



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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## AGENDA

### TOWN OF UNION BOARD MEETING

September 2, 2020

The Town of Union Town Board meeting will be held at the Town Hall on Wednesday, September 2, 2020, at 7:00 P.M. with a work session starting at 5:00 P.M., in the 2<sup>nd</sup> floor Boardroom. Covid -19 guidelines will be in place with social distancing and masks worn at all times. There will be limited seating. Please call to register at 607-786-2900.

### SALUTE TO THE FLAG:

### PUBLIC HEARINGS:

A Public Hearing of the Town of Union was called for on Wednesday, September 2, 2020 at 7:00 p.m. via Zoom Video Conference, to consider input to extend the Wind Energy Moratorium for an additional six (6) months with any resulting local law as necessary.

PLEASE TAKE NOTICE that in accordance with an Emergency Order of the Governor of the State of New York, notice is hereby given that a public hearing is scheduled for **Wednesday, September 2, 2020** at 7:00 o'clock or thereafter in the evening in person attendance shall NOT exceed 50% capacity of the Town Hall Board Room, less Town Board Members and Town Employees. It is anticipated that the maximum number of the public who can be in attendance at Town Hall for this Town Board meeting and public hearing will be 17 persons. All persons in attendance MUST wear a face covering to include their mouth and nose region, they MUST hand sanitize upon entry of the meeting at the hand sanitize stations provided by the Town, they MUST adhere to social distancing guidelines and remain six (6) feet apart at all times. Alternatively, or in the event that in person public attendance has met the maximum capacity, the public hearing will be accessible to the public via Zoom virtual meeting software. Any members of the public wishing to observe the meeting remotely are advised to access the meeting via Zoom Video Conference:

Meeting Link: <https://us02web.zoom.us/j/88379742596>

Meeting ID: 883 7974 2596

Dial in phone number: +1 929 205 6099

Please take further notice that the information which is the subject matter of the public hearing is available for inspection at the Town Hall in the Town Clerk's office Monday through Friday 9:00 A.M. through 4:00 P.M., or upon request can be provided electronically. Persons wishing to participate in the hearing may do so via Zoom or telephone, or communications in writing regarding said application may be filed with the Town Clerk's office prior to said hearing. Individuals with special needs requiring accommodations may contact the Town Clerk's Office at 607-772-0357 at least 24 hours prior to the scheduled public hearing. In the event that the



# Town of Union

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Town Hall is fully open and able to accommodate all members of the public as of September 1, 2020, the Town reserves the right to discontinue the use of Zoom for said meeting. The Public is hereby advised to check the Town of Union website for updates regarding this change prior to any scheduled meeting.

Pub. & Posted: August 11, 2020

A Public Hearing of the Town of Union was called for on Wednesday, September 2, 2020 at 7:00 p.m. via Zoom Video Conference, to consider input concerning:

1. The addition of 12 Beech Street (#142.07-1-6.2) into the Homestead Village PUD as it should have originally been included;
2. Consideration of a new Homestead Village Planned Unit Development (PUD) incorporating the above referenced parcel into the previously approved PUD Development Plan for the Homestead Village Planned Unit Development. The new PUD is proposed for the following mixed uses: a townhouse residential development, hotel and conference center including a golf course, office use, and an engineering office use with accessory light assembly.

**BIDS:** None.

## **APPROVAL OF MINUTES:**

Motion to approve the Minutes of the Regular Board Meeting of the Town of Union Board held on Wednesday, August 5, 2020 and the Minutes of a Special Work Session of the Town of Union Board, held on Friday, August 14, 2020.

## **HEARING OF VISITORS:**

## **COMMUNICATIONS FOR FILING:**

1. Letter from Susan E. Reif, District Clerk, Union Endicott Central School District, notifying of the names and addresses of the 2020-2021 Union Endicott Board of Education members.
2. Notice from Charter Communications of upcoming changes – August 4, 2020.
3. Letter from Joann Linstrom, MPA, Planning and Zoning Administrator, Town of Owego, regarding a 239nn Referral Appeal # 2074 – Special Use Permit at 267 Cafferty Hill Road.



# Town of Union

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4. Letter from Suzanne Warren, P.O. Box 6223, Columbia, Maryland, 21045, regarding the Donation of a memorial bench to be located at Highland Park.

5. Union Center Fire Company, Inc. Financial Statements – February 28, 2019.

## **COMMUNICATIONS FOR ACTION:**

1. Letter from Joseph Christoff, Excite Motorsports, 20 Onondaga Street, Johnson City, requesting permission to hold a small private car show on his street on August 29, 2020 from 5:00 P.M. to 8:00 P.M.

2. Letter from Rakesh Shroff, 749 W. Main Street, Endicott, requesting the fees be waived for violations at his address.

3. Letter from Rev. Fr. Nathaniel J. Choma, St. Mary's Orthodox Church, 1907 Jenkins Street, Endicott, to Town of Union Code & Zoning Office, contesting the fees charged to them in regards to violations for 1908 Newell Road, Endicott.

4. Email from Dorothy Bachman, GFWC Tri-Cities Women's Club, requesting permission to hold a small gathering at the 9/11 Monument in Highland Park, for Remembering the Victims of 9/11 and requesting 20 folding chairs for participants.

5. Letter from Judith Hawkins, 207 Beckwith Avenue, Endwell, asking the Town to consider amending the Code regarding ATV operations.

6. Proposed for the 2021 Union Center Fire Company, Inc.

**PETITIONS:** None.

## **COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:**

**THE FOLLOWING COMMITTEE ITEMS REFERENCE A MOTION OR RESOLUTION AND ARE SIMPLY POTENTIAL ITEMS AFTER DUE CONSIDERATION:**

### **SAFETY/ LAWS & LEGISLATION/INTERGOVERNMENTAL COMMITTEE**

Frank J. Bertoni, Chairperson

Sandra C. Bauman

Heather R. Staley

**Resolution** of opposition to the proposed SungEel Lithium-ion Battery Recycling Facility project located in the Village of Endicott and a formal request to the Village of Endicott Board



# Town of Union

to take into consideration various facts and issues of impact on the Town of Union residents related to said proposed project.

The Resolution was held over under the rule by Councilwoman Sandra C. Bauman at the August 5, 2020 Board Meeting.

**Resolution** to formally request the Village of Endicott Board to take into consideration various facts and issues of impact on the Town of Union residents related to the proposed SungEel Lithium-ion Battery Recycling Facility project proposed to be located in the Village of Endicott.

The Resolution was held over under the rule by Supervisor Richard A. Materese at the August 5, 2020 Board Meeting.

**Resolution** requesting that the Village of Endicott not move forward with the proposed SungEel Lithium-ion Battery Recycling Facility project until documented credible science and health related evidence is confirmed by the NYSDEC, the State and local Health Departments, and by one or more mutually agreed upon independent third parties (namely, an agreement by the Village of Endicott and representatives of the opponents of the project), and is placed in evidence as part of the public record, all of which evidence is requested to be analyzed by the Village Board, with continued input and comment by all interested parties.

**Resolution** to approve entering into a Shared Service Agreement for Emergency Assistance between the New York State Department of Transportation and the Town of Union and authorize Supervisor Richard A. Materese to execute the necessary documents.

## FINANCE/CAPITAL PROJECTS & PUBLIC WORKS COMMITTEE

Heather R. Staley, Chairperson

Thomas R. Augostini

Frank J. Bertoni

**Resolution** to accept a donation from the family of Richard and Virginia Warren in the amount of \$871.49 for a memorial bench to be installed at Highland Park.

**Motion** to approve the following 2020 budget transfers:

Decrease:	31 5110 4120	Stone	\$ 5,000.00
Increase:	31 5110 4124	Catch Basins	\$ 5,000.00
Decrease:	20 8160 4175	Equip Rehab Parts	\$ 7,000.00
Increase:	20 8160 4099	Temporary Non Payroll	\$ 7,000.00
Decrease:	20 3310 4146	Sign Fixtures	\$ 1,800.00



# Town of Union

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Increase: 20 3310 4401 Equip. Maintenance \$ 1,800.00

**Motion** to authorize the advertisement of Bids for Generator Replacement at the Oakdale Pump Station. Bids to be received by Town Clerk Leonard J. Perfetti on Monday, September 21, 2020 at 10:00 A.M. at which time they will be opened and read aloud.

**EMPLOYEES/  
PARKS, RECREATION & ENVIRONMENTAL COMMITTEE**

Sandra C. Bauman, Chairperson  
Heather R. Staley  
Thomas R. Augostini  
Frank J. Bertoni

**Resolution** approving the following IT policies that have been reviewed by the Town Attorney and IT Vendor:

- Town of Union, NY Department of Planning & Community Development Telecommuting Policy and Procedure
- Town of Union Data Security Policy
- Town of Union Password Policy – Amended
- Town of Union Breach Notification Policy – Amended

**Resolution** accepting the proposal from Standard Security for New York State Disability (DBL) coverage retroactive to August 1, 2020 at the rate of 0.44% of 50% of covered payroll to a maximum of \$340 weekly providing a 15.0% savings to the Town.

**PLANNING, ZONING & ECONOMIC DEVELOPMENT COMMITTEE**

Thomas R. Augostini, Chairperson  
Frank J. Bertoni  
Sandra C. Bauman

**Resolution** authorizing Supervisor, Deputy Supervisor, and Planning Director to execute an addendum to the Town of Union contract with Fairview Recovery Services in regard to a shared caseworker which shall indemnify the Town of Union from all actions or situations involving Fairview Recovery Services in regard to City of Binghamton residents.



# Town of Union

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**Resolution** to approve the request from Catholic Charities RSVP to reallocate \$1,550.00 in FFY 2019 CDBG funding originally allocated to Telecommunications, Occupancy & Liability Insurance, to \$1,418.00 to Salary for Field Coordinator, \$104.00 for FICAA/Disability/Unemployment, and \$28.00 to Worker's Compensation.

**Resolution** authorizing the Planning Director, Supervisor and Deputy Supervisor to complete all documentations for Change Order 1 for the Fairmont Park Water Main Improvement project with Vacri Construction approving an additional \$54,400.00 for additional fill material for a total contract cost of \$520,400.00.

**Resolution** to make a Negative Declaration under SEQRA per evaluation of the submitted short Environmental Assessment Form, Broome County 239-Review comments, and the Planning Board's Advisory Opinion for the Homestead Village Preliminary PUD Development Plan.

**Resolution** at the Board's discretion to approve, approve with conditions, or deny the Homestead Village PUD Preliminary Development Plan.

**Resolution** to call for a Public Hearing on Wednesday, September 16, 2020 at 7:00 P.M. in accordance with Article 2, Section 202 of the New York State Eminent Domain Procedure Law to consider public comments for the proposed Eminent Domain taking of an easement interest in properties owned by Richard and Laurie Jones, located at 5 Woodland Avenue, Johnson City, NY 13790, Tax Map number 142.11-1-28, and 7 Woodland Avenue, Johnson City, New York, 13790, Tax Map number 142.11-1-52 for a Town of Union Public Safety and Improvement Project known as the Town of Union Fairmont Park Water Main Project.

## **HEARING OF VISITORS:**

## **DEPARTMENT REPORTS ON FILE IN THE TOWN CLERK'S OFFICE:**

1. Permits Report – July 2020.
2. Town of Union Planning Board Decision – Site Plan Approval - Dunkin' Fast- Food Restaurant with Drive Through. 712, 720 and 724 Main Street, Tax Map #'s 143.553-4-39, 143.53-4-38 and 143.53-4-37.
3. Town of Union Planning Board Decision – Special Permit Approval - Floodplain Development Split Rail Fence in Floodplain, 1420 Union Center Main Highway, Tax Map # 125.12-2-51.2.



## Town of Union

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4. Town of Union Planning Board Decision – Preliminary Subdivision Approval - Leisure Village Subdivision, 1908 Newell Road, Tax Map 141.11-4-50.
5. Town of Union Planning Board Decision – Site Plan Approval CDS Senior Housing, 609 Hooper Road, Tax Map # 141.08-2-5.
6. Town of Union Planning Board Decision – Special Permit for Floodplain Development, 328 and 332 Scarborough Drive, Tax Map #s 157.08-7-17, 157.08-7-18.
7. Town Clerk Report – July 2020.
8. Town of Union Citizens Advisory Council for Community Development Regular Meeting Minutes – July 8, 2020 & July 30, 2020.
9. Town Comptroller’s Monthly Report – July 2020.
10. Town of Union Planning Department Decision – Site Plan Approval- T-Mobile Telecommunications Facility, 1190 Robinson Hill Road, Tax Map # 126.04-1-5.

### **ADJOURNMENT:**

LJP/bk

Leonard J. Perfetti  
Town Clerk