



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*

TOWN OF UNION BOARD MEETING

May 17, 2017

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, May 17, 2017 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.

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

PUBLIC HEARINGS: None.

BIDS:

Bids were called for on Monday, May 8, 2017 at 10:00 A.M. for Installation of Concrete Flooring for Shelter 2 at Glendale Park and Shelter 4 at Highland Park.

Bids were received as follows:

Tre-Gen Concrete Corporation	\$19,199.00
Albert Torto Construction	\$23,950.00
R.B. Magliocca General Contracting	\$26,548.00
Marchuska Brothers Construction	\$39,989.00

Moved by Augostini, seconded by Bertoni to receive and file the bids for Installation of Concrete Flooring for Shelter 2 at Glendale Park and Shelter 4 at Highland Park.
Carried.

APPROVAL OF MINUTES:

Moved by Augostini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, May 3, 2017.
Carried.



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HEARING OF VISITORS:

Todd McCarthy, 602 Ventura Drive, Endwell, spoke about a County project that was encroaching on his property on Twist Run Road. He would like the Town to be a good neighbor and set up a process to check on such projects.

Town Attorney Alan J. Pope explained that this was a County job and the Town has no oversight on their projects. He said the Town has to be careful not to take on liabilities that do not involve them.

Council Robert Mack said the Town cannot oversee the County or State on their jobs.

Mr. & Mrs. Robert Bush, 315 Taft Avenue, Endicott, spoke about the ongoing code problems at 311 Taft Avenue and asked how this will be resolved when the owners do not show up to court dates.

Town Attorney Alan J. Pope explained that he is waiting for a bench warrant to be signed by the judge. Once they are served, they will be brought into court.

Scott Fegan, 309 Taft Avenue, said the smell from the house is atrocious. He also said that Broome County is supposed to be taking over the house for back taxes.

Town Attorney Alan J. Pope said that the violations will not go away if the County takes over the property. We will stay on top of this.

Councilman Thomas R. Augostini said he sent a message to one of the judges asking them to address this issue.

Mitch Curatolo, 1010 Autumn Drive, Endwell, asked when the sinkhole in front of 2739 Northwood Drive will be taken care of.

Councilman Leonard J. Perfetti said that the Town just started blacktopping.

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

COMMUNICATIONS FOR FILING:

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

1. Minutes of a Regular Meeting of the Endicott Village Board held on March 28, 2017.



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2. Minutes of meetings of the Johnson City Village Board held on March 22, March 27, March 28, March 30, April 1, April 5, April 10, April 13, April 17, April 18, April 24, and April 25, 2017.
3. Charter Communications Notice – May 11, 2017.
4. Letter from Linda M. Gilbert, President, New York State Town Clerks Association, Inc. to Supervisor Rose A. Sotak recognizing that Town Clerk Gail L. Springer was awarded the Association's certification as a Registered Municipal Clerk.
5. Combined Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds from Governor's Office of Storm Recovery regarding Village of Johnson City Water Department Maintenance and Storage Building Replacement, 44 Camden Street, Broome County, Johnson City, New York.
6. Binghamton University, Physical Facilities, 400 Vestal Parkway East, Binghamton, New York - Full Environmental Assessment Form Part 1 (Project & Setting), EAF Mapper Summary Reports, Archeology Report, Concept Site Plan and Building Plans for 48 Corliss Avenue, Johnson City.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to approve the email from Kristin Stiles to Supervisor Rose A. Sotak requesting the use of the 17C fields on May 27, 2017 to hold benefit softball tournament for Jennifer Ackley and refer it to Commissioner of Public Works Louis V. Caforio.
Carried.
2. Moved by Augustini, seconded by Bertoni to refer the letter from Frances Neschleba, 2900 Yale Street, Endwell, requesting reimbursement for damage to his sidewalk by a snowplow during the March 2017 snowstorm to the Town Insurance Carrier.
Carried.
3. Moved by Augustini, seconded by Bertoni to approve the letter from Suzanne Manley, 1140 Greenwood Glen, Endwell, requesting permission to close off the cul-de-sac on the top of Greenwood Glen on June 18, 2017 to hold a "cul-de-sac party" and requesting use of barricades and refer it to Town Clerk Gail L. Springer and Highway Superintendent Chester Kupiec.
Carried.
4. Moved by Augustini, seconded by Bertoni to approve retroactively the letter from Robert Miner, West Endicott Fire Department, requesting the use of a garbage truck in their parking



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lot for their chicken BBQ on Saturday, May 13, 2017 and refer it to Deputy Commissioner of Public Works for Environmental Services Daniel A. Schofield.
Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign and execute the form to authorize the employer self-service access to New York State and Local Retirement System Retirement Online for the appointment of Barbara Powell as Security Administrator responsible for submitting the Town's employer Retirement Online security authorization request and monitoring individuals' employer Retirement Online security access. The Town Attorney has approved the form.)

Res. by Mack, 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 and execute the New York State and Local Retirement System Retirement Online form to authorize Barbara Powell as the Contract Administrator responsible for maintaining accurate and complete contact information for the individuals with whom the NYSLRS communicates. The Town Attorney has approved the form.)

Res. by Mack, 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 TP-584 form and the RP-5217-PDF form for the purchase of 1205 Catherine Avenue, Endicott from Broome County Real property, and authorize the payment of the purchase price of \$1.00 and the \$190.00 recording fee.)

Res. by Augostini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution to authorize the change of time of the Town Board meetings from 7:30 P.M. to 7:00 P.M. with work sessions held prior to the meeting beginning June 7, 2017.)

Res. by Bertoni, seconded by Perfetti.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to award the bid for Installation of Concrete Flooring for Shelter 2 at Glendale Park and Shelter 4 at Highland Park to Tre-Gen Concrete Corp. in the amount of \$19,199.00.)

Res. by Perfetti, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing on Wednesday, July 12, 2017 at 7:00 P.M. for the draft version of the Federal Fiscal Year (FFY) 2017 CDBG Annual Action Plan.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes modifying and clarifying a prior Resolution authorizing the Town to sell 26 Main Street Terrace to Islamic Organization of the Southern Tier to be used by its private school, Crescent Academy, to expand their playground and authorizing the Supervisor and the Town Attorney to execute any documents and take such additional and further action as is necessary to implement this Resolution.)

Res. by Bertoni, seconded by Augustini.

Vote: Yes

Augustini

Mack

Perfetti

Sotak

No

Bertoni

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing Planning Director Paul A. Nelson to execute temporary construction easements with property owners for Phase 2 of the CDBG-DR funded N. Loder Avenue Drainage Improvements Project. Said Resolution shall also authorize Supervisor Rose A. Sotak to approve payments for such temporary easement in amounts established pursuant to appraisals prepared by a licensed appraiser.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize Planning Director Paul A. Nelson to execute temporary construction easements with property owners for the Brixius Creek Stream Bank Restoration Project. Said Resolution shall also authorize Supervisor Rose A. Sotak to approve payments for such temporary easement in amounts established pursuant to appraisals prepared by a licensed appraiser.)

Res. by Bertoni, seconded by Augustini.

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 approve payments for and sign all required documentation to acquire the following parcels from Broome County:

413 N. Rogers Avenue, Endicott (Brixius Creek vacant lot)

415 N. Rogers Avenue, Endicott (Brixius Creek vacant lot)

13 Birch Street, Johnson City (Flood damaged-Fairmont Park, to be demolished)

28 Woodland Ave., Johnson City (Flood damaged-Fairmont Park, to be demolished)

29 Fifth Street, Johnson City (Flood damaged – Westover, to be demolished).

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve Change Order #1 for Choconut Center Sanitary Sewer Pumping Station Replacement for \$3,237.34; the project total is now \$205,237.34.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Rose A. Sotak to sign and execute the annual MS4 Municipal Compliance Certificate (MCC) Form.)

Res. by Augustini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

Moved by Augustini, seconded by Mack to authorize the advertisement of bids for Larue Avenue Sanitary Sewer Replacement – King Street to # 417 Larue Avenue at a time and date to be determined by the Commissioner of Public Works Louis V. Caforio.
Carried.

HEARING OF VISITORS:

As no one 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 – April 2017.

2. Comptroller's Monthly Reports – February and March 2017.

Carried.



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At this time, Councilman Thomas R. Augustini congratulated Town Attorney Alan J. Pope on receiving the Sommer Trial Advocacy Award which is awarded by the Broome County Bar Association to a trial attorney "who throughout his career has consistently exhibited the ability, integrity and dedicated advocacy on behalf of his or her clients, which represent the highest ideals of the legal profession."

ADJOURNMENT:

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

The meeting was adjourned at 8:16 P.M.

GLS/bk

Gail L. Springer, RMC
Town Clerk