 It's too high for me.

25 MALE VOICE: That's a good one.

1 MR. COOK: It's too high for me. Okay.
2 Well, so you guys are -- I'm sure everybody's aware
3 that the sports dome collapsed during the snowstorm in
4 December. So the owners would like to rebuild it.
5 They have some plans to rebuild it in a bigger and
6 better fashion. Instead of doing a dome, they'd like
7 to build a metal structure about the same size which
8 is 125,000 square feet. They would like to do --

9 The concept is making it a year-round
10 facility. I guess they've traditionally been a five-
11 month facility. And because of the changes to the
12 project, it could cost. They did receive insurance
13 proceeds, but they aren't going to be sufficient for
14 this project. So based on their analysis of the
15 project, they feel they need the Town to support them.
16 And, well, they deviated pilots.

17 So the purpose of me being here is to kind of
18 generally discuss the idea of deviated pilots. There
19 hasn't been a request for one that I'm aware of in the
20 last ten years. So I thought maybe we would just talk
21 about that in general and as specific as we have time
22 for.

23 MR. MATERESE: And they want about 22 years?

24 MR. COOK: Their representative mentioned 22-
25 and-a-half years with what they -- he would like --
26 Mr. Kashou who I met with, did not specifically say

1 that. He's the owner. I don't know how much you guys
2 want to talk about pilots in it. The IDA offers a
3 uniformed housing in this particular -- I believe this
4 would be a commercial project. It would be -- if they
5 want the IDA, it would be a ten-year pilot. In five
6 years it would be updated at 50 percent and on the
7 second five years it would be at 25 percent. They
8 would like something different from that. If they
9 will build, they need something different from that.

10 So the question I guess for the board. Is
11 that even something that the county wants to consider?
12 Their job impact they believe -- they project they
13 would move from 12 full and part-time employees to 32.
14 So they get 20 jobs. I don't know about correlated
15 jobs, if it would be more part-time than fulltime and
16 what the wages would be. They believe in their
17 project. They want to do their project in three
18 phases. They'd like to build the facility first.
19 It's 125,000 square feet. They'd like to put a retail
20 office and a bar/restaurant in it at some point during
21 that process. And then I think their ultimate goal,
22 they're hopeful that they'd be able to do a hotel-
23 motel. But of course they only cross a mutual road.

24 Total bids to credit to cost is about \$5.5
25 million for the structure. If they get through all
26 three phases, they project it'd be 12 on there.

1 They're currently paying, just to give you an idea of
2 what their tax load is to the community, it's about 80
3 -- about \$82,000 for that part (sounds like) now. And
4 52, more than 52 of that goes to the school. The
5 County gets 14. The Town gets about 6,900. The Fire
6 District gets 5,200 and the Park gets 13. The Library
7 is at 1,470. I mean they're a fairly significant
8 payer overall.

9 What's going to happen is, based on the
10 assessment procedure, I'm going to review the property
11 on March 1st, the taxable and state of estate, and the
12 working condition. Making jobs adds another value.
13 Based on the fact that its fields, it's temporary use.
14 You can see there's no facility. Just fields without
15 the structure. Depending on if the structure can be
16 removed, that's the other thing. But that will
17 significantly change.

18 So if they rebuilt over time, then the stats
19 (sounds like) on that will come back. But the
20 question is is the Town interested in dealing with it
21 or the Town prefer them to just deal with the IDA
22 directly and work out whether or not the project is
23 financially feasible that way. That's kind of a
24 question where, as a board, we're likely to go as far
25 as flexibility will go.

1 FEMALE VOICE: I have a question for you,
2 Joe.

3 MR. COOK: Yes.

4 FEMALE VOICE: So they're talking about they
5 want 22 years. Is that just to rebuild another dome
6 thing? Or just say in theory we said, yeah, you could
7 have 22 years. But then they end up not putting in
8 the bar, not putting in the restaurant, not putting in
9 the hotel. Like what can we do to protect ourselves?
10 Like the financing falls through.

11 MR. COOK: Well, I guess once the contract's
12 signed, you know, the pilot moves forward and then it
13 becomes -- say they caught back (indiscernible) and
14 things like that, then to some extent I'm not sure. I
15 don't know if it's a legal question or back to one
16 question with the IDA, is what the Town's ability to
17 enforce the correct revisions is. My experience has
18 been that the IDA pretty much rules when it comes to -
19 - once the pilot is signed, then the community or the
20 municipality don't have a lot of say about it.

21 MR. MATERESE: Unless there's a bid to do it,
22 then it's all marked.

23 MR. COOK: It's ours up until the IDA takes
24 it and becomes a vehicle for the exemption.

25 MR. MATERESE: Oh, okay.

1 MR. COOK: So an important aspect, if you did
2 do the pilot, well, everybody, I think it's time to
3 think of expanding the term. Deviated means in my
4 mind the wild, wild West. So you can be anything you
5 want it to be. So they may likely approve to just say
6 the Town was interested in discussing it. Then,
7 unlike the 22 years, maybe something that's shorter.
8 That maybe is more advantageous in the early years and
9 it ends sooner. Maybe something like that helps to
10 get the work off the ground. But then we go to full
11 assessment fairly quickly. Let's say seven years. It
12 could be five years. It could be 15.

13 Full disclosure, I'm not a big fan of pilots
14 as an assessor. I just assume that they didn't exist.
15 I mean the project should be probably too feasible on
16 their own but, well, we'll work on this.

17 MR. BERTONI: Joe, can it be done in phases?

18 MR. COOK: Yes, Frank?

19 MR. BERTONI: Can it be done in phases? Like
20 in other words, if they complete phase one, then we
21 can give them phase two. And then if they complete
22 phase two, then we can give them phase three. So
23 you're not in the whole all the way from the beginning
24 for something that never gets finished.

25 MR. COOK: To start, I think we would
26 probably -- and this is most likely evaluated based on

1 the initial phase and then the date of reconstruction.
2 We entertain that as they go along. So in my mind it
3 would be the new structure. And whatever that they
4 put in, that's in the building permit or planning. So
5 they submit it for revalue. And that would be what
6 the initial pilot would be based on. If they did
7 anything else, then that would be another discussion I
8 think.

9 MR. MATERESE: So, Joe, clarify this for me.
10 The initial 80,000 that they pay right then, would
11 that become part of the pilot? Or would they still
12 pay the 80,000, then the pilot would be on top of the
13 others?

14 MR. COOK: So the structure would be next
15 year. They're going to be assessed that, basically
16 land or whatever they have existing on March 1st. So
17 that 80,000 is going to go up more. Like 50 or 20.
18 And then the way structure the pilots is based on the
19 increase. So they'll be at, you know, wherever that
20 line goes, all that will be a million dollars. And
21 then if we say it's \$4 million, the pilot will be
22 based on that change. The \$3.5 million difference in
23 the final evaluation and the face value today or next
24 year.

25 MR. MATERESE: Joe, did anybody talk about
26 the hotel?

1 MR. COOK: That's a different part for this.

2 MR. MATERESE: So would that mean a different
3 item, a separate item?

4 MR. COOK: That would be in my mind. Yeah,
5 that would be. You know, we wouldn't be talking --
6 it's not coming into the worksheet. I don't think
7 that's part. I was kind of thinking, based on what
8 they sent to me on what their hope and plan is, that
9 will just contain those spaces. But I think we're
10 only talking about at this point probably the phase
11 one. If we want to continue discussion, you know, we
12 meet the owner. He come in and explain exactly what
13 his plan is. Let me translate and email.

14 You know, to keep it simple, I think we're
15 looking at a large sports -- this large metal
16 building. It's not going to be a (indiscernible)
17 dome, but they would like to do -- they wanted to
18 improve dramatically what it was. Make it a common
19 facility with the hope to add other types of events
20 there. The other thing they mentioned was they want
21 to do nonsporting type of events. Like concerts. I
22 don't know about trade shows, but I lay outlines for
23 trade shows. So I think they would be open to
24 alternative uses. Usually I'll make sure they can
25 afford that. If you need me more to highlight, I

1 think that it would be that. After all, they have to
2 think about the cost.

3 MR. MATERESE: So, Joe, what do you need from
4 -- what would you like from us now? The idea that,
5 yes, we may be willing to look at the pilot; or, the
6 idea that, no, we're not interested in the pilot?

7 MR. COOK: Yeah. But I think the first step
8 is to look forward the interest in entertaining a
9 deviated pilot that is more for recreational new
10 service and not for manufacturing or say the big
11 square housing or building. I mean that's what pilots
12 are designed for. Anyway, they have to deviate and
13 looks for jobs. This is a different kind of program.
14 It's going to bring, you know, a different value to
15 the community. And certainly the dome provided a
16 great service, but it's privately owned. So is it
17 worthy of giving them a break?

18 The Town of Vestal, who has a smaller
19 facility though a couple of years ago, they turned
20 down (audio glitch). They ended up owners. The
21 developer went to the IDA with not the standard pilot
22 that they offered.

23 MR. BERTONI: You what?

24 MR. MATERESE: They got the standard pilot.
25 Not the idea they offered. The Town of Vestal turned

1 down their request. So they got the standard from the
2 IDA.

3 MR. BERTONI: Is that for the tennis
4 facility?

5 MR. COOK: No. This is the 434 Complex.
6 It's owned by Chuckter's.

7 MR. MATERESE: If you go first to Riley, it's
8 the building behind. It's at the back of Zachary
9 (phonetic) and other things there.

10 MR. BERTINO: They've reopened the tennis
11 center, right?

12 MR. COOK: They did. So what he said, Mr.
13 Kashou said that they brought back the Vestal
14 facility. They chipped all their operations there and
15 contemplate they like to rebuild. They like to do
16 this project in the Town of Union. If things don't
17 work out, then I'll go ahead and utilize the fields
18 and things in the summer months. I'll just convert or
19 discontinue to operate the Vestal facility for their
20 sports. Just not do that if it's not financially
21 feasible. For them, they feel this process is part of
22 what they need to make it feasible.

23 FEMALE VOICE: It just seems like a stretch,
24 22 years. Maybe there's information we don't have.
25 The owner's not here, but 22 years seems quite
26 excessive.

1 MR. COOK: You know, there's nobody -- I
2 don't think it's carved in stone that they need to
3 build it exactly the same size as the old one with all
4 the additional -- I mean maybe the alternative plan.
5 There's alternatives. I mean they said they can just
6 go get the same pilot and work with their budget
7 through that. Or the Town can say, well, we can't --
8 we're not going to allow the 22 years, but we'll go on
9 with seven years and we'll do it this way to help you
10 get developed in the early years. But you're going to
11 have -- by seven years you should be on your feet. Or
12 whatever that number of years is. So the Town is
13 cooperative and gives the benefit of allowing them to
14 establish themselves, but no longer past retirement.
15 This remains.

16 MR. MATERESE: So do you feel or does the
17 board feel it would be better to get more information
18 from Mr. Kashou? He can actually come here to explain
19 exactly what he's talking about. How many jobs he's
20 talking about really, are they part-time or are they
21 fulltime, those kinds of things, before we make a
22 decision. Or are you ready to, with our best
23 knowledge, tonight? Or best to say, no, I'm getting --
24 -- we do need to have some time for Joe.

25 MR. COOK: Yeah, it goes some direction. I
26 mean it doesn't sound -- I'm not sure. I mean I

1 didn't really think you guys will answer the question
2 tonight. That's something maybe you want to think
3 about. Maybe you want to give me a call or shoot an
4 email or maybe you want me to deal with this and for
5 one or two board members explain.

6 FEMALE VOICE: I'd like to meet the gentleman
7 and ask him some questions. I'm thinking of a lot of
8 questions in my head that -- you know.

9 MR. MATERESE: Is anybody else thinking about
10 doing that?

11 MALE VOICE: Joe, so let's say you go down
12 the path and you give -- you got these, actually
13 traders, that are full force in this.

14 MR. COOK: That's when I would think probably
15 the idea isn't in full charge of everything. So the
16 Town, even that they might experience what I've seen,
17 it doesn't matter. When I ask from them and I want
18 something done, you know, they work on their own
19 parameters and make decisions kind of.

20 MR. MATERESE: So it doesn't really matter
21 what we -- and we could ask for everybody, it doesn't
22 matter. It's going to come down to you have to trust
23 somebody to enforce that other than ourselves.

24 MR. COOK: Right. If they don't perform and
25 they made promises, then the IDA is the policeman.
26 I'm not so sure I've seen them act very aggressively

1 on all that, and so I wouldn't go toward expecting
2 them to -- you know. And sometimes I've been told
3 that when the company guaranteed certain number of
4 hires and things, it's not going to be good.

5 So they fall behind when they're not doing
6 well. It's not because they don't want to do well.
7 If they used or call back revisions, they'll just
8 force the department (indiscernible) in it. They'd
9 rather see them survive and hopefully they'll back up
10 and push them down. So I think that's our little
11 impression on the way it would go.

12 MR. MATERESE: So, Alan, are you concerned at
13 all that we have no legal recourse? If we grant a
14 pilot and then they don't follow through on anything,
15 we basically have no recourse then. Does that concern
16 you?

17 MR. POPE: I think if we're a party to it,
18 then we just have to make sure that we build in the
19 language that would give us those rights or at least
20 part of those rights. I think what Joe is saying is
21 if we -- and, Joe, correct me if I'm wrong. I think
22 what you're saying is, if we just let the IDA do it,
23 then they can put whatever they want in it. But if
24 the IDA's not going to ever do anything about it, you
25 know, we're going to get stuck.

1 I think we've had a couple of developers,
2 whether it was job creation or whatever it might be,
3 they didn't live up to those provisions and there
4 wasn't anything the Town of Union could do because we
5 had no toll. We had no rights within their pilot.

6 MR. BERTINO: That's right. I remember that.

7 MR. COOK: I'm not so sure. I don't know
8 technically, but I believe they have a pretty
9 unilateral way to govern the context. I mean maybe
10 that's a question to put on your mayor too.

11 MR. POPE: I think if you're going to
12 entertain something like Joe is talking about, a
13 deviated pilot where really the Town is the one that
14 would be behind it, if that's the ultimate decision by
15 the board, we want to negotiate hard for the Town to
16 have those rights. If the Town's going to put that
17 much, to frame it, deferment of taxes into this
18 developer.

19 MR. MATERESE: If we do that, it's -- maybe
20 just because it's not getting asked. But you know,
21 when we look at those pilots, in this particular
22 instance you're going to have the developer. You're
23 going to have the school district, the County, the
24 Town, and the IDA. All parties there. Who's
25 responsible for the enforcement?

26 MR. COOK: I think the IDA is.

1 MR. MATERESE: So can you say to the IDA, no,
2 we want to take over enforcement of the provisions?

3 MR. COOK: I guess it can be negotiated.
4 Alan, I think it's possible. I mean whatever we put
5 in contract, right?

6 MR. POPE: Yeah. It's a contract, so it may
7 have the Town swimming upstream with what has been
8 done for a long period of time with the IDA on a
9 deviated pilot. But it doesn't mean that, you know, we
10 don't say, look, we feel like we got burnt a little bit in
11 the past with some developers. So we need to have equal
12 authority. We don't need to have veto authority, but
13 maybe we need equal authority.

14 MR. COOK: Yeah. I'll go back to the latter
15 part in the '90s. There was a deviated pilot where the
16 provisions of it I don't think were examined too closely
17 or followed. Then it just timed out. But I'm not sure
18 they lived up to everything that was in that agreement.
19 But you had so many parties that were involved with it
20 that I think the understanding was, no, you all have to
21 agree to do something or you can't do anything. So maybe
22 you get that clarification from the IDA. Is that what
23 you're saying, Alan?

24 MR. POPE: Yeah, that's exactly what I'm saying
25 and how. The mechanism to do that I'm not quite sure of.
26 I mean, you know, we could potentially have a side

1 development agreement that would give us certain
2 enforcement rights. But I think that really it would be
3 on the deviated pilot. We need to have a better position
4 if this developer of this size for this length of time for
5 development is going to be in the Town of Union.

6 MR. BERTONI: Yeah. And enforcement would be
7 one of the critical factors for me.

8 MR. POPE: Yeah. And keep in mind that, like
9 Joe is saying, this is going to be a different developer.
10 This is not a developer that's bringing, you know, a
11 hundred new jobs. This is a developer who's saying invest
12 with me because I'm bringing outside dollars every weekend
13 or every week to the Town of Union and the County. So,
14 you know, Joe is right. They'll look at this one a little
15 bit differently than the more traditional pilots in terms
16 of benefit.

17 MR. COOK: My opinion would be that probably a
18 look at shorter term would be more comfortable, for me, if
19 the board is interested in pursuing something other than
20 the standard pilot structure. I don't think -- I mean
21 that's just my opinion. I think that's a long time. So
22 he should be well-established by then. I think what
23 happens is basically the deferred tax is paid for their
24 debt and they just -- instead of paying the community
25 taxes, they pay the bank that because pretty much
26 everything else is static on their expense line.

1 Nobody else is given a verdict (sounds like).
2 The banks certainly not. So in the equation, you know,
3 they lower their debt by putting more equity. They need
4 more in my mind from the taxpayers. So, to me, it's a
5 matter of how much cash they actually take out of pocket.
6 If they wanted all in cash, then they probably are going
7 to be tax evading because their cash flow is a little
8 different.

9 MR. MATERESE: So, Joe, your suggestion would be
10 like do something more in line with what you could get
11 with the IDA rather just maybe shuffle the percentages but
12 keep the term the same?

13 MR. COOK: That might be an option.

14 MR. MATERESE: Okay.

15 MR. COOK: I mean it's certainly something to
16 look into. It may mean, you know, what else if they can't
17 do that. That's not part of the discussion, but it just
18 seems to make sense to me. That is a long-term fix though
19 if they don't -- I don't feel comfortable working with
20 speed on it. I haven't been successful with the villages
21 in talking to them about it. So I think it's really
22 something to consider.

23 MR. MATERESE: What it sounds like. I mean that
24 maybe one. It sounds to me like the board is possibly
25 willing to entertain a pilot. Not the one you described,
26 but maybe we'll -- do we want to hear from Bahij Kashou

1 first and then talk pilot after that? Would that make
2 everybody feel better?

3 MALE VOICE: Yeah. I mean I think Joe can
4 probably at least go back based on the conversation. It's
5 like 22 years since.

6 MR. MATERESE: Yeah, absolutely.

7 MALE VOICE: Absolutely 22 years. And he says
8 if I actually really need 22 years, then there's no point
9 going forward.

10 MR. MATERESE: Right. That's correct.

11 MR. COOK: That's the kind of information we
12 hopefully won't receive from them.

13 MALE VOICE: Yes.

14 MR. COOK: It's a nonstarter. That's a
15 nonstarter.

16 MALE VOICE: Then it doesn't need a comment.

17 MR. COOK: Okay.

18 MR. MATERESE: Yeah, right. Okay. So,
19 Frank, do you agree with that?

20 MR. COOK: At least for now.

21 MR. BERTONI: Well, it's very hard to hear.
22 I'll probably call Joe tomorrow and make sure. I want
23 to be clear on everything that he said. But I didn't
24 get any answer. Like I said before, I remember we had
25 some luck with a rezoning issue where we did it in
26 phases. So in other words, if you said we could give

1 you the pilot on the dome part of it, you know, and
2 then if the dome gets completed and then they move
3 into phase two, then you could maybe like have an
4 addition to the pilot or something.

5 I don't know. I don't know how that would
6 work. But it's so that you don't get stuck all at
7 once for something that gets stalled in the beginning.
8 You know what I mean? Because we've had people come
9 in and promise all kinds of things and then, once you
10 give them the agreement, they don't have to follow it.

11 MALE VOICE: I think we could probably all
12 agree on that. You know, the basis is the
13 entertainment spending. That, like Joe said, you
14 bring in people. You bring in dollars. You might
15 bring in investment. That in itself is probably
16 eligible because you really become partners with them
17 on this. It may not be 22 years, but that in itself I
18 don't know. I don't know if you could carve this out,
19 but I don't know if you want to be partners on a
20 restaurant and bar.

21 MR. COOK: Maybe this will be a hard one. I
22 think, in my mind, everything they're doing inside
23 also we'll follow. So that large structure they're
24 going to build, I'm going to just evaluate. And it's
25 going to be, if we will go ahead with it, will be all.
26 Then the schedule would be tailored so that it would

1 accommodate their development schedule, I think, to
2 some extent. But the value is going to all be there
3 whether they do it or not.

4 MALE VOICE: Those would be with grass?

5 MALE VOICE: We're already talking about the
6 facility like it has the basketball courts and the
7 grass. It's something like --

8 MALE VOICE: I kind of think of that place in
9 Pennsylvania.

10 MR. COOK: Yeah. No. This is a full turf
11 alter.

12 MALE VOICE: Yeah.

13 MR. COOK: I mean I do have a picture of it.

14 MR. MATERESE: There's turf in there right
15 now.

16 MR. COOK: Let's see if you can get a nice
17 view.

18 MALE VOICE: I understand that.

19 MR. COOK: I got to tour the facility. I
20 wouldn't force that. They have like a couple --

21 (Interposing)

22 MR. MATERESE: Yeah, mixed.

23 MR. BERTONI: This might be a dumb question
24 for a person that's been on the board as long as I
25 have, but would this be contingent with the Planning
26 Board approvals?

1 MR. COOK: Yeah. But we're going to go
2 through cycling to do it.

3 MR. BERTONI: In other words, the pilot
4 wouldn't be okayed -- in other words, you wouldn't
5 have to have the okay of the pilot before it goes to
6 the Planning Board.

7 MALE VOICE: I think that's got to be the
8 first, one of the first steps.

9 MR. BERTONI: Which is? Get the pilot first
10 or --

11 MALE VOICE: The pilot because you want to
12 have the pilot.

13 MR. BERTONI: What?

14 MALE VOICE: I would want the pilot first if
15 I was him.

16 MR. BERTONI: Okay. So then what if he gets
17 turned down by the Planning Board?

18 MALE VOICE: Then there's no pilot. You
19 can't -- if the Planning Board says you can't build
20 it, then there's no pilot.

21 MR. BERTONI: Well, that's what I meant. We
22 wouldn't okay the pilot unless it was contingent on
23 getting all of the approvals. Right?

24 MALE VOICE: Right. Really in a way, if you
25 approve a deviated pilot but then you can't even get
26 them to sign this, you can't get the Planning Board to

1 go along with it, there's no pilot.

2 MR. BERTONI: Okay. All right.

3 MR. MATERESE: And I think, towards what
4 you're saying, Frank, it will waste our Planning
5 Board's time if we're going to say -- if he comes to
6 us and we don't give him the pilot, then have them
7 (indiscernible) doing work on it. Let him see what
8 our interest in this as a pilot and then go from
9 there. If he gets a pilot from us now, the Planning
10 Board is now getting your -- this is what we want to
11 do when they say, well, if you're going to do it, you
12 have to do it under this condition. But I think it
13 would be -- I think that that's the smarter way to do
14 it.

15 MR. BERTONI: Okay.

16 MALE VOICE: It's all right then to give
17 opinion, but he could not do this in Vestal with it.

18 MR. COOK: Oh, no.

19 MR. MATERESE: No.

20 MR. COOK: It's less than half. Because in
21 Vestal the place I think is around 15,000 square feet.
22 So it's two-and-a-half times that. I mean he even
23 thinks -- I mean they mentioned the potential of
24 bringing in the collegian term and type of stuff in
25 his email. So I think they have a lot of good ideas
26 that would be beneficial to the community and

1 certainly provide the service to the youth sports and
2 things. I heard that he wants that. He didn't say
3 this, but I heard they wanted to put basketball courts
4 in and some different things. So it's a multiuse
5 facility.

6 But as for the physical therapist, the
7 medical lot, I mean there are different things that
8 he's mentioned that he would like to see in there.
9 Whether that's all feasible, I don't know. But it'll
10 certainly be large. If people had built it, it's
11 going to be a very big upgrade from what's there today
12 or what's there before December.

13 MR. MATERESE: But the number of fields that
14 are there now, a huge amount. More than what are in
15 the Vestal facility.

16 MR. COOK: Yeah. Then they'll be squared.
17 So I think there'll be more useful space. Where they
18 all have an angle to it, I think that they will be in
19 clearer stand. So they'll probably -- I'm not sure
20 how high the ceilings are, but there will be more use.
21 I think there'll be multiple spaces for field sports.

22 MALVE VOICE: You don't have comparative dead
23 space to fill this thing.

24 MR. MATERESE: Okay. Everybody good with
25 that?

26 FEMALE VOICE: Yes.

1 MR. MATERESE: Then let's go home.

2 MR. COOK: Frank, you can give me a ring. If
3 you want, tomorrow I'll be in. I'll let Mr. Kashou
4 know what your thoughts are.

5 MR. MATERESE: Thank you.

6 FEMALE VOICES: Thank you.

7 MR. MATERESE: Okay. We don't have anything,
8 any updates.

9 FEMALE VOICES: No.

10 MR. MATERESE: Okay. There's going to be a
11 correction to the minutes from our organizational
12 meeting. You remember that I gave you the resume of
13 Kristen --

14 FEMALE VOICE: Tocheny.

15 MR. MATERESE: -- Tocheny, thank you, to fill
16 the slot on the CACCD Board that Julie Deemie had
17 requested being taken off. We needed to fill Johnson
18 City. Kristen's from Johnson City. She's the
19 director of a sewage treatment plant now, so I just
20 supposed -- I gave you the resumes, but then I forgot
21 that we changed it in the board minutes or in the
22 organizational meeting. So that's going to be
23 addressed tonight. We're going to have no problem
24 with that.

25 FEMALE VOICE: No.

26 MR. MATERESE: Okay. If you haven't noticed,

1 we got the building reopen now during the daytime.
2 People can come in the front door. They've got it
3 sort of cordoned off so that they, anybody who has
4 questions, can still go into Lenny's office. Lenny's
5 office has got Plexiglas now. And then Lenny can get
6 them to the right person. Is that correct?

7 MR. LEONARD PERFETTI: There was a problem.
8 We had five or six people standing in that small area.
9 I'm not going to tell -- I don't want to keep going
10 after them and getting in people's faces that they
11 ought to keep off two or three spots on the floor.
12 I'd say take that gate down and let them go where they
13 want to go. Everybody's protected on the first floor,
14 right?

15 MR. MATERESE: Well, maybe we just need some
16 better signage. How long would they be there for that
17 many people?

18 MR. PERFETTI: Thirteen, twenty minutes.

19 MR. MATERESE: Really?

20 MR. PERFETTI: Right. Assessors and
21 personnel for Code, they always got the glass. Right?
22 Just lock up the upstairs. Lock the upstairs and
23 close the doors. Let them go. We can't just keep
24 getting up every five minutes and stopping them.
25 Well, wait. Then go get the person to assist them. I
26 mean when they were there, like she was before, keep

1 your hand off of it. It's too much. Just let them
2 go. We always got the protection.

3 MR. MATERESE: Do you have any thoughts, Lou?

4 MR. CAFORIO: I have been monitoring it. I
5 don't know what line is difficult, but I saw some
6 pockets of people that were standing there obviously
7 waiting for Lenny or somebody to give them directions
8 of where to go.

9 MR. MATERESE: Put the sign, the phone number
10 sign, out in the hallway there so that they can make
11 the phone call themselves and know where to go.

12 MR. PERFETTI: They know already. There was
13 a sign up there. We pulled it down. All we set down.
14 All that we put before.

15 MR. MATERESE: No. But have somebody put it
16 up.

17 MR. PERFETTI: But they just go to our
18 office. We got the protection of the glass. It's
19 like we do, right?

20 FEMALE VOICE: Does everybody have protection
21 though? Is it protection --

22 (Interposing)

23 MR. PERFETTI: On the first floor.

24 FEMALE VOICE: Yeah.

25 MR. PERFETTI: I don't know about Sara's area
26 and Lou's I can't speak to that.

1 FEMALE VOICE: Well, I think that's --

2 MR. CAFORIO: I think Sara has. They've
3 built her a --

4 MR. PERFETTI: Half door.

5 MR. CAFORIO: -- a half door that closes.
6 With Plexiglas. So if they pop up in the office, they
7 can't walk right in. It's kind of like a receiving
8 area but it has a door.

9 MR. PERFETTI: Everybody's got the Plexiglas
10 on the first floor, right?

11 MR. CAFORIO: I believe so.

12 MR. MATERESE: Right. So then I think,
13 especially after the last meeting, we need to discuss
14 that again with those people at those departments to
15 make sure that they're safe with that. That they're
16 okay with that. Then we'll just go with what we have
17 right now. Hopefully, we can get it done quickly.

18 MR. PERFETTI: Otherwise, we're getting
19 exposed to everybody. We have people for my office
20 and the other half for the rest of the building.
21 Right? It's hard to tell somebody we can't have two
22 people up there or else we would have a problem in the
23 area. Okay?

24 MR. MATERESE: Okay. So we'll go on to meet
25 with the resident department head down there. We'll
26 talk to them there on what they're feeling.

1 The elevator, the part had been sent out.
2 We're waiting for its repair. Apparently, it's one
3 relay switch, Lou?

4 MR. CAFORIO: We hope. We're going to find
5 out. It's one circuit board.

6 MR. MATERESE: One circuit board.

7 MR. CAFORIO: Same as that. So hopefully
8 that they'll have it right today. So we're
9 anticipating they're going to turn it around and do
10 that.

11 MR. MATERESE: So what does mean?

12 MALE VOICE: Refill compatibility. They said
13 it was the circuit board. Today it's getting fixed.

14 MR. CAFORIO: Pardon me?

15 MALE VOICE: They're going to get it fixed.

16 MR. CAFORIO: Yeah, right. Of course

17 FEMALE VOICE: Well, somebody outside getting
18 threatened on coming in. You're stop him.

19 MR. CAFORIO: It doesn't matter if we approve
20 it.

21 MR. MARTERESE: Alan, I got something from
22 your office today about the lawsuit. Do you want to
23 -- could we talk about that? The telephone or the
24 poles.

25 MR. POPE: I'm not sure what that is, Rick.

26 MR. MARTERESE: You talked about it the last

1 time we're here. You said that it's gone to court.
2 And the court's ruling and you're waiting. You
3 thought we could get a better ruling.

4 MALE VOICE: Cell tower.

5 MR. MARTERESE: The cell tower thing.

6 MR. POPE: You're talking about the
7 CenturyLink.

8 MR. MARTERESE: Yes, CenturyLink cell tower.

9 MR. POPE: Yeah. Okay. So that's really the
10 fiber optics litigation that's going on. So really,
11 if everybody remembers, there was an attempt made by
12 the plaintiff's attorneys who had lost below, in the
13 court below in our area. Albany area. That covered
14 down here and some of our municipalities. They then
15 appealed. What they were attempting to do was make a
16 motion to have our appellate court take judicial
17 notice of the appellate court in the Fourth
18 Department, which is in Rochester.

19 It really was a kind of a Hail Mary end run.
20 So what we did was we, representing four
21 municipalities including the Town, opposed that motion
22 and we were successful. The Appellate Division Third
23 Department, our appellate court, ruled that, no, they
24 were not going to take a look at anything that was
25 done in the Fourth Department. We think that really
26 was a major win because now that takes a major part of

1 what they planned to argue in front of our appellate
2 court off the table. They will not be able to argue
3 that.

4 Our appellate brief is due I believe February
5 10th. We're working on that appellate brief now and
6 of course we'll timely file it. I'll send that
7 appellate brief around to everybody once we've got it
8 filed.

9 MR. MATERESE: Thank you, Alan. Rose, are
10 you on?

11 MR. POPE: It doesn't look like it. What can
12 I help you with?

13 MR. MATERESE: Just on how's our solar wind
14 alternative energy policy going. Are we almost set
15 with that?

16 MR. POPE: Yeah. Rose asked me to take a
17 quick look at it. I did. Not the whole thing, but
18 she asked me to zero in on some parts of it. And I
19 did. So I think it's moving along.

20 MR. MATERESE: Okay. Because we have until
21 the March 1st.

22 MR. POPE: I believe that's the case, yeah.
23 Yes, that's right.

24 MR. MATERESE: Okay. The deputy got control.
25 We have him in person. We're going to pass this.
26 Matter of fact, I think they passed the thing. Do you

1 know?

2 MALE VOICE: I haven't heard.

3 MR. MATERESE: Okay. However --

4 FEMALE VOICE: Yes, they did.

5 MR. MATERESE: But they didn't pass
6 everything.

7 FEMALE VOICE: (Audio glitch)

8 MR. MATERESE: Okay. Starting Monday.
9 Unfortunately, you know what, Mary is their ground
10 control person. She is Mary Beniton (phonetic). So
11 we're going to be looking about taking the
12 (indiscernible). But at least we haven't got it on
13 board for the time being.

14 On the phone system, Lou and Dan Schofield
15 spoke with first the company that controls our phones.
16 Do we like prepaid?

17 MR. CAFORIO: The network we're operating can
18 operate the entire system through the latest and
19 greatest technology. Basically everything that they
20 can give to us will be there. So we get the entire
21 operating system, including the voicemail. We're
22 looking up ahead on dates here, but probably swinging
23 in over at the end of the month.

24 MR. MATERESE: January. That is a January
25 close.

26 MR. CAFORIO: I don't know. Again only he

1 knows. But I figure now it's safe. Well, it's going
2 to be plug and play. The one feature that we're going
3 to add to this voicemail is email. So once you
4 utilize that, you'll be able to listen to your
5 voicemails either on your smartphone or whatever that
6 involves. This should take care of the issues that
7 we're having with dropped calls. It should take care
8 of the issues that we're having where it goes down,
9 possibly go down. When we get back to using that
10 phone tree, reinstating that phone tree is not matched
11 with having a network in as we go on.

12 MR. MATERESE: It goes out almost every third
13 week for some reason.

14 MR. CAFORIO: Yeah. Well, this will take
15 care of that. This is a total upgrade to the entire
16 system. So we're looking forward to getting back
17 online.

18 MR. MATERESE: Okay. Thanks. The Parks
19 Department would like to start to move or would like
20 to start planning for spring and summer activities.
21 I'm sure Frank will back me up on this. He would like
22 to open up more things as quickly as possible. We
23 would. But in order to do that, we have to allow them
24 to plan. So, again, the question is can we have
25 somebody like Mike Tallon come in and make \$50 a week
26 to work with Julie to get things going by planning the

1 programs?

2 I think they can do softball, adult and
3 little kid. I think they can get some stuff going
4 inside the Rec Center once the Rec Center's fixed. In
5 just making more plans, I met with Visions. They're
6 planning to do their 4 on the 4th run. They're going
7 to do everything according to the guidelines from the
8 Town of Union that got forwarded at the time. They
9 mentioned they're planning their 4th of July
10 celebration. They'll let us know and we'll see if
11 we're receptive with that. So those are things that
12 we need to start working on.

13 For 4th of July, if you want to do fireworks
14 again, we could probably do it. The folks in Endicott
15 did theirs. They had fireworks in the park and let no
16 spectators in the park. So we could do something like
17 that again.

18 MR. BERTONI: What was that part?

19 MR. MATERESE: Which part?

20 MR. BERTONI: With no spectators what?

21 MR. MATERESE: No spectators were supposed to
22 be in the park for the fireworks thing for the
23 Northside when they did their fireworks before. But
24 spectators were all around the neighborhoods and in
25 their cars. So we could probably do something like
26 that. If the time comes and we're still not in

1 complete clear for COVID stuff, we can at least have
2 the fireworks but just not have people in the park.
3 Have them view the fireworks from their cars, in the
4 streets, wherever. That's just something we need to
5 start thinking about fairly quickly so they can start
6 organizing all the things they need to do.

7 MR. BERTONI: Well, like you said, you know
8 how I feel about this. I think why not just move
9 forward. Bring them on and let's get moving.

10 MR. MATERESE: So what do you think about
11 Mike coming in and working with you later?

12 MALE VOICE: Yeah.

13 MR. MATERESE: Everybody okay with it?

14 FEMALE VOICE: Okay.

15 FEMALE VOICES: Yeah.

16 MR. MATERESE: Okay.

17 FEMALE VOICE: Get the spring activities
18 started.

19 MR. MATERESE: Yeah, okay.

20 FEMALE VOICE: And the signups.

21 MR. BERTONI: May I ask a question. Is Lou
22 still there?

23 MR. MATERESE: Lou is still here.

24 MR. BERTONI: Lou, didn't you tell us that
25 they were not going to replace the air-condition unit
26 on the gym?

1 MR. MATERESE: We don't have any air-
2 condition unit in the gym.

3 MR. BERTONI: Whatever. The point is I
4 noticed something about the heating unit or air-
5 conditioning unit or whatever it was. I thought Lou
6 said we were going to try to repair them.

7 MR. CAFORI: No. And I think I spoke to this
8 at the last work session. Right? I thought you were
9 online. The cost of repair, the estimate on repair,
10 what we would spend on repair is the cost of a new
11 unit. So we ordered a new unit.

12 MR. BERTONI: Okay. All right.

13 MR. MATERESE: With the events, I think about
14 33,000 or 36,000.

15 MR. CAFORI: Actually, we had another for I
16 think 30,000 and change.

17 MR. MATERESE: Okay. So 30,000 and change to
18 do that. Mike Bayonia (phonetic), I'm not sure if
19 you're familiar with Mike Bayonia, he owns a land down
20 on or up Twist Run Road. He would like to -- and this
21 is the question. Alan, you know how to split. He
22 would like to plow, clean up, set up at least one if
23 not a couple of baseball or softball fields down
24 there. He would bring them to the specs that we need
25 for our field. He was just asking if it would be
26 possible for those fields to be covered under our

1 insurance and then he would split the crop (sounds
2 like) that he would make from running tournaments or
3 leagues and things like that if we wanted to do
4 something like that.

5 But he would do all of maintenance.
6 Everything he would be doing himself. He just did
7 invite for the use the land and give back to
8 community, but he doesn't want to go broke doing it.
9 That's why he's asking us to split whatever the
10 receipts are that he'd get for a month.

11 MALE VOICE: What's that again?

12 MALE VOICE: He needs a review (inaudible).

13 MR. MATERESE: No, I didn't. I mean it's a
14 simple thing but -- so, Alan, can we insure land that
15 is not ours?

16 MR. POPE: Probably the general answer is no
17 because you're insuring a private resident. A private
18 entity's land. It would take a real lift to have some
19 kind of joint venture agreement and, even then, I'm
20 not sure how we would do it.

21 MR. BERTONI: We don't own the land that our
22 ball fields are on now.

23 MR. MATERESE: I'm sorry, Frank. I didn't
24 understand you.

25 MR. BERTONI: We don't own the lands that our
26 ball fields are on now.

1 MR. POPE: But it's owned by another
2 municipality. It's owned by the County. So we can
3 have an inter-municipal agreement with another
4 governmental entity, which is different than private.

5 MR. BERTONI: We couldn't lease it, like with
6 the courts, or something? We just lease the building
7 and put it under our insurance?

8 MR. POPE: We could. We could lease it.

9 MALE VOICE: If we run it, we don't need to
10 lease it.

11 MR. MATERESE: Well, but we don't have any
12 maintenance cost.

13 MALE VOICE: Right.

14 MR. POPE: Like I mentioned before, we don't
15 have a need.

16 MALE VOICE: Well, no. I'm sorry, but --

17 MR. POPE: We don't have a need. Why would
18 he build it? If we asked him to develop two ball
19 fields, then we insure them. Then we're going to hold
20 the term in case of an agreement. But we don't have a
21 need.

22 MR. MATERESE: There's a belief around there
23 that, if we build it, they will come. That we will
24 have more and more people who want to use those fields
25 if they have the fields available.

26 MR. POPE: We could go with that.

1 MALE VOICE: Yeah. Let's see if they come.

2 MALE VOICE: That's right.

3 MR. POPE: Okay. I mean it doesn't fit into
4 what we do. It doesn't. I can't -- even after we've
5 spoken, I can't figure out how will that work.

6 MS. HEATHER STALEY: How will the insurance
7 company go for that?

8 MR. POPE: Right, how to insure his property.
9 He's going to be useful to the events. Not us.

10 MR. MATERESE: No. We would be.

11 MR. POPE: Through his property.

12 MR. MATERESE: Yes. It runs through the Town of
13 Union Leagues, Town of Union staff. We would just get
14 some of the money that we would take in for his
15 maintenance funds.

16 MR. POPE: Like I said before, we've been
17 getting out of leases. We haven't a need of the property
18 virtually as the fields are like (indiscernible), et
19 cetera. I don't know. I just really have to first think
20 on this and see what --

21 MALE VOICE: He should lease the fields from us.
22 not us lease it from him.

23 MALE VOICE: Or if somebody has some idea of
24 what's going to be held there. Right? We don't know what
25 would be right? Would we brand it? Games now are hit.

26 MR. MATERESE: We would create the league and

1 the league would use those fields as well as all of our
2 other fields. We're talking about an expansion of the
3 number of teams. We don't have enough fields if they want
4 to expand.

5 MALE VOICE: Who?

6 MALE VOICE: If we want to expand.

7 MALE VOICE: Oh, if we want to expand. Yeah.

8 MALE VOICE: Based on this expansion of the
9 existing league, so we're finding a home to play based on
10 that.

11 MR. MATERESE: Correct.

12 MR. BERTONI: Alan, is the (audio glitch) then
13 the one that came in before and wanted to build a garden
14 or something. Right? That was by Daren Drive, wasn't it?

15 MR. POPE: I don't remember where the gardens
16 were, but I do remember that they wanted to come in and
17 use or I think lease some of our land for gardening.

18 MR. BERTONI: Okay.

19 MS. STALEY: Do we have a plan for like where
20 parking or facilities --

21 MR. MATERESE: Well, we told him. Marina sent
22 him a note that say, listen, before we do anything, you
23 have to go bring in plans for what you're going to do with
24 the fields, what your parking is going to be. Then get a
25 script from the county. All of that stuff taken care of
26 before we're even going to look at it. So it's not like

1 we're just willy-nilly. It all has to be under control.
2 If there is no thought -- I don't get it. If we wanted to
3 say no, we're not interested at all, we're not interested
4 in expanding the program, that's fine.

5 MALE VOICE: I guess what I don't understand is
6 who is proposing the program expansion. That's my
7 problem, who is proposing it.

8 MS. STALEY: Okay. Have we heard that there is
9 not enough capacity for all the people who want to play?

10 MR. MATERESE: I know. Not yet. Okay, let me
11 go through that. Last summer, when we did the softball
12 stuff, Mike Tallon believed that he could bring in a lot
13 more teams if we have space to do it. And we can make
14 more money for the Parks Department with an expanded
15 lease.

16 MALE VOICE: So that's for possible expansion?

17 MR. MATERESE: Yes.

18 MALE VOICE: Okay.

19 MALE VOICE: I didn't hear anything at all from
20 Mike. So I think, before we do anything, I would like to
21 see if he could develop a document for this plan to expand
22 the league number of teams, et cetera. I think it'd be
23 wise to look at that before we engage in this project.

24 MALE VOICE: Correct.

25 MALE VOICE: Because people out on that road are
26 split, et cetera, on spending money.

1 MR. MATERESE: Well, and that's why we told
2 him. We said, before anything, you have to be willing to
3 spend that money if you want to do that. And then we
4 said, if we don't have enough teams to use it, we won't
5 even -- and that's the consideration.

6 MALE VOICE: Did you say anything, Carol?

7 FEMALE VOICE: I did, yeah.

8 MALE VOICE: Outside, right outside.

9 FEMALE VOICE: (Inaudible)

10 MALE VOICE: So why don't everyone else see if
11 Mike can generate some paperwork or --?

12 MR. MATERESE: Tallon?

13 MALE VOICE: Yeah.

14 MR. MATERESE: Sure. Okay.

15 MALE VOICE: So this is the only thing I would
16 ask. Tomorrow we probably have to do a little bit on our
17 current structure. Does it make money? Is it break even
18 or does it lose?

19 FEMALE VOICE: We probably have more of that
20 (inaudible).

21 MR. MATERESE: Softball either breaks even or
22 makes money. So it does not lose money.

23 MALE VOICE: I think that I have to see that
24 only because -- right? If there is a (thumping sound).
25 Right? So if you have a current operation that let's just
26 say breaks even and you want to expand it, you want to

1 expand it more to break even?

2 MR. MATERESE: Well, no. His thought was, by
3 expanding that, we would make money. That's where he --

4 MALE VOICE: I have to see that because I'm
5 struggle believing that right now. I just have to see it.

6 MALE VOICE: Is this impossible?

7 MALE VOICE: That's real. Yeah. I mean
8 (inaudible).

9 MS. STALEY: Then let's just split profits.
10 There may be very little. He may be disappointed.

11 MS. SANDRA BAUMAN: If we're writing the
12 program, we have to specify that we will split the profit.
13 Right?

14 MALE VOICE: Right. I mean we don't need a
15 partner.

16 MS. BAUMAN: Right. We're administering and
17 bringing up the paperwork in his stead. I don't know if
18 legally this board will have a way that (indiscernible)
19 that we take in.

20 MALE VOICE: Right. If we need more land, just
21 go either buy or lease more land.

22 MS. BAUMAN: (Inaudible)

23 MALE VOICE: That's brilliant. That will be
24 (inaudible).

25 MR. MATERESE: Right. That's basically what
26 he's asking for.

1 MALE VOICE: Let him know to provide something
2 to look at.

3 MR. MATERESE: Okay.

4 MALE VOICE: We don't think that thing will
5 expand and --

6 MALE VOICE: We got to do one thing. Joe Cook,
7 Joe, you should (indiscernible) that it works or at least
8 have a shot before we dump a lot of money.

9 MR. MATERESE: Yeah. We're not dumping any
10 money at this point. I mean that's the whole point, we're
11 not going to spend a penny.

12 MS. BAUMAN: But I think administratively all we
13 have to do, we probably want -- I mean she does all the
14 administrative end effectively.

15 MALE VOICE: Again I think we might need to put
16 the business model on paper with the number of leagues or
17 teams, et cetera, and how it works.

18 MALE VOICE: Right. Revenue, expenses. Right?

19 MALE VOICE: Yeah.

20 MR. MATERESE: I have no problem with that.

21 MS. BAUMAN: We cannot attempt to
22 (indiscernible) do it now.

23 MR. MATERESE: But then that would go into --
24 it's going to come out of whatever profit he makes. So my
25 whole point of bringing it up to the board is to find out
26 are you willing to entertain looking at it? Not are you

1 willing to do it. Are you willing to look at it? If
2 you're not willing to look at it, then it's just probably
3 saying nobody is interested.

4 MR. BERTONI: I think any public-private
5 partnership have its advantages and disadvantages. I
6 would have no problem looking at any proposal for its
7 merits, you know.

8 MR. MATERESE: Anybody else?

9 MS. STALEY: I'd like to look at it, so we can
10 say - you know, get back to the gentleman - we considered
11 it. Not we just turned you down with very little
12 information. I'd rather get more info before we give him
13 our decision.

14 MR. MATERESE: Sandy?

15 MS. BAUMAN: I agree, we need more info.

16 MR. MATERESE: Tom?

17 MR. AUGOSTINI: I think the starting point is
18 with Alan to say can you legally enter into an agreement
19 with a private person for this. If you can, I think you
20 have to tell Mike, Mike, you have to go and just like find
21 out the terms. Like Lou said, find out what it's going to
22 cost to lease it. Find out what it's going to cost to do
23 all these things.

24 MR. MATERESE: Right. If we go ahead.

25 MR. AUGOSTINI: Yeah. I mean if one avenue
26 doesn't work, then Mike is going to go and amend it.

1 MR. MATERESE: Okay.

2 MR. BERTONI: I have question, Tom? Would it be
3 different if like, when we rent something for the
4 Valentine's Day Ball, we go in there, we probably have to
5 have -- do we have to have insurance when we do that?

6 MR. MATERESE: Yeah.

7 FEMALE VOICE: Yeah.

8 MR. MATERESE: Yes, we do.

9 MR. AUGOSTINI: Yeah.

10 MR. BERTONI: But that's a private place that we
11 go in and we sign some sort of paperwork. We go in there
12 and we use it somehow and then we leave. I don't see why
13 that would be illegal. But I mean --

14 MR. AUGOSTINI: No. That part, like leasing
15 land from him, is not. But if you're talking about being
16 a partner, it's saying, yeah, we'll split the profits.
17 Well, that's if it's profitable. What happens when it
18 loses money? Do we split the deficit too?

19 MR. BERTONI: No, we wouldn't.

20 MR. MATERESE: Right. That's correct. And that
21 was not his intention.

22 MR. AUGOSTINI: No. I know. But you have to
23 remember it's very easy to get into a relationship. It's
24 not that easy to get out of a relationship.

25 MR. POPE: So, Rick, why don't you just have
26 this gentleman maybe email me with the details so I could

1 at least do a cursory legal analysis as to whether it's
2 even something we could entertain?

3 MR. MATERESE: Okay. I can do that. I have one
4 other thing before we get to the agenda. The gentleman
5 that we put on one of our boards two years ago and he had
6 served wonderfully as the alternate to the Planning Board,
7 Serge, has handed in his resignation. So that's another
8 position we would like to fill. So if you guys have
9 suggestions for that, please send them to us. Serge has
10 done a great job, I think. I think the Planning Board
11 would tell you the same thing. He's been on top of
12 things. He asks good questions. He's done good service
13 for the Town.

14 Okay. Oh, sorry. I lied. There's one other
15 thing. Our nuisance law that we passed, New York State
16 has accepted it. So we're all good with that.

17 MALE VOICE: It got posted on our website code.

18 MR. MATERESE: It's posted on our website code.
19 Okay. Agenda? Any questions? None? All right. Let's
20 go out of the work session and into the meeting.

21 MR. BERTONI: Did I (audio glitch)?

22 MR. MATERESE: What, Frank?

23 MR. BERTONI: Did I (audio glitch)?

24 MR. MATERESE: You're breaking up, Frank. I
25 can't hear you.

26 MR. BERTONI: Did I miss something in that we

1 don't start at 7:00?

2 MR. MATERESE: Well, Frank, I'm getting confused
3 by your question. We just finished the work session, so
4 we can get into our 7:00 meeting. You're the one who
5 always says it doesn't matter. We'll start when we're
6 done.

7 MR. BERTONI: No. I'm just wondering. So we've
8 gone past the time though, right?

9 MR. MATERESE: Yes. It's twelve after 7:00
10 right now.

11 MR. BERTONI: I thought maybe we were just
12 waiting for 7:30 or something and I missed something.
13 That's all. I don't have a problem with what time we'd
14 start.

15 MR. MATERESE: All right. So we'll start. I'd
16 like to start the meeting with the Pledge of Allegiance
17 please.

18 ALL: I pledge allegiance to the Flag of the
19 United States of America and to the Republic for which it
20 stands, one Nation under God, indivisible, with liberty
21 and justice for all.

22 MR. MATERESE: I'd like to welcome everyone to
23 this regular meeting of the Town of Union board this
24 January 20th of 2021. Copies of our agenda were put
25 online. Did we have one for -- okay. Ms. Kruczkowski.

26 MS. REBECCA KRUCZKOWSKI: There's one left.

1 MR. MATERESE: So you can follow along. Mr.
2 Perfetti, will you read the statement please? And then do
3 the roll call.

4 MR. PERFETTI: Please take note that, in
5 accordance with the emergency order of the governor of the
6 State of New York, notice is hereby given that the Town
7 Board Meeting is scheduled for Wednesday, January 20,
8 2021, at 7:00 or thereafter in the evening. In-person
9 attendance shall not exceed the 50 percent capacity of the
10 town boardroom. That's Town members and Town employees.
11 It is anticipated that the maximum number of the public in
12 attendance at the town hall for this board meeting will be
13 17 persons.

14 All persons in attendance must wear a face cover
15 that would include their mouth and nose region. They must
16 hand sanitize upon entry to the meeting at hand sanitizing
17 stations provided by the Town. They must adhere to the
18 social distancing guidelines and remain six feet apart at
19 all times. Alternatively, or in the event that in-person
20 public attendance meet the maximum capacity, the public
21 hearing will also be accessible via the Zoom virtual
22 meeting software. Any members of the public wishing to
23 observe the meeting remotely are advised.

24 I will do a roll call. Staley?

25 MS. STALEY: Present.

26 MR. PERFETTI: Bauman?

1 MS. BAUMAN: Present.

2 MR. PERFETTI: Bertoni?

3 MR. MATERESE: Frank, are you there?

4 MR. BERTONI: Did you call my name?

5 MR. MATERESE: Yes.

6 MR. BERTONI: Here.

7 MR. PERFETTI: Augostini?

8 MR. AUGOSTINI: Present.

9 MR. PERFETTI: Materese?

10 MR. MATERESE: Present.

11 MR. BERTONI: I say this over and over, but I'd
12 really appreciate it if you could speak into the
13 microphone and maybe speak a little louder. Some of it is
14 almost inaudible. I can't hear anything you're saying.
15 Please at least get close to the mic and try to speak up
16 if you could. I'd appreciate it.

17 MR. MATERESE: Okay. We're all set? All right.
18 Public hearings, Mr. Perfetti.

19 MR. PERFETTI: None tonight.

20 MR. MATERESE: None tonight. Bids, Mr.
21 Augostini.

22 MR. AUGOSTINI: No bids tonight.

23 MR. MATERESE: No bids tonight. Approval of
24 minutes.

25 MR. AUGOSTINI: I make a motion to approve the
26 minutes of the Reorganizational Meeting and Regular Town

1 of Union Board Meeting held on Wednesday, January 6, 2021,
2 with the following correction: Remove Julie Deemie from
3 Citizens Advisory Council for Community Development on the
4 Reorganizational Meeting and replace her with Kristen M.
5 Tocheny.

6 MR. BERTONI: I second.

7 MR. MATERESE: A motion has been made by Mr.
8 Augostini and seconded by Mr. Bertoni to approve the
9 minutes of the Reorganizational Meeting and the Board
10 Meeting on January 6, 2021. Are there any more additions,
11 deletions, or corrections? Hearing none, please, all
12 those in favor say aye.

13 ALL: Aye.

14 MR. MATERESE: Opposed? None. The minutes are
15 approved. Hearing of Visitors. We have come to the part
16 of our agenda where we have our first of two Hearings of
17 Visitors. We ask that you limit your comments to three
18 minutes. Speak only once at each hearing and please do
19 not repeat information that has already been presented.
20 Most importantly please remember that this time is not set
21 aside to debate with the Town Board, but rather we're
22 offering you an opportunity to respectfully share your
23 concerns with us.

24 That said, we encourage anyone wishing to speak
25 regarding the Town of Union to please come forward. If
26 you're here, we want you to come to the microphone here.

1 Give us your name and address. Then speak. Or if you're
2 online and you'd like to do that, raise your hand and
3 unmute yourself so that Lenny can let you guys in. We
4 have one. Go ahead, Amanda.

5 MS. AMANDA DORRELL: Hi. My name is Amanda
6 Dorrell. I live at 115 Patio Drive in Endwell. I do see
7 that -- excuse me. I'm a board member on the Highland
8 Greens Homeowners' Association. I do see that our
9 petition is later on in the agenda. I just want to share
10 with you that on Christmas Day I experienced a sewage
11 backup in my basement. It affected me mentally;
12 physically, I'm still having a little bit of some health
13 concerns with it; and, financially. So I'm just looking
14 to let you know that I experienced this. I'm hoping that
15 the Town can come to some kind of resolution with our
16 conflicts to try to resolve this ongoing issue.

17 MR. MATERESE: Thank you, Amanda.

18 MS. DORRELL: Yeah.

19 MR. MATERESE: Is there anyone else who wishes
20 to speak right now?

21 MALE/FEMALE VOICES: Yes.

22 MR. MATERESE: Somebody unmute and start
23 talking.

24 MR. TOM FABRIZIO: Yeah. Excuse me. I'm not
25 quite sure of the protocol. My name is Tom Fabrizio.
26 There's a topic that you need to address.

1 MR. MATERESE: What is your address, Mr.
2 Fabrizio?

3 MR. FABRIZIO: I'm sorry. 213 Patio Drive.

4 MR. MATERESE: Thank you.

5 MR. FABRIZIO: It's just some different
6 information. It's a topic, but it's different. What I
7 wanted to say to you is I appreciate, first, you taking
8 the time to listen to us.

9 The other thing is there were 14 people affected
10 that day, half of them were senior citizens, in the
11 retirement homes. So this has taken quite a toll in our
12 community. This is not first time we know this. I myself
13 was affected with a \$25,000 bill. What we're asking you
14 tonight is if you could devote some resources to determine
15 the source of the problem. That's what we're looking for.
16 We're getting waste from Weis into our basements. If we
17 could just find out the source of the problem as a start,
18 perhaps that would be something that would lead us to a
19 conclusion and a fix to the problem. Thank you.

20 MR. MATERESE: Thank you, Mr. Fabrizio.

21 MS. MARYANN HARKNESS: Hi. Could I speak?

22 MR. MATERESE: Sure. Tell us who you are and
23 where you live.

24 MS. HARKNESS: Excellent. Thank you. My name
25 is Maryann Harkness. My residence is 201 Patio Drive in
26 Endwell. I'm on the board of directors of the Highland

1 Greens Townhouse Association, as are the other two people
2 who spoke before me. We have heard several people,
3 including your attorney, mention that our sewer backup
4 flooding problem might not be the responsibility of the
5 Town of Union because our sewer system is private.

6 That is completely untrue. You should have
7 received from your lawyer a copy of information provided
8 by Hinman, Howard & Kattell back in 1984 when our
9 townhouses were being built. I draw your attention to the
10 sanitary sewers and storm sewers portion. This section
11 clearly states that our entire sewer system was installed,
12 tested, and approved by the Town of Union's Water and
13 Sewer Department. The Town required the developers at the
14 time to install specific size and types of piping and
15 required the developer to maintain the sewer lines for the
16 first year of operation after which the Town accepted the
17 system and took on the responsibility to maintain it.
18 Additionally, if we did have a private sewer system, then
19 why do we all 49 homeowners receive a bill from the Town
20 of Union for sewer and water usage?

21 In the 30 years we've lived here, my husband and
22 I have experienced a total of seven sewer backup floods in
23 our home. If you're not aware, a sewer backup flood is
24 vastly different from a flood due to heavy rain or an
25 overflowing river. A sewer backup flood brings into your
26 home other peoples' material from their flushed toilets.

1 It is highly toxic and contaminates everything it comes in
2 contact with. Only professional disaster cleaning
3 companies, literally people wearing hazmat suits, are able
4 to properly clean and rid your home of this bacteria and
5 toxicity. It takes days. It takes many thousands of
6 dollars. Everything must be torn out and disposed of -
7 walls, insulation, flooring, washers and dryers, HVAC
8 systems, furniture and anything else touched by the waste.

9 Amanda already mentioned that our most recent
10 sewer backup flood was on Christmas Eve and Christmas Day.
11 The problem is that we know, all of us who have been
12 affected by this know that it can happen again tomorrow,
13 next week, next month, next year. All because the Town of
14 Union I feel, this is my personal opinion, I feel that you
15 have not cared enough to stop this 30-year-old problem.
16 Even though our housing complex pays in the neighborhood
17 of \$285,000 every year in taxes, we've been ignored by the
18 people elected to do the right thing. You're all elected,
19 I thought, to represent us. I do not feel very
20 represented. I feel ignored. Thank you.

21 MR. MATERESE: Thank you, Mrs. Harkness. Is
22 there anyone else who would like to speak? We got a
23 couple of hands up. Just unmute yourself and start
24 speaking. Let us know who you and where you live.

25 MR. STEVE MAHONSKI: My name is Steve Mahonski.
26 I'm also in the complex that we've been talking. I'm at

1 111 Patio Drive in Endwell. I've been here a couple of
2 years. I heard rumblings before I purchased the property
3 of issues here, but I still decided that it would be the
4 right move for us.

5 Since having moved here, I've had a couple of
6 backups of sewage in my basement. I've also been affected
7 by this sewage as far as medical reasons. It's not a
8 pleasant situation. Not something I want to go through
9 again, especially not on a holiday. I also was scooping
10 things out of my toilet that I never thought I would see
11 come out of a toilet. Not the normal sewage. It was
12 lettuce butts. It was jelled grease. It was produce
13 labels. It was other forms of vegetables and such. They
14 should not be coming up in my toilet. I expected to see
15 normal sewage. (Audio glitch) This is just unnerving.

16 It seems to be coming from the Park Manor Plaza.
17 I don't know how it's getting in there, but it is. It is
18 just very concerning. I'm sure nobody here would want
19 this in their home, neither do I want it in mine. So I
20 just wanted to add my concern as a resident of this
21 complex. I'm concern more or less on my health, too,
22 because it does affect that greatly. It's not a fun
23 situation. Thank you for your time and consideration. I
24 hope something can be done moving forward. Thank you.

25 MR. MATERESE: Thank you, Mr. Mahonski. Is
26 there someone else wishing to speak?

1 MS. SANDY JOHNSON: Yes. My name is Sandy
2 Johnson. You see, on the screen, it's saying Frederick E.
3 Johnson. I live at 313 Patio Drive, Endwell, New York.
4 We have lived here since it was first built. So we've
5 been here for 35 years. One of the problems - and really
6 Maryann Harkness listed the most pertinent items that you
7 as a board should be listening to - is the investment that
8 we all have put in our homes, the losses we have
9 experienced over all these years. As you go through your
10 records, you will see that we have petitioned. We have
11 called.

12 People have experienced so many losses. We've
13 also lost owners who moved because of this problem. Our
14 home, we have been unable since the first time we had a
15 backup in our basement, we are unable to use our basement
16 for anything. The last time that we had the sewage
17 backup, we did not have it this year, we have nothing in
18 our basement. It can't be stored in the garage or in some
19 other room. I'm starting to look like a hoarder because I
20 can't move things to my basement. My basement is the same
21 size as my home. We can't use it for anything. So I hope
22 that you people, the government entities, will please
23 listen to us. Do something. Thank you.

24 MR. MATERESE: Thank you. Is there anyone else
25 who would like to speak? All right. Thank you for your
26 comments.

1 MR. JIM LOZZI: Hello. Can you hear me?

2 MR. MATERESE: Oh. Yes. We can now.

3 MR. LOZZI: Okay. My name is Jim Lozzi. I live
4 at 308 Patio Drive. I'm the current president of the
5 Highland Greens Homeowners' Association. I believe what
6 we have is a simple fix. If you're all familiar, or maybe
7 you're not, on the western and southern border of our
8 complex we have a creek called Patterson Creek. It
9 divides our property from Akel's. We have two swales. I
10 consider that a swale. We also have a second swale that's
11 located at Patio Drive and Pleasant Drive.

12 The problem that we're having is simple
13 hydraulics. We have a creek. When the creek reaches a
14 certain height because of rain water or melt, it mitigates
15 into what I believe is a sewer manhole on the southeast
16 corner of our property. Also adjacent to the Russian-
17 Ukrainian Baptist Church and the Presbyterian Church on
18 Farm to Market. The reason we have such a mitigation of
19 water, such increase of flow, is on Pleasant Drive, in two
20 locations we have storm sewer drains flowing into a swale
21 and into Patterson Creek. As a result, the water level in
22 that creek rises.

23 If you look at the elevations that I have in
24 front of me, the elevation maps of your manholes and our
25 property manholes, it's a difference of three feet. In
26 the past we have removed three to five feet using CBC

1 Construction, Cervoni Brothers Construction. We got it to
2 that creek because basically at that time nobody was
3 helping us and Mr. Akel was experiencing flooding in his
4 property. We dredged it. We took out three to five feet
5 in many areas of that creek.

6 We could not go any deeper because there is a
7 sanitary sewer line from the Akel property through an
8 easement from the Park Manor Plaza which takes care of
9 Park Manor plus the plaza and comes to our property in an
10 easement. We understand the easements. We have no
11 problem with the easements.

12 It's a simple question of I have brought this up
13 in the past when certain individuals from the Town of
14 Union have come over here and looked at our sewer system,
15 which they have scoped and found that it's in perfect
16 condition. Which it is because I was there and witnessed
17 it and have the CDs.

18 The problem I'm telling you is at a certain
19 manhole cover, that is over 50 years old, that's
20 underwater on our property alone. I don't know further
21 down on the screen how many more manholes are down there.
22 The problem is it's a bolted manhole cover that has a
23 seal. That seal is over 50 years old and needs to be
24 replaced. It's called mitigation of water which, as
25 you're all familiar with, is part of the SSO that claims -
26 and let me put my reading glasses on - that sanitary sewer

1 overflows maybe caused by blockages, equipment failures,
2 inflow from storm water or infiltration from groundwater.
3 But in this case, I believe it's an inflow of storm water
4 from the creek because that manhole cover is underwater.
5 I mentioned it. I pointed it out. To my dismay, nobody
6 from the Town decided to go over that corner and look.

7 So I said my spiel. I'm more than happy to meet
8 with anybody. Rick, I'm happy to meet with you but I've
9 been told I can't. From Mr. Pope. But it's a simple
10 solution. It's a simple fix I believe. A gasket. There
11 is a difference of three feet between our sewer line
12 influxes and that creek elevation. It's just backing up.
13 It's simply backing up. We know this because I believe
14 Delta Engineering in 2006 - I might be wrong on this - Mr.
15 Akel put in at the Park Manor Plaza sewer sanitation, put
16 in a six-inch PVC check valve on his sewer system. They
17 also mitigated on -- they took care of a storm sewer
18 problem. They don't want it flowing into that creek at
19 one time because it's our property, and of course they
20 tied it into the storm sewer.

21 If anybody wants to meet with me, any time.
22 Right now I'm retired, but you never know when I go back
23 to work. So I'd be happy to meet with anybody. Rick, it
24 would be a pleasure to meet with you again. We can talk
25 about old times in the old elementary school and see how
26 your family is doing. So, again, I'm going to let

1 somebody else speak. Thank you for listening to me.

2 MR. BERTONI: I have a question. Alan, can I
3 ask a question?

4 MR. POPE: Sure.

5 MR. BERTONI: Are we allowed to go and meet with
6 them and look over what they're talking about or should we
7 not?

8 MR. POPE: Certainly, as elected officials, you
9 can meet with whoever you want whenever you want. The
10 rule that we implemented was to have communication
11 funneled through me as the Town attorney because there
12 were at least one threat of litigation. And as you know,
13 this board knows for many, many years whatever may be the
14 issue, whether the group or a single person, if there is a
15 threat of litigation or threat of a claim, then everything
16 is funneled communication-wise through the Town attorney
17 so that there is no misunderstandings. That is what we
18 implemented here. But certainly there is no prohibition
19 to meeting with anybody, any resident, and learning their
20 position better.

21 MR. BERTONI: I would just like to look at the
22 property and see what the manhole looks like and what
23 they're talking about, if that's all right. Kind of like
24 what we did at Daren Drive, you know. Just kind of go and
25 get a lay of the land so that, when we do talk about it, I
26 tend to have a better picture of what it looks like. Is

1 that okay?

2 MR. POPE: Yeah. That's perfectly fine.

3 Everybody just has to understand that, you know, we should
4 keep the groups to groups that can communicate easily with
5 one another and not have any miscommunications.

6 MR. BERTONI: That's right. Of course.

7 MR. FABRIZIO: Mr. Bertoni, may I just answer
8 your question real quick as far as the board goes. Our
9 HOA Board is not threatening any kind of litigation. Our
10 philosophy on the board is to work with you and to see if
11 we can do something where we work together cooperatively
12 and fix the problem. But in terms of our HOA Board, we
13 have never discussed litigation.

14 MR. BERTONI: Okay. I'll try to arrange to come
15 out and visit with somebody. Okay?

16 MR. FABRIZIO: Thank you.

17 MR. BERTONI: Yeah.

18 MR. MATERESE: Is there anyone else wishing to
19 speak? All right. Seeing none, we'll call this Hearing
20 of Visitors to a close. Thank you all for speaking.
21 Communications for Filing, Mr. Augostini.

22 MR. POPE: Rick, before we move on, can I just
23 weigh in quickly?

24 MR. MATERESE: Oh, sure. I'm sorry. I thought
25 you did. I apologize.

26 MR. POPE: That's all right. I just want to go

1 back so everybody's on the same page here in terms of
2 communication. On Friday, January 15th, Ms. Harkness sent
3 me a single screenshot of what appeared to be a document
4 or an agreement. I'm not sure what it was. And so on
5 Saturday, January 16th, at 11:42 I sent Ms. Harkness an
6 email. And I said, "Ms. Harkness, please send the entire
7 document to me. Thanks." Then she quickly responded at
8 11:52. So only 10 minutes later. And she said, I don't
9 have a copy machine at my home and this is well over 50
10 pages. And then in red, Ms. Harkness said, "To the Board.
11 Does anyone have the capability to scan and then email
12 this to Mr. Pope? Please advise ASAP. Maryann."

13 Bear with me one minute. Then Mr. Lozzi weighed
14 in on Saturday and he said please sit tight on sending any
15 documents until the Town meeting. So this agreement or
16 whatever the document is, and Ms. Harkness referred to it
17 tonight, I as the town attorney really need to see that.
18 I need to see the entire document because our search so
19 far at the Town of Union both in the Engineering
20 Department and the Town Clerk's Department, even doing
21 Broome County Clerk website search, has not uncovered any
22 easement, any document, any agreement whereby the Town of
23 Union would have any responsibility with respect to that
24 private sewer system in Patio Drive. Highland Greens.

25 Now maybe this agreement or this document that
26 Ms. Harkness has will shed some light on that. And

1 certainly, you know, I've requested it back last weekend.
2 So if somebody on the board could make a copy of that and
3 get that to me, that would be much appreciated.

4 MR. FABRIZIO: We'll get that done ASAP.

5 MR. MATERESE: Thank you. Okay. So I guess now
6 we'll move on. Mr. Augostini, Communications for Filing.

7 MR. AUGOSTINI: I make a motion that
8 Communications for Filing one through four be accepted
9 and placed on file.

10 MR. BERTONI: Okay.

11 MR. AUGOSTINI: Is that a second, Frank?

12 MR. BERTONI: Yes.

13 MR. MATERESE: A motion has been made by Mr.
14 Augostini and seconded by Mr. Bertoni to receive and file
15 Communications for Filing one through four. Are there any
16 comments? Hearing none, we'll call for a vote. All those
17 in favor say aye.

18 ALL: Aye.

19 MR. MATERESE: Opposed? None. Communications
20 for Filing have been received and filed. Communications
21 for Action, Mr. Augostini.

22 MR. AUGOSTINI: I make a motion to refer
23 Communications for Action number 1 and number 4 to the
24 town attorney, the commissioner of Public Works, the
25 highway superintendent, and the town's insurance
26 committee.

1 MR. BERTONI: I second.

2 MR. MATERESE: A motion has been made by Mr.
3 Augostini and seconded by Mr. Bertoni, to refer Actions
4 numbers 1 and 4 to the Public Works superintendent, our
5 commissioner of Insurance -- and who else?

6 MR. AUGOSTINI: Town attorney, commissioner of
7 Public Works, highway superintendent, and insurance
8 commissioner.

9 MR. MATERESE: There you go. Sorry. Are there
10 any comments? Hearing none, we'll call for a vote. All
11 those in favor say aye.

12 ALL: Aye.

13 MR. MATERESE: Opposed? Nay? None. It is
14 referred. Okay. Mr. Augostini.

15 MR. AUGOSTINI: I make a motion for
16 Communications for Action number 2 be referred to the
17 commissioner of Public Works and highway superintendent.

18 MR. BERTONI: I second.

19 MR. MATERESE: A motion has been made by Mr.
20 Augostini and seconded by Mr. Bertoni to refer Action
21 number 2 to the commissioner of Public Works and the
22 highway superintendent. Are there any comments? Hearing
23 none, we'll call for a vote please. All those in favor
24 say aye.

25 ALL: Aye.

26 MR. MATERESE: Opposed say nay. It is referred.

1 Mr. Augostini.

2 MR. AUGOSTINI: I make a motion that
3 Communications for Action number 3 be referred to the
4 commissioner of Public Works, deputy commissioner for
5 Codes and Ordinances, and the town attorney.

6 MR. BERTONI: I second.

7 MR. MATERESE: Motion has been made by Mr.
8 Augostini and seconded by Mr. Bertoni to refer Action
9 number 3 to the commissioner of Public Works, to our Code
10 Department, and to our town attorney. Are there any
11 comments? Hearing none, all those in favor say aye.

12 ALL: Aye.

13 MR. MATERESE: Opposed say nay. None? It is
14 referred. Okay. So Petitions.

15 MR. AUGOSTINI: One more.

16 MR. MATERESE: I'm sorry. Go ahead. Sorry
17 about it. Mr. Augostini.

18 MR. AUGOSTINI: I make a motion that
19 Communications for Action number 5 be referred to the Town
20 Board.

21 MR. BERTONI: May I ask a question? If we vote
22 to accept the letter, that doesn't mean we're in favor of
23 the letter. Right?

24 MR. AUGOSTINI: We're really just receiving
25 them.

26 MR. BERTONI: Are we approving the action they

1 recommended or are we just accepting the letter?

2 MR. AUGOSTINI: No. Just accepting the letter.

3 MR. BERTONI: What?

4 MR. MATERESE: We're accepting the letter.

5 MR. BERTONI: Okay. I'll second.

6 MR. MATERESE: Okay. A motion had been made by
7 Mr. Augostini and seconded by Mr. Bertoni to refer Action
8 number 5 to the Town Board. Are there any comments?

9 MR. BERTONI: Wait. What?

10 MR. MATERESE: Are there any comments?

11 MR. BERTONI: So we're referring it to the Town
12 Board?

13 MR. MATERESE: Yes. To us.

14 MR. BERTONI: Okay. Because -- all right. All
15 right.

16 MR. MATERESE: So are there any comments?

17 MR. BERTONI: Does the attorney get a copy?

18 MR. MATERESE: I believe he has a copy. Alan,
19 Rose, do you want to chime in on that one?

20 MR. POPE: You can send it to us. That's fine.

21 MR. MATERESE: I think you already got it. But
22 just in case, let's see what we got.

23 MR. BERTONI: That's why I asked.

24 MR. MATERESE: All right. So all those in favor
25 say aye.

26 ALL: Aye.

1 MR. MATERESE: Opposed say nay.

2 MR. BERTONI: Nay.

3 MR. MATERESE: Okay. Communications for Action
4 have been referred. Okay. Petition, Mr. Perfetti.

5 MR. PERFETTI: Representing the petitions for
6 the Highland Green Townhouse Complex filed.

7 MR. MATERESE: Okay. That's been filed.
8 Steven, get the -- hold on.

9 MR. PERFETTI: Right. Okay. And receive it.

10 MR. MATERESE: Yeah.

11 MR. AUGOSTINI: Do you want me to make a motion
12 to officially receive that?

13 MR. PERFETTI: Yeah.

14 MR. MATERESE: Sure.

15 MR. AUGOSTINI: I'll make a motion to receive
16 the petition filed by the Highland Green Townhouse Complex
17 Association.

18 MS. BAUMAN: I second.

19 MR. MATERESE: It's seconded. Okay. So a
20 motion has been, a motion by Mr. Augostini and seconded by
21 Ms. Bauman to receive the petition from the Highland Green
22 Town Complex. It's in front of us. Are there any
23 comments? Hearing none, all those in favor say aye.

24 ALL: Aye.

25 MR. MATERESE: All those opposed say nay. Okay.
26 It's received.

1 Committee Reports, Recommendations, Resolution.
2 The following Committee items reference a motion or
3 resolution. They are simply for potential (indiscernible)
4 for consideration.

5 Environmental laws and legislation given the
6 town hall committee, Mr. Bertoni.

7 MR. BERTONI: I have a resolution to approve the
8 Public Employer Health Emergency Plan for the Town of
9 Union.

10 MR. MATERESE: Is there a second?

11 MS. STALEY: I second.

12 MR. MATERESE: Okay. So are there any comments?
13 I have a comment. I'd like to hold this over as I want to
14 present it to our employees' unions before we officially
15 do that.

16 MR. POPE: Rick, if I may. We did forward that
17 on to Joann Mastronardi, the Union rep today. Joann's
18 usually very quick about getting back to us, so I think it
19 would be worthwhile to hold it over to our next meeting.
20 Then we'll have a response back from Joann.

21 MR. MATERESE: So should I hold it to a date
22 certain or --?

23 MR. POPE: Hold it to the next meeting.

24 MR. MATERESE: Yeah. So I'm going to include
25 this in our next meeting.

26 MR. POPE: Yeah. It is automatically.

1 MR. MATERESE: All right. Finance? No, we're
2 not voting on it. We're not voting on it. Finance
3 capital projects and public works, Ms. Staley.

4 MS. STALEY: I have a resolution to approve the
5 following 2021 budget modification. We're going to
6 increase Other Equipment by \$30,800 and increase
7 Appropriated Fund Balance by \$30,800.

8 MR. AUGOSTINI: I second.

9 MR. MATERESE: You've heard the proposed
10 resolution as presented by Ms. Staley and seconded by Mr.
11 Augostini. Are there any comments? Hearing none, roll
12 call vote please, Mr. Perfetti.

13 MR. PERFETTI: Staley.

14 MS. STALEY: Aye.

15 MR. PERFETTI: Bauman.

16 MS. BAUMAN: Aye.

17 MR. PERFETTI: Bertoni.

18 MR. BERTONI: Present.

19 MR. MATERESE: It's an aye or a nay?

20 MR. BERTONI: I don't want to vote on it.

21 MR. MATERESE: Okay. I guess if you say
22 present, you're accepting it.

23 MR. PERFETTI: Do you want to abstain, Frank?

24 MR. BERTONI: I don't have a reason to abstain.
25 I just don't want to vote on it. I believe I'm allowed to
26 vote present.

1 MR. MATERESE: Right. But I believe -- excuse
2 me. Alan, if could you chime in here? Is a present vote
3 down as an acceptance?

4 MR. POPE: I don't know that the word present
5 does anything, But I think what procedurally Frank is
6 saying is that he's neither going to vote yay or nay. And
7 so you can just move on to the next vote, I think.

8 MR. MATERESE: Okay.

9 MR. PERFETTI: Augostini.

10 MR. AUGOSTINI: Aye.

11 MR. PERFETTI: Materese.

12 MR. MATERESE: Aye. Yeah, the resolution
13 passed.

14 MS. STALEY: I have a motion to approve the
15 following 2021 budget transfer: Decrease Blacktop for
16 Summer by \$300,000. Increase Blacktop Repairs by
17 \$300,000. Decrease Telephone by \$35.54. And increase
18 Cellphones by \$35.54.

19 MR. AUGOSTINI: I second.

20 MR. MATERESE: You've heard the motion as
21 presented by Ms. Staley and seconded by Mr. Augostini.
22 Are there any comments? Hearing none, I'll call for a
23 vote please. All in favor say aye.

24 ALL: Aye.

25 MR. MATERESE: Opposed say nay.

26 MR. BERTONI: Nay.

1 MR. MATERESE: The motion is approved. Ms.
2 Staley.

3 MS. STALEY: I have a resolution to approve the
4 following proposed base insurance premiums for 1/1/21
5 through 1/1/22. Argonaut Group Trident Insurance,
6 \$238,126.49. Sorry. A little tongue-tied tonight. And
7 that would be for our property, our inland marine, our
8 general liability, our automotive, our public officials,
9 our excess liability, our OCP policy hauling and work
10 permit insurance. Chubb ACE American Insurance, \$7,954
11 for cyber. National Grange Mutual Insurance, \$1,907 for
12 crime. PERMA, \$231,775. And that is for our workers'
13 compensation with \$26,779 of that billable to the Union
14 Center Fire Company.

15 MR. AUGOSTINI: I second.

16 MR. MATERESE: You've heard the proposed
17 resolution as presented by Ms. Staley and seconded by Mr.
18 Augostini. Are there any comments? Hearing none, roll
19 call vote please, Mr. Perfetti.

20 MR. PERFETTI: Staley.

21 MS. STALEY: Aye.

22 MR. PERFETTI: Bauman.

23 MS. BAUMAN: Aye.

24 MR. PERFETTI: Bertoni.

25 MR. BERTONI: Aye.

26 MR. PERFETTI: Augostini.

1 MR. AUGOSTINI: Aye.

2 MR. BERTONI: Speak up please. Thank you.

3 MR. PERFETTI: Materese.

4 MR. MATERESE: Aye. The resolution is adopted.
5 Or passed, excuse me. Ms. Staley.

6 MS. STALEY: I have a resolution authorizing the
7 purchase of a new 2021 Caterpillar 938M 3V model Loader,
8 through a buy-back program from CAT, for the price of
9 \$174,867. Minus a trade-in of \$157,567, net difference
10 being \$17,300 per New York State OGS Contract Number
11 PC66988 Sourcewell 032515 CAT. F-184 to be declared
12 surplus for trade-in purposes. The new Loader will be
13 paid out of the Highway Equipment account.

14 MR. AUGOSTINI: I second.

15 MR. MATERESE: You've heard the proposed
16 resolution as presented by Ms. Staley and seconded by Mr.
17 Augostini. Are there any comments? Hearing none, we'll
18 have a roll call vote. Please, Mr. Perfetti.

19 MR. PERFETTI: Staley.

20 MS. STALEY: Aye.

21 MR. PERFETTI: Bauman.

22 MS. BAUMAN: Aye.

23 MR. PERFETTI: Bertoni.

24 MR. BERTONI: Aye.

25 MR. PERFETTI: Augostini.

26 MR. AUGOSTINI: Aye.

1 MR. PERFETTI: Materese.

2 MR. MATERESE: Aye. Resolution is adopted.

3 Employee Safety, Parks and Recreation, Ms. Bauman.

4 MS. BAUMAN: Thank you. I have a resolution to
5 amend the salary of the personnel specialist payroll
6 position to \$38,619. Effective payroll week beginning
7 1/23/2021. In recognition, the position is significantly
8 underpaid given the position responsibilities, increasing
9 federal and New York State regulation requirements, and
10 required commitment to the deadline to the payroll
11 accounts payable and Section 8 processing.

12 MS. STALEY: I second.

13 MR. MATERESE: You've heard the proposed
14 resolution as presented by Ms. Bauman and seconded by Ms.
15 Staley. Are there any comments?

16 MR. BERTONI: Can you tell me where the money is
17 coming from?

18 MR. MATERESE: We will find it within our salary
19 lines.

20 MR. BERTONI: Are we allowed to allocate
21 spending if we don't have a place to take the money from?

22 MR. MATERESE: We do it all the time.

23 MR. BERTONI: Not if it's not in the budget.

24 MR. MATERESE: If there's money in the budget,
25 we'll find it there in salary lines.

26 MR. BERTONI: Well, don't you have to do that

1 first before we give the money?

2 MR. MATERESE: No.

3 MR. BERTONI: No? You've submitted a budget
4 saying that there's certain amount of money that has to be
5 spent. At least as far as I'm concerned, we don't have
6 extra funds laying around anywhere. So now, if you're
7 allocating extra funds from somewhere, I think the board
8 has the right to know where it's coming from before we
9 vote on it.

10 MR. MATERESE: As I said, Frank, we will find it
11 from the salary lines. We have money not being spent on
12 the salary lines right now due to COVID and other things.
13 So we'll take the money from there and recoup it that way.

14 MR. BERTONI: This is in the full Town fund?

15 MR. MATERESE: Yes.

16 MR. BERTONI: So we have money in the full Town
17 fund that you can take it from. Why wouldn't we know
18 where it's coming from before we do it?

19 MR. PERFETTI: I don't think we need it yet
20 because we're into January. That budgetary line contains
21 enough money to do that. I think it's for grants and Nora
22 (phonetic) who sent a budget transfer into that line.

23 MR. BERTONI: So, hypothetically, what if
24 there's no money? What if there's no money to find, then
25 what?

26 MR. PERFETTI: Then we go into - make it up in

1 the ensuing year's budget.

2 MR. BERTONI: It becomes what?

3 MR. PERFETTI: We go into the next year's budget
4 and then you budget for the -- in the ensuing year, 2022,
5 you would budget for the difference.

6 MR. BERTONI: You just end up in the hole?

7 MR. PERFETTI: What's that?

8 MR. BERTONI: Just end up in the hole?

9 MR. PERFETTI: Potentially. But it's not the
10 way the council operates. So during the course of the
11 year, as it gets closer where it starts to deal that
12 money, that budget line is going to run out. It's going
13 to have to be transferred from somewhere.

14 MR. BERTONI: Well, it was my understanding that
15 you have to have an accompanying resolution to say where
16 the money is coming from.

17 MR. PERFETTI: I would agree at some point.
18 There's money to cover that amount right now.

19 MR. BERTONI: There's money in there now?

20 MR. PERFETTI: Correct.

21 MR. POPE: If I can, Frank. There's two
22 procedural sources at this point in time in January. So
23 there could be a transfer, a budget transfer. And so if
24 things our coming out of a salary line and it's just being
25 transferred to another salary line, which I think is what
26 Rick was referring to, then certainly you can do that.

1 The more extreme is if your salary line - if
2 that's where it's coming from and going to another salary
3 line - is depleted or not available, then you could do
4 something like a budget modification. That's a little
5 more drastic, a little more -- what's the right word?
6 It's a little more important maybe. And I think that's
7 the distinction that we've always used between budget
8 transfers which we do by motion and budget modifications
9 that we do by resolution.

10 The sources are certainly there, so I don't
11 think the board is doing anything improper at this point.
12 But I think as Tom is suggesting, as we get into the
13 budget year, if for some reason we find that we don't have
14 the salary lines available to us, the board would have to
15 make a more drastic decision. Does it give up services or
16 delay in a purchase of some kind or even delay in the
17 hiring another employee? That might get us into a budget
18 modification. But certainly the action by the Board here
19 in January to do this is entirely proper.

20 MR. BERTONI: Thank you. But that's my point,
21 is that I'm being asked to vote on something that I don't
22 know where the money is coming from. What if it is going
23 to affect somebody else's services or some equipment that
24 we are planning on buying. I might not want to do that.
25 But I'm being asked to vote yes on something without
26 knowing where the money's coming from. I think the same

1 situation, at least if I remember right, on the salary
2 increases that we were contemplating. But we budgeted a
3 certain amount and then the amount was different. We
4 don't know where that money is coming from either. That I
5 know of.

6 MR. MATERESE: You're not being asked to vote.
7 Or, yes, Frank, you're being asked to vote. You can vote
8 no.

9 MR. BERTONI: What?

10 MR. MATERESE: You're not being asked to vote
11 yes. You're being asked to vote.

12 MR. BERTONI: Okay.

13 MR. MATERESE: So you can vote no.

14 MR. BERTONI: Okay.

15 MR. MATERESE: Anyone else? Comments? All
16 right. Hearing none, we'll have a roll call vote.
17 Please, Mr. Perfetti.

18 MR. PERFETTI: Staley.

19 MS. STALEY: Aye.

20 MR. PERFETTI: Bauman.

21 MS. BAUMAN: Aye.

22 MR. PERFETTI: Bertoni.

23 MR. BERTONI: No.

24 MR. PERFETTI: Augostini.

25 MR. AUGOSTINI: Aye.

26 MR. PERFETTI: Materese.

1 MR. MATERESE: Aye. Resolution is adopted. Ms.
2 Bauman.

3 MS. BAUMAN: I have a motion to approve the Town
4 of Union Parks and Recreation park use agreement with Mark
5 Goldman, American Cruisers, requesting to hold the
6 American Cruisers' car/motorcycle show on Sunday, June 13,
7 2021 from 7:00 a.m. to 6:00 p.m. at Highland Park. The
8 entire park.

9 MS. STALEY: I second.

10 MR. MATERESE: You've heard the proposed motion,
11 excuse me, motion as presented by Ms. Bauman and seconded
12 by Ms. Staley. Are there any comments?

13 MR. AUGOSTINI: I was just going to ask if Alan
14 --

15 MR. MATERESE: I was going to ask the same
16 thing.

17 MR. AUGOSTINI: -- Alan is on this correctly.

18 MR. MATERESE: Yeah, Alan's seen this. The
19 question is should we put a stipulation in here that, if
20 we're still in a COVID situation, now we should put a
21 stipulation in there this will not be held. Or is this
22 provided -- put in a stipulation providing all questions -
23 - we can safely have based on government regulation.

24 MR. AUGOSTINI: Frank, some wording that says
25 you have to conform to the law.

26 MR. MATERESE: Right.

1 MR. AUGOSTINI: That we're not breaking the
2 agreement if a hierarchical government just says it's not
3 allowed. Then we conform to whatever's in place at that
4 time.

5 MR. POPE: I think that would be a good addition
6 especially under current circumstances. So you could at
7 the end state subject to any COVID or other restrictions
8 that might be applicable. That's pretty broad language
9 and it certainly would give the board the ability to
10 unilaterally revoke, if you will, the approval if that
11 should occur.

12 MR. MATERESE: Tom, do you want to make an
13 amendment to the resolution?

14 MR. AUGOSTONI: Yeah. The board, do you just
15 want them to withdraw their motion and withdraw the second
16 and that we would again at some --

17 (Interposing)

18 MR. MATERESE: Either way. Either way. So
19 would you withdraw your second?

20 MS. STALEY: Yes, I withdraw.

21 MR. MATERESE: Do you withdraw your proposal?

22 MS. BAUMAN: I withdraw my motion.

23 MR. MATERESE: Okay. Now you want to re-propose
24 and add language in that says subject to government
25 regulations and COVID regulations. Is that right, Alan?

26 MR. POPE: I think I would say subject to any

1 current COVID or other government restrictions.

2 MR. MATERESE: There you go.

3 MS. BAUMAN: Okay. I'd like to make a motion to
4 approve the Town of Union Parks and Recreation park use
5 agreement with Mark Goldman, American Cruisers, requesting
6 to hold the American Cruisers car/motorcycle show on
7 Sunday, June 13, 2021 from 7:00 a.m. to 6:00 p.m. at
8 Highland Park subject to any current regulations, County
9 or Government, and COVID regulations that are in place at
10 that time.

11 MS. STALEY: I second.

12 MR. MATERESE: Okay. Now we have a motion as
13 presented by Ms. Bauman and seconded by Ms. Staley. Are
14 there any comments? Hearing none, all those in favor say
15 aye.

16 ALL: Aye.

17 MR. MATERESE: Opposed say nay. All right.
18 That motion is approved. Planning, Zoning, Economic
19 Development Committee, Mr. Augostini.

20 MR. AUGOSTINI: Resolution to call for a public
21 hearing to be held on Wednesday, February 3, 2021 at 7:00
22 p.m., for the draft version of the Federal Fiscal Year
23 2019 Consolidated Annual Performance and Evaluation
24 Report.

25 MR. BERTONI: I second.

26 MR. MATERESE: You've heard the resolution as

1 presented by Mr. Augostini and seconded by Mr. Bertoni.
2 Are there any comments? Hearing none, we'll have a roll
3 call vote. Please, Mr. Perfetti.

4 MR. PERFETTI: Staley.

5 MS. STALEY: Aye.

6 MR. PERFETTI: Bauman.

7 MS. BAUMAN: Aye.

8 MR. PERFETTI: Bertoni.

9 MR. BERTONI: Aye.

10 MR. PERFETTI: Augostini.

11 MR. AUGOSTINI: Aye.

12 MR. PERFETTI: Materese.

13 MR. MATERESE: Aye. Resolution is adapted. Mr.
14 Augostini.

15 MR. AUGOSTINI: Resolution authorizing the
16 planning director, supervisor, deputy supervisor to
17 execute contracts for the CDBG-CV Emergency Non-Profit
18 Assistance program not to exceed amounts for the following
19 organizations: Johnson City Community Action Team, not to
20 exceed \$10,000. YMCA West Family Branch, not to exceed
21 \$10,000. Goodwill Theater, not to exceed \$10,000.
22 Johnson City Senior Citizen Center, not to exceed \$10,000.
23 Oak Hill Improvement Corporation, Little Italy, not to
24 exceed \$10,000.

25 MR. BERTONI: I second.

26 MR. MATERESE: You've heard the proposed

1 resolution as presented by Mr. Augostini and seconded by
2 Mr. Bertoni. Are there any comments? Hearing none, we'll
3 have a roll call vote. Please, Mr. Perfetti.

4 MR. PERFETTI: Staley.

5 MS. STALEY: Aye.

6 MR. PERFETTI: Bauman.

7 MS. BAUMAN: Aye.

8 MR. PERFETTI: Bertoni.

9 MR. BERTONI: Aye.

10 MR. PERFETTI: Augostini.

11 MR. AUGOSTINI: Aye.

12 MR. PERFETTI: Materese.

13 MR. MATERESE: Aye. Resolution is adopted. Mr.
14 Augostini.

15 MR. AUGOSTINI: Resolution authorizing the
16 planning director to sign an agreement with HAPPY/MRI
17 Software, Incorporated for the purchase of Direct Deposit
18 service module.

19 MR. BERTONI: I second.

20 MR. MATERESE: Was that a second, Frank?

21 MR. BERTONI: Yes.

22 MR. MATERESE: You've heard the proposed
23 resolution as presented by Mr. Augostini and seconded by
24 Mr. Bertoni. Are there any comments? Hearing none, we'll
25 have a roll call vote. Please, Mr. Perfetti.

26 MR. PERFETTI: Staley.

1 MS. STALEY: Aye.

2 MR. PERFETTI: Bauman.

3 MS. BAUMAN: Aye.

4 MR. PERFETTI: Bertoni.

5 MR. BERTONI: Aye.

6 MR. PERFETTI: Augostini.

7 MR. AUGOSTINI: Aye.

8 MR. PERFETTI: Materese.

9 MR. MATERESE: Aye. Motion is adopted or
10 approved. Excuse me. The resolution is adopted. There
11 you go. Mr. Augostini.

12 MR. AUGOSTINI: A resolution to authorize the
13 planning director to execute a linkage agreement with
14 Endicott Square, LLC, for the Section 8 Rental Assistance
15 Program on behalf of the Town of Union.

16 MR. BERTONI: I second.

17 MR. MATERESE: You've heard the proposed
18 resolution as presented by Mr. Augostini and seconded by
19 Mr. Bertoni. Are there any comments? Hearing none, we'll
20 have a roll call vote. Please, Mr. Perfetti.

21 MR. PERFETTI: Staley.

22 MS. STALEY: Aye.

23 MR. PERFETTI: Bauman.

24 MS. BAUMAN: Aye.

25 MR. PERFETTI: Bertoni.

26 MR. MATERESE: Frank?

1 MR. BERTONI: Aye.

2 MR. PERFETTI: Augostini.

3 MR. AUGOSTINI: Aye.

4 MR. PERFETTI: Materese.

5 MR. MATERESE: Aye. The resolution is adopted.

6 All right.

7 Okay. We're now at the part of our agenda where
8 we have our second Hearing of Visitors. Same rules apply.
9 We ask that you be respectful. Confine your comments to
10 three minutes. One time only at the microphone. No
11 repetition please. Anyone wishing to speak? Anyone
12 online who wants to speak, please unmute yourself and
13 speak. None? Okay. All right. Hearing none, we'll
14 close the Hearing of Visitors. We'll start with
15 Department Reports on file in the Town clerk's office.
16 Mr. Augostini.

17 MR. AUGOSTINI: I make a motion Department
18 Reports one through four be accepted and placed on file in
19 the Town clerk's office.

20 MR. BERTONI: I second.

21 MR. MATERESE: You've heard the motion by Mr.
22 Augostini and seconded by Mr. Bertoni to receive and file
23 Department Reports one through four. Are there any
24 comments? Hearing none, I call for a vote. All those in
25 favor say aye.

26 ALL: Aye.

1 MR. MATERESE: All those opposed say nay.
2 Motion is approved. Council comments. Frank?

3 MR. BERTONI: What?

4 MR. MATERESE: Do you have any council comments
5 tonight?

6 MR. BERTONI: No.

7 MR. MATERESE: Okay. Heather?

8 MS. STALEY: I just wanted to say that today is
9 1/20/21. It's going to go down in history because we have
10 the first ever vice president female in Kamala Harris. So
11 I just wanted to mention that for the record. That even
12 though we're having our regular meeting, something major
13 happened today in our country's history.

14 MR. MATERESE: Thank you. Ms. Bauman.

15 MS. BAUMAN: I'd like to second. It's milestone
16 for us. Thank you, Heather.

17 MS. STALEY: Definitely.

18 MS. BAUMAN: No other comments.

19 MR. MATERESE: Thank you, Sandy. Ms. Bauman.
20 Thomas?

21 MR. AUGOSTINI: I'd like to recognize the wife
22 of Andy Lisick, a long time Johnson City resident. Three
23 months ago his wife passed away. It goes to show you how
24 tough it is to move on from someone you spent almost your
25 entire life with. And condolences to his two kids, Andy
26 Jr. and Daria. Just a big presence in Johnson City,

1 is a true and accurate record of the proceedings.

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3

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Ria Tura

5 Signature_____

6 Date: March 4, 2021