



**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

December 7, 2016

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, December 7, 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 Robert Mack.  
Absent: Councilman Leonard J. Perfetti.

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

Also in attendance was Broome County Commissioner of Public Works Daniel A. Schofield.

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

### PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, December 7, 2016 at 7:30 P.M. to consider amending Chapter 141 of the Public Nuisance Law.  
Pub. & Posted 12/2/2016

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

BIDS: None.

### APPROVAL OF MINUTES:

Moved by Augostini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, November 16, 2016.  
Carried.

### HEARING OF VISITORS:

Mitch Curatolo, 1010 Autumn Drive, Endwell, asked if the leaves will still be taken care of. He also complained about code violations at the old IBM Country Club and asked why nothing is being done about them.



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Town Attorney Alan J. Pope said he will alert Deputy Commissioner of Public Works for Codes and Ordinances Daria Golazeski about the situation.

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

### COMMUNICATIONS FOR FILING:

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

1. Charter Communications Notices – November 10 and 16, 2016.
2. Invitation to The Broome County Association of Towns & Villages Meeting on Thursday, December 15, 2016.
3. Letter from Mary Hall, Director – OPWDD DDRO, Region 2, New York State Office for People with Developmental Disabilities to Supervisor Rose A. Sotak regarding 18 Sweet Briar Court, Endicott, New York.
4. Copy of letter from Marina Lane, Town of Union Senior Planner to David Petcosky regarding The Pines at Stony Creek PUD, Planned Unit Development Plan 1713, 1723 and 1727 Farm to Market Road, Tax Map #'s 125.08-1-9, 108.04-1-7 and 109.03-1-4.
5. Letter from the Smith Family, 8 Oakwood Drive, Apalachin, New York to Supervisor Rose A. Sotak supporting the Johnny Only concerts and the positive benefits they have for her socially reserved child.
6. Minutes of the Regular Meeting and Work Session of the Board of Trustees of the Village of Johnson City held on October 18, 2016.
7. Letter from Mary Lucidi, Building Code Technical Analyst, ISO, Mt. Laurel, New Jersey, regarding Building Code Effectiveness Grading Schedule Results, Union TS, Broome County, New York.
8. Letter from Marianne Linville to the Town Board supporting Johnny Only and voicing her disappointment that his services will be ending and urging them to continue his services.
9. Email from Kate & Paul Evans to Supervisor Rose A. Sotak supporting Johnny Only at Highland Park. They said it is one of the few opportunities for children not going to daycare, to be able to socialize and have fun with other children.
10. Letter from Ashlie Walsh to Supervisor Rose A. Sotak and the Town Board expressing her disappointment that Johnny Only will not be performing as much and requested the Town to reconsider supporting his program by issuing more time slots to him.



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11. Letter from Lynn Bradley to Supervisor Rose A. Sotak and the Town Board asking them to continue to fund the Johnny Only Musical Playdates at Highland Park as they are extremely popular and attended by dozens of children.

12. Email from Rachel Witter to Town of Union Parks requesting more Johnny Only shows at Highland Park.  
Carried.

### COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the Notice of Motion for Judgment of Foreclosure and Sale, HSBC Bank USA, N.A., Plaintiff, against Carlina A. Rudock, 1710 Witherill St., Endicott to Town Attorney Alan J. Pope, Comptroller Laura J. Lindsley and Planning Director Paul A. Nelson.  
Carried.

2. Moved by Augostini, seconded by Bertoni to refer the letter from Bradley Pinsky, Pinsky Law Group, PLLC, to Supervisor Rose A. Sotak regarding the renovation and addition to the Choconut Center Volunteer Fire Company's firehouse and requesting exemption from the Town of Union's zoning regulations for this project to Town Attorney Alan J. Pope and Deputy Commissioner of Public Works for Codes & Ordinances Daria Golazeski.  
Carried.

3. Moved by Augostini, seconded by Bertoni to refer the Supplemental Summons and Amended Complaint – Regarding M&T Bank vs Rita Caiazza; et al (Estate of Alice Mahoney) 122 Squires Avenue, Endicott. (2014-6) to Town Attorney Alan J. Pope, Comptroller Laura J. Lindsley and Planning Director Paul A. Nelson.  
Carried.

PETITIONS:           None.

### COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Moved by Mack, seconded by Bertoni to approve the hiring of Jennifer Pestioni to the position of Permanent Part-time Assessor Aide at \$12.73/Hour, with an anticipated start date of January 3, 2017, contingent upon successful pre-employment testing and background check.  
Carried.

Moved by Mack, seconded by Bertoni to approve the hiring of Daniel A. Schofield to the position of Deputy Commissioner of Public Works for Environmental Services/Occupational Safety & Health at annual salary of \$30,000.00, effective January 3, 2017 contingent upon successful pre-employment testing and background check.  
Carried.



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

Decrease:	31 5110 4402	Equipment Rental	\$ 500.00
Increase:	31 5110 4167	Gloves, Boots, Gear	\$ 500.00
Decrease:	20 1620 4401	Equipment Maint.	\$ 2,550.00
Increase:	20 1620 2050	Capital Improv.	\$ 2,550.00
Decrease:	31 5110 2045	Summer Blacktop	\$ 40,000.00
Increase:	31 5110 4116	Storm Sewer Pipe	\$ 10,000.00
Increase:	31 5110 4120	Stone	\$ 10,000.00
Increase:	31 5110 4123	Guard Rail	\$ 10,000.00
Increase:	31 5110 4124	Catch Basin	\$ 10,000.00
Decrease:	31 5110 2045	Summer Blacktop	\$ 20,000.00
Increase:	31 5142 4129	Rock Salt	\$ 20,000.00
Decrease:	31 5110 4126	Blacktop Maint.	\$ 66,000.00
Increase:	31 5110 2500	Other Equip.	\$ 58,000.00
Increase:	31 5110 4110	Small Tools & Implements	\$ 2,000.00
Increase:	31 5110 4408	Tree Removal	\$ 6,000.00
Decrease:	31 5110 4402	Equip. Rental	\$ 6,000.00
Increase:	31 5110 4117	Gravel & Sand	\$ 6,000.00

Carried.

(Prepared Resolution filed as part of these minutes to approve the Pledge, Assignment and Custodial Agreement with JPMorgan Chase Bank, N.A. providing eligible collateral on Town accounts pursuant to the State of New York General Municipal Law, Section 10, and authorize Supervisor Rose A. Sotak to sign and execute the said agreement. The Town Attorney has reviewed and approves of the agreement.)

Res. by Augustini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve Supervisor Rose A. Sotak to sign the Receipt and Release Agreement authorizing the Trustee of the Patterson Cemetery Trust to release the principal balance remaining in the Trust, less the Trustee's fees and expenses, to the Town to be used for maintenance of the Patterson Cemetery.)

Res. by Augustini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign the Excellus Quote – Medicare Blue PPO for the calendar year January 1, 2017 through December 31, 2017 at the rate of \$431.90/month.)

Res. by Augustini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign the Excellus Proposal – Classic Blue (U65) for the contract period January 1, 2017 through December 31, 2017 at the following rates:

Individual      \$ 1,151.27/mo.

Family          \$ 2,813.92/mo.)

Res. by Augustini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to amend Chapter 141 of the Public Nuisance Law.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Requests for three (3) quotes were called for Two (2) Hayward CAT 5500 Controllers for Highland Park and West Endicott Park.

(2) Quotes were received as follows:

21 <sup>st</sup> Century Pools and Spas	\$ 7,268.18
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Coral Isle Swim Pools, Inc.	\$ 8,400.00
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Mr. Bill's Pool and Spas	No Quote
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(Prepared Resolution filed as part of these minutes to accept the lowest quote from 21<sup>st</sup> Century Pools & Spas, Vestal, New York for their quote of \$ 7,268.18.)

Res. by Mack, Seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve Change Order #3 for CDBG-DR funded Endicott Storm Drainage Improvement (McKinley-Pine St.) Project in an amount not to exceed \$9,943.00 to the contract with Chicago Construction. With this final change order, the net increase of the contract for the three change orders is \$29,990.03. The new contract amount is \$273,990.03.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the NYSDOS Chugnut Trail Extension Architectural & Engineering Design Services Grant to Elan Planning/ Design/ Landscape Architecture, PLLC, in the amount of \$149,915.00; subject to receipt of a Resolution from the Village of Endicott approving the award; and enter into a contract with the consultant and authorize Supervisor Rose A. Sotak to execute any other necessary documents as may be required by New York State to perfect the grant.)

Res. by Bertoni, seconded by Mack.

Vote: All yes.

The Resolution was adopted.



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Moved by Augostini, seconded by Bertoni to authorize the attendance of Kenneth Jennison and James Wallace to the Southern Tier Building Officials meeting on December 7<sup>th</sup> & 8<sup>th</sup>, 2016 at the Owego Treadway Inn. Authorization to include use of a Town vehicle and registration of \$50.00 per person per day. The training accounts for 12 hours of the required 24 hours of yearly training. Jim Wallace only needs to attend 1 session.  
Carried.

(Prepared Resolution filed as part of these minutes to approve Change Order #2 for Sandra Drive – Dead End to Leon Drive and Ellen Drive – Sandra Drive to Leon Drive, Curb and Gutter and Storm Sewer Replacement in the amount of \$1,745.00 thus increasing the project total to \$212,143.00.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve Change Order #1 for Watson Blvd. Over Patterson Creek Structural Repairs in the amount of \$1,607.16 thus increasing the project total to \$33,807.16.)

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

Vote: All yes.

### HEARING OF VISITORS:

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

1. Union Volunteer Emergency Squad 2016 3<sup>rd</sup> Quarter Report and 2017 Draft Budget.
2. Planning Department Decision – Minor Site Plan Approval, La Moda Nails and Spa, 3600 George F. Highway, Endwell Tax Map # 142.17-4-29.
3. Permits Report – October 2016.
4. Town Clerk Monthly Report – November 2016.

Carried.



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## ADJOURNMENT:

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

The meeting was adjourned at 8:43 P.M.

GLS/bk

Gail L. Springer, RMC  
Town Clerk