



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

April 6, 2022

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, April 6, 2022 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York 13760.

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

OTHER TOWN OFFICIALS PRESENT: Associate Attorney Gina Middleton, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruczkowski.
ABSENT – Town Attorney Alan J. Pope.

Also in attendance was Village of Endicott Mayor Linda Jackson.

PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, April 6, 2022 at 7:00 P.M. to consider the Cold War Veterans Exemption and making the exemption permanent.
Pub. & Posted: 03/21/22

Supervisor Richard A. Materese explained that the Veteran's Exemptions for all the other wars are a permanent exemption and for whatever reason, this particular war's exemption was for a 10 year time limit. We would like to make this exemption permanent also.

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

A Public Hearing was called for on Wednesday, April 6, 2022 at 7:00 P.M. to solicit public input for inclusion in the Federal Fiscal Year 2022 Community Development Block Grant (CDBG) Annual Action Plan.
Pub. & Posted: 03/27/22

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



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BIDS:

Bids were called for on Friday, March 25, 2022 at 10:00 A.M. for Odell – Oak Hill Avenue Street Reconstruction Village of Endicott, Town of Union FFY 2020 CDBG Program.

Bids were received as follows:

G. DeVincentis & Son Construction	Base	\$346,075.00
	Alt. #1	\$289,350.00
Steward, Inc.	Base	\$433,309.00
	Alt. #1	\$275,900.00
Albert Torto Construction	Base	\$436,327.00
	Alt. #1	\$345,300.00
Chicago Construction Company	Base	\$452,000.00
	Alt. #1	\$305,000.00
R.B. Magliocca General Contracting	Base	\$497,615.00
	Alt. #1	\$315,605.00
L & T Construction	Base	\$693,529.43
	Alt. #1	\$258,794.50

Moved by Augustini, seconded by Bertoni to receive and file the Bids for Odell – Oak Hill Avenue Street Reconstruction Village of Endicott, Town of Union FFY 2020 CDBG Program. Carried.

Bids were called for on Monday, April 4, 2022 at 10:00 AM for Curb, Gutter and Sidewalk Replacement – Shady Drive.

Bids were received as follows:

R.B. Magliocca General Contracting	\$144,794.00
G. DeVincentis & Son Construction	\$179,000.00
Chicago Construction Company, Inc.	\$197,000.00
Alberto Torto Construction	\$198,190.00
Concrete Slipform, Inc.	\$205,877.00

Moved by Augustini, seconded by Bertoni to receive and file the Bids for Curb, Gutter and Sidewalk Replacement – Shady Drive. Carried.

Bids were called for on Monday, April 4, 2022 at 10:00 AM for Curb, Gutter and Sidewalk Replacement.



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Bids were received as follows:

R.B. Magliocca General Contracting	\$332,981.50
G. DeVincentis & Son Construction	\$417,000.00
Concrete Slipform, Inc.	\$449,691.00
Albert Torto Construction	\$488,103.00
Chicago Construction Company, Inc.	\$653,000.00

Moved by Augustini, seconded by Bertoni to receive and file the Bids for Curb, Gutter and Sidewalk Replacement.

Carried.

Bids were called for on Monday, April 4, 2022 at 10:00 AM for Underdrain Installation and Connections at Miscellaneous Locations.

Bids were received as follows:

R.B. Magliocca General Contracting	\$ 83,594.00
Hurd Development	\$109,910.00
Albert Torto Construction	\$126,597.00
Chicago Construction Company, Inc.	\$999,000.00

Moved by Augustini, seconded by Bertoni to receive and file the Bids for Underdrain Installation and Connections at Miscellaneous Locations.

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, March 16, 2022, a Special Meeting held on Friday March 18, 2022 and a Special Meeting held on Friday, March 25, 2022.

Carried.

HEARING OF VISITORS:

Village of Endicott Mayor Linda Jackson thanked the Board for the Fitness Court they gave to the Village last year. She said she sent the power point to her Board to review on November 11, 2021, and they are not interested in it. She said they are not going to be able to accept it and will have to return it back to the Town. Mayor Jackson said she appreciates all the hard work that was put into this and all that the Town does for them.

Supervisor Richard A. Materese explained that this was a project that Councilwomen Bauman and Staley worked very hard on.



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Martin Patchett, 927 Farm to Market Road, said at the March 2, 2022 meeting, the County sent a letter proposing lowering the speed limit on Farm to Market Road by the schools. He read his own proposal and gave copies to the Board. He said Farm to Market Road is a very dangerous road and would like to know the status of this action.

Supervisor Richard A. Materese said the action was referred to the Commissioner of Public Works Louis V. Caforio and Highway Superintendent Chester Kupiec; and they have been in contact with the County regarding this. He said he will forward the suggestions to them.

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. Charter Communications – Notices of Programming Changes 3/11/22, 3/18, 22 & 3/21/22.
2. 239 Review Submission from Marina Lane, Sr. Planner, Town of Union, regarding Local Law amending the Zoning Code, Chapter 300, Part 3 Overlay and Special Purpose Districts: Addition of Article 35. Cannabis Business Overlay (CBO) District.
3. 239 Review Submission from Town of Chenango Local Law 2-2022, Amending Section 73-80 of the Town Code entitled “Zoning”.
4. Letter from Makayla Kameron, Animal Health Inspector, New York State Department of Agriculture and Markets, regarding Dog Control Officer Inspection Reports for December 14, 2021 and February 18, 2022 that were rated satisfactory.
5. Village of Endicott Board Meeting Minutes – January 17, February 21, & March 7, 2022.
6. Letter from Paul A. Nelson terminating his Consulting Agreement effective April 22, 2022. Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the letter from Cravat N. Ahmadi, Eversheds Sutherland, regarding Time Warner of Syracuse – Special Franchise Assessment Appeal for 2022 to Town Attorney Alan J. Pope and Town Assessor Joseph Cook. Carried.



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2. Moved by Augustini, seconded by Bertoni to approve the letter from Nicole Johnson, Company President, West Endicott Hose Company #1, Inc., requesting use of a garbage truck for their Chicken Barbecue to be held on Saturday, May 7, 2022 and refer it to Commissioner of Public Works Louis V. Caforio and Deputy Commissioner of Public Works-Environmental Services Daniel A. Schofield.
Carried.

3. Moved by Augustini, seconded by Bertoni to refer the letter from Raymond Lipinski, Glendale Drive, Endicott, requesting reimbursement for damage done to his vehicle on March 9, 2022 by a Town of Union snowplow that backed into it to Town Attorney Alan J. Pope, Commissioner of Public Works Louis V. Caforio, Highway Superintendent Chester Kupiec and the Town's Insurance carrier.
Carried.

4. Moved by Augustini, seconded by Bertoni to approve contingent upon availability at Glendale Park, the E-Mail from Roxanne Eggleston asking to reserve a pavilion and the parking lot for our annual Back the Blue Rally on either 8/14, or 8/21, 2022 per availability, from 9:00 AM to 12:00 and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager John Vassil.
Carried.

5. Moved by Augustini, seconded by Bertoni to refer the Notice of Claim – Richard & Laurie Jones vs. Town of Union to Town Attorney Alan J. Pope and the Town's Insurance carrier.
Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes authorizing the purchase of a Titan Leaf Box – 9' from Bonnell Industries, Inc. off of the Sourcewell Contract #080818BNL with a purchase price of \$8,275.52. This is to replace M-162 – 2001 ODB Leaf Box that was totaled in an accident on December 7, 2021. The monies for this purchase will be out of the other equipment line.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing Deputy Commissioner of Public Works – Environmental Services Daniel Schofield to sign the three (3) year contract renewal with FirstLight, subject to Town Attorney's approval.)

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

Vote: All yes.



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(Prepared Resolution filed as part of these minutes authorizing Supervisor Materese or Deputy Supervisor Augustini to sign the proposal from Highland Associates for Programming and Schematic Design services at 3121 E. Main Street to accommodate the New York State Police Substation. The fixed fee for this project is \$6,500.00 plus reimbursable expenses. Payment will be from the ARPA funds.)

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

Vote: All yes.

On March 23, 2022 RFP's were received for Flood Buyout Properties - Lawn Maintenance West Corners Area.

(Prepared Resolution filed as part of these minutes to award the proposal for Flood Buyout Properties - Lawn Maintenance West Corners Area to L&T Lawncare for \$3,600.00.)

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

Vote: All yes.

At this time, Supervisor Richard A. Materese explained the difference between a Resolution and a Motion.

Moved by Staley, seconded by Augustini to authorize Highway Superintendent Chester Kupiec to attend the 2022 Highway School at Ithaca College on June 6-8, 2022; authorization to include registration fee of \$110.00 per person, use of a Town Vehicle and all related expenses.
Carried.

(Prepared Resolution filed as part of these minutes authorizing the disbursement of Fairmont Park Housing Development Fund Company's 2022 PILOT payments to the following taxing jurisdictions, per the agreement:

Broome County	\$7,467.00
Johnson City School District	\$19,999.40.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to award the Bid for Curb, Gutter and Sidewalk Replacement for Shady Drive to R.B. Magliocca General Contracting for their low bid price of \$144,794.00.)

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

Vote: All yes.



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(Prepared Resolution filed as part of these minutes to award the Bid for Curb, Gutter and Sidewalk Replacement to R.B. Magliocca General Contracting for their low bid price of \$332,981.50.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to award the Bid for Underdrain Installation & Connections at Miscellaneous Locations to R.B. Magliocca General Contracting for their low bid price of \$83,594.00.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to enter into a Lease Agreement with Park Outdoor Advertising for a back-to-back sign on property located along Argonne Avenue and further authorize Supervisor Richard A. Materese and/or Deputy Supervisor Thomas R. Augostini to execute the Lease Agreement pending review and approval of the same by the Town Attorney.)

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

Vote: All yes.

Moved by Bauman, seconded by Staley to approve the attendance of Leonard J. Perfetti, Town Clerk, at the New York State Town Clerks Association Conference; April 24 – 27, 2022 in Albany, New York; approval is for registration, accommodations, meals and estimated mileage in accordance with Town approved guidelines, not to exceed \$1095.00.
Carried.

(Prepared Resolution filed as part of these minutes to revise the prior appointment of Alicia Pettit, as Personnel Specialist-Town, effective 4/4/2022 at an annual salary of \$32,000.00 to an effective start date of 3/28/2022. She was able to start sooner than expected.)

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

Vote: All yes.

Moved by Bauman, seconded by Staley authorizing Melissa Opeka to attend the 2022 PERMA Annual Member Conference at The Sagamore Hotel & Resort, Bolton Landing, NY, from May 26 to May 27, 2022. Authorization to include estimated mileage in accordance with Town approved guidelines. The conference addresses topics such as:

- Workers' Compensation
- Recruitment & Retention in the Public Sector
- Communication Matters
- Office Ergonomics



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Preventing & Detecting Fraud (Claims) Overview and Update on NYS Marijuana Regulations

Since Melissa is the only PERMA member to attend, there is no fee for the conference, overnight accommodations, or group meals.
Carried.

(Prepared Resolution filed as part of these minutes to issue a proclamation declaring the month of April 2022 as Fair Housing Month in the Town of Union.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to issue a proclamation declaring the week of April 11, 2022 through April 15, 2022 as Community Development Week in the Town of Union.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to award the Bid for Odell – Oak Hill Avenue Street Reconstruction Village of Endicott, Town of Union FFY 2020 CDBG Program to G. DeVincentis & Son Construction, Corp. for their base bid price of \$346,075.00, which does not include hot mix asphalt paving. The Village of Endicott is responsible for the paving portion of the project.)

Res. by Augostini, seconded by Bertoni.
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 May 4, 2022, to consider input concerning the Allocation of CARES ACT round three funding to National Fitness Campaign fitness courts in the Village of Johnson City and Village of Endicott.)

Res. by Augostini, seconded by Bertoni.

Vote: YES
Augostini
Bauman
Staley
Materese
NO
Bertoni

The Resolution was adopted.



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(Prepared Resolution filed as part of these minutes to award the Bid for the Grand Ave, Johnson City, NY 13790 Phase 5 Street Reconstruction to Chicago Construction Co., for no more than \$294,000.00.)

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

Vote: All yes.

HEARING OF VISITORS:

Martin Patchett, 927 Farm to Market Road, asked how much money is left in the ARPA funds and what they could be used for. He said he knows that a lot of the County's ARPA funds are being used for the demolition of the old IBM Country Club.

Supervisor Richard A. Materese said we will be participating in that project also, but the County ARPA funds are different from the Town's, because theirs is for revenue replacement and can be used for a wider range of things. There is roughly 30 million dollars that the Town received and that some of the projects it will be used on are for infrastructure, flood proofing the Town Office Building and the building next door; and a number of other things. He said there are too many projects to say and that the listing is on the Town website that can be reviewed.

Mr. Patchett said he would like to see the money spent on new water lines. He also said a good way to spend the money on infrastructure would be to put in a solar farm at the BAE site and that the way things are going with fuel, we will need it for electricity for the electric cars we will be driving.

Supervisor Materese said he would have to talk to the Village of Endicott about the water since they own that system.

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 Bertoni to receive and file the following Department Reports:

1. Zoning Board of Appeals Decision – Application # 2021-021, Lori Wahila, 725 Monforte Drive, Endwell, Tax Map # 141.47-2-26.
2. Comptroller's Monthly Report – December 2021, January & February 2022.
3. Town of Union Local Development Corp. Financial Statements – December 31, 2021.
4. Uniform Code Administration and Enforcement Report for 2021.
Carried.



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Councilwoman Heather R. Staley said that Broome County Historian Roger Luther told her that the 231st Anniversary of the first Town Board meeting was on April 2nd, 2022 and that Joshua Whitney was elected the first Supervisor of the Town and the meeting was held in a barn.

Councilwoman Sandra C. Bauman wished everyone a Blessed Passover and Happy Easter.

Councilman Frank J. Bertoni thanked everyone for coming.

Supervisor Richard A. Materese said John Black passed away this morning. John represented his community in many ways – in his law practice, as County Legislator, as Town of Union Judge, and member of Endwell Rotary. He played a critical part in establishing UVES and helped manage the Adopt a Highway program. Supervisor Materese gave condolences to John's wife Judy and son Doug.

Supervisor Materese also wished everyone a Happy Easter and Happy Passover.

ADJOURNMENT:

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

The meeting was adjourned at 7:48 P.M.

Leonard J. Perfetti
Town Clerk

LJP/bk