



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*

TOWN OF UNION BOARD MEETING

September 7, 2022

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

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

TOWN OFFICIALS PRESENT: Town Attorney Alan J. Pope, Deputy Town Clerk Rebecca Kruczkowski.

Absent: Town Clerk Leonard J. Perfetti.

Also in attendance was Village of Endicott Mayor Linda Jackson.

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

PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, September 7, 2022, at 7:00 P.M. regarding the Change of Zone request by the Samaritan Counseling Center of the Southern Tier, Inc. for 2 S. Knight Avenue, from Urban Single-Family (USF) to General Commercial (GC).
Pub. & Posted: August 21, 2022.

Pam Williams, a resident who lives by 2 S. Knight Avenue, asked what the building will be used for. She said the street is very busy and that there are about 25 kids living there and it is also across from a busy bus stop. She further said she has witnessed a car cross over the median into oncoming traffic to get to their parking lot and it is very dangerous.

Supervisor Richard A. Materese said Samaritan Counseling Center will be expanding their business in the house.

Councilman Thomas R. Augostini said the house will be converted into a meeting space and also administrative offices. He said they will not be expanding the residence.



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Joan Stout, 4 S. Knight Avenue, Endwell, asked what would happen if property is rezoned and should Samaritan Center sell the property, would it stay the new zoning and could another business like a strip mall go in there.

Councilman Thomas R. Augostini explained that the zoning would be the correct zoning for it, but the property is not big enough for a strip mall.

Supervisor Richard A. Materese said anything going in would have to come to the Planning Board for approval first.

Mrs. Stout asked if their business hours would stay the same or increase with the new space, and if more lighting would be installed. She said she has had to call the police to report people loitering behind the building.

Marian Towers, Executive Director of Samaritan Counseling Center, 2309 Richmond Road, Endicott, said they will have occasional late meetings and they will have lighting along the walkway between the buildings for safety.

Andrew Vought, 1 S. Knight Avenue, Endwell, asked if they are renovating the building already and said he is concerned that excavators and construction vehicles would be blocking the road.

Greg Catarella, Board of Directors member for Samaritan Counseling Center, 1017 Glenwood Road, Vestal, said the contractors will be using the existing parking area.

Marian Towers, Executive Director, clarified that the current parking lot by the building can be entered from Main Street and then exited onto S. Knight Avenue. She said that there will be a walkway to a handicapped ramp going up to the covered porch, which will be the main entrance. She further explained that the current front porch will only be used as a secondary emergency exit if needed.

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

BIDS: None.

APPROVAL OF MINUTES:

Moved by Augostini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board Meeting held on Wednesday, August 10, 2022.
Carried.



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HEARING OF VISITORS:

Bert McCullough, 2629 Daren Drive, Endwell, asked for a status update on the drainage problem on Daren Drive and requested to be kept informed on the progress.

Councilman Frank J. Bertoni said whenever you go into a wetland and change it, you have to replace that wetland someplace else, which is not an easy thing to do. He said NYS Department of Environmental Conservation had a program that allowed us to purchase the wetlands, and that Commissioner of Public Works Louis V. Caforio was able to purchase credits allowing us to go into the area. We have put the application in and are waiting for DEC to say we can go in and disturb the wetland.

Supervisor Richard A. Materese said that DEC has cancelled that program and we got in ahead of this closure.

Councilman Frank J. Bertoni said the day he hears anything, Mr. McCullough will know.

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. Notice from Village of Endicott regarding a proposed Local Law amending the Table of Allowed Uses in the Commercial Zoning Districts regarding Wholesale Businesses, Two Family Dwellings, Dry Cleaning Facilities and Public or Municipal use.
2. Notice from Village of Endicott regarding a proposed Local Law Rezoning 95 Parcels from the Neighborhood Commercial Zoning District to the General Commercial Zoning District.
3. Charter Communications Notice – August 5, August 15, and September 1, 2022.
4. 239 Review Submission Form from Village of Johnson City regarding Local Law Amendment – Signs Authorized without Permit.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to approve the letter from Kelly Mabee, Assistant Director of UNITY/RootED Afterschool Programs, Cornell Cooperative Extension, requesting use of West Endicott Park on Monday, October 10, 2022 from 2:00 PM to 4:00 PM



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for the UNITY/STEAMs Ahead event promoting Science, Technology, Engineering/ Environment, Art/Agriculture and Math, and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.

Carried.

2. Moved by Augostini, seconded by Bertoni to refer the Notice of Foreclosure – Ryan F. Pilarcek, 38 Jackson Avenue, Endicott, New York, Tax Map # 157.07-3-17 to Town Attorney Alan J. Pope, Comptroller and Planning Director Christopher Kylor.

Carried.

3. Moved by Augostini, seconded by Bertoni to approve the letter from Jon Gerlach, Maine-Endwell School Student Council Advisor, requesting permission to hold their Homecoming Parade on Saturday, October 15, 2022 from 11:00 A.M. to approximately 12:30P.M. The parade would start at Riverdale's extra parking lot on N. Knight Avenue, continue to Watson Boulevard, left on to Beckwith, right on to Country Club Road, left on Hooper Road, right on to Farm to Market and ending at Maine-Endwell High School and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil and Town Clerk Leonard J. Perfetti.

Carried.

4. Moved by Augostini, seconded by Bertoni to approve the letter from Suzanne Carroll, School Counselor, New Visions, BOCES, requesting use of Pavilion #2 at Highland Park (Recreation Center if it rains) on Friday, September 9, 2022 from 8:30 A.M. to 11:00 A.M., and a waiver of the fees, for the Opening Day of Broome-Tioga BOCES, New Visions class of 2023 and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.

Carried.

5. Moved by Augostini, seconded by Bertoni to refer the East Maine Fire Company, Inc. proposed budget for 2023 to the Comptroller.

Carried.

6. Moved by Augostini, seconded by Bertoni to refer the Choconut Center Volunteer Fire Co., Inc. proposed budget for 2023 to the Comptroller.

Carried.

7. Moved by Augostini, seconded by Bertoni to approve the Email from Thomas Carter, Seton Catholic Central Octoberfest race director, requesting use of pavilion #7 at Highland Park on October 8, 2022, and waiver of fees for their road race, and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.

Carried.

8. Moved by Augostini, seconded by Bertoni to refer the letter from Hakim Griffin, 30 Church Street, Maine, New York regarding a claim he is filing for an accident that took place on



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August 17th, 2022 with a Town vehicle on Hooper Road to Town Attorney Alan J. Pope, Commissioner of Public Works Louis V. Caforio and the Town's Insurance Carrier.
Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes to call for a Public Hearing on October 5, 2022 to consider adopting a proposed local law entitled Removal of Utility Poles.)

Res. by Bertoni, Seconded by Bauman.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the Bid for Dittrich Street, Flood Pump Station Reconstruction (Re-Bid), received on August 9, 2022 at 10:00 AM, to G. DeVincentis & Son Construction Company for the low bid of \$332,000.00 to be paid out of ARPA Funds.)

Res. by Staley, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing the reimbursement of \$545.46 to Nancy and Nelson Gee, 4 Delaware Avenue, from damages resulting from a sewer line that was mismarked by the Town of Union and hit by NYSEG when installing a telephone pole in front of their house.)

Res. Staley, seconded by Augostini.

Vote: All yes.

The Resolution was adopted.

Moved by Staley, seconded by Augostini to approve the following 2022 budget transfer.

Decrease:	20 3620 2200	Office Equipment	\$1,000.00
Decrease:	20 3620 4620	Education	\$2,000.00
Decrease:	20 3620 4601	Travel	\$1,000.00
Increase:	20 3620 4512	Professional Serv.	\$4,000.00.

Carried.

Moved by Staley, seconded by Augostini to approve David Conklin, Code Enforcement Officer, to attend the Southern Tier Region Training Class October 4, 2022 at the NYS



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Academy of Fire Science, Montour Falls, NY. There is no expense for this class. Authorization to include the use of a town vehicle.
Carried.

(Prepared Resolution filed as part of these minutes to approve GHD Consulting Services to provide engineering services for the Taft Heights sewer design project, in the amount of \$207,000.00 to be paid out of ARPA Funds.)

Res. by Staley, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes requesting authorization to purchase a new 2023 Caterpillar 420XE Backhoe Loader from Milton Cat for a price of \$140,985.00 minus trade in \$26,000.00 net difference \$114,985.00 per NY SOGS PC69406 Sourcewell 032515 Cat. F-130 to be declared surplus for trade-in purposes. The new backhoe would be paid out of the Highway Capital Account.

\$140,985.00 (New) 2023 CAT 420XE Backhoe

\$ -26,000.00 (Trade-In) 2009 580M S/N 1190522694 F-130

\$ 114,985.00 Total Net Difference.

Res. by Staley, seconded by Augustini.

Vote: All yes.

The Resolution was adopted.

Moved by Bauman, seconded by Staley to accept the donation of a granite monument with a bronze plaque listing the names of the 42 people interred in the Hooper-Patterson Family Cemetery from David Vallone, President of Save-a-Cemetery.
Carried.

(Prepared Resolution filed as part of these minutes to make a Negative Declaration under SEQRA per evaluation of the submitted short Environmental Assessment Form, Broome County's 239-Review, and the Planning Board's Advisory Opinion for rezoning of 2 South Knight Avenue.)

Res. by Augustini, seconded by Bertoni.

At this time, Town Attorney Alan J. Pope went through the 239 review.

Vote: Yes

Bauman

Staley

Augustini

Materese

Vote: No

Bertoni

The Resolution was adopted.



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(Prepared Resolution filed as part of minutes at the Board's discretion to approve the Change of Zone request for 2 South Knight Avenue from Urban Single-Family (USF) to General Commercial (GC) with a condition that 2 S. Knight Avenue be combined into 3001 E. Main Street no later than February 28, 2023.)

Res. by Augustini, seconded by Bertoni.

Councilman Frank J. Bertoni said there are some votes that are very difficult to make and he is concerned with the encroachment on the neighborhood, so this will be a difficult one for him to make. He said he hopes they stay there forever and continue to do the good work they do.

Supervisor Richard A. Materese said he does hope they stay there forever, it will make things a lot simpler. He said there is a concern about encroaching into the neighborhood, but he feels it is mitigated by our Planning Department saying there is not enough room for anything else to go there that would negatively affect the neighborhood, but, he does understand Mr. Bertoni's concerns.

Vote: Yes
Bauman
Staley
Augustini
Materese

Vote: No
Bertoni

The Resolution was adopted.

(Prepared Resolution to call for a Public Hearing to be held on Wednesday, September 21, 2022 at 7:00 P.M. to receive public comment on the Town of Union's \$2,000,000.00 2022 Round 6 Restore NY Communities Initiative Municipal Grant Program application for the conversion of the former Red Carpet Inn Motel located at 749 W. Main Street, Endicott (Union), NY 13760 into a multi-family residential apartment building.)

Res. by Augustini, seconded by Bertoni.

Vote: Yes
Bauman
Staley
Augustini
Materese

Vote: No
Bertoni

The Resolution was adopted.

HEARING OF VISITORS:

Linda Jackson, Village of Endicott Mayor, said if they are not building a hotel at the 749 W. Main Street location, it gives incentive for the Village of Endicott to look for land for a hotel.



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She said they are going ahead with the hockey arena in the village that is being privately funded, not through the DRI money, as they originally planned.

Supervisor Richard A. Materese wished them well with getting a hotel.

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 Clerk Report – July 2022.
2. Comptroller's Monthly report – June 2022.
3. Town of Union Planning Board Decision – Site Plan Approval, Senior Housing - CDS Housing, LLC, 609 Hooper Road, Tax Map # 141.08-2-5, Application # PB-2022-030.
4. Town of Union Planning Board Decision – Final Homestead Village PUD Development Plan, Homestead Village Development Group, LLC, 4101 and 4311 Watson Boulevard, Tax Map #'s 142.07-1-9.1 & 126.04-1-10.111; Homestead Village Subdivision, Tax Map #'s 142.15-1-2.2, 142.11-3-1 through -36, -38 & -39; 12, 13, & 16 Beech Street, Tax Map #'s 142.07-1-6.2, 12.07-1-6.12 & 142.11-1-53, Application #PB-2021-18-A.
5. Town of Union Planning Board Decision – Special Use Permit for a Large Scale Solar Project – Delaware River Solar, LLC., 4311 Watson Boulevard, Tax Map #126.04-1-10.111, Application # PB-2021-18-B.
6. Town of Union Planning Board Decision – Site Plan Review – Parking at Greater Binghamton Sports Complex – Bahij Kashou, Greater Binghamton Sports Complex, 1500 County Airport Road, Binghamton, Tax Map # 110.04-1-37.2, Application # PB-2022-027.
7. Town of Union Planning Department Decision – Minor Site Plan Approval – Jennifer McAleer, Just Like Home Dog and Cat Grooming, 3306 Lawndale Street, Endwell, Tax Map # 142.17-6-56, Application # PD-2022-035.
8. Town of Union Planning Department Decision – Minor Site Plan Review – Verizon Wireless PCS LTE, 331 Skye Island Drive, Endicott, Tax Map # 141.13-1-14.1, Application # PD-2022-032
9. Town of Union Local Development Corporation Meeting Minutes – July 21, 2022.



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Carried.

Supervisor Richard A. Materese wished all teachers and students a great school year. He reminded people that the 911 Ceremony will be at Highland Park on Sunday, September 11, 2022, and the O.L. Davis Fire Company will be having their 100th Anniversary celebration on September 18, 2022.

ADJOURNMENT:

Moved by Augostini, seconded by Bertoni 8:03 P.M.
Carried.

The meeting was adjourned.

Leonard J. Perfetti
Town Clerk

LJP/bk