



**Town Clerk**  
Gail L. Springer, RMC

# Town of Union

**Town Board**  
Rose A. Sotak, *Supervisor*  
Thomas R. Augostini, *Councilman*  
Frank J. Bertoni, *Councilman*  
Leonard J. Perfetti, *Councilman*  
Robert Mack, *Councilman*

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## TOWN OF UNION BOARD MEETING

September 21, 2016

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, September 21, 2016 at 7:30 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York.

BOARD MEMBERS PRESENT: Supervisor Rose A. Sotak, Councilman Thomas R. Augostini, Councilman Frank J. Bertoni, Councilman Leonard J. Perfetti, Councilman Robert Mack.

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

Also in attendance were Johnson City Mayor Greg Deemie and Broome County Legislator Jason Shaw.

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

PUBLIC HEARINGS: None.

BIDS: None.

### APPROVAL OF MINUTES:

Moved by Augostini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, September 7, 2016.  
Carried.

### HEARING OF VISITORS:

Jason Shaw, Broome County Legislator, 400 Corey Avenue, Endwell, thanked the Town for their past and continued support of the County and their tremendous job of working together on future projects such as the demolition of the building at 1605 Davis Avenue, Endwell.

A resident at Fairmont Avenue, Endwell, said she will have such a peace of mind when the building is gone and she doesn't have to worry about the bad things going on anymore at the vacant building.



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Joe Shoemaker, Endwell Fire Chief, 412 Echo Lane, Endwell, said the Fire Department has held many trainings at this building that has been vacant since the flood and on numerous occasions has found syringes and hypodermic needles in the parking lot. He said that with the weather getting colder, he is concerned that vagrants will try to use the building for shelter. He further said at this time, the building is being treated as unoccupied and they will fight any fires that may occur as such.

Councilman Frank J. Bertoni explained to the audience that the building they are referring to is the old Christ the King School that has been vacant since the flood of 2011.

A resident of Endicott, asked if the Endicott Johnson building is next to come down. He also said he does not agree with the decision regarding the intersection of Latourette Lane and NY Rte. 17C from the Department of Transportation.

A resident of Endwell, said he is not happy with the court's decision about the fallen wall that he believes is his neighbor's, even though the survey map presented in court by the neighbor's attorney shows it is his. He said he refuses to take down the wall.

Councilman Robert Mack asked if the survey map was a certified map.

Town Attorney Alan J. Pope said the map was certified.

A resident of Johnson City, spoke regarding the difficulty of entering the Aldi's parking lot, going west on Main Street, Johnson City, when another car is exiting. She said there are no lane markings to make the cars stay on their own side and the curb cut is not wide enough.

Councilman Leonard J. Perfetti said Main Street is a State road and the Town cannot do anything about the curb cuts.

Councilman Robert Mack suggested she contact the store manager about getting lane markings.

Councilman Thomas R. Augostini suggested she use the back entrance instead.

The resident also spoke about the bush between the parking lots of the Endwell Senior Center and the gymnastic center on Wayne Street in Endwell being hard to see around when driving out of the parking lots.

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



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## COMMUNICATIONS FOR FILING:

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

1. Charter Communications Notices dated September 7 and 21, 2016.
2. Notice from Governor's Office of Storm Recovery - State Environmental Quality Review Act Determination of Non-significance (Negative Declaration) – Brixius Creek Stream Bank Restoration Project.
3. Copy of a letter to Susan & Roger Anderson from Francis J. Pandich, Jr., Chairman, Board of Fire Commissioners for Endwell Fire District in reference to an email from them about the fire station siren.
4. Minutes of the Regular Meeting of the Board of Trustees of the Village of Endicott held on August 9, 2016 and Resolutions.
5. Letter from Joseph M. Dlugolenski, Deputy Regional Permit Administrator, New York State Department of Environmental Conservation, to Supervisor Rose A. Sotak, regarding the new NYSDEC Water Quality Certification for the proposed stream restoration work in the Brixius Creek per the Governor's Office of Storm Recovery.
6. Copy of letter from Alex G. Czuharnich, Project Manager, NYS Department of Environmental Conservation, Division of Environmental Remediation, to Mr. Kevin Whalen, IBM Corporate Environmental Affairs, regarding, Indoor Air Assessment Report – Huron Campus, Former IBM Facility, Endicott, NY, AOC Index No. A7-0502-0104, NYSDEC Site No. 704014.  
Carried.

## COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to refer the Foreclosure Summons – State of New York Mortgage Agency, Plaintiff, for 68 Thomas Street, Johnson City, NY to Town Attorney Alan J. Pope, Comptroller Laura J. Lindsley and Planning Director Paul A. Nelson.  
Carried.
2. Moved by Augustini, seconded by Bertoni to approve the letter from Sarah Schepis, Maine-Endwell High School Student Council President, requesting permission for the annual Homecoming Parade on Saturday, October 8, 2016, beginning at approximately 11:00 A.M. and ending at about 12:30 P.M. The route will be as follows: beginning at Brother's 2 Restaurant extra parking lot on North Knight Avenue, going down North Knight Avenue toward Watson Boulevard, turning left onto Watson, turning left onto Beckwith Avenue, turning right onto Country Club Road, turning left onto Hooper Road, turning right onto Farm-



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to-Market Road and ending at Maine-Endwell High School and refer it to Town Clerk Gail L. Springer and Highway Superintendent Chester Kupiec.  
Carried.

3. Moved by Augustini, seconded by Bertoni to refer the letter and estimates from Debbie Koehler, 2725 Crescent Drive, Endwell, regarding damage to her vehicle on 9/11/16 from blue paint dropped out of the garage truck to Town Attorney Alan J. Pope and the Town Insurance Carrier.  
Carried.

4. Moved by Augustini, seconded by Bertoni to refer the letter from Mark V. Dolan, Deputy General Counsel – AVANGRID, Inc., Counsel to NYSEG in reference to the Natural Gas Franchise Agreement to Deputy Town Attorney Kurt D. Schrader.  
Carried.

PETITIONS:           None.

### COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Moved by Augustini, seconded by Perfetti to approve the following 2016 budget transfers:

Decrease:	31 5142 4128 Liquid Calcium	\$ 11,760.12
Increase:	31 5142 4129 Rock Salt	\$ 11,760.12
Decrease:	20 1490 1010 Salary	\$ 11,370.00
Increase:	20 3650 4703 Municipal Demolition	\$ 11,370.00

Carried.

(Prepared Resolution filed as part of these minutes to approve and authorize Supervisor Rose A. Sotak to sign and execute the UHS WC PPO Pricing Agreement, effective 10/1/16 – 9/30/17, with the twelve-month fee of \$9,000 for the administration of the WC PPO. The agreement has been approved by the Town Attorney.)  
Res. by Augustini, seconded by Perfetti.

Vote: Yes

Sotak

Augustini

Bertoni

Perfetti

Abstain

Mack

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to approve and authorize Supervisor Rose A. Sotak to sign and execute the PPO Employer Affirmation A, PPO Employer Affirmation B (CSEA 40-hour group), and PPO Employer Affirmation B (CSEA 35-hour group) affirming in accordance with Article 10-A of the Workers' Compensation Law and 12 NYCRR 325-8.2 participations in the UHS Workers' Compensation PPO from 10/1/16 – 9/30/17. The affirmations have been approved by the Town Attorney.)

Res. by Augustini, seconded by Perfetti.

Vote: Yes

Sotak

Augustini

Bertoni

Perfetti

Abstain

Mack

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to accept the proposal from Insero & Co., extending the current agreement for two additional years providing auditing services for year end 12/31/16 at \$23,300 (\$300 increase), and for year end 12/31/17 at \$23,500 (\$200 increase).)

Res. by Augustini, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve and authorize Supervisor Rose A. Sotak to sign and execute the Memorandum of Agreement under the CSEA Employee Benefit Fund Retiree Vision Plan making available to any member of the CSEA bargaining unit and guests who retires and meets the criteria coverage under the plan administered by the CSEA Employee Benefit Fund. The agreement has been approved by the Town Attorney.)

Res. by Augustini, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize the Request for Proposal of Medical, Drug & Alcohol Testing Services for the purpose of providing requested physical examinations, vaccinations, and substance abuse testing services. The Request for Proposal has been reviewed by Insurance and Town Attorney.)

Res. by Augustini, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve and authorize Supervisor Rose A. Sotak to sign and execute the Broome County Division of Information Technology Service



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Agreement, effective upon signing by both parties – 12/31/17, for the support of file transfer to/from ARPS at no charge. Support outside normal maintenance may be billed at \$50/hour. The agreement has been approved by the Town Attorney.)

Res. by Augustini, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes requesting as required by Section 2019-a of the Uniform Justice Court Act, the necessary approval and submission to the New York State Office of Court Administration Department of Audit and Control, the Annual Justice Court Audit prepared by the Town Deputy Comptroller.)

Res. by Augustini, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the combined notice of Finding of No Significant Impact (FONSI) and Request For Release Of Funds (RROF) for the Town of Union Community Development Block Grant Federal Fiscal Year 2016 Annual Plan and authorize Supervisor Rose A. Sotak to execute all documentation required for submission to HUD. The Supervisor and/or Planning Director are further authorized to prepare and submit any technical corrections to the FONSI/RROF that may be required by HUD.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Moved by Bertoni, seconded by Mack to appoint the following individuals to the appropriate Chugnut Trail Extension Committees for the Architectural & Engineering Design Services as indicated below:

*The proposals received will be reviewed and ranked by the following Project Review (Selection) Committee Members:*

Project Review Committee Members

Anthony Bates, Village of Endicott Clerk/Treasurer

Frank Evangelisti, BC Planning & Economic Development Director

Willie Vermilya, Retired NYSEG Employee

Sara Zubalsky, Town of Union Planning Dept.

Joe Moody, Town of Union Economic Development Director

*After that consultant is picked by the Project Review Committee the Advisory Committee will work with that consultant until the plan is completed.*

Advisory Committee Members

Rose Sotak, Town of Union Supervisor

Frank Bertoni, Town of Union Councilman



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Eileen Konecny, Village of Endicott Trustee  
Lou Caforio, Town of Union Commissioner of Public Works  
Frank Evangelisti, BC Planning & Economic Development Director  
James E. Leonard, Resident  
R. Ted Warner, Resident  
Willie Vermilya, Retired NYSEG Employee  
Sara Zubalsky, Town of Union Planning Department  
Joe Moody, Town of Union Economic Development Director

Carried.

Moved by Bertoni, seconded by Mack to authorize the attendance of Paul Nelson, Planning Director, to the HUD CDBG-DR software training being held in either New York City, October 11-13, 2016 (subject to availability) or Austin, Texas, October 17-20, 2016. Authorization to include hotel, parking, transfers, tolls, per diem meals, and other associated costs. Estimated cost is approximately \$1600.00 and funds are available in the CDBG-DR budget.  
Carried.

(Prepared Resolution filed as part of these minutes to approve an extension of the contract for Design/Inspection Services for the Brixius Creek Stream Bank Restoration Project with Keystone Associates, Architects, Engineers and Surveyors, LLC, 58 Exchange Street, Binghamton, NY 13901 through December 31, 2016 and authorize Supervisor Rose A. Sotak to execute the said contract amendment.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve an extension of the contract for Design/Inspection Services for the Patterson Creek Stream Bank Restoration Project with Delta Engineers, Architects & Land Surveyors, 860 Hooper Road, Endwell, NY 13760 through December 31, 2016 and authorize Supervisor Rose A. Sotak to execute the said contract amendment.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve and authorize Supervisor Rose A. Sotak to sign and execute the Stormwater Maintenance Agreement and Access Easement for the detention ponds at Cardinal Cove, 397 Glendale Drive, Endicott, NY, effective September 1, 2016. The agreement has been approved by the Town Attorney.)

Res. by Bertoni, Seconded by Mack.

Vote: All yes.

The Resolution was adopted.



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### HEARING OF VISITORS:

A resident of Endicott, said the 9/11 ceremony held at Highland Park was very nice, well attended and very appreciated.

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

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

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

1. Town Clerk Monthly Report – August 2016.
  2. Town of Union Planning Department Minor Site Plan Review Decision Approval – United with Christ Church, 1025 Robinson Hill Road, Tax Map #125.02-1-41.
  3. Town of Union Planning Board Minutes – August 9, 2016.
  4. Town of Union Planning Board Decision – Special Permit Approval: Medical office – Dr. Robert Detrick, Detrick Family Chiropractic, PLLC, 1364 Reynolds Road, Johnson City, Tax Map # 110.03-1-43.
  5. Town of Union Planning Board Decision – Site Plan Approval: Detrick Family Chiropractic, PLLC, 1364 Reynolds Road, Johnson City, Tax Map # 110.03-1-43
  6. Town of Union Planning Board Decision – Special Permit Approval: Floodplain Development – Empire Plastics, Inc., Lane's Sealcoating & Paving 513 & 515 Fairmont Avenue; 310 Kent Avenue, Tax Map ID# 158.05-3-24, 31; 158.05-3-25.
  7. Town of Union Planning Board Decision – Site Plan Approval – Empire Plastics, Inc., Lane's Seal Coating & Paving 513 & 515 Fairmont Avenue; 310 Kent Avenue Tax Map # 158.05-3-24, 31 & 158.05-3-25.
  8. Town of Union Planning Board Decision – Site Plan Approval – Visions FCU Facility Improvements Project 3301 Country Club Road, Endwell, New York 13760 Tax Map # 142.13-1-22.
  9. Town of Union Comptroller's Monthly Report – August 31, 2016.
- Carried.

### ADJOURNMENT:

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

The meeting was adjourned at 8:08P.M.

GLS/bk

Gail L. Springer, RMC  
Town Clerk