



**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*

---

## TOWN OF UNION BOARD MEETING

August 8, 2018

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, August 8, 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: Town Attorney Alan J. Pope, Deputy Town Attorney Kurt D. Schrader, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruczkowski, Deputy Commissioner of Public Works – Environmental Services Daniel A. Schofield, Planning Director Paul A. Nelson.

Also in attendance was 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, July 18, 2018.  
Carried.

### HEARING OF VISITORS:

Cindy Harris, 1006 Autumn Drive, Endwell, representing neighbors from Pleasant Acres Development, spoke regarding the drug house at 1030 Autumn Drive, at which a drug arrest was made this week. She said that there has been drug activity at this house for 15 years and it is still ongoing, even though the arrest was made. She further said the residents have been in contact with the State Police, Broome County Sheriff and the District Attorney's Office



## Town of Union

---

regarding this issue and are asking the Town of Union to lockdown the house according to the Town's Lockdown Law and to have an increased police presence on their street to deter further drug activity.

Supervisor Rose A. Sotak said she has been talking with the Undersheriff and Deputy Town Attorney Kurt D. Schrader is also in contact with the police agencies regarding this issue.

Deputy Town Attorney Kurt D. Schrader explained the Lockdown Law and the importance of the residents signing affidavits supporting the evidence gathered to earn points against the house. He further explained that the evidence must be collected in a 12 month period and any activity before that time period cannot be used to assess points. He gave the residents his phone number to setup a meeting to discuss the affidavits.

Jason Shaw, Broome County Legislator, asked what he could do at the County level to help with this problem and whom would he work with at the Town of Union.

Deputy Town Attorney Kurt D. Schrader said Mr. Shaw could help by gathering the raw data of 911 emergency call records to that address, and have the information categorized by activity to possibly be used to assess points towards a lockdown of the house. He further said the report of this activity would be sent to the Deputy Commissioner of Public Works-Codes Daria Golazeski.

Councilman Robert Mack said the Town does not have a police agency; therefore they cannot dictate to the Broome County Sheriff or the New York State Police to have an increased presence on their street. He suggested that a camera installed on the telephone pole to record activity and monitored by the police, could be helpful in gathering evidence and to deter activity.

Cynthia Totolis, 1000 Broad Street, Endicott, suggested that the law needs to be revised to add a longer collection period for gathering evidence. She also said that the Village of Endicott spent a lot of money on these cameras and that the Town should get information from them regarding their purchase and usage.

Councilman Frank J. Bertoni said the Village of Endicott's cameras can be moved to different locations where needed and there may be grants to help the Town purchase some. He also said that maybe the Town could tie into the Village of Endicott's program.

Councilman Robert Mack said that the Town law was modeled after the City of Rochester's law which has been successfully defended in court.

Jason Shaw, Broome County Legislator, said he will lobby with the Broome County Emergency Services Office, Sheriff's Office and the District Attorney's Office to get the data requested and look into grant opportunities to purchase the cameras.



## Town of Union

---

Jim Dutcher, Endicott resident, said the sorting of the data is an easy process and can be done by local resources, such as college students.

Cindy Totolis, 1000 Broad Street, Endicott, said she can understand the fear of the neighbors signing the affidavits and asked what would be the repercussions to them for signing them.

Town Attorney Alan J. Pope said the attorneys need the affidavits and the police records to get a judge to sign the lockdown order. He also said it may be a comfort to the residents if they all sign the affidavits, not just one or two people.

Councilman John M. Bernardo suggested that two or three members of the neighborhood group meet with Deputy Town Attorney Kurt D. Schrader to review the law and look at ideas as to how it can be revised.

Glenn Reich, 1018 Autumn Drive, Endwell, said according to the law as it is written, a lot of evidence must be gathered in one year for it to be effective. He said the law must be changed because it is not a long enough time period to gather the evidence.

Town Attorney Alan J. Pope said he supports Councilman Bernardo's suggestion on the neighborhood committee meeting with Deputy Town Attorney Kurt D. Schrader.

Jim Dutcher, Endicott resident, asked what would protect the people from the criminals after they signed the affidavits when they become public records.

Roger Faling, 106 Bernetta Street, Endicott, thanked the Town for the resurfacing of Leon Drive and Boswell Hill Road, but complained the manhole covers are too deep and are a danger to motorcyclists as himself. He asked that they be fixed.

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. Email from Betty Brady, a West Corners resident, to Town Clerk Leonard J. Perfetti, thanking the Town for the demolition and site clearance of 1205 Catherine Street, Endicott.
2. Letter from Susan E. Reif, District Clerk for Union Endicott Central School District, to Town Clerk Leonard J. Perfetti, supplying the names and addresses of the 2018-2019 Union Endicott School District Board of Education members.



## Town of Union

---

3. Letter from Erika Pereira, Administrative Assistant, Endwell Fire District, regarding the Audit report for fiscal year 2017.
4. Letter from Jerome Z. Knebel, Director of Office of Management & Budget, Broome County to Supervisor Rose A. Sotak, regarding an updated assessment refund made on the Town's behalf for the GMMM Westover, parcel #143.70-1-1.211 to be included in the 2019 Budget deliberations.
5. Letter from Jack Williams, NYS Department of Transportation, to Supervisor Rose A. Sotak, informing of his upcoming retirement and thanking the Town for working well with him during his employment.
6. Copy of a Letter from Tim Connelly, 2713 E. Main Street, Endwell, to Mr. Greg Wojcik, NYS Department of Transportation, regarding the proposed Street Reconstruction Project #904139.  
Carried.

### COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to approve the Email from Cheryl Grafton, Endwell Fire Five Alarm 5K Committee, requesting the use of the digital sign at Highland Park to advertise their race to be held on Saturday, September 22, 2018 at 10:30 AM and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.  
Carried.
2. Moved by Augustini, seconded by Bertoni to refer the Notice of Foreclosure – DEUTSCHE BANK TRUST AMERICAS, N.A., Plaintiff, vs Christopher J. Larosa & Marlene Maddox, aka Marlene Larosa, 707 Maple Street, Endicott to Town Attorney Alan J. Pope, Town Assessor Joseph Cook and Planning Director Paul A. Nelson.  
Carried.
3. Moved by Augustini, seconded by Bertoni to approve the Email from Jeffrey Hontz, Assistant Chief 29B, West Corners Fire Department, to Commissioner of Public Works Louis V. Caforio, requesting the use of 30 barricades to help with various road closures for their 100<sup>th</sup> year celebration: Parade, Block Party & Fireworks Display on August 25, 2018 and refer it to Commissioner of Public Works Louis V. Caforio and Highway Superintendent Chet Kupiec.  
Carried.
4. Moved by Augustini, seconded by Bertoni to approve the letter from Jessica Stanis, Regional Director, Rescue Mission, requesting the use of Highland Park and the Recreation Center on Friday, February 22, 2019 from 2:00 PM to 8:00 PM to hold their annual Freeze Out 5k Walk/Run benefitting the Rescue Mission; to waive any fees associated with this



## Town of Union

---

request and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.  
Carried.

PETITIONS: None.

### COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution was filed as part of these minutes appointing Tom Schofield as the new Deputy Commissioner of Public Works for Environmental Services at a salary of \$30,000.00, effective September 1, 2018, due to the retirement of Dan Schofield on August 31, 2018.)  
Res. by Bernardo, seconded by Bertoni.

Vote: Yes  
Bernardo  
Mack  
Augustini  
Abstain  
Bertoni  
Sotak

The Resolution was adopted

Moved by Bernardo, seconded by Bertoni to approve the hiring rate of \$34,851.00 for the new Assistant Engineer position.  
Carried.

Moved by Mack, seconded by Bernardo to approve the following 2018 Budget Transfers to reallocate lines per the completion of the 06/30/18 budget reconciliations:

ORG	OBJ	ACCOUNT DESCRIPTION	TRANSFER
10 1010	1090	Health Insurance Buy Out	1,500.00
10 1110	1030	Temporary	(5,011.74)
10 1110	1040	Overtime	3,000.00
10 1110	4101	Office Supplies	(148.00)
10 1110	4403	Printing	148.00
10 1110	4601	Travel & Expense Reimbursement	2,011.74
10 1220	1010	Salary Base	(686.26)
10 1220	1030	Temporary	653.13
10 1220	1040	Overtime	33.13
10 1315	4101	Office Supplies	300.00
10 1315	4603	Legal Notices	(300.00)
10 1620	1030	Temporary	(8,000.00)
10 1620	1040	Overtime	8,000.00



## Town of Union

---

10 1622	4202	Electricity	15,000.00
10 1622	4205	Gas	(15,000.00)
10 9060	8004	Health Insurance	(1,500.00)
10 9730	7100	Interest BAN'S	1.00
10 9780	7200	Interest - Other	(1.00)
		Total 10 General	0.00
20 1440	1040	Overtime	1,400.00
20 1440	4512	Consultant	(1,400.00)
20 1490	1010	Salary Base	(1,570.72)
20 1490	4011	OSHA	105.00
20 1490	4516	IT Services	1,359.00
20 1490	4601	Travel & Expense Reimbursement	1,183.00
20 1490	4603	Legal Notices	282.72
20 1491	4516	IT Services	(1,359.00)
20 1989	4000	Miscellaneous Bonding Expense	(100.00)
20 3620	1010	Salary Base	(1,500.00)
20 3620	1040	Overtime	1,500.00
20 3620	2200	Office Equipment	199.98
20 3620	4101	Office Supplies	(199.98)
20 7411	4040	BC Open Sponsor	100.00
20 8010	1010	Salary Base	(166.00)
20 8010	4601	Travel & Expense Reimbursement	166.00
20 8540	4401	Equipment Maintenance	(161.88)
20 8540	4603	Legal Notices	161.88
20 9030	8008	Social Security	(0.49)
20 9040	8003	Workers Compensation Insurance	15,000.00
20 9060	8004	Health Insurance	(15,000.00)
20 9730	7100	Interest BAN'S	0.49
		Total 20 Part-Town	0.00
22 9030	8008	Social Security	(0.05)
22 9730	7100	Interest BAN'S	0.05
		Total 22 Water District	0.00
31 5110	1090	Health Insurance Buy Out	2,375.00
31 9060	8004	Health Insurance	(2,375.00)
		Total 31 Highway Part-Town	0.00
32 9710	6000	Principal BONDS	2,495.00
32 9710	6100	Principal BAN'S	(2,495.00)
32 9710	7000	Interest BONDS	1,076.00
32 9710	7100	Interest BAN'S	(1,076.00)

---



## Town of Union

---

		Total 32 Highway Full-Town	0.00
40 7110	1020	Hourly Base	(34,000.00)
40 7110	2050	Capital Improvements	(10,406.00)
40 7110	4000	Miscellaneous Bonding Expense	368.16
40 7110	4099	Temporary - Non-payroll	34,000.00
40 7110	4305	Automobile Insurance	(694.00)
40 7110	4309	Miscellaneous Insurance	694.00
40 7110	4512	Professional Services	(368.16)
40 7110	4624	Site Improvement	10,406.00
40 9040	8003	Workers Compensation Insurance	8,000.00
40 9060	8004	Health Insurance	(8,000.00)
		Total 40 Parks	0.00

Carried.

(Prepared Resolution filed as part of these minutes to approve the contract with Business Automation Services (BAS) for \$14,700.00 to develop & implement an ADA compliant website and a Parks & Recreation system that includes training; authorize a \$6,000.00 annual hosting, maintenance & support fee. Authorization includes an hourly rate of \$175.00 per hour if any additional web design service is needed and request authorization for the Supervisor or Deputy Supervisor to execute any and all documentation required to execute the said contract.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to accept the proposal from EFPR Group, CPAs, PLLC to provide audit and related services to the Town of Union for:

December 31, 2018 \$21,000.00  
December 31, 2019 \$21,250.00  
December 31, 2020 \$21,500.00

In addition, two option years:

December 31, 2021 \$21,750.00  
December 31, 2022 \$22,000.00.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to call for a Public Hearing to be held on Wednesday, September 19, 2018 at 7:00 P.M. regarding Proposed Code Changes - Chapter 300, Section 52 – Sign Regulations of the Zoning Code and refer it to the Code Enforcement Office to make all necessary referrals to the Broome County Planning Department under



## Town of Union

---

General Municipal Law Section 239-l and -m, and to the Planning Board for an advisory opinion.)

Res. by Bertoni, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the purchase of a backhoe attachment for the CAT Skid Steer at a cost of \$15,764.00. The equipment was approved as part of the Capital budget.)

Res. by Augostini, seconded by Mack.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the Community Development Block Grant Federal Fiscal Year 2018 Annual Action Plan as recommended by the Citizens Advisory Council for Community Development and authorize the Supervisor or Deputy Supervisor to execute the grant application (SF-424 and SF-424D) required annual certifications, and any other documentation required to submit said plan to HUD.)

Res. by Bertoni, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing Paul A. Nelson, Town of Union Planning Director, as an agent of the Town of Union for the purposes of entering into and executing any required Subrecipient Agreement amendments with the Housing Trust Fund Corporation as required in the implementation of the NY State Community Development Block Grant-Disaster Recovery (CDBG-DR) program on behalf of the town; and, to authorize Paul A. Nelson to sign any and all documents required in the implementation of the program.)

Res. by Bertoni, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

Moved by Bertoni, seconded by Augostini to authorize the attendance of Planning Director Paul A. Nelson to the HUD Region II Community Development Directors meeting in Syracuse, New York, on September 12, 2018; authorization to include use of a town vehicle.

Carried.

(Prepared Resolution filed as part of these minutes authorizing Supervisor Rose A. Sotak and/or Paul A. Nelson, Planning Director to execute the contracts for Upstate Companies to perform General Construction; Blanding Electric to perform Electrical Construction; Piccirilli, Slavik & Vincent Plumbing and Heating, Inc. to perform Plumbing Construction and J & K Plumbing & Heating to perform Mechanical/HVAC Construction under the terms of the Subrecipient agreement for the Town of Union Refuse Garage Relocation Project.)

Res. by Bertoni, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.





## Town of Union

---

(Prepared Resolution filed as part of these minutes to approve a contract with Penn Power Systems, Power Generation System Specialists, for maintenance of the Town Emergency Generators; and, authorize the Supervisor or Deputy Supervisor to execute the said contract. The total cost is \$1,700.00 for a One (1) year agreement.)

Res. by Bernardo, seconded Mack.

Vote: All yes.

The Resolution was adopted.

### HEARING OF VISITORS:

Roger Faling, 106 Bernetta Street, Endicott, said he hoped it is not necessary for him to come to the next Board meeting to discuss the manhole covers again.

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 Planning Board Meeting Minutes
  2. Permits Report – May 2018
  3. Town Clerk's Monthly Report – July 2018
- Carried.

### ADJOURNMENT:

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

The meeting was adjourned at 8:33 P.M.

LJP/bk

Leonard J. Perfetti,  
Town Clerk