



**Town Clerk**  
Leonard J. Perfetti

# Town of Union

**Town Board**  
Rose A. Sotak, *Supervisor*  
Thomas R. Augostini, *Councilman*  
Frank J. Bertoni, *Councilman*  
Robert Mack, *Councilman*  
John M. Bernardo, *Councilman*

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## TOWN OF UNION BOARD MEETING

May 2, 2018

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, May 2, 2018 at 7:00 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, Councilman John M. Bernardo.

TOWN OFFICIALS PRESENT: Deputy Town Attorney Kurt D. Schrader, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruczkowski.  
Absent: Town Attorney Alan J. Pope.

Also in attendance was Giuseppe Roberto, Zoning Board of Appeals member.

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

PUBLIC HEARINGS: None.

### BIDS:

Bids were called for on Thursday, April 19, 2018 at 10:00 A.M. for Septic Tank Pumping and Septage Disposal.

Bids were received as follows:

#### Drain Masters

Pumping of 1000 Gallon Septic Tank, Hauling and Disposal	\$215.00
Pumping of 2000 Gallon Septic Tank, Hauling and Disposal	\$265.00

#### Tioga County Sanitary Services

Pumping of 1000 Gallon Septic Tank, Hauling and Disposal	\$215.00
Pumping of 2000 Gallon Septic Tank, Hauling and Disposal	\$390.00

#### Bodek Incorporated

Pumping of 1000 Gallon Septic Tank, Hauling and Disposal	\$310.00
Pumping of 2000 Gallon Septic Tank, Hauling and Disposal	\$535.00



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Moved by Augostini, seconded by Bertoni to receive and file the Bids for Septic Tank Pumping and Septage Disposal.  
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, April 18, 2018.  
Carried.

### HEARING OF VISITORS:

As no one 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. Charter Communications – Notices of Upcoming Changes – May 21, 2018.
2. Communication from the NY State Governor's Office on the Eighth Round of Regional Economic Development Council Competition.
3. Email Invitation from Stephen Donnelly, Tioga Downs, announcing that Tioga Downs will a host Tioga Downs Media Night for Local Officials and Media on May 1, 2018 at 6:30 P.M.
4. Letter from Linda Jackson, 209 East Franklin Street, Endicott, NY opposing the rezone of 26 Kentucky Ave.  
Carried.

### COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to approve the letter from Pam Brigham, West Endicott Neighborhood Watch Coordinator, requesting the use of the pavilion and grass area at West Endicott Park on August 7, 2018 from 4:00 P.M to 8:00 P.M. to hold the National Night Out event; and requesting a portion of Maple Street (between the Page Avenue and Mills Street) to be blocked off during the event and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.  
Carried.



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PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Moved by Bernardo, seconded by Bertoni to approve the attendance of Joseph Cook, Assessor, at the Retail Trends Course through the NYS Assessor's Association, in Ithaca, New York on July 19<sup>th</sup> & 20<sup>th</sup> 2018. Approval to include \$260.00 for tuition, use of a town vehicle and per diem in accordance with Town approved guidelines.  
Carried.

Moved by Mack, seconded by Bernardo to approve the following 2018 Budget Transfers:

Decrease:	20 8120 4111	Parts	\$ 7,000.00
Increase:	20 8120 4401	Equipment Maintenance	\$ 7,000.00

Carried.

(Prepared Resolution filed as part of these minutes authorizing the purchase of two (2) 6' Kubota mowers from Goodrich Implements through State Contract number 67693. The fee for each mower is \$13,293.54 for a total of \$26,587.08. The funds will come out of Parks Equipment Line item # 60 2041 3101.)  
Res. by Augustini, seconded by Mack. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the Supervisor to execute Cooperation Agreements with the Villages of Endicott and Johnson City to qualify for CDBG funding Federal Fiscal Years 2020 through 2022.)  
Res. by Bertoni, seconded by Augustini. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the Supervisor to execute the following updated documents for the NY Rising program to account for the awarding of construction contracts:

Refuse Garage- Request for Project and Contract(s) Approval  
Refuse Garage- Disclosure and DOB form update  
Abbreviated Application Amendment Form)

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

At this time the Town Board made the following comments regarding the next Resolution:



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Councilman Frank J. Bertoni said he is planning to vote no on the resolution due to the uncertainty of what will go on after the approval of the rezoning. He said this is not a reflection against the developing company.

Councilman Thomas R. Augostini explained that he had concerns with the project going forward, in that the majority of the building sits in the Village of Endicott. He was concerned that their newly formed Planning and Zoning Boards did not have the expertise or skillset to entertain two variances and site plan reviews for this project. This being said, he sent a letter to the Village of Endicott requesting that they consider working with the Town of Union's Planning and Zoning Boards to do a coordinated review of the project. The Village of Endicott was very receptive to the idea and is encouraged to work with the Town.

He said his second concern was how the company would manage the project after it was developed. He spoke with the developers and they addressed his concerns by clarifying the process for renter's investigations, including income verification, past 5 year landlord history requirements and background checks. He also visited both of their facilities in Syracuse and Oneonta. He was impressed with them and is satisfied with their reply to his questions.

Lastly, his final concern is the current condition of the property, what it is currently zoned for and what type of business could be in there now. He looked at the rendition of the plans for the future building, the cooperation of the Village of Endicott to work with the Town, and the results of his research to make his decision to approve the rezoning.

Councilman John M. Bernardo commended Councilman Augostini on reaching out to the Village of Endicott and for his research on this project. He also commended the Village of Endicott for recognizing their inexperience and their desire to work with the Town.

Councilman Robert Mack agreed that he is concerned that the building could end up worse than it is now and he does not want it to become a 1 North Page Avenue scenario. He said he also fears that another developer would not be up to par or to the same high standards as this company.

(Prepared Resolution to approve the Change of Zone request for 26 Kentucky Avenue (Tax Map # 157.07-1-8) from Industrial (I) to Urban Multi-Family (UMF).

Res. by Bertoni, seconded by Augostini.

Vote: Yes

Augostini

Bernardo

Mack

Sotak

No



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Bertoni

The Resolution was adopted.

(Prepared Resolution filed as part of these to approve the yearly (2018) contract with Maine-Endwell Schools for refuse and recycling collection for \$25,410.00 and to authorize Supervisor Rose A. Sotak to sign the said contract.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the Grant Distribution Agreement with Empire State Development for the Town of Union Floodwall and authorize Supervisor Rose A. Sotak to sign the said agreements.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the bid for Septic Tank Pumping and Septage Disposal to Drain Masters, Munnsville, New York for their bid price as follows:

Pumping of 1000 Gallon Septic Tank, Hauling and Disposal \$215.00

Pumping of 2000 Gallon Septic Tank, Hauling and Disposal \$265.00.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the purchase of One (1) New 2019 Granite 64FRT Tractor per Onondaga County Contract #7823 with purchase price of \$147,912.39 from Beam Mack Sales Service, Inc. This will replace E-28 – 1995 Mack Tractor which will be declared as surplus and sold by Auctions International. Monies for this purchase would be paid out of the 2018 Capital Budget previously approved by the Town Board.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve nine change orders for the Fairmont Park Floodwall entire project in the amount of \$80,425.22 thus increasing the project total to \$ \$814,425.22. The project increase is due to unforeseen extra work required to complete the project.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

HEARING OF VISITORS:



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Roger Faling, 106 Bernetta Street, Endicott, thanked the highway crew for repairing Glendale Drive. He said he walks on the floodwall and saw men on four wheelers placing flags on it and asked them what they were for. They said it was for the development of a walkway. He stated that the money should be spent on infrastructure and roads instead of unnecessary projects like this walkway.

Councilman Frank J. Bertoni said this project was through a grant applied for by the County, Village and the Town of Union to extend the walkway.

### 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 Comptrollers Monthly Reporting – March 2018.
2. Permits Report – March 2018.  
Carried.

### ADJOURNMENT:

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

The meeting was adjourned at 7:22 P.M.

LJP/bk

Leonard J. Perfetti,  
Town Clerk