



Town Clerk
Leonard J. Perfetti

Town of Union

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

TOWN OF UNION BOARD MEETING

June 19, 2019

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, June 19, 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. Augustini, Councilman Frank J. Bertoni, Councilwoman Sandra C. Bauman, Councilwoman Heather R. Staley.

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

Also in attendance was Linda Jackson, Village of Endicott Trustee.

PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, June 19, 2019 at 7:00 P.M. to solicit public input for inclusion in the Federal Fiscal Year 2019 Community Development Block Grant (CDBG) Annual Action Plan.
Pub. & Posted: 6/9/19.

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

BIDS: None.

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 5, 2019.
Carried.

HEARING OF VISITORS:

Mickey Bush, Fire Commissioner, Endwell Fire District, asked for a status update on the sign ordinance and if there is a definite timeline for the adoption of the new ordinance. He said Councilman Thomas R. Augustini has secured \$15,000.00 in grant money for their new sign and they were told by Oliver Blaise, Fire District Attorney, that the sign was okayed and they could go ahead with the replacement. He also said the Fire District has contracted with C & S



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Signs for the installation of the new sign and they were denied the building permit because the ordinance wasn't complete. Mr. Bush further said the sign is to be used for public service announcements such as fire warnings, Amber alerts and other notices, as a service to the residents of the Town of Union and that 60 % of the funds needed have been secured through the grant and donations.

Councilman Frank J. Bertoni explained that the initial ordinance changes brought up more issues that needed to be discussed before the final ordinance is adopted.

Supervisor Richard A. Materese thanked Councilman Thomas R. Augustini for securing the grant money and said the Town is trying to tie up all the loose ends to make sure all current and future signs are in compliance with the final ordinance that will be adopted.

Nathaniel Robertson, 309 W. Main Street, Endicott, complained about the empty businesses on Washington Avenue in Endicott and Main Street in Johnson City, and asked what the Town of Union Economic Development Director is doing about getting businesses to come in to those areas. He said he talked with business owners on Washington Avenue and was told the paper work to apply for the Economic Development loans was extreme. He suggested that they be streamlined to make it easier for the business owners and that in his opinion, Economic Development Director Joe Moody is not doing his job.

Supervisor Richard A. Materese said that Economic Development Director Joe Moody is working with both of the villages in recruiting businesses to the Town and he is doing a good job.

Councilman Frank J. Bertoni said that Mr. Moody was one of the key players in securing the \$10 Million dollars in Economic money for the Village revitalization projects, such as demolition of the motel and the building of a new hotel, Broad Street School redevelopment, the EPAC Sign and the changes at Huron Campus, to name a few and that a lot of the work that he is doing, such as loans, is not seen by the public. He further said when working with State or Federal funding, the paperwork involved cannot be changed, and that the process is long. Councilman Bertoni stated that some of the problems that make Washington Avenue look bad fall on the business owners that are not taking care of their store front areas, by picking up cigarette butts or removing the grass on the sidewalks

Town Attorney Alan J. Pope said the Local Development Corporation has spent a fair amount of money on videos to entice people to come into the Town.

Councilwoman Heather R. Staley said that the Town Board has a Planning, Zoning and Economic Development Committee that all four council members are on that should meet to brainstorm on ideas to bring in new businesses.

Linda Jackson, Village of Endicott Trustee, said she brought her Economic Development book with her that describes the plans in place by the Village of Endicott to clean up the



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Village while they wait for the \$12 million dollars in funding to arrive. She said the Village is addressing the empty buildings and trying to bring in new businesses.

Supervisor Richard A. Materese said the Village of Endicott is the primary government for Washington Avenue and the Town of Union does not supersede their plans or actions, but the Village is included in the Economic Development area.

Amanda Dorell, 115 Patio Drive, Endwell, spoke in regards to garbage retrieval by Taylor Garbage and Burt Adams at hours before 6:00 AM and asked the Town to limit hours of refuse pickup. (Action #1 of this meeting).

Supervisor Richard A. Materese said the Town will look into an ordinance to correct this issue.

Nathaniel Robertson Jr., 97 North Street, Johnson City, asked the Board if they would sponsor any cultural festivals or parades in the Town.

Councilman Frank J. Bertoni said the "Little Italy" section of Endicott sponsors their own annual festival.

Supervisor Richard A. Materese said that organizations do their own sponsoring of festivals and parades. He also said the Town would support a festival if organizations came to the Town with a request and with the dollars to fund it. He further said at this time with taxes being so large, the Town could not fund or sponsor one.

Mitch Curatolo, 1010 Autumn Drive, Endwell asked why the Code Enforcement Department or Commissioner of Public Works are not at the Town meetings to be able to answer questions that come up. He complained about the grass at the former IBM Country Club that is 4 foot high; Autumn Drive needs to be paved and trees need to be trimmed.

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 Communications:

1. Notification from New York State Department of State, regarding receipt of Local Laws #2 - #7, 2019 that were filed on 05/28/19.



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2. Charter Communications – Upcoming Changes – June 15, 2019.

3. Email from Gabriel & Jean Cicciarelli, 609 Prescott Avenue, Endicott, thanking the Town for a job well done repairing their mailbox.

Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to refer the letter from Amanda Dorell, Board member of Highland Greens Homeowner's Association, to the Town Board complaining about garbage retrieval by Taylor Garbage and Burt Adams from 2:30 AM to 4:30 AM daily, for properties located at 752 Farm to Market Road and 800 Hooper Road; and requesting the Town set hours for garbage retrieval to be from 6:00 AM to 10:00 PM., to Deputy Commissioner of Public Works for Codes Daria Golazeski.

Carried.

2. Moved by Augustini, seconded by Bertoni to refer the letter from John Simeone, 3308 Aylesworth Drive, Endwell, to the Town Board requesting a stop sign be installed at the corners of Luther Street, Fairmont Street and Aylesworth Drive, to Commissioner of Public Works Louis V. Caforio and Highway Superintendent Chester Kupiec.

Carried

3. Moved by Augustini, seconded by Bertoni to approve the letter from Norman J. O'Neil, Venue Chair Person, Church of the Holy Family, Endwell, notifying that their annual church bazaar will be held on July 26 – 28, 2019 and requesting the Town erect "Special Event No Parking Zone" signs, and 23 sets of barricades that need to be dropped off on July 24, 2019, and refer it to Commissioner of Public Works Louis V. Caforio, Highway Superintendent Chester Kupiec and Town Clerk Leonard J. Perfetti.

Carried.

4. Moved by Augustini, seconded by Bertoni to approve the letter from Kristen Rose, 432 Country Knoll Drive, Endwell, to Town Clerk Leonard J. Perfetti requesting road closure and barricades for a block party on July 4, 2019 from 8:00 AM to 4:00 PM on Country Knoll Drive, and refer it to Commissioner of Public Works Louis V. Caforio, Highway Superintendent Chester Kupiec and Town Clerk Leonard J. Perfetti.

Carried.

5. Moved by Augustini, seconded by Bertoni to refer the letter from Marlene Wilklow, Recording Secretary for the Environmental Committee at Good Shepherd Village, Endwell, to Town Clerk Leonard J. Perfetti requesting information regarding the possible establishment of a pet cemetery on the Good Shepherd grounds to Town Attorney Alan J. Pope and Town Clerk Leonard J. Perfetti.

Carried.



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6. Moved by Augustini, seconded by Bertoni to refer the Email from Michelle Bird, 208 ½ N. Nanticoke Avenue, Endicott, to Ray Vanderpoel, Parks Manager, requesting reimbursement for pants ruined by grease from the carousel horse at Highland Park on Memorial Day, May 27, 2019 to Town Attorney Alan J. Pope, Commissioner of Public Works Louis V. Caforio and Town Parks Manager Ray Vanderpoel.

Carried.

7. Moved by Augustini, seconded by Bertoni to refer the letter from Michael A. Ponticello, Director, Broome County Office of Emergency Services, to Chester Kupiec, Highway Superintendent requesting the Town sign the Statement of Concurrence to build a new P25 Phase 2 UHF Digital Simulcast Trunked Radio System to license two channels (453.5875/458.5875 MHz and 460.4375/465.4375 MHz) to Commissioner of Public Works Louis V. Caforio and Highway Superintendent Chester Kupiec.

Carried.

8. Moved by Augustini, seconded by Bertoni to approve the letter from Robert O. Brady, O.L. Davis Fire Company President, requesting use of a garbage truck for their Annual Ice Cream Social on Wednesday, July 10, 2019 from 5:00 PM to 9 PM and asking to have it delivered to the fire station on Country Club Road prior to the social and refer it to Deputy Commissioner of Public Works for Environmental Services Daniel A. Schofield.

Carried.

9. Moved by Augustini, seconded by Bertoni to approve the letter from Trish Butler, BOCES Summer Youth Employment Program Coordinator, thanking the Town for participating in the program again this year and asking that the Town return the Non-Financial Worksite Agreement to them by Friday, June 21, 2019 and refer it to Commissioner of Public Works Louis V. Caforio.

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, July 10, 2019 at 7:00 P.M. for input and comments regarding the Town instituting a twelve (12) month moratorium on wind turbine installations, to allow the Town sufficient time to determine the appropriate code and land use laws, and to complete the drafting of a wind turbine ordinance.)

Res. by Augustini, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to call for a Public Hearing to be held on Wednesday, July 10, 2019 at 7:00 P.M. to solicit public input to consider an amendment to Chapter 169-1 "Smoking" to include all areas of the Parks, including all indoor and outdoor facilities, prohibiting the use of Tobacco, Vaping & other similar tobacco based products that either produce smoke or vapors, or is taken or used orally. This would include the general public as well as employees of the Town.

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

Vote: All yes.

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

Decrease:	20 8540 2050	Drainage	\$ 100,000.00
Increase:	20 3310 2500	Signals	\$ 100,000.00.

Carried.

(Prepared Resolution filed as part of these minutes authorizing the purchase of a 2019 Milton CAT Skid Steer for the cost of \$9,500.00 to replace a 2018 Milton CAT Skid Steer through a replacement lease agreement. The 2018 Milton CAT Skid Steer will be returned to Milton CAT.)

Res. by Bertoni, seconded by Bauman.
The Resolution was adopted.

Vote: All yes.

At this time, Supervisor Richard A. Materese said he was a former employee of the Boys and Girls Club, and since he no longer works there, he has no conflict of interest in the following Resolution, so he will vote on it. Councilman Thomas R. Augustini said he is the Treasurer for SEPP, so he will abstain from voting.

(Prepared Resolution filed as part of these minutes to approve the CDBG FFY 2018 Annual Plan Amendment for SEPP and Boys and Girls Club Capital Projects and authorize Supervisor Richard A. Materese to transfer the funds within the MUNIS system as directed by the Planning Director.)

Res. by Bertoni, seconded by Bauman.

Vote: Yes
Bauman
Bertoni
Materese
Staley
Abstain
Augustini

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to approve Change Order No. 1 for the CDBG funded Grand Avenue Phase 2 Street construction project. The final contract with Chicago Construction Company, Inc. amount will increase by \$34,182.79 to \$218,182.79. The original contract price was \$184,000.00. This amendment was due to increases in line items quantities required to complete the work, particularly the line item for Select Granular Fill, which was significantly higher due to unsuitable soils encountered during utility excavation. The additional funds are available and will be paid from the Village of Johnson City's 2018 CDBG allocation.)

Res. by Bertoni, seconded by Staley.
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, July 10, 2019 at 7:00 P.M. to adopt the proposed amendments to the CDBG Citizen Participation Plan.)

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

Vote: All yes.

Moved by Bertoni and seconded by Staley to accept the Change of Zone Petition from Rural Residential (RR) to General Commercial (GC) for 1553 Union Center-Maine Highway, and to refer it to the Planning Department to make all necessary referrals under Section 239-l and -m, and to forward the rezoning petition to the Planning Board for an advisory opinion.
Carried.

(Prepared Resolution filed as part of these minutes to declare Lead Agency for the petition to rezone a portion of 1553 Union Center-Maine Highway from Rural Residential (RR) to General Commercial (GC), and to declare the project an Unlisted Action under SEQRA.)

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

Vote: All yes.

HEARING OF VISITORS:

Marlene Wilklow, 209 Village Drive, Good Shepard Village at Endwell, spoke about the possibility of making a pet cemetery on the grounds of Good Shepard Village. (Action # 5 of this meeting).

Town Attorney Alan J. Pope said he is not sure that this is permissible but he will research it and get back to her.



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Nathaniel Robertson, 309 W. Main Street, Endicott, asked if the Town will continue to use a no bid procedure to get insurance coverage for the Town. He said he has talked with other owners of insurance companies and they would like the opportunity to bid.

Councilman Thomas R. Augustini said the Comptroller handles the insurance and uses a no bid procedure as approved through the Town Procurement Policy.

Councilwoman Heather R. Staley said this procedure is unfair to other agencies and said she was told the Town only uses Haylor, Freyer and Coon as their agents.

Mr. Robertson said the Councilman Thomas R. Augustini is an employee of Haylor, Freyer and Coon and asked if he is compensated by them for the Town's business.

Councilman Thomas R. Augustini said he does not get compensated in any way for their business with the Town. He also said the New York State Comptroller's Office audited the Town and found no conflict of interest in this matter.

Councilwoman Heather R. Staley said she spoke with the New York State Comptroller's office regarding this issue and they would be making a recommendation that the town put this out to bid.

Supervisor Richard A. Materese said the process will be evaluated at the time of renewal.

Mitch Curatolo, 1010 Autumn Drive, Endwell, asked if the Town could get the Village of Endicott Police to help patrol the Town of Union. He said with all the drug and violence problems in the Town, it is too hard for the NY State Police and Broome County Sheriff to cover the whole area.

Supervisor Richard a. Materese said it would be an impressive tax increase to the Town for the Village of Endicott to take on coverage. He also said the state is reluctant to expand districts.

Mickey Bush, Fire Commissioner Endwell Fire District, asked again for a timeline on the passing of the sign ordinance.

Councilman Frank J. Bertoni said a committee consisting of two board members, Town Attorney and Code Enforcement will work on the ordinance to get it done. He also said the issue is more involved than just the sign for the fire department.

Nathaniel Robertson asked what the problem is with the ordinance and said the fire department is only replacing the panels of the sign, not changing it in size. He said the sign is important and will be of service to the Town.



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Councilwoman Heather R. Staley said she is not on the committee but finds this situation ridiculous and that the fire station should be granted the permit.

Supervisor Richard A. Materese said that it may seem like a no-brainer for the sign, but the Town has to deal with all residents, and some may not want the sign.

Councilman Frank J. Bertoni said the regulations are for all of the Town not just the Fire Department.

Nathaniel Robertson, Jr., 97 North Street, Johnson City asked what is wrong with the water in the Town of Union and why is it discolored.

Supervisor Richard A. Materese said the Town of Union does not control the water, the Village of Endicott does, and they are undergoing a study for \$150,000.00 to improve the water system.

Linda Jackson, Village of Endicott Trustee, explained the water study in the Village and said that they are not waiting until the study comes back to start improvements. She said they have a new flushing system and are redoing the two wells on South Street for better water quality.

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 Augustini, seconded by Bertoni to receive and file the following Department Reports:

1. Town Clerk Monthly Report – May 2019.
2. Comptroller's Monthly Report – May 31, 2019.
3. Town of Union Planning Board Decision – Site Plan Approval – Mr. Iliya Honovich, Food Fusion Restaurant, 737 West Main Street, Endicott, Tax Map #146.15-2-20.
Carried.

At this time Councilwomen Staley congratulated Victoria Long from Charles F Johnson Elementary School on her commitment to education and having perfect attendance from pre-school through the 5th grade.



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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