



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*

TOWN OF UNION BOARD MEETING

May 15, 2019

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, May 15, 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, Councilwoman Sandra C. Bauman, Councilwoman Heather R. Staley. Councilman Frank J. Bertoni participated via Skype.

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 Trustee Linda Jackson and former Councilman John Bernardo.

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

PUBLIC HEARINGS:

A Public Hearing was called for 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.

Pub. & Posted: May 5, 2019.

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

BIDS:

Bids were called for on Tuesday, May 7, 2019 at 10:00 A.M. for Columbia Drive Reconstruction – Byford Boulevard to Stonefield Road.

Bids were received as follows:

DeNinis Construction, Inc.	\$579,096.25
G. DeVincentis & Son Construction, Inc.	\$592,000.00
Siteworx, Inc.	\$653,717.00



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Moved by Augustini, seconded by Bertoni to receive and file the Bids for Columbia Drive Reconstruction – Byford Boulevard to Stonefield Road.
Carried.

APPROVAL OF MINUTES:

Moved by Augustini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board meeting held on Wednesday, May 1, 2019.
Carried.

HEARING OF VISITORS:

Linda Jackson, Village of Endicott Trustee, 209 E. Franklin Street, Endicott, said she attended Fireman training in Albany today and said she learned a lot. She spoke about a terrible fire in 2005 in Troy, New York, at a big building that was made into illegal apartments. She said the firemen were not be able to tell where the walls were, consequently causing 3 firefighters to lose their lives. She further said she and Councilman Bertoni have talked previously about the comprehensive plan being changed to require new owners of properties that have illegal apartments in them, to be made to revert them back to the original amount of apartments that the buildings were zoned for. She asked to be invited to any meetings or discussions that the Town will have to discuss this matter.

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

At this time, the Skype connection with Councilman Frank J. Bertoni was lost, making him no longer available to participate in this meeting.

COMMUNICATIONS FOR FILING:

Moved by Augustini, seconded by Bauman to receive and file the following Communications:

1. Minutes of the Regular Meeting of Village of Endicott Board of Trustees – April 9, 2019.
 2. Letter from Rev. Dennis Ruda, All Saints Parish Council, to the Town Board thanking the Town for taking care of the road problem in front of their parish cemetery at the intersection of East Maine Road and Kot Road.
- Carried.

COMMUNICATIONS FOR ACTION:



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1. Moved by Augustini, seconded by Bauman to refer the Notice of Foreclosure – Wells Fargo Bank N.A. vs. Tracy Sovie 103 Badger Avenue, Endicott to Town Attorney Alan J. Pope, Comptroller Laura J. Lindsley and Planning Director Sara Zubalsky-Peer.
Carried.
2. Moved by Augustini, seconded by Bauman to approve the letter from Lisa Norton, Race Director, 4 on the 4th Road Race, to the Town Board requesting permission to use the Town roads, barricades, cones, water jugs and tables for their event to be held on Thursday, July 4, 2019 from 8:00 AM to 10:00 AM; with the race starting and finishing at Visions Corporate Headquarters located at 3301 Country Club Road, and refer it to Commissioner of Public Works Louis V. Caforio, Highway Superintendent Chester Kupiec and Parks Manager Ray Vanderpoel.
Carried.
3. Moved by Augustini, seconded by Bauman to approve the letter from Glenn McIver, 1111 Arnold Drive, Endwell, to Supervisor Richard A. Materese, requesting permission to close a portion of streets from 1115 Arnold Drive to 1108 Frost Road for his wife's retirement party to be held on Friday, June 28, 2019 from 5:30 P.M. to 10:30 P.M., and refer it to Commissioner of Public Works Louis V. Caforio and Highway Superintendent Chester Kupiec.
Carried.
4. Moved by Augustini, seconded by Bauman to approve the letter from West Endicott Hose Company #1, Inc. retroactively requesting the use of a Town of Union garbage truck for their Chicken Barbeque that was held on Saturday, May 11, 2019 and refer it to Commissioner of Public Works Louis V. Caforio and Deputy Commissioner of Public Works for Environmental Services Daniel A. Schofield.
Carried.
5. Moved by Augustini, seconded by Bauman to refer the letter from Rev. Dennis Ruda, All Saints National Catholic Church, Johnson City, to Town Clerk Leonard J. Perfetti asking the Town Board to accept his resignation from the Town of Union Ethics Committee, effective May 4, 2019 to Supervisor Richard A. Materese and Town Attorney Alan J. Pope.
Carried.
6. Moved by Augustini, seconded by Bauman to refer the Notice of Foreclosure – M & T Bank vs. James O'Brien, Et AL, - 251 Floral Avenue, Johnson City, New York to Town Attorney Alan J. Pope, Comptroller Laura J. Lindsley and Planning Director Sara Zubalsky-Peer.
Carried.

PETITIONS: None.



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COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to declare the proposed amendment of Article 52 of the Town of Union Zoning Code regarding the regulation of signs a type 1 Action under SEQRA and to determine said proposed action to be a Negative Declaration under SEQRA after evaluation of the applicable Environmental Assessment Form.)

Res. by Augustini, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes amending Article 52 of the Town of Union Zoning Code regarding the regulation of signs by adding definitions to Section 300-70 based on the public hearing, the Town Board's Negative Declaration under SEQRA, the consideration of Broome County's 239-Review recommendation, and the Planning Board's Advisory Opinion.)

Res. by Augustini, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes approving the proposed changes to the Zoning Code Section 300-53.15 entitled Fences.)

Res. by Augustini, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to appoint Karen Klecar to the Board of Assessment Review as a temporary member pursuant to Section 523-a of the New York Real Property Tax Law. Term will be one year as prescribed in Section 523 – a (2).)

Res. by Augustini, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to extend the (3) month moratorium on solar development, excepting residential rooftop units for an additional three (3) months, to allow the Town of Union to implement codes and regulations.)

Res. by Augustini, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the new Procurement Policy and Conflicts of Interest Policy as instituted by the US Office of Management and Budget under the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards".)

Res. by Augustini, seconded by Staley.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to authorize Chase One Cards (Visa) for use by the following departments:

- Highway
- Building & Grounds
- Refuse
- Parks
- Highway Mechanics

The Chase One cards will replace store credit cards that do not provide cash rewards to the Town. Purchasing will be limited by merchant codes, require receipts matched to statements, and audit by the Town Comptroller's Office.)

Res. by Augustini, seconded by Staley.

Vote: All yes.

The Resolution was adopted.

Supervisor Richard A. Materese explained that this is a better way to track purchases, to pay only one bill with interest fees and the Town will get money in return from the rewards program.

(Prepared Resolution filed as part of these minutes to authorize Change Order #1 for the Park Manor Blvd. project in the amount of \$4,032.26 thus increasing the project total to \$497,032.26. The project increase is due in part to safety provisions provided for the winter shutdown at the end of the 2018 construction season.)

Res. by Augustini, seconded by Staley.

Vote: All yes.

The Resolution was adopted.

Supervisor Richard A. Materese explained that the weather delayed this project at the end of the construction season and it was not the fault of the company.

(Prepared Resolution filed as part of these minutes to award the Bid for Columbia Drive Street Reconstruction – Byford Boulevard to Stonefield Road to DeNinis Construction, Inc., Binghamton, New York for their low bid price of \$579,096.25.)

Res. by Augustini, seconded by Staley.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the Supervisor to sign and execute the Fireworks Exhibition Agreement with Young Explosives Corporation, Rochester, New York in the amount of \$19,999.00 for the July 4th Extravaganza at Highland Park to be held on Thursday, July 4, 2019, with a rain date scheduled for Friday, July 5, 2019.)

Res. by Bauman, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes authorizing the Supervisor to execute a Purchase Option with Lakewood Development II, LLC, 6320 Fly Road, East Syracuse, New York 13057 for the sale of the following properties acquired through the CDBG-DR Acquisition for Redevelopment project subject to permissive referendum:

10 Woodland Avenue, Johnson City, NY 13790 (Tax ID 142.11-1-33)
12 Woodland Avenue, Johnson City, NY 13790 (Tax ID 142.11-1-34)
13 Woodland Avenue, Johnson City, NY 13790 (Tax ID 142.11-1-26)
15 Woodland Avenue, Johnson City, NY 13790 (Tax ID 142.11-1-25)
17 Woodland Avenue, Johnson City, NY 13790 (Tax ID 142.11-1-24)
29 Woodland Avenue, Johnson City, NY 13790 (Tax ID 142.11-2-44)
30 Woodland Avenue, Johnson City, NY 13790 (Tax ID 142.11-2-28)
31 Woodland Avenue, Johnson City, NY 13790 (Tax ID 142.11-2-43)
12 Oak Street, Johnson City, NY 13790 (Tax ID 142.11-1-20)
14 Oak Street, Johnson City, NY 13790 (Tax ID 142.11-1-21)
25 Poplar Street, Johnson City, NY 13790 (Tax ID 142.11-1-35)
37 Poplar Street, Johnson City, NY 13790 (Tax ID 142.11-1-22)
20 Birch Street, Johnson City, NY 13790 (Tax ID 142.11-2-19)
22 Birch Street, Johnson City, NY 13790 (Tax ID 142.11-2-20)
24 Birch Street, Johnson City, NY 13790 (Tax ID 142.11-2-21)
25 Birch Street, Johnson City, NY 13790 (Tax ID 142.11-2-33)
27 Birch Street, Johnson City, NY 13790 (Tax ID 142.11-2-32)
28 Birch Street, Johnson City, NY 13790 (Tax ID 142.11-2-23)
29 Birch Street, Johnson City, NY 13790 (Tax ID 142.11-2-31)
31 Birch Street, Johnson City, NY 13790 (Tax ID 142.11-2-30)

The proceeds of the sale must be returned to the CDBG-DR grant program as income and expended on a CDBG-DR eligible activity.)

Res. by Bauman, seconded by Staley.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve Plan Amendment 22 to the CDBG-DR Action Plan for Disaster Recovery to transfer funding to the Fairmont Park Levee Repair project per the Public Notice. The Supervisor and Planning Director are authorized to submit all required paperwork to HUD to implement the Plan Amendment. The required Public Hearing was published in the Press & Sun Bulletin and posted on the Town web page on April 25, 2019. No comments have been received to date and the 15 day comment period ended on May 10, 2019.)

Res. by Staley, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the Supervisor to execute the Request for Release of Funds and Finding of No Significant Impact form for the Fairmont Park Levee Repair project for submission to HUD by May 24, 2019. The required Public



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Notice was published in the Press & Sun Bulletin and posted on the web page on May 8, 2019. The 15-day comment period ends on May 23, 2019. HUD has an additional 15 days from receipt of the request to receive and address any comments received by the Buffalo Regional office based solely on environmental concerns.)

Res. by Staley, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

HEARING OF VISITORS:

John M. Bernardo, 69 Gouverneurs Lane, Endicott, Executive Director of SEPP Management Inc., thanked the Board for moving forward with the Lakewood Development project. He said they gave a short presentation at the Planning Board meeting last evening.

Councilman Thomas R. Augostini asked Mr. Bernardo if the buildings would all be duplexes,

Mr. Bernardo said yes, they are all duplexes and are for mixed incomes.

Daniel Loiselle, 3201 Wayne Street, Endwell, said it might be nice for the students that attend the meetings to be given a standardized sheet explaining how the meetings are run and the differences between motions and resolutions.

Supervisor Richard A. Materese said this was a good idea.

Paul Gonzalez, 509 June Street, Endicott reported that Barbara Beebe, from the American Legion in Endicott, is ill and a benefit will be held for her at Our Lady of Good Counsel Church on Saturday, May 18, 2019. He also said the Korean War Veterans will be gathering at the Blue Dolphin for breakfast this Friday, May 17, 2019 starting at 8:00 A.M.

As no one else 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 Augostini, seconded by Bauman to receive and file the following Department Reports:

1. Town Clerk Monthly Report – April 2019.
2. Permits Monthly Report – March & April 2019.



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3. Comptroller's Financial Reports – March 2019 & April 2019.
Carried.

At this time, Councilman Thomas R. Augostini wished everyone a Happy Memorial Day.

ADJOURNMENT:

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

The meeting was adjourned at 7:40 P.M.

Leonard J. Perfetti
Town Clerk

LJP/bk