



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

May 18, 2022

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, May 18, 2022 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York.

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

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 M. Kruczkowski.

Also in attendance was Village of Endicott Mayor Linda Jackson.

PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, May 18, 2022 at 7:00 P.M. to consider amending Town of Union Code Article VIII Speed Regulations Section 191-11. A. The maximum speed limit on all highways within the Town of Union is hereby designated as 30 miles per hour except as hereinafter designated:

Name of Street	Speed Limit	Location
Farm to Market Road	20	<u>Maine-Endwell High School</u> From 150 linear feet north of the intersection of Farm to Market Road and Hooper Road a distance of 1,320 linear feet to the north (ending 150 linear feet south of the intersection of Pleasant Drive and Farm to Market Road). 7:00 a.m. to 4:00 p.m. when school is in session.



Town of Union

Maine-Endwell Middle School

From 250 linear feet south of the intersection of Farm to Market Road and Struble Road a distance of 1,000 linear feet to the north (ending 100 linear feet north of the intersection of Hillside Terrace and Farm to Market Road). 7:00 a.m. to 4:00 p.m. when school is in session.

Pub. & Posted: 05/08/2022

Amanda Dorell, 115 Patio Drive, Endwell, said she drives this route every day on her way home and is favor of the speed reduction zone. She feels it should stop after the north end of the intersection of Pleasant Drive and Farm to Market Road. She continued to say that she observed three young boys trying to cross Farm to Market Road and almost get hit by a car. She wants to see the solar crossing lights like they have on Main Street to make it safer to cross.

Supervisor Richard A. Materese said we are limited by the New York State Vehicle and Traffic Law as to how far they can extend the speed limits. He said they worked with Broome County and came up with this plan, but we are talking about seeing if we can do something with the flashing lights. He said this Public Hearing is only about the speed limit change.

Michael Cenio, 3710 Frazier Drive, Endwell, said he is a retired Binghamton City police Officer with over 20 years' experience and is currently a school resource officer at Maine Endwell Central School District. He said he has seen where the linear feet ends and it needs to be more. Mr. Cenio has a folder with testimonials from teachers and students who have witnessed or been involved with close calls of near fatal pedestrian accidents at that intersection. He said the current signage is difficult to see in the mornings because of the darkness, especially in the winter. He said the Broome County Sheriffs have spent countless hours monitoring the speed there. He is asking for support of the Board to have the speed zone lowered to 20 MPH or less; and to get highly visible cross walks at the High School and at the Middle School. He explained that the High School and Northminster Presbyterian Church, along with the Middle School, are secondary and tertiary emergency locations for each other, so if Northminster Preschool or Middle School have to evacuate, they come to the High School and vice versa. He thanked the Board for listening and for any support they can give them.

Martin Patchett, 927 Farm to Market Road, Endwell, said he has issues with the Town's proposal. He went over the Vehicle and Traffic Law 1180C and said there are no provisions in it for traffic control devices. He said the concept should not be looked at as two schools, but as a school campus linked by a sidewalk on a road that the students walk from the Middle



Town of Union

School to the High School every day for swimming lessons during the school day. Mr. Patchett presented a Petition with signatures from residents in the area requesting that the speed limit change starts at Hooper Road and ends after Hillside Terrace, and for traffic control devices to be installed. He said the lights could be activated whenever the schools have functions after hours also. He said the school budget just voted for \$500,000.00 for safety and health provisions, the Town has money from CDBG to use, and the County can come up with money to pay for this project.

Supervisor Richard A. Materese said that Farm to Market Road is a County road and the County sent the recommendations to the Town. He said we are trying to get something in place with the speed limit change and then work on it from there. He asked Mr. Patchett if it is his intent for us to reject this plan until we get what you want.

Mr. Patchett said yes, for three reasons – 1. It does not include the intersection of Pleasant Drive, 2. There is money that can be used now and he wants it reserved for this use before it is gone, and 3. Once something is in place, the bureaucratic inertia will think it's all done and not do anything more.

Councilman Frank J. Bertoni said he understands Mr. Patchett's thought on rejecting this, but he clarified that CDBG money cannot be used for anywhere we want, it has to be targeted on an income based area.

Mr. Patchett said ARPA funds should be used if CDBG funds are not available.

Supervisor Richard A. Materese said there are federal restrictions on what ARPA funds can be spent on also. He reminded everyone that this is not a Town road, it is a County road and it is their plan that they want the Town to review and then, allow it in the Town.

Councilman Thomas R. Augostini said you are saying you want us to ignore the State law and to adopt something that is illegal and not in compliance with the State, that we cannot do.

Mr. Patchett said the residents, Town Board and the school can petition to the State change the law.

Councilman Frank J. Bertoni said when the law was enacted that pedestrians have the right of way in a cross walk, it was the right decision, but the kids think they can cross anywhere they want and they step off the curb without looking.

Councilman Thomas R. Augostini said the electronic crosswalks on Riverside Drive in Johnson City do not slow the traffic down, as they are not intended to be traffic devices.

Supervisor Richard A. Materese said we cannot change what the County has submitted to us and we are voting on this plan regarding the speed limit only.



Town of Union

Michael Cenio, 3710 Frazier Drive, Endwell, thanked Mr. Patchett for the time and effort he has put into this, but we need these speed zones changed as soon as possible. He said that Pheasant Lane is a problem and we are working on the lights and crosswalks. We definitely do not want this rejected. He restated that the Jr. & Sr. High schools are safe zones and emergency evacuation places for each other.

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

A Public Hearing was called for Wednesday, May 18, 2022, at 7:00 P.M. to consider public input for two proposed Amendments to CDBG FFY 2021 Action Plan; Grand Ave Phase 5, Odell-Oak Hill, & Town of Union Street Reconstruction as follows:

1. Approve an amendment to use CDBG FFY 2021 Uncommitted: \$47,000.00 to increase Grand Ave Phase #5 Project from \$250,000 to \$297,000.00.
2. Approve an amendment to use CDBG FFY 2019: Up to \$111,169.89; CDBG FFY 2020: Up to \$124,682.00; CDBG FFY 2021 Uncommitted: Up to \$21,000 and FFY 2021 First Time Home Buyer Program: Up to \$75,674.51 to increase the Odell-Oak Hill Project from \$346,075.00 to \$582,526.40.
3. Approve an amendment to reallocate CDBG FFY 2020 Home Improvement Program: \$300,000.00 to the TBD project(s) within "Town of Union Street Reconstruction".

Pub. & Posted: 05/01/2022

As no one wished to speak, Supervisor Richard A. Materese closed the second 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, May 4, 2022.
Carried.

HEARING OF VISITORS:

Burt McCullough, 262 Daren Drive, Endicott, spoke about the drainage ditch behind six houses on Daren Drive, that they have been waiting a long time to be cleaned out. He asked



Town of Union

if there is money to do this and when it will be done. They want it to be done in the dry weather.

Councilman Frank J, Bertoni said they have no new information regarding this, but he will look into it.

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

COMMUNICATIONS FOR FILING:

Moved by Augustini, seconded by Bertoni to receive and file the following Communications:

1. Letter from Jason Shaw, Broome County Legislator, voicing his support for one or more speed zones on Farm to Market Road, as per the Public Hearing on May 18, 2022.
2. Union Volunteer Emergency Squad, Inc. – Monthly Financial Report – April 2022.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to approve the letter from Michelle Beatty, Secretary/Treasurer of Park Manor Homeowners Association, requesting to close Parkwood Drive, barricades to block the street on Saturday, June 25, 2022, from 4:00 PM to 8:00 PM, for their annual Block Party, and for the Town to notify the appropriate emergency services for this event, and refer it to Commissioner of Public Work Louis V. Caforio, Highway Superintendent Chester Kupiec and Town Clerk.
Carried.
2. Moved by Augustini, seconded by Bertoni to refer the Email from Robert Weinberger requesting the use of Shelter 1 and Shelter 2 if needed at Glendale Park for the Music in the Glen Community Concert series, with prospective dates to include June 21, 25, 28; July 2, 19, 23, 26, 30; August 2, 6, 9, 13, 16, 20, 23, 27, 30; and September 3, 2022 for the fee of \$900.00, and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.
Carried.
3. Moved by Augustini, seconded by Bertoni to approve the letter from Kelly Mabee, Cornell Cooperative Extension Broome County, requesting the use of West Endicott Park on Thursday, July 21, and Thursday, August 4, 2022 from 2:00 PM to 8:00 PM, to host two Community events led by UNITY (Urban Neighborhood Improved Through Youth), a 4-H civic engagement after school program that works with Union Endicott High School students to



Town of Union

complete community improvement projects, condition on availability, and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.
Carried.

4. Moved by Augostini, seconded by Bertoni to refer the Email from Martin Likewise, Youth Pastor of Christian Life Church, 500 N Nanticoke Ave., Endicott, asking if the Parks Department would be interested in allowing his youth group to organize, finance, supply and run a snack bar at the West Endicott Park to Town Attorney Alan J. Pope, Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.
Carried.

PETITIONS:

Moved by Augostini, seconded by Bertoni to accept the Maine-Endwell Farm to Market Road School one Speed reduction and Traffic Control Device Activation During School Hours Petition presented during this meeting to the Town Board by Martin Patchett, from Farm to Market Road and surrounding area residents.
Carried.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to approve the reduction in speed on Farm to Market Road in two areas as outlined in the Public Hearing for Maine Endwell High School and Maine Endwell Junior High.)
Res. by Bertoni, seconded by Bauman. Vote: All yes.
The Resolution was adopted.

Supervisor Richard A. Materese said in accepting this Resolution we are getting the ball rolling to work on getting the signs.

Councilman Thomas R. Augostini explained that the Town Clerk has to send the Local Law to the State to be accepted and then it will become a law.

Moved by Staley, seconded by Augostini to authorize bids for Town of Union Flood Protection Municipal Building to be received at a date and time determined by Commissioner of Public Works with the project costs to be paid out of ARPA Funds.
Carried.



Town of Union

Moved by Staley, seconded by Augustini to authorize bids for Reconstruction of Dittrich Street Pumping Station to be received at a date and time determined by Commissioner of Public Works with the project costs to be paid out of ARPA Funds.

Carried.

(Prepared Resolution filed as part of these minutes to authorize Supervisor Richard A. Materese to sign the Trees for Tributaries project applications regarding William H. Hill and Glendale Parks.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve an increase to the Grand Ave Phase #5 for removal of buried and filled storm manhole & increased material for extra depth needed for new water main in an additional amount of \$5,211.00 as requested to complete the project for a total of \$299,211.00. The Village of Johnson City & Hulbert Engineers have approved these changes of \$5,211.00 and will come from the Demolition Clearing account FFY 2019-2020 IDIS #1634.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve an agreement between the Town of Union and the Town of Union Local Development Corporation to administer allocated American Rescue Plan Act (ARPA) Lost Revenue Replacement funds for economic recovery and/or COVID related projects, subject to final approval by the Town Attorney and authorizes Supervisor Richard A. Materese to execute the same.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing the Town of Union to transfer One Million Dollars (\$1, 00,000.00) to the Town of Union Local Development Corporation in American Rescue Plan Act (ARPA) Non-Revenue Replacement funds, all of which shall be administered by the Local Development Corporation in the form of grants and/or loans for economic recovery and/or COVID related projects.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing the Town of Union to transfer Five Hundred Thousand (\$500,000.00) to the Town of Union Local Development Corporation in American Rescue Plan Act (ARPA) Lost Revenue Replacement funds, all of which shall be



Town of Union

administered by the Local Development Corporation in the form of grants and/or loans for demolition projects related to blight and/or economic development.)

Res. by Augustini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the Town of Union to transfer of Four Hundred Twenty Thousand Dollars (\$420,000.00) to the Town of Union Local Development Corporation in American Rescue Plan Act (ARPA) Non-Revenue Replacement funds, all of which shall be administered by the Local Development Corporation in the form of a grant set for a project located at 121-125 Washington Avenue, Endicott, New York.)

Res. by Augustini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

HEARING OF VISITORS:

As no one 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 Review, Application # PD-2022-018, DISH Wireless Antennas & Cabinet, 701 Hooper Road, Endwell, Tax Map # 141.08-2-4.
2. Town Clerk Monthly Report – April 2022.
3. Permits Monthly Report – April 2022.
4. Town of Union Planning Board Decision – Application # PB-2022-10-A, Special Permit for Floodplain Development, First General of Southern NY, Inc., 304 Scarborough Drive, Tax Map # 157.08-7-9.
5. Town of Union Planning Board Decision – Application # PB-2022-10-B, Special Use Permit for a Contractor's Storage Yard, First General of Southern NY, Inc., 304 Scarborough Drive, Tax Map # 157.08-7-9.
6. Town of Union Planning Board Decision – Application # PB-2022-10-C, Site Plan Approval for Contractor's Office and Equipment Storage Yard, First General of Southern NY, Inc.,



Town of Union

2904, 2906, 2910 E. Main Street and 304 Scarborough Drive, Tax Map # 157.08-7-6, 157.08-7-7, 157.08-7-8, 157.08-7-9.

7. Town of Union Planning Board Decision – Application # PB-2022-14, Site Plan Approval for Auto Repair Business, Ames Automotive, 2320 Lewis Street, Tax Map # 157.07-2-37.
8. Town of Union Planning Board Decision – Application # PB-2022-16-A, Special Permit Approval, Sit Down Restaurant, Kasey’s Barbecue, 3017 Watson Boulevard, Tax Map # 141.20-3-46.
9. Town of Union Planning Board Decision – Application # PB-2022-16-B, Site Plan Approval – Sit Down Restaurant, Kasey’s Barbecue, 3017 Watson Boulevard, Tax # 141.20-3-46.
10. Town of Union Planning Board Decision Application # PB-2022-13, Site Plan Approval, Binghamton Bear Camp Recreation Project, 600 Boswell Hill Road, Tax Map # 124.02-1-5. Carried.

Councilwoman Heather R. Staley asked everyone to keep the City of Buffalo in our hearts. She said Buffalo is her husband’s hometown and his cousin is a manager at the Topps Store, who would have been in the front of the store when the gunman came in, if she hadn’t left early that day. So, our family avoided a tragedy that day. She also said her cousin is a former State Senator and two of the ladies that were killed worked for him on his campaign. She said when he was a City Councilman he was instrumental in bringing the grocery store to the neighborhood.

Councilwoman Sandra C. Bauman asked for a moment of silence for the lost lives in Buffalo.

Supervisor Richard A. Materese said in light of what happened in Buffalo, we as a Town need to stand together against racism. He also said to pray for the people of Conklin who are dealing with this tragedy also.

ADJOURNMENT:

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

The meeting was adjourned at 8:01 P.M.

LJP/bk

Leonard J. Perfetti
Town Clerk