



**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**

**December 15, 2021**

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, December 15, 2021, at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York and via Zoom.

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

**TOWN OFFICIALS PRESENT:** Town Attorney Alan J. Pope, Deputy Town Attorney Rosemarie Pope, Town Clerk Leonard J. Perfetti and Deputy Town Clerk Rebecca Kruckowski via Zoom.

Also in attendance was Village of Endicott Mayor Linda Jackson and Assemblywoman Donna Lupardo via Zoom.

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

### **PUBLIC HEARINGS:**

A Public Hearing was called for on December 15, 2021 at 7:00 P. M. to consider adoption of an amendment to Town Code Chapter 46-1 to remove the phrase "because of a conflict of interest" and insert the following words: *where illness, absence or a conflict of interest would otherwise prevent a quorum of the Planning Board from considering any pending matter. The Chairperson of the Planning Board is authorized to designate an alternate Planning Board member for a member who is unable to participate in an application or matter before the Planning Board because of illness, absence or conflict of interest.*

Pub. & Posted: 12/06/2021

Valdi Weiderpass, 809 Madeline Drive, Endicott, said the statement should say the person who is absent should make the designation of who can take their place and if they are incapacitated, the Chairman of the Board will then make the designation.

Supervisor Richard A. Materese explained that there is already an Alternate Member that attends the meetings and is knowledgeable of the subjects and capable to make decisions if a member is absent or if there is a conflict of interest. The Chairman would then tell the Alternate Member they can vote on the subjects.



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

A Public Hearing was called for on December 15, 2021 at 7:00 P.M. to consider adoption of a Local Law entitled A LOCAL LAW PURSUANT TO CANNABIS LAW § 131 OPTING OUT OF THE LICENSURE AND ESTABLISHMENT OF RETAIL CANNABIS DISPENSARIES AND ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF UNION, subject to a 45-day permissive referendum.

Pub. & Posted: 12/06/2021

Nathaniel Robertson, 309 West Main Street, Endicott, said when you buy alcohol at a store, you have to show your identification to prove you are of age and then you can buy as much as you want. The same identification procedure will be done at a cannabis dispensary where the identification presented would be scanned not only to show proof of age, but also for the State to know if you have purchased the legal amount of cannabis for that day. The buyer would not even be able to reach the distribution area unless they were cleared at the door. He further said he feels that alcohol is more dangerous than cannabis and as an insurance agent, he knows that alcohol is the leading cause of accidents.

Lynette Wyatt, 221 Hastings Avenue, Endwell, asked what opting out means in this public hearing and what are the definitions of a dispensary and an onsite consumption facility.

Supervisor Richard A. Materese explained that marijuana is legal to be used in New York State and the State is leaning toward the control of the purchases of regulated marijuana. He said if the Part-town does not want the store or public consumption places, then they must opt out. He explained that a dispensary is like a liquor store or bar where you purchase the product, and an onsite consumption facility is a specific place where the product is smoked but cannot be bought there.

Peter Shafer, 1543 Union Center Maine Highway, Endicott, said he is a small business farmer and is here tonight to ask the Board to please refrain from opting out and is encouraging them to look at the opportunities from the zoning aspect. He said he is in a unique position because he has the opportunity to apply for the micro license as a small business farmer, which would allow him to produce and eventually sell retail to the public. He said opting out would not allow him to do that, and opting in, potentially if things are not worked out in time or you miss the deadline to opt back in on time, this would potentially not allow him to apply at all. He also said there are not a lot of opportunities to come around for small farmers to grow year-round instead of 4 – 5 months a year. He stated that he will work with the Board step by step in the application process to ensure it is done right and complete.

Councilman Frank J. Bertoni said we are not talking about growing of marijuana at this time.



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Mr. Shafer explained that there is a certain kind of license called a micro license that would allow you to produce and the ability to sell directly to the public, and he would not be qualified for that license if the Town doesn't vote on it tonight.

Councilman Thomas R. Augostini asked if he will be pursuing two licenses.

Mr. Shafer said that it is only one license – a micro-license, created for small farmers and is similar to a micro-brewery license that allows them to produce the beer and then sell directly to the consumer. He said this industry is very attractive to big growers who have multiple stations in multiple states, and this is New York State's attempt to allow small farmers to produce.

Sidney Stanley, 201 Prospect Street, Endicott, asked what the tax revenue loss would be if we did not allow this in the Town.

Supervisor Richard A. Materese said that if we do not allow them in the part-town we would not get any tax dollars collected and theoretically it could be a loss.

Councilman Frank J. Bertoni said if we opted out and the villages allow it, they would get the tax revenue and the part-town would not get anything.

Valdi Weiderpass, 809 Madeline Drive, Endicott, said marijuana will be bought whether a license is issued or not. He is asking the Board to approve the sales, so we could collect revenue instead of the other towns and villages around us.

Christine Ellison, 511 Exchange Street, Endicott, said it is her understanding that the regulations come from the Governor. She asked who would manage these facilities and would the Town Board have the Planning and Zoning Boards look at this for their input.

Supervisor Richard A. Materese said as we understand it, the State will set up the regulations and once we have those, we can set up our zoning regulations. He also said there is a deadline for us to opt-out which is December 31, 2021, and that once we opt-out, we can opt-in at another time, but as Mr. Shafer said, the State is issuing a certain number of licenses and if we did not vote on it, we could lose out on the opportunity for more revenue in the part-town.

Andrew Fetterman, 3203 Vernon Drive, Endwell, said he feels it would be a mistake if we opt-out because of the loss of revenue and small business owners that would come to the town if they had that incentive. He also said he has concerns about safety issues with keeping it out of the hands of children, and the zoning for these properties. He said the Town needs to start



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with the NYS Alcohol Board for the regulations that would be like ones set up for bars but only stricter.

Carol Layton, 123 Wilson Avenue, Endwell, said the Governor passed the law for cannabis prematurely, before any regulations were put in place. She feels this is unfair to the municipalities to govern them without guidelines and it should go through the Planning and Zoning Boards for their recommendations as to where they should be located if it passed. She is also against the sale of marijuana in the Town of Union.

Lynette Wyatt, 221 Hastings Avenue, Endwell, said she is totally against having these establishments in the Town of Union. She asked how long the marijuana stays in one's systems and said that it's not like alcohol.

Lori Wahila, 721 Monforte Drive, Endicott said she wants to understand this better. She said that regulations will be just like for alcohol or cigarette purchases; you have to show identification and they can't be sold to minors. She said regulations are not done yet, but they can be made stricter by the municipalities.

Councilman Thomas R. Augostini said all he wants to see the regulations from the State first, before deciding.

Ms. Wahila said that things have to be done in a timely manner or we will lose out on revenue.

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

BIDS:

RFP's were called for on Friday, December 3, 2021, 3:00 P.M. for the Sale of following Surplus Properties:

- 56 Cherry St., Johnson City
- 515 Fernwood Ave., Johnson City
- 147 Hudson St., Johnson City
- 68 Roberts St., Johnson City
- 194 St. Charles St., Johnson City
- 1205 Catherine Ave., Endicott
- 1709 Nanticoke Dr., Endicott
- 618 Zimmer Ave., Endicott.



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RFP's were received as follows:

Elijah Hunter Moss	515 Fernwood Avenue, Johnson City	\$2,650.00
Alan Stephens & Nicholas Conzola.	1205 Catherine Avenue, Endicott	\$2,976.00

Moved Augustini, seconded by Bertoni to receive and file the RFP's for the Sale of the following Surplus Properties:

- 56 Cherry St., Johnson City
- 515 Fernwood Ave., Johnson City
- 147 Hudson St., Johnson City
- 68 Roberts St., Johnson City
- 194 St. Charles St., Johnson City
- 1205 Catherine Ave., Endicott
- 1709 Nanticoke Dr., Endicott
- 618 Zimmer Ave., Endicott.

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, December 1, 2021.

Carried.

### HEARING OF VISITORS:

Andrea Bogart, 30256 Columbia Drive, Endwell, thanked Councilmen Bertoni and Augustini for their help regarding a code issue at her mother's house. She said Code Enforcement Officer David Conklin is a great guy and was a lot of help. When he was called after hours, he always returned her calls.

Christine Ellison, 511 Exchange Avenue, Endicott, said the Tree City USA document points out that there is an annual criterion that needs to be met for the designation. She feels that although they met the 4 criteria points this year, we may not meet them in the future. They should have gotten ordinance first, instead of the doing the work and then hurrying to get this done. She said she knows they put in a lot of work this year and doesn't want it to be for naught.

Councilwoman Heather R. Staley objects to that statement. She said the committee has been working since February or March and has apprised the Board of everything they were doing. She said all the work that has been done by volunteers, not Town employees.



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Matt Wahila, 721 Monforte Drive, Endicott, said regarding the Tree City USA website, it explains all the criteria needed. He said the committee has followed all the rules and it is an honor to be called a Tree City USA. He said we've done the work, now let us get the credit for it.

Councilwoman Heather R. Staley said the Town already has people responsible for looking after the trees, such as the Highway Department.

Linda Jackson, Village of Endicott Mayor, said the Village of Endicott is making a resolution, not a local law. She said their workers are mandated to protect the infrastructure by maintaining the trees. She said she is appointing the members as an advisory committee to the Mayor.

Terri Farrell, 404 Hazel Avenue, Endicott, said the best time to plant a tree was twenty years ago and the next best time is now. She explained her background as a graduate of Forestry School and as a member of Sierra Club. She said this whole project started when the trees were cut down on South Street in the Village of Endicott, one year ago today. She asked Councilwoman Heather R. Staley what they could do to educate people on the importance of saving trees. She said proposals were written in February to become a Tree City USA, with the four standards required have been met. Tree City USA is not a political issue, and there is a deadline of December 31, 2021, to submit this grant.

Carol Layton, 123 Wilson Avenue, Endicott, asked what is considered a perimeter strip. She said she has a cement wall to hold up her yard and there is no grass between the road and her wall.

Supervisor Richard A. Materese said only the trees in the Town right of way would be taken care of.

Councilman Frank J. Bertoni said the right of way is from the center of the street back twenty-five feet.

Nathaniel Robertson, 309 West Main Street, Endicott, thanked everyone for wearing a mask because it says that you care about others, not yourself.

Valdi Weiderpass, 809 Madeline Drive, Endicott, said he is the Public Citizens Chair of the Susquehanna Sierra Club, which has 1000 members. He said eight members on their board said yes to the Town of Union becoming a Tree City USA. He thanked Councilwoman Heather R. Staley and Terri Farrell for all their hard work on this project. He presented to the



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board a four-page research paper on the good of trees. He said the community takes pride in itself and there are many benefits of trees.

Matthew White, 10 Harrington Road, Johnson City, said he does not live in the Town of Union, but everyone is impacted by it. He is asking the Board to consider this as an opportunity instead of as a burden. He said there is a potential for huge amounts of money in grants available, and they would be written by the committee. He said there has been a massive amount of trees that we have lost, and with these grants they can be replanted at no cost to the taxpayer. If we do not use the money, then we lose our Tree City Certification for that year. He also said the committee would do all the work at no burden to the Town and they would provide the expertise on choosing which trees to be taken care of.

Kaitlyn Harasta, 3102 Andover Road, Endwell, said she is in support of the Town becoming a Tree City USA and she cannot think of any way that this wouldn't be a benefit to our community. She said trees are vital to our community for flood mitigation, as we all know is a major problem in this area. Councilwoman Staley has been working on this for years and has enthusiastic community members involved already. Respectfully, she does not understand why this vote has to be held hostage by poor planning and inability to do research in a timely fashion since the Board had ample time to review this.

Kristopher Bryson, 2609 Columbia Drive, Endwell, said with research tonight and listening to comments, he is baffled as to why this easy and beneficial program is being held up. He said he is in support of the Tree City USA and that there are no good reasons to hold this up.

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

COMMUNICATIONS FOR FILING:       None.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to refer the New York State Department of Agriculture and Markets Dog Control Officer Inspection Report – 11/22/2021 to Commissioner of Public Works Louis V. Caforio.  
Carried.

2. Moved by Augustini, seconded by Bertoni to refer the Broome County Court Tax Enforcement Notification for foreclosure on 107 Carden Street, Endicott- Betsy Zimmer to Town Attorney Alan J. Pope, Comptroller Gretchen Uhler and the Planning Department.



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Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

At this time, Town Attorney Alan J. Pope reviewed the Environmental Assessment Form with the Board in respect to the proposed Local Law pursuant to Cannabis Law §131 opting out of the licensure and establishment of retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of Union.

(Prepared Resolution filed as part of these minutes to approve a negative declaration in accordance with SEQRA with respect to the proposed Local Law pursuant to Cannabis Law § 131 opting out of the licensure and establishment of retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of Union.)

Res. Bertoni, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

Councilman Frank J. Bertoni thanked everyone for offering an opinion, and said we certainly try to listen as much as we can. He stated that he thinks it should be expected that this Board do due diligence and not vote for something because we think it is a good idea. He said personally, he feels that there are over 100 Towns who have opted out of this law and they must have good reason. He said for people to stand in front of them and say minors will not be involved in this because they have to show identification, the kids can probably get fake IDs and we certainly know that 20% of kids age 12 and over use alcohol regularly. Bars are filled with kids with fake IDs. In the case of Cannabis, long term effects on brain development for children all the way up to 20 years old have been studied and he suggests that these studies be should be looked at to do our due diligence on this. Studies have also been done that show the younger children are when they try drugs, the more likely they will become addicted to them. Addiction is the number 1 problem in our country today. I think these things need to be considered in addition to the legal part of this. There is a lot more to this than where we can open stores or not. He said for the record, he wants it known that he is opposed to this for the reasons stated. He said he thinks people are doing a tremendous disservice to our children and if you care at all for our children, you would oppose this.

Councilman Thomas R. Augustini said he has many different reasons why he opposes this. He said it has nothing to do with judgement if you want to smoke marijuana or not. He said his first reason is, to what extent can the Town of Union regulate marijuana sales? We can't answer this because regulations from New York State have not been established. The Governor passed the law on March 31, 2021 making it legal to smoke marijuana but, here we are almost nine months later and still no regulations. He said the time frame for these regulations are: in February or March the regulations will be issued, then a comment period of 60 days, then a time period for responses, which is unknown. It is expected you will get as





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many comments on this issue as you did with fracking. So, how long will it take for these comments to be addressed, most likely will be a long time. He said New York State passed a law that Towns, Cities and Villages have until December 31, 2021 to opt out without knowing all the facts and this is problematic to him. He said the number 2 reason is our zoning issue has never been settled. He said when can operations establish itself? We don't know, since we haven't set up our regulations because we haven't been sent State regulations as to what we can do. The phrase being used is "The State can set the floor and the Town can set the ceiling". What is our ceiling? 6, 8, 10 feet? We don't know because we don't know what the floor is. He said maybe he would be in support of this if it wasn't done in an illogical reverse manner. He asked how the State could ask a town, city or municipality to opt out without regulations. He said you are opting in blindly and don't know what you are getting yourself into. We heard tonight that it is going to be regulated just like alcohol, then why aren't regulations out? If you have Alcohol, Beverage and Control regulations already, why aren't they out yet. If it's that simple; why are we nine months without regulations? They should be extremely efficient to issue regulations if it's to be just like bars. Who is going to issue the regulations, it will be dominated by the downstate NY City policy makers, not the upstate policy makers. The last point, it will be highly regulated – how do you know that since there are no regulations out yet. How do we know if it will be low, medium or high? We can't guarantee that. We won't know until regulations are issued. So, the question is can you opt out if you don't like a regulation that gets issued in 2022 after comments are submitted, after there are responses to those comments? No. Once you opt in, you cannot opt out. It's the old adage "It's very easy to get into a relationship, but not easy to get out". That is fact with this law and that's why I'm voting no.

Town Attorney Alan J. Pope said the resolution is worded in two parts for opting out – onsite consumption and for retail cannabis dispensaries. If you combine the resolutions, anyone who wants to vote differently on either part won't have the opportunity to vote their choice. He suggested that the resolution be divided into two separate resolutions and Board members can vote separately on each part.

(Prepared Resolution filed as part of these minutes to approve the Local Law entitled "A LOCAL LAW PURSUANT TO CANNABIS LAW § 131 OPTING OUT OF THE LICENSURE AND ESTABLISHMENT OF RETAIL CANNABIS DISPENSARIES.)  
Res. by Bertoni, seconded by Bauman.

Councilwoman Heather R. Staley said she was in favor of opting in for dispensaries because our constituents are already using this product and she is uncomfortable on how they are getting it. She would rather have them purchase it safely at a legal site instead of on the street from someone who could poison them. She also said she would like a confined place for them to use this product designed to contain the smell and where someone can't see them or smell it. She wants to opt in for cannabis in the Town of Union who would benefit from the tax revenue of the sales. She would like the tax revenue received to be used to benefit the youth in the community. She said she does not like cannabis, has never tried it, and does not



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smoke or drink alcohol, but she can't push her moral views on her neighbors because they have something different. She said the best she could do is to protect them and make sure they are doing it in a safe manner.

Councilwoman Sandra C. Bauman said she has agonized over this because she does care for the welfare of the children, otherwise she would not have spent 30+ years of her life dedicated to teaching them. She said she is very dedicated to the safety of children and said she had children in her home pass away because they used tainted drugs. She said she is opting in for the dispensaries so that we can control what's going on within our town. She said she is not in favor at all for onsite consumption sites and is against it for children; cannabis is here and she thinks we need to do the best we can to control it. She also said to tell her she is not for children is so disrespectful.

Supervisor Richard A. Materese said it is disrespectful for anyone to make a generalization that we do not care for children, and it is just plain wrong. He said it wasn't said tonight, but it's been said in the past that marijuana is a gateway drug, No, scientific studies have shown that it is not. Some of the studies do say it can lead to addiction, just like alcohol can lead to alcoholism. None of the studies say it will. He said we need to be vigilant to keep marijuana out of the hands of kids. Although they are already getting it, having clean marijuana is a smarter idea. He said the tax revenue is also a smart idea. We are going to have marijuana in Endicott, Vestal, Johnson City and Dickinson, all around us, it's not like the people won't smoke it in the Town of Union. Opting out doesn't make people not smoke it, means they will have to travel to get it and they will probably smoke it on the way back, which he thinks is worse.

Attorney Alan J. Pope said the Resolution is to approve to opt out of licensures and cannabis dispensaries.

Supervisor Richard A. Materese said a vote of yes is voting to opt out and a vote of no is for it.

Vote: Yes  
Augustini  
Bertoni  
Vote: No  
Bauman  
Staley  
Materese.

The Resolution was not adopted.

(Prepared Resolution filed as part of these minutes to approve the Local Law entitled "A LOCAL LAW PURSUANT TO CANNABIS LAW § 131 OPTING OUT OF THE LICENSURE AND ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF UNION.)



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Res. by Bertoni, seconded by Bauman.

Supervisor Richard A. Materese said he will switch his vote on this because if you go to a bar, have a pizza and a beer, you're ok and you can go home, you are not drunk, however if you walk into an establishment and smoke, you are high; to me it is putting more people on the road that shouldn't be on the road. For that reason I will be voting for opting out of consumption sites.

Councilman Thomas R. Augostini said consistent with the previous vote, he also doesn't want consumption sites as well, because like he said in the first vote, this a backwards illogical process that the State has set up. He said he will be voting no on this one too.

Vote: Yes  
Augostini  
Bertoni  
Bauman  
Materese  
Vote: No  
Staley.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes approving and authorizing the execution of a Stipulation in the litigation matter of Oakdale Mall Associates vs The Assessor, et al, for all open index numbers which provides for certain refunds by the various municipalities and a discontinuance of all litigation, all subject to approval of the wording of the Stipulation by the Town Attorney and with authorization for the Town Assessor and Town Attorney to execute the same.)

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

Vote: All yes.

Moved by Staley, seconded by Augostini to approve David Conklin, Code Enforcement Officer, to attend the Finger Lakes Building Officials Education Conference to be held at the RIT Inn and Conference Center, West Henrietta, New York, from March 13-16, 2022. The Educational Conference will account for all the required 24 hours of training. Expenses include: membership to FLOBA at \$55.00, registration fee of \$390.00, hotel at \$99.00 per person/per night for 3 nights, meals not covered in registration from dinner on March 13, 2022 through lunch on March 16, 2022, and the use of a Town vehicle.  
Carried.

(Prepared Resolution filed as part of these minutes authorizing the Request for Proposals for Community Development Block Grant (CDBG) Administration services and Section 8 Housing Voucher Administration services.)



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

Vote: All yes.

Moved by Staley, seconded by Augustini to approve the following 2021 budget transfer:

Decrease:	31 5110 4126	Blacktop Maintenance	\$26,168.96
Increase:	31 5110 2500	Other Equipment	\$26,168.96.
Carried.			

(Prepared Resolution filed as part of these minutes to approve the Contract Renewal - Lease of Patterson Watershed for Struble Road Sports Facility -CA82-151 with the Town of Union for the Patterson Watershed for the Department of Public Works for 2022-2031.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve proposal from Delta Engineers for Professional Engineering Services for Phase 2 of the flow conveyance Channel at Daren Drive, Town of Union, Broome County, New York Proposal No. 2021.800.001, paid for under ARPA Funds in the amount of \$14,725.00.)

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

Vote: All yes.

Resolution to implement a Town of Union Tree Policy to establish uniform practices governing the planting and care of trees on public property.

This Resolution was held over under the Rule by Councilman Frank J. Bertoni.

(Prepared Resolution filed as part of these minutes to approve the one (1) year collective bargaining agreement with the CSEA Blue Collar Unit as approved and ratified by the Blue Collar Unit.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve for unused vacation hours to be carried over to 2022, which exceed the allowable vacation carryover of 15 days (105 hours) or 15 days (120 hours) as per the Employee Handbook and Collective Bargaining Agreements. The following employees have requested carryover days with Department Head approval:



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Lisa Balshuwelt  
Robert Balles  
Robert Conrow  
William Katen  
James Leo  
Joe Mastrogiacomio  
Thomas Poklemba  
Phil Rea, Jr.

John Shaughnessy  
Mark Bambara  
Jerry Darrow  
Mark Fotusky  
Patrick O'Hara  
Paul Thompson  
Justin Nikulich  
Chet Kupiec

Dave Conklin  
Lou Caforio  
Mary Bricker  
Ray Vanderpoel  
John Vassil  
John Sbarra  
Tina Bidwell  
Marina Lane.)

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

Vote: All yes.

Moved by Bauman, seconded by Staley to change the Town of Union Parks and Recreation Department Fee Schedule for Tournament Soccer/Baseball/Softball Fields/Tennis Courts to \$35.00/hour for both Youth/Adult games/matches between the hours of 7 am to 6 pm and \$50.00/hour (including lights) for games/matches continuing or scheduled after 6 pm for Residents. Non-Resident fees for the above will be \$50.00/hour and \$65.00/hour respectively.  
Carried.

(Prepared Resolution filed as part of these minutes to accept the National Fitness Campaign Deferral Program MEMORANDUM OF UNDERSTANDING for the purpose of establishing and achieving various goals and objectives relating to the 2022 Town of Union, NY Fitness Court Partnership Project. This project has been established to meet the minimum eligibility requirements of the National Fitness Campaign-MVP Health Care 2021 Grant Award by aligning with availability of local funding sources, and agreeing to accept the Fitness Courts and store them securely in accordance with the 2021 NFC Grant Program, and committing to provide the remaining matching funds of \$173,730.00 by February 1, 2022, with a goal to install and launch fitness courts by end of 2022 calendar year.)

Res. by Bauman, seconded by Staley.

Councilman Frank J. Bertoni commended Councilwoman Sandra C. Bauman for using her committee chairpersonship to further this along. He said he is not in favor of this, but respects her hard work that she put into this.

Councilwoman Sandra C. Bauman said she spent time with the Johnson City Rotary and they are very supportive of what we have done and have offered their help in any way they can.

Vote: Yes  
Staley  
Bauman  
Augustini  
Materese  
Vote: No  
Bertoni



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The Resolution was adopted.

Moved by Augustini, seconded by Bauman to approve a salary adjustment for the Senior Court Clerk of 10% added to base pay for the period of 12/1/21 to 12/31/21 and for the period of 01/01/22 to 05/31/22 the 10% is reduced to 5% of base pay for that period.  
Carried.

Moved by Augustini, seconded by Bauman to approve a salary adjustment for the Payroll Specialist of 10% added to base pay for the period of 09/01/21 until a second payroll specialist is hired and starts upon Board approval.  
Carried.

### HEARING OF VISITORS:

Christine Ellison, 511 Exchange Avenue, Endicott, clarified that her statement about Tree City has absolutely nothing to do with politics or her love of trees. Her concerns are about the logistics and legality of things.

Matthew Wahila, 721 Monforte Drive, Endicott, said he wants to preface what he is going to say. He said he is probably the most straight-edged person around. He does not drink, do drugs, have never done pot, and doesn't even drink coffee. Those are his personal choice and preferences and they should not infringe on other peoples freedoms. He applauded those who voted to not want to opt out of the first resolution about dispensaries of marijuana, and for the second part, where the council did opt out, he disagrees with some of the things that were said regarding marijuana and alcohol. He said yes you can go to a bar, have pizza and drink and drive home, but you can also go to a bar, have multiple drinks, and no pizza and not be fine to drive home. It is not like you are high or not high, there are levels with marijuana as well as alcohol. He said he does not think it is a valid reason to be against the locations for consumption. He said a little pot – little buzz and be fine just like you can drink little alcohol and be fine. I don't think the counsel is ready to go close bars because you can have too much there and unless they do start closing bars, consumption sites should be allowed.

Valdi Weiderpass, 809 Madeline Drive, Endicott, spoke in support of the Tree City USA and urges the Town to complete the paperwork as soon as possible to get recognized and be able to get the grant money with the help from people who care and know about trees. He said we have to look to the future and it has been a year that we have been trying to get the Town recognized, so please vote yes.



## Town of Union

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Terri Farrell, 404 Hazel Avenue, Endicott, said it is disheartening to not have a decision on this tonight. She said they have worked hard on this for the Town of Union and the Village of Endicott, and you are putting this off until the meeting on the 21<sup>st</sup>, which means that she and Councilwoman Heather R. Staley will be jumping through hoops to work on the grant over the holidays to get this grant in on time. She asked the Board to reconsider putting this off.

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 of Union Planning Department Decision - Minor Site Plan Approval – Antenna Array Installation – DISH Wireless, 7 N. Seward Avenue, Endwell – Tax Map # 141.20-8-8.2.
2. Town of Union Zoning Board Decision – David Plestis, Application 2021-009, 1414 M. Stella Ireland Road, Binghamton, Tax Map # 110.04-1-33.
3. Permits Report – November 2021.
4. Town Clerk's Monthly Report – November 2021.
5. Town Comptroller Reports for September, October & November 2021.  
Carried.

Councilwoman Sandra C. Bauman congratulated the Maine-Endwell Football team on their State Championship Class B. Proud of the Maine Endwell football team.

Supervisor Richard A. Materese also congratulated the team. He reminded everyone to shop local as much as possible and said we need to support them, as they are our community.

### ADJOURNMENT:

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

The meeting was adjourned at 9:51 P.M.

LJP/bk

Leonard J. Perfetti  
Town Clerk