



**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

July 18, 2018

The Regular Meeting of the Town Board of the Town Of Union was held on Wednesday, July 18, 2018 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York.

BOARD MEMBERS PRESENT: Town Supervisor Rose A. Sotak, Councilman Thomas R. Augostini, Councilman Frank J. Bertoni, Councilman Robert Mack, Councilman John M. Bernardo.

TOWN OFFICIALS: Town Attorney Alan J. Pope, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruckowski, Planning Director Paul A. Nelson.

Also in attendance was Anthony Bates, Village of Endicott Manager.

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, July 18, 2018 at 7:00 P.M. to solicit public input for the Draft Version of the Federal Fiscal Year (FFY) 2018 CDBG Annual Action Plan. Pub. & Posted 7/13/18.

Debbie Kerins, representative of Catholic Charities Retired Seniors Volunteer Program (CC RSVP), spoke about the organization and asked for continued support from the Town of Union CDBG funds.

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

A Public Hearing was called for on Wednesday, July 18, 2018 at 7:00 P.M. to solicit public input on the application for rezoning or amending the zoning law in the Town of Union with respect to 1 N. Page Avenue (tax map # 156.51-1-36) from Urban Multi-Family (UMF) to Commercial Office (CO). Pub. & Posted 7/03/18.

Planning Director Paul A. Nelson explained the zoning classifications and said that the Commercial Office classification is the most restrictive non-residential classification in the Town Code.



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Sarah Campbell, Attorney from Hinman, Howard & Kattell, representing National Pipe and Plastics, spoke on their desire to purchase 1 N. Page Avenue from Broome County; to move forward with the demolition of the current building and to build their new corporate offices on the property. She stated that National Pipe and Plastics will go through the stringent processes required by the Town's Planning and Zoning Boards in order to proceed with the new construction. Ms. Campbell further stated that National Pipe and Plastics has also promised a land donation to the Town of Union for park use.

Town Attorney Alan J. Pope asked Attorney Sarah Campbell to explain some of the restrictions regarding the Commercial Office zoning, such as the storage of pipes or having a restoration shop on the property.

Sarah Campbell explained that industrial activity is not permissible in Commercial Office zoning and that National Pipe and Plastics will use the property for office space only. She further said they are excited to clean up the eyesore that is there now.

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

(Prepared Resolution filed as part of these minutes to amend Petition to Rezone 1 N. Page Avenue from Urban Multi Family to Commercial Office as a Type 1 Action under SEQRA; and to make a Negative Declaration under SEQRA, per evaluation of the submitted full Environmental Assessment Form and Planning Board's Advisory Opinion.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

### BIDS:

Bids were called for on Monday, July 09, 2018 at 10:00 A.M. for One (1) 2019 or newer Diesel 4x2 Truck Chassis Conventional Cab with Left Hand Stand Up Drive Conversion and 23 Cubic Yard Side Loader Full Eject Recycling Body.

A single bid was received as follows:

	<u>Make&amp; Model</u>	<u>Price</u>
GSP Marketing, Inc.	2019 Freightliner M2-106	\$197,927.53 Body & Chassis
		\$111,653.00 Chassis Only

Moved by Augustini, seconded by Bertoni to receive and file the single bid for One (1) 2019 or Newer Diesel 4x2 Truck Chassis Conventional Cab with Left Hand Stand Up Drive Conversion and 23 Cubic Yard Side Loader Full Eject Recycling Body.  
Carried.



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## APPROVAL OF MINUTES:

Moved by Augustini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, June 20, 2018 and the Special Town of Union Board meeting held on Tuesday, July 3, 2018.  
Carried.

## HEARING OF VISITORS:

Mitch Curatolo, 1010 Autumn Drive, Endwell, gave his condolences to Councilman Thomas R. Augustini on the passing of his father. He spoke on the many advertising signs left on the poles around Endwell and about dead trees between the curbs and sidewalks on Northwood Road.

Supervisor Rose A. Sotak asked Councilman Frank J. Bertoni to look into the tree problem.

Linda Jackson, 209 E. Franklin Street, Endicott said she wanted to dispel some bad media that stated the Town meetings were unruly with fighting and yelling. She said she has been attending the meetings for a year and a half and says the meetings have been run very professionally with no fighting. She also said she appreciates the Board for working together.

John Sylvester, 925 Byford Boulevard, Endwell, asked if there is a set schedule for leaf collection in the fall and also about dead trees in Lower Highland Park that border properties on Byford Boulevard. He asked if the Town would have an arborist come in to determine what trees need to be removed.

Councilman Robert Mack said the Highway Department could give him a starting date for collection but it is based on the weather as to how it is followed. He also said that the Town now has four leaf picker trucks.

Councilman John M. Bernardo said the schedule also depends on if the weather is still favorable for the Highway Department to be blacktopping at that time.

Supervisor Rose A. Sotak said the Town was notified of trees that fell from Lower Highland Park onto properties on Byford Boulevard. (Filing #5 of this meeting).

Paul Gonzalez, 508 June Street, Endicott, spoke on the concerns of the West Endicott Fire Department closing due to the lack of volunteers.



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Dewitt Hendricks, 58 Carol Court, Endicott, President of Pleasant Acres Association, spoke about a street light that has been out for three years on the corner of White Birch Lane and Carol Court. He said he was originally told it was a NYSEG problem due to no power going to the pole; and NYSEG then informed him that it was the Town's problem. He said in May he was told by Commissioner of Public Works Louis V. Caforio that it would be fixed by the second week of June; which it has not been. He is requesting this project to be done by the end of July.

Councilman Frank J. Bertoni said a date of completion cannot be promised, but he knows the job is on the list to be done.

Supervisor Rose A. Sotak said the Town Board cannot promise the public if something can be done or a completion date for when a project will be finished.

Peter Farrow, 3610 Joel Drive, Endwell, spoke about the speed limits on Robinson Hill Road and asked why there are different speeds depending on the direction of travel; downhill being 30 MPH and uphill is 40 MPH. He also asked if the Town could make the speed limits consistent on both sides.

Town Attorney Alan J. Pope suggested that Mr. Farrow write a letter to the Town Board regarding this and it will be referred to Commissioner of Public Works Louis V. Caforio to review.

Councilman Thomas R. Augostini said the law enforcement agencies should be contacted to get the information on speed issues in that area.

Pam Brigham, Neighborhood Watch - West Endicott, Endicott, thanked the Board for their work done on getting the 1 North Page Avenue project moving. She said the Neighborhood Watch has over 900 members; of which there have been no complaints about the change of zoning and they are happy for the eyesore to be coming down.

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. Notice of Order – State of New York Department of Transportation Traffic Operations Bureau adding the following regulation: left turns by traffic from River Road to Route 17C. The order will be effective upon the installation, modification or removal of the necessary traffic control device.



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2. Notice from Buckeye Pipe Line Company, L.P. regarding Pipe Line Right of Way Vegetation Maintenance Binghamton to Trumansburg – B1751WA – 6 Inch.
3. Letter from Jerome Z. Knebel, Broome County Director of Office Management & Budget, disclosing to Towns the portion of tax refunds and cancellations made on behalf of towns each year through May 31, 2018.
4. Charter Communications Notices – June 28, 2018 & June 29, 2018.
5. E-Mail from Adele Corwin Dray, 913 Byford Boulevard, Endwell, regarding trees from lower Highland Park that fell onto hers and her neighbor's properties causing damage; and the disappointing response she received from Commissioner of Public Works Louis V. Caforio relayed through Parks Manager Ray Vanderpoel.
6. E-mails from residents in favor of the rezoning and re-use of 1 N. Page Avenue, Endicott.
7. Letter from Frank Evangelisti, Director, Broome County Planning and Economic Development, regarding Review Pursuant to Section 239-l and -m of the General Municipal Law regarding Rezoning of 1 N. Page Avenue, Endicott.
8. Letter from Pamela M. Eshbaugh, P.E. Regional Planning and Program manager, New York State Department of Transportation regarding Project Identification Number (PIN) 9041369 – State Route 17C Preventive Maintenance Resurfacing Proposed Lane Reconfiguration Town of Union and Village of Endicott, Broome County – from Arthur Avenue to Hooper Road Interchange.  
Carried.

### COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to approve the letter from Mia McCarthy, Maine Endwell High School Student Council President, requesting permission for the annual Homecoming Parade on Saturday, September 29, 2018, beginning at approximately 11:00 A.M. and ending at about 12:30 P.M. with the route as follows: beginning at Riverdale Restaurant extra parking lot on North Knight Avenue, going down North Knight Avenue toward Watson Boulevard, turning left onto Watson Boulevard, turning left onto Beckwith Avenue, turning right onto Country Club Road, turning left onto Hooper Road, turning right onto Farm-to-Market Road and ending at Maine-Endwell High School; and refer it to Commissioner of Public Works Louis V. Caforio, Highway Superintendent Chester Kupiec and Town Clerk Leonard J. Perfetti.  
Carried.
2. Moved by Augustini, seconded by Bertoni to refer the Notice of Claim in the matter of Kenneth C. Rhodes, Plaintiff, against the Town of Union, Defendant to Town Attorney Alan J. Pope and the Town's Insurance Carrier.  
Carried.



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3. Moved by Augustini, seconded by Bertoni to approve the letter from Kashif Summers, Site Supervisor, Boys & Girls Club of Western Broome and Founder of Watch Us Change Us, requesting use of both pavilions at Glendale Park with the fees waived on August 28, 2018 for a Community BBQ and refer it to the Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.  
Carried.

4. Moved by Augustini, seconded by Bertoni to refer the letter from Jean Golembeski, Bazaar Co-Chairperson, St. Joseph's Church, Endicott, requesting the use of snow fencing and poles for their annual bazaar being held from September 7 - 9, 2018, and requesting the snow fencing and poles be delivered by Tuesday, September 4, 2018 to Highway Superintendent Chester Kupiec.  
Carried.

5. Moved by Augustini, seconded by Bertoni to approve the letter from Joshua Hanes, District Director, Boys Scouts of America Baden-Powell Council, BSA and ACHIEVE, requesting the use of Shelter #6 at Highland Park on July 5<sup>th</sup>, 12<sup>th</sup>, 19<sup>th</sup>, & 26<sup>th</sup>, 2018 and requesting the fees be waived and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.  
Carried.

6. Moved by Augustini, seconded by Bertoni to approve the E-mail from Tom Carter, Seton Catholic Central Octoberfest Race Director, requesting use of Highland Park Pavilion #7 on Saturday, October 6, 2018 from 7AM to 12:00 Noon to hold their annual Octoberfest 5K and 10K races and to waive the fees and refer it to Parks Manager Ray Vanderpoel.  
Carried.

7. Moved by Augustini, seconded by Bertoni to approve the E-mail from Mary Sze-Tu, LCSW-R, Samaritan Counseling Center of the Southern Tier, Inc., 3001 East Main Street, Endwell, asking if one of the large "decommissioned" picnic tables stored by the garage at Highland Park could be donated to their organization and refer it to Commissioner of Public Works Louis V. Caforio.  
Carried.

8. Moved by Augustini, seconded by Bertoni to refer the letter from Jean Chapin, 8 Woodland Avenue, Johnson City, to Leonard J. Perfetti, Town Clerk, stating interest in the purchase the vacant property owned by the Town of Union at 10 Woodland Avenue, Johnson City to Planning Director Paul A. Nelson.  
Carried.

9. Moved by Augustini, seconded by Bertoni to refer the letter from Tony Signorelli, PE, Regional Traffic Engineer, New York State Department of Transportation regarding PIN 90PS01: NYS Pedestrian Safety Action Plan; with attached agreement for signature to participate in the program to Commissioner of Public Works Louis V. Caforio.  
Carried.



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10. Moved by Augustini, seconded by Bertoni to refer the letter from Francine Raffa, P.O. Box 5686, Endicott, New York, resident of Northside Villas, requesting permission to update the Northside Villa sign by removing the words Town of Union Housing Authority to Planning Director Paul A. Nelson.

Carried.

11. Moved by Augustini, seconded by Bertoni to refer the letter from Matthew Smith, The PourHouse Pub and Grill, 4402 Watson Boulevard, Johnson City, requesting a 30-Day Waiver for an On-Premises Alcoholic Beverage License to Town Attorney Alan J. Pope, Deputy Commissioner of Public Works for Codes Daria Golazeski and Town Clerk Leonard J. Perfetti.

Carried.

PETITIONS:           None.

### COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes authorizing Laura Lindsley to attend the Regional Charitable Reserve Funds Training relating to the limitations on State and Local Tax (SALT) adopted by New York with substantive and comprehensive changes to the calculation of personal income taxes and real property taxes at the Town of Owego on July 27, 2018 at 3:00 p.m. There is no fee for this seminar.)

Res. by Bernardo, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the Memorandum of Agreement by and between the Town of Union and the CSEA Blue Collar Unit 6152 whereby the Town of Union is unilaterally providing certain additional funding benefits as a good faith gesture to our Blue Collar workers, namely a clothing cost allotment, a winter overtime differential pay (for snow removal/maintenance only) and team building/departments meetings and to authorize the Town Attorney to execute the same.)

Res. by Bernardo, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to increase the Commissioner of Public Works' and Highway Superintendent's compensation packages each by \$2,500.00 annually retroactive to March 1, 2018 in recognition of the tremendous efforts the Commissioner of Public Works and Highway Superintendent have provided to the Town of Union and the fact that each are significantly underpaid given their responsibilities, excellent work, and after-hours requirements and commitments.)

Res by Bernardo, seconded by Bertoni.



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Vote: Yes  
Augustini  
Bertoni  
Mack  
Bernardo  
Abstain  
Sotak

The Resolution was adopted.

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

Decrease:	22 8340 4512	Professional Services	\$ 80.00
Increase:	22 8340 4603	Legal Expense	\$ 80.00
Decrease:	20 8160 4513	County Tipping Fees	\$ 510.70
Increase:	20 8160 4403	Printing	\$ 510.70
Decrease:	40 7110 4149	Building & Grounds Supplies	\$ 5,000.00
Increase:	40 7110 4401	Equipment Maintenance	\$ 2,000.00
Increase:	40 7110 4413	Building Maintenance Services	\$ 3,000.00

Carried.

(Prepared Resolution filed as part of these minutes authorizing the approval and authorization for Supervisor Rose A. Sotak to sign and execute the letter requesting reimbursement from the Community Development Block Grant Disaster Recovery Fund to the Town of Union General Fund of \$7,072.00 for services rendered by the Department of Audit and Control for the year ended 2017.)

Res. by Mack, seconded by Bernardo.  
The Resolution was adopted.

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing the approval and authorization for Supervisor Rose A. Sotak to sign and execute the letter requesting reimbursement from the Housing Voucher Fund to the Town of Union General Fund of \$16,491.00 for services rendered by the Department of Audit and Control for the year ended 2017.)

Res. by Mack, seconded by Bernardo.  
The Resolution was adopted.

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing the approval and authorization for Supervisor Rose A. Sotak to sign and execute the letter requesting reimbursement from the Community Development Block Grant Fund to the Town of Union General Fund of \$13,120.00 for services rendered by the Department of Audit and Control for the year ended 2017.)

Res. by Mack, seconded by Bernardo.  
The Resolution was adopted.

Vote: All yes.





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Moved by Bertoni, seconded by Augustini authorizing the periodic posting of the Town Board regular meeting videos on the Town of Union website. Such videos are not to be considered the official meeting minutes. The official Town Board meeting minutes will continue to be kept and posted by the Town Clerk.  
Carried.

(Prepared Resolution filed as part of these minutes authorizing the purchase of a 2018 Milton CAT Skid Steer for the cost of \$6000.00 to replace a 2017 Milton CAT Skid Steer.)  
Res. by Augustini, seconded by Mack. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to authorize Change Order 1 to the contract with Vacri Construction Corporation for the Grand Ave. (Cook to Helen) Street Reconstruction Project in the amount of \$11,380.89. The new contract amount will be \$346,380.89. The change order is required to change over a 12" sewer line to an 18" sewer line. This change required modifications to a 14-15 foot deep manhole.)  
Res. by Bertoni, seconded by Augustini. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the Town of Union Supervisor to offer signed consent and support of Broome County's proposal to apply to New York State to make updates and enhancements to the Broome County Local Waterfront Access Plan through the Local Waterfront Revitalization Program (LWRP).)  
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 Fourth Amendment to the Community Development Block Grant Disaster Recovery Subrecipient Agreement by and between the Housing Trust Fund Corporation, operating by and through its division, the Governor's Office of Storm Recovery (GOSR) and the Town of Union.)  
Res. by Bertoni, seconded by Augustini. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing Change Order #2 to the contract with Albert Torto and Sons for the West Edward Street Reconstruction Project in an estimated amount of \$5,044.50 based on current estimated quantities in the contract. The new contract amount will be \$450,334.50 but will be subject to change based on actual quantities placed. The change order is required for the escalator clause in the NYSDOT



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specifications as documented by the New York State Office of General Services Asphalt and Fuel Index effective July 1, 2018.)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes at the Board's discretion to approve the Change of Zone request for 1 North Page Avenue (Tax Map #156.51-1-36) from Urban Multi-Family (UMF) to Commercial Office (CO).)

Res. by Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

Councilman Frank J. Bertoni said he was excited to read this Resolution and said that being patient has paid off.

Councilman Thomas R. Augustini read background information regarding National Pipe and Plastics and thanked Mr. Culbertson for deciding to anchor his corporate offices in West Endicott instead of going anywhere else in the 33 states or Canada where his company conducts business. He further said that this is why the rezoning of 1 North Page Avenue was so important.

Councilman Robert Mack said he is pleased that the headquarters will be housed in Endicott and is confident the facilities will be well maintained. He also said he is happy that there will be an increase of employees at the new facility.

Supervisor Rose A. Sotak said it is a win/win situation for the Town of Union and a great improvement to the West Endicott area.

(Prepared Resolution filed as part of these minutes authorizing the Supervisor to execute an extension of the contract with Vacri Construction for the Grand Avenue (Cook to Helen Street Reconstruction Project through September 28, 2018. The extension is necessary due to additional work that NYSEG will be undertaking to relocate a gas main.)

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 a letter of support for an application by the Broome County Health Department to HUD's Lead Based Paint Hazard Reduction grant program.)

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 authorizing the purchase of a new 2018 Caterpillar 420F2 IT Backhoe through a Buy Back Program from CAT for a price of \$14,000.00 (\$103,514.00 minus trade in \$89,514.00) per NYS OGS contract PC66988 NJPA-032515 CAT. The new backhoe would be paid out of the Highway Equipment Account.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes declaring vacant land owned by the Town of Union located at 1006 Taft Ave, Endicott, New York (Tax Map Parcel 125.19-3-17.1) to be surplus and authorizing the Town of Union Clerk's Office to publish and post a request for proposal to purchase said vacant land at 1006 Taft Ave, Endicott, New York.)

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 One (1) 2019 or newer Diesel 4x2 Truck Chassis Conventional Cab with Left Hand Stand Up Drive Conversion and 23 Cubic Yard Side Loader Full Eject Recycling Body to GSP Marketing, Inc., Somerset, Pennsylvania for their bid price of \$197,927.53.)

Res. by Bernardo, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

### HEARING OF VISITORS:

Linda Jackson, 209 E. Franklin Street, Endicott, said the next meeting of "Endicott Proud" will be held on Monday, July 23, 2018 at 4:00 P.M. at the Union Endicott School District Administration Building and the speaker will be discussing the battery company coming to Endicott.

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 of Union Local Development Corporation Minutes – May 24, 2018.
2. Planning Department Decision – Caddy Shack Miniature Golf Course, Minor Site Plan Approval, 800 Hooper Road, Endwell, Tax Map # 125.20-4.



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3. Planning Department Decision – New York State Electric & Gas, Glendale Drive District Regulator Station, Minor Site Plan Review, 367 Glendale Dr., Endicott, Tax Map #156.41-1-9.
4. Town Clerk's Monthly Report – June 2018
5. Zoning Board of Appeals Decision – Maria & Robert Tinklepaugh, 622 Jennings Street, Endicott, Tax Map # 156.51-1-8. Approval for accessory structure.
6. Planning Board Decision – Housing Visions, Site Plan Approval - Endicott Multi Family Project, 26 Kentucky Avenue, Tax Map # 157.07-1-8.
7. Comptroller's Monthly Report – June 30, 2018.  
Carried.

At this time, Councilman John M. Bernardo gave the condolences of the Board to Councilman Thomas R. Augostini on the passing of his father Louis Augostini.

### ADJOURNMENT:

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

The meeting was adjourned at 8:10 P.M.

LJP/bk

Leonard J. Perfetti,  
Town Clerk