



**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 SPECIAL BOARD MEETING

September 28, 2020

The Special Meeting of the Town Board of the Town of Union was held on Monday, September 28, 2020 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York. A full transcript of this meeting will be available on the Town of Union Website.

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

**TOWN OFFICIALS PRESENT** Deputy Town Attorney Rosemarie Pope, Town Clerk Leonard J. Perfetti, Planning Director Sara Zubalsky-Peer.

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

The Purpose of this Special Meeting is for the Continuation of the Eminent Domain Public Hearing to address any written comments from the property owners and/or public regarding the subject property owned by Richard and Laurie Jones located at 5 & 7 Woodland Avenue, Johnson City, New York; close the Public Hearing; hear the findings of fact and determination and vote on proceeding with eminent domain

Town Clerk Leonard J. Perfetti read the Public Hearing Notice from the September 21, 2020 Public Hearing that was held open for Public comment regarding the Eminent Domain Proceedings at 5 & 7 Woodland Avenue, Johnson City, New York.

Supervisor Richard A. Materese asked if any written correspondences regarding this subject have been received for the record.

Deputy Town Attorney Rosemarie Pope presented a hand delivered letter from Alfred Panaccia, Jr., Attorney for Richard and Laurie Jones, owners of 5 & 7 Woodland Avenue, Johnson City, New York that was received September 28, 2020 prior to this meeting, for the record. She also added Affidavits of Service of 9/21/20 Public Hearing Notice served on the Jones; two emails to and from Laurie Jones regarding the appraisals; Town of Union Planning Board SEQRA review dated 6/24/2020 and Town of Union Planning Board Minutes dated 07/14/2020.



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Deputy Town Attorney Rosemarie Pope stated that Mr. Paniccia's letter said that the Public Hearing Notice was defective. She said this was not true and addressed the comments in the letter.

As no other correspondences were received, Supervisor Richard A. Materese closed the Public Hearing.

At this time, Deputy Town Attorney Rosemarie Pope explained the SEQRA process and reviewed the questions for Part 2 of the application that the Town Board must answer and discuss before a Negative Declaration can be determined.

### COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to declare a Negative Declaration under SEQRA for the New York State Eminent Domain Procedure Law with respect to the taking of an easement interest in property owned by Richard Jones and Laurie Jones located at 5 Woodland Avenue and 7 Woodland Avenue, Johnson City, NY 13790, Tax Map numbers 142.11-1-52 and 142.11-1-28 respectively in connection with a Town of Union Public Safety and Improvement Project known as the Town of Union Fairmont Park Water Main Project with no significant environmental findings of impact.)

Res. by Bertoni, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes approving the Eminent Domain Determination pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the taking of an easement interest in property owned by Richard Jones and Laurie Jones located at 5 Woodland Avenue and 7 Woodland Avenue, Johnson City, NY 13790, Tax Map numbers 142.11-1-52 and 142.11-1-28 respectively in connection with a Town of Union Public Safety and Improvement Project known as the Town of Union Fairmont Park Water Main Project.; authorizing the Supervisor, Town Clerk, Town Attorney, Deputy Town Attorney or other town official or employee so designated by the Town Board to file, post, publish and serve the above mentioned Determination as may be required to implement this resolution; and authorizing the Supervisor, Town Attorney and Deputy Town Attorney to proceed with filing the petition and related documents with the Broome County Supreme Court to obtain an order granting the Town permission to file the easement maps and take ownership of the easement interests in the properties.)

Res. by Bertoni, seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

### ADJOURNMENT:



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Moved by Bertoni, seconded by Staley to adjourn the meeting.  
Carried.

The meeting was adjourned at 7:55 P.M.

Leonard J. Perfetti  
Town Clerk

LJP/bk