



**Town Clerk**  
Leonard J. Perfetti

# Town of Union

**Town Board**  
Richard A. Materese, *Supervisor*  
Thomas R. Augostini, *Councilman*  
Frank J. Bertoni, *Councilman*  
Sandra C. Bauman, *Councilwoman*  
Heather R. Staley, *Councilwoman*

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## TOWN OF UNION BOARD MEETING

April 17, 2019

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, April 17, 2019 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York.

**BOARD MEMBERS PRESENT:** Supervisor Richard A. Materese, Councilman Thomas R. Augostini, Councilman Frank J. Bertoni, Councilwoman Heather R. Staley.  
**Absent:** Councilwoman Sandra C. Bauman

**TOWN OFFICIALS PRESENT:** Deputy Town Attorney Rosemarie Pope, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruczkowski.  
**Absent:** Town Attorney Alan J. Pope.

Also in attendance were Village of Endicott Trustees Linda Jackson and Cheryl Chapman, former Johnson City Mayor Harry Lewis, former Town of Union Councilman John Kunzman, and Zoning Board of Appeals member Giuseppe Roberto.

Supervisor Richard A. Materese opened the meeting with the Pledge of Allegiance to the Flag.

### PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, April 17, 2019 at 7:00 P.M. to consider amending Chapter 130 entitled Garbage, Rubbish and Recyclables.  
Pub. & Posted: April 7, 2019

Carol Laskoski, 37 Edwards Street, Johnson City, asked for clarification of this amendment.

Councilman Thomas R. Augostini explained the changes. He said if a resident exceeds the limit of garbage or has unacceptable garbage, such as televisions or mercury-filled items that are tagged and left on the curb after collection day, the resident will be fined.

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



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A Public Hearing was called for on Wednesday, April 17, 2019 at 7:00 P.M. to hear input from residents on a Change of Zone request for 110 and 112 Berkley Street from Suburban Multi-Family to Neighborhood Commercial.

Pub. & Posted: April 7, 2019

Carol Laskoski, 37 Edwards Street, Johnson City asked about the two properties to be rezoned and what they will be used for.

Councilman Thomas R. Augostini said a landscaping business will be going in on the two parcels.

As no one else wished to speak, Supervisor Richard A. Materese closed the second Hearing of Visitors.

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, April 3, 2019.  
Closed.

### HEARING OF VISITORS:

Jere Tatich, Landscaping Architect, Elan Planning, gave a presentation on the Chugnut Trail Extension Project. He explained the proposed plans for the extension and said this was a joint project between the Town of Union, Village of Endicott and Broome County. He further said in developing of these plans, the major concern was the safety of users of the trail.

Cheryl Chapman, Village of Endicott Trustee, 122 June Street, Endicott, asked if the pedestrian crosswalk on Vestal Avenue would be similar to the crossing on Main Street by Union Endicott High School. She also said the Village of Endicott has put the repurposing of the street lights from Washington Avenue on hold until they know if the lights can be used on the trail at Mersereau Park.

Gary Diehl, 618 Lacey Drive, Endwell, said a couple of sections of land along the river in Mersereau Park are rough terrain and he asked if they were considered for use on the trail. He further asked who would be maintaining the trail once it is completed.

Mr. Tatitch said the areas were considered, but because of the challenge of getting the trail over the levee and the areas being blind or secluded, they were rejected for safety concerns.



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He also said the trail is overlapping in the municipalities and it has not been determined as of yet who will maintain it.

Marlene Knapik, 608 Anson Road, Endicott, asked who will be paying for this project.

Mr. Tatich said the Village of Endicott paid for the feasibility study, and the Town of Union applied for and received a grant from the Department of State in the amount of \$75,000.00 for the design costs, construction documents and permits. He further said the \$75,000.00 is being matched by the three municipalities at \$25,000.00 each.

Josh Taylor, 55 Cleveland Avenue, Binghamton, asked what the expected traffic for pedestrians and cars will be and if the trail will be ADA compliant and certified.

Mr. Tatich said the trail is for pedestrians and bicycles and the only motorized vehicles will be emergency vehicles. He also said the Department of State grant does not require the entire trail to be 100% handicapped accessible. He further said the beauty of this trail is that it connects neighborhoods and recreation areas while utilizing existing sidewalks and roadways.

In final comment, Mr. Tatich said the Village of Endicott has received a grant and has funds available to start the section of the trail at Mersereau Park, and Broome County and the Town of Union have funds to start on the backside of Roundtop to Grippen Avenue. He further said that the drawings will be sent to the Department of State for review within 60-70 days and in approximately 90 days the drawings will be available for construction. He thanked the Town Board for allowing him to give his presentation.

John Kunzman, 600 Boswell Hill Road, Endicott, said in October he wrote a letter to the Town Board inquiring about the paving of Shale Drive in Endicott, from the original turnaround at the bottom of the hill up to the top of the hill, ending at a private driveway. He said he spoke with Town Councilman Thomas R. Augostini, Commissioner of Public Works Louis V. Caforio and Highway Superintendent Chester Kupiec about it. He questioned the fact that the Town went on private property to pave and thinks that the Highway Superintendent may have made a mistake. He said he received a response to his inquiry from Town Attorney Alan J. Pope that he did not understand and he wanted it clarified.

Councilman Thomas R. Augostini said the turnaround on Shale Drive was extended up to the top of the hill for Town vehicles to turn around. He also said Highway Superintendent Chester Kupiec did not make a mistake.

Marlene Knapik, 608 Anson Road, Endicott, asked how much it cost to put the BMX track in at Grippen Park, and suggested that the facility should be changed into a wedding venue, or a dance hall, and give boat rides on the river to bring in revenue for the town. She also asked if the Broad Street School could be used by different companies, like Little Venice and



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Cortese Restaurants to make their sauces for retail sale, since it has a commercial kitchen already in it.

Supervisor Richard A. Materese said the Broad Street building is in the Village of Endicott and is privately owned. He also said Grippen Park is a County run facility and that the BMX track pays rent to the County to use it. He further said there is a public boat launch at the river in Grippen Park.

Councilwoman Heather R. Staley said she spoke with the Broome County Parks Department and was told the BMX business was responsible for building the BMX Track, bringing the dirt and maintaining the track, and the County was only responsible for getting the bathrooms and facility up to code.

Julie Savich, 2711 Crescent Drive, Endwell said she has been cited by the Code Department for having a motorcycle awareness sign in front of her house in the right of way. She said the Code Department keeps taking her signs.

Councilman Frank J. Bertoni said it is against the law to put any signs in the right-of-way and suggested she put it on her front lawn.

Supervisor Richard A. Materese said to be fair to Code Enforcement, they respond to complaints, they don't purposely go out looking for violations.

Councilman Thomas R. Augostini said the right of way is for safety purposes, to be able to see a distance ahead and signs placed in the right-of-way block that view.

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

### COMMUNICATIONS FOR FILING:

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

1. Charter Communications – Notices of Upcoming Changes –April 4 & 13, 2019  
Carried.

### COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to approve the letter from Steven Contento, J.C. Community Action Team, Inc., to Councilman Thomas Augostini requesting use of Highland



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Park pool for their summer program 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 approve the e-mail from Rick Bonczek, Office for People With Developmental Disabilities, to Chris Hinkey requesting use of Highland Park gym once a week for their disabled clients, with modifications to every other week and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.  
Carried.

3. Moved by Augustini, seconded by Bertoni to approve the e-mail from Darryl Jenson, Boys and Girls Club of Western Broome, to Supervisor Richard A. Materese, requesting use of the Highland Park Pool on Friday, July 12, 2019 due to the closure of George W. Johnson pool for the Sertoma swim meet and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.  
Carried.

4. Moved by Augustini, seconded by Bertoni to approve the e-mail from Christine Karis to Supervisor Richard A. Materese asking for future use of the West Endicott Park to host a community event to promote pool safety and to distribute water safety devices, such as waterproof whistles, door alarms and Coast Guard approved life jackets and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Ray Vanderpoel.  
Carried.

5. Moved by Augustini, seconded by Bertoni to approve the letter from Ms. Ronnie Sisco, First Presbyterian Church Pre-School, to Parks Manager Ray Vanderpoel, requesting permission for Stable Movements to give pony cart rides at their annual year end picnics on Wednesday, June 19 and Friday, June 21, 2019 from 10:00 A.M. to 12:00 P.M. at the West Endicott Park 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 filed as part of these minutes to call for a Public Hearing to be held on Wednesday, May 15, 2019 at 7:00 P.M. regarding the proposed changes to the Zoning Code Section 300-53.15 entitled Fences, and if acceptable to the Town Board, refer the Resolution to the Town Planning Board and Broome County for a 239 review.)

Res. by Augustini, seconded by Staley.  
The Resolution was adopted.

Vote: All yes.



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(Prepared Resolution filed as part of these minutes to approve the following 2018 Budget Modification:

Increase:	20 8160 2300	Motor Vehicles	\$ 197,927.53
Increase:	20 8989 2050	Capital Improvements	\$ 11,263.89
Increase:	20 9950 9020	Transfer to Capital	\$ 65,824.68
Increase:	20 1120 0000	Sales Tax	\$ 275,016.10.)

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

Moved by Augustini, seconded by Staley to approve the following 2019 Budget Transfers:

Decrease:	40 7110 4149	Building & Grounds	\$ 10,000.00
Decrease:	40 7110 4164	Landscape Materials	\$ 3,500.00
Increase:	40 7110 2300	Motor Vehicles	\$ 13,500.00.

Carried.

Moved by Augustini, seconded by Staley to approve the following 2018 Year End Budget Transfers:

ORG	OBJ	ACCOUNT DESCRIPTION	TRANSFERS
10 1010	1010	Salary Base	0.48
10 1010	4099	Temporary - Non-payroll	(0.48)
10 1010	4601	Travel & Expense Reimbursement	(135.56)
10 1110	1010	Salary Base	259.80
10 1110	1040	Overtime	(259.80)
10 1110	4101	Office Supplies	468.28
10 1110	4104	Books, Periodicals & Subscript	(468.28)
10 1110	4400	Software Maintenance	(385.99)
10 1110	4403	Printing	198.00
10 1110	4418	Over & Short	187.99
10 1220	1010	Salary Base	(26.50)
10 1220	1040	Overtime	26.50
10 1315	1010	Salary Base	1,656.92
10 1315	1080	Compensated Absences	(1,656.92)
10 1315	4101	Office Supplies	(36.60)
10 1315	4603	Legal Notices	36.60
10 1355	1010	Salary Base	2,677.64
10 1355	1080	Compensated Absences	(2,677.64)
10 1355	4104	Books, Periodicals & Subscript	(50.00)
10 1355	4225	Cell Telephones	78.73



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10 1355	4401	Equipment Maintenance	(78.73)
10 1355	4601	Travel & Expense Reimbursement	(1,000.00)
10 1355	4620	Education	(990.00)
10 1410	1010	Salary Base	112.06
10 1410	1080	Compensated Absences	(112.06)
10 1410	4104	Books, Periodicals & Subscript	23.20
10 1410	4401	Equipment Maintenance	75.08
10 1410	4403	Printing	(98.28)
10 1420	1010	Salary Base	176.21
10 1420	4101	Office Supplies	(100.00)
10 1420	4104	Books, Periodicals & Subscript	150.00
10 1420	4512	Professional Services	1,977.24
10 1420	4515	Legal Expense	9,705.11
10 1430	1010	Salary Base	(1,707.98)
10 1430	4101	Office Supplies	273.91
10 1430	4512	Consultant	(4,750.00)
10 1430	4628	Employee Physicals 40+ Yrs	100.00
10 1430	4631	Pre-employment Checks/Testing	(273.91)
10 1620	1010	Salary Base	1,592.47
10 1620	1040	Overtime	(2,906.30)
10 1620	1080	Compensated Absences	938.83
10 1620	1090	Health Insurance Buy Out	375.00
10 1620	2500	Other Equipment	(407.27)
10 1620	4149	Buildings & Grounds Supplies	407.27
10 1620	4201	Telephone	(3,000.00)
10 1620	4202	Electricity	281.66
10 1620	4203	Water	(597.99)
10 1620	4205	Gas	3,316.33
10 1680	1010	Salaries	245.69
10 1680	1030	Temporary	1,186.08
10 1680	4101	Office Supplies	145.43
10 1680	4136	Computer Supplies	(145.43)
10 1680	4512	Professional Services	(4,942.35)
10 1989	4512	Consultant	(729.30)
10 1989	4516	Inter-net Services	729.30
10 3510	4225	Cell Telephones	42.93
10 3510	4401	Equipment Maintenance	(42.93)
10 5182	4512	Professional Services	(139.34)
10 5182	4603	Legal Notices	139.34
10 6989	4601	Travel & Expense Reimbursement	135.56
10 7145	1010	Salary Base	600.23

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10 7145	1040	Overtime	(600.23)
10 7145	2501	Recreation Equipment	(282.26)
10 7145	4100	Misc. Operational Supplies	(50.06)
10 7145	4101	Office Supplies	50.06
10 7145	4401	Equipment Maintenance	282.26
10 9010	8007	Retirement	2,174.00
10 9030	8008	Social Security	(2,174.00)
20 1440	1010	Salary Base	749.24
20 1440	4620	Education	(100.00)
20 1440	4628	Employee Physicals 40+ Yrs	100.00
20 1490	4101	Office Supplies	(6.60)
20 1490	4104	Books, Periodicals & Subscript	6.60
20 1620	4202	Electricity	(1,187.50)
20 1620	4203	Water	241.93
20 1620	4205	Gas	945.57
20 1989	4412	Copier	(1,035.30)
20 1989	4516	Inter-net Services	1,035.30
20 5010	1010	Salary Base	2,556.84
20 5010	4101	Office Supplies	(6.60)
20 5010	4104	Books, Periodicals & Subscript	6.60
20 5010	4516	Cable/Inter-net Services	906.46
20 8120	1020	Hourly Base	1,347.59
20 8120	2050	Capital Improvements	(4,900.00)
20 8120	4202	Electricity	(2,165.00)
20 8120	4225	Cell Telephones	42.10
20 8120	4401	Equipment Maintenance	(42.10)
20 8120	4428	Septic Tank Cleaning	8,965.00
20 8120	4430	Sewer Line Repairs	(1,900.00)
20 8120	4620	Education	(100.00)
20 8120	4628	Employee Physicals 40+ Yrs	100.00
20 8160	1020	Hourly Base	4,946.84
20 8160	4000	Miscellaneous Bonding Expense	15.62
20 8160	4102	Stationery	(15.62)
20 8160	4201	Telephone	38.07
20 8160	4401	Equipment Maintenance	(38.07)
20 9060	8004	Health Insurance	(10,506.97)
31 5110	1020	Hourly Base	(130,000.00)
31 5110	2500	Other Equipment	502,277.31
31 5110	4121	Blacktop - Winter	(1,832.04)
31 5110	4126	Blacktop Repairs	1,832.04
31 5110	4626	CDL Reimbursement	128.50





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31 5110	4628	Employee Physicals 40+ Yrs	100.00
31 5130	4108	Anti-freeze	(269.26)
31 5130	4109	Chemicals	269.26
31 9060	8004	Health Insurance	(372,505.81)
40 7110	1010	Salary Base	1,750.57
40 7110	1020	Hourly Base	(1,750.57)
40 7110	4000	Miscellaneous Bonding Expense	11.50
40 7110	4101	Office Supplies	(11.50)
40 7110	4149	Buildings & Grounds Supplies	(3,415.13)
40 7110	4150	Janitorial Supplies	1,247.20
40 7110	4203	Water	(86.99)
40 7110	4205	Gas	86.99
40 7110	4401	Equipment Maintenance	(270.60)
40 7110	4413	Building & Grounds Maintenance	2,167.93
40 7110	4516	Inter-net Services	270.60
40 9040	8003	Workers Compensation Insurance	5,693.74
40 9060	8004	Health Insurance	(5,693.74)
Carried.			

Moved by Augostini, seconded by Staley authorizing the attendance of Sheila Daino and Melissa Opeka at the NYS Retirement System Employer Education Seminar at SUNY Oneonta on May 16, 2019. The seminar addresses topics such as:

- Membership
- Monthly Reporting
- Elected and Appointed Officials
- Reporting at Time of Retirement
- Post-Retirement Employment
- Planning for Retirement
- Tier 5 and 6 Information

There is no fee for this seminar.

Carried.

(Prepared Resolution filed as part of these minutes to make a Negative Declaration under SEQRA, per evaluation of the submitted Short Environmental Assessment Form and the Planning Board's Advisory opinion regarding the Change of Zone Petition for 110 Berkley Street (140.20-5-44) and 112 Berkley Street (140.20-5-45) from Suburban Multi Family (SMF) to Neighborhood Commercial (NC).)

Res. by Bertoni, seconded by Staley.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes at the Board's discretion to approve the Change of Zone request for 110 Berkley Street and 112 Berkley Street from Suburban Multi-Family (SMF) to Neighborhood Commercial (NC).)

Res. by Bertoni, seconded by Staley.

Vote: All yes.

The Resolution was adopted.

### HEARING OF VISITORS:

As no one wished to speak, Supervisor Richard A. Materese 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 – March 2019.
2. Town of Union Local Development Corporation Audited Financial Report 2018.
3. Town of Union Local Development Corporation Minutes – February 21, 2019.
4. Town of Union Planning Board Minutes – January 8, 2019.

Carried.

At this time, Supervisor Richard A. Materese said Councilwoman Sandra C. Bauman was not in attendance this evening because she is recovering from surgery and wished her a speedy recovery.

### ADJOURNMENT:

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

Carried.

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

Leonard J. Perfetti  
Town Clerk

LJP/bk