



Town Clerk
Leonard J. Perfetti

Town of Union

Town Board
Robert Mack, *Supervisor*
Thomas R. Augostini, *Councilman*
Frank J. Bertoni, *Councilman*
Joseph P. Nirchi, Sr., *Councilman*
David Kudgus, *Councilman*

TOWN OF UNION BOARD MEETING

January 18, 2023

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, January 18, 2023 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York.

TOWN BOARD PRESENT: Supervisor Robert Mack, Councilman Thomas R. Augostini, Councilman Frank J. Bertoni, Councilman Joseph P. Nirchi, Sr., Councilman David Kudgus.

TOWN OFFICIALS PRESENT: Attorney Gina Middleton, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruczkowski.
Absent: Town Attorney Alan J. Pope.

Supervisor Robert Mack opened the meeting with the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, January 18, 2023 at 7 PM to consider a Substantial Amendment to the Town's CDBG-CV and CV3 (CARES Act) Program and consider other budget changes to the Town's 2022 regular CDBG Budget:

- 1) Shift funds from certain unobligated COVID-19 relief activities to facilitate the installation of two Generators and three HVAC Systems located at Nichols Notch, 401 Hayes Ave, Endicott, NY (\$165,000.00); Harry L Apartments, 235 Harry L Dr., Johnson City, NY (\$160,000.00); and Wells Apartments, 299 Floral Ave, Johnson City, NY 13790 (\$65,000.00). Total allocation: \$390,000.00
- 2) Shift funds from certain unobligated COVID-19 relief activities to CHOW & Meals on Wheels of Western Broome. Each organization will receive \$75,000.00. Total allocation \$150,000.00

Amendment Details

1)

CDBG-CV & CV3: The Town will use CDBG-CV & CV3 funds to provide upgrades to three elderly, low-moderate income facilities within the Town of Union, Villages of Endicott and Johnson City, NY. The estimated cost for each upgrade is \$390,000.00 (\$165,000.00 Nichols Notch; \$160,000.00 Harry L Apartments; \$65,000.00 Wells Apartments).



Town of Union

The Town of Union will use approximately \$390,000.00 of unobligated CDBG-CV3 funding for these projects.

2)

CDBG-CV & CV3: The Town will use CDBG-CV & CV3 funds to provide funding for CHOW and Meals on Wheels in the amount of \$75,000.00 each:

Nichols Notch HVAC:	\$ 75,000.00
Nichols Notch Generator:	<u>\$ 90,000.00</u>
Total Project Cost:	\$165,000.00
Harry L Apartments HVAC	\$ 75,000.00
Harry L Apartments Generator	<u>\$ 85,000.00</u>
Total Project Cost:	\$160,000.00

Wells Apartments HVAC:	<u>\$ 65,000.00</u>
CHOW food/supplies:	\$ 75,000.00
Meals on Wheels food/supplies:	<u>\$ 75,000.00</u>
Total Project Cost:	\$150,000.00.)

John Bernardo, Executive Director of SEPP Group, said they approached the Town for this request. He said they have three very nice facilities in the Town of Union – Nichols Notch Apts. on Hayes Avenue, Harry L. Apts. on Harry L. Drive, and the Wells Apts. in Johnson City. He thanked the Town for their consideration and said he would answer any questions anyone had.

Supervisor Robert Mack said the SEPP organization manages their properties well, they look nice and the tenants like living there. He said the Town is happy to support SEPP.

As no one else wished to speak, Supervisor Robert Mack closed the Public Hearing.

The following Public Hearing for this evening has been withdrawn.

A Public Hearing was called for on Wednesday, January 18, 2023 at 7:00 P.M. to receive public comment on the Town of Union's (up to) \$3,000,000.00 2023 Round 7 Restore NY Communities Initiative Municipal Grant Program application for the conversion of the Red Carpet Inn Motel located at 749 W. Main Street, Endicott (Union), New York 13760, into a multifamily market-rate residential apartment building.

Pub. & Posted: 1/8, 1/9 & 1/10/2023.

BIDS:

Bids were called for on Tuesday, January 10, 2023 at 10:00 A.M. to Renovate Airport Road Sanitary Pump Station.



Town of Union

Bids were received as follows:

Vacri Construction Corporation	\$305,000.00
G. DeVincentis & Son Construction	\$344,000.00
Pro-Con Contracting	\$388,000.00

Moved by Augustini, seconded by Bertoni to receive and file the Bids to Renovate Airport Road Sanitary Pump Station.
Carried.

APPROVAL OF MINUTES:

Moved by Augustini, seconded by Bertoni to approve the Minutes of the Reorganizational Meeting and the Regular Town of Union Board Meeting held on Wednesday, January 4, 2023.
Carried.

HEARING OF VISITORS:

Bob Utter, 1728 Airport Road, Town of Maine, asked about the bid and how much the Town was going to spend on the fairytale of the septic line. He said the Town has already spent 12 million dollars putting in a system from the Airport Inn down to Farm to Market Road that doesn't work. He asked if the Town has formed a sewer district yet, laying it out before lines can be put in.

Supervisor Robert Mack said the bid was for renovation of a pump station that is already existing.

Councilman Thomas R. Augustini asked Mr. Utter what Airport Road he was talking about and said this is for Airport Road in Endicott.

Mr. Utter said he is talking about the Airport Road in the Town of Maine and apologized for the confusion. He said it did not say Endicott on the agenda.

Councilman Thomas R. Augustini said we cannot put in a sewer line that is not in the Town of Union and the Town did not spend 12 million dollars on the project; it was Broome County.

Mr. Utter also said the IDA is purchasing 300 acres of residential properties on Airport Road to build a corporate park like the one that is in Choconut Center. He asked if the Town knows about this project and if the Town has any restrictions for changing residential zoning into commercial, allowing spot zoning for something like this.



Town of Union

Supervisor Robert Mack said someone was supposed to come to a work session to talk about it and they never showed.

Councilman Frank J, Bertoni said there is a process that must be followed for a zoning change.

Councilman Thomas R. Augostini said we do not have an application for this project, so we cannot address it.

Councilman Joseph P. Nirchi, Sr. said it is not up to us to solicit people for changes. We have to wait until they come to us.

June Leonard, 3611 Pruyn Street, Endwell, spoke about the Mitchell house at 3608 Briar Court across from the main entrance of Home Brink School. She said the house is in horrendous condition and that she has been in contact with David Conklin, Code Enforcement Officer, who said it is in the hands of the Supreme Court now. She said the house is condemned and someone is living there. She asked how they can get him out of there and how long the process with the Supreme Court will take.

Supervisor Robert Mack said this has been an ongoing problem and unfortunately during COVID, courts failed to rule on things and now they are backed up.

Councilman Thomas R. Augostini explained the process from the Town's end and said the Town is not allowed to enter the property without a court order. He said as soon as the Town receives the court order, they will go in to clean up the property and a lien will be put against the property for repayment for expenses that occur. He also said the court order will spell out what the Town can do.

Councilman Frank J, Bertoni said going to the Supreme Court shows the Town's commitment to clean up the property, even if we do not get any money back. He said he is not sure every Town is willing to do that.

Mrs. Leonard said if it's not paid back the Town would lose, the neighbors would lose, and everyone will lose except the person living in the house that is not even supposed to be there.

Supervisor Robert Mack said part of the mental health problems in this country is not having enough treatment places for those in need.

As no one else wished to speak, Supervisor Robert Mack closed the first Hearing of Visitors.

COMMUNICATIONS FOR FILING:

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



Town of Union

1. 239 Review Form from Town of Maine regarding a Local Law affecting a Temporary Moratorium within the Town of Maine on the Development and Construction of Solar Energy Systems.
2. New York State Department of Agriculture & Markets Notice of Satisfactory Municipal Shelter Inspection Report completed 12/22/22.
Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the Email from Matt White requesting use of Highland Park Recreation Center for a proposed new event – Indoor Hawaiian Luau, at a date and time to be determined to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.
Carried.
2. Moved by Augostini, seconded by Bertoni to refer the Email from Michael McCrone, Jr. and Kristin Magnuson requesting use of 17C fields & facilities for their annual Crandall Softball Memorial Tournament to be held on June 10 & 11, 2023 to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.
Carried.
3. Moved by Augostini, seconded by Bertoni to approve the Email from Kimberly Broderick, Fund Development Coordinator, Broome County Humane Society, requesting the use of Highland Park and Pavilion # 1 on Saturday, August 19, 2023 for the Broome County Humane Society's 2023 Duck Derby and refer it to Commissioner of Public Works Louis V. Caforio and Parks Manager Jay Vassil.
Carried.

PETITIONS: None.

COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

(Prepared Resolution filed as part of these minutes authorizing the contract with Insero & Co. CPAs, LLP to provide Outsource Accounting Services, Advisory Services and Assurance Services to the Town of Union. The fees are based upon the time required by the individuals assigned to the engagement, plus any direct expenses. Insero will bill the Town at various rates based on the level of service and experience required to perform the duties. It is not to exceed \$25,000.00 worth of accounting services, is subject to the Town Attorney's approval and will be paid out of ARPA Lost Revenue Funds.)

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

Vote: All yes.



Town of Union

(Prepared Resolution filed as part of these minutes to award the Bid for Airport Road Sanitary Pump Station –ARPA Project to Vacri Construction Corporation, One Brick Avenue, Binghamton for their low bid price of \$305,000.00.)

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

Vote: All yes.

Moved by Bertoni, seconded by Nirchi to authorize the advertisement of Bids for Justice Building Renovation and Flood Proofing/Town Hall Flood Proofing at a date and time to be determined by the Commissioner of Public Works.

Carried.

(Prepared Resolution filed as part of these minutes to approve the appointments on vacancies on the following Boards and Commissions that expired December 31, 2022:

Planning Board (7 year term) (Terms were adjusted to stagger expiration dates)

Mike Hills		12/31/2029
Nick Sarpolis		12/31/2025 (Fills David Kudgus' unexpired term.)
Nick Scarano	Alternate Member	12/31/2023 - (1 year term)
Gary Ksenak	Alternate Member	12/31/2023 - (1 year term)

Zoning Board of Appeals (7 year term) (Terms were adjusted to stagger expiration dates)

Amanda Dorell		12/31/2029 (Replaces Dan Carden)
Dawne Perfetti	Alternate Member	12/31/2023 - (1 year term)
W. Scott Forster	Alternate Member	12/31/2023 - (1 year term)

Citizens Advisory Council for Community Development – (3-year term)

Bonnie Cornick	Chairman	12/31/2023 - (1-year term)
Gary Ksenak		12/31/2025 - (Fills David Sine's Unexpired term)
Roseann Mallozzi		12/31/2023 - (Fills G. Bernardo's Unexpired term)

Housing Authority (5 year term)

Bonnie Cornick	Chairman	12/31/2023 – (1 year term)
Bonnie Cornick		12/31/2027
Rosanna Mallozzi		12/31/2027
Gary Ksenak		12/31/2027 (Replaces Christopher Pope)

Ethics Committee (2 year term)

Joseph Osvold		12/31/2024 (Replaces James Santacrose)
Michael Kettle		12/31/2024 (Replaces Glenn Mclver)

Street Lighting Committee (2 year term)

Joseph P. Nirchi, Sr.	Chairman	12/31/2023 (1year term)
-----------------------	----------	-------------------------



Town of Union

Robert O. Brady

12/31/2024 (Replaces Edward Mooney)

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

Vote: All yes.

Moved by Bertoni, seconded by Kudgus to authorize the advertisement of Bids for Glendale Walking Trail with the date and time to be determined by the Parks Manager.
Carried.

Quotes were received for Ballfield Groomer – Infield Rascal MVP.

Three quotes were received as follows:

ABI Attachments	\$8,109.90
Lawn and Golf Supply	\$8,673.00
Traqnology North America	\$9,144.00

(Prepared Resolution filed as part of these minutes to award the contract based on the quote accepted for Ballfield Groomer – Infield Rascal MVP from ABI Attachments for their quote of \$8,109.90. Payment will be paid from the prior year's fund balance.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing the purchase of one (1) Vermeer-BC700XL – Brush Chipper from Vermeer All Roads through the State Contract #031721-VRM for \$19,215.62 and pay for it for from the prior year's fund balance.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes authorizing the purchase of one (1) Bobcat UW56 Toolcat from Bobcat through the State Contract #PC69396 for \$74,178.80 and pay for it from the prior year's fund balance.)

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

Vote: All yes.

Quotes were received for Electric for New Basketball Backstops.

Three Quotes were received as follows:

New Dimensions Contracting	\$ 5,720.00
M & P Rogers	\$ 5,862.00
T & B Electric	\$12,415.00



Town of Union

(Prepared Resolution filed as part of these minutes to award the contract based on the quote accepted for the New Dimensions Contracting for their quote price of \$5,720.00. This project will be paid out of ARPA Lost Revenue Funds.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve the Revised Home Improvement Program Repayment Schedule as follows: Year 1 - \$20,000; Year 2 - \$18,000; Year 3 - \$16,000; Year 4 - \$14,000; Year 5 - \$12,000; Year 6 - \$10,000; Year 7 - \$8,000; Year 8 - \$6,000; Year 9 - \$4,000; Year 10 - \$2,000.)

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

Vote: All yes.

(Prepared Resolution filed as part of these minutes to call for a 30-day Public Comment period starting on January 23, 2023 and to hold a subsequent Public Hearing at the regularly scheduled Town of Union Board meeting on March 1, 2023 at 7pm to consider the Substantial Amendment to the CDBG-DR Annual Plan for proposed projects.

CDBG-DR Projects:

Authorizing the use of CDBG-DR funds to pay the settlement agreement between the Town of Union and Walsh/ Homestead Village.

Authorizing the use of CDBG-DR funds to complete the flood proofing projects of the Town of Union Municipal, Court buildings, & New York State Police Barracks.

Walsh Settlement:	\$ 80,000.00
Flood proofing projects:	<u>\$401,149.14</u>
Total amount:	\$481,149.14.)

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

Vote: All yes.

HEARING OF VISITORS:

Carol Laskoski, 37 Edwards Street, Johnson City, asked for clarification on Filing #1 of this meeting regarding the moratorium within the Town of Maine. She asked how long a moratorium can last and are there any rules and regulations on them.

Councilman Thomas R. Augustini said his guess is they filed the moratorium because their town code hasn't addressed Solar Energy yet and they want time to study it and then put in restrictions. He said it has to be done in a reasonable amount of time.



Town of Union

Supervisor Robert Mack said there are more and more solar projects going up and that New York State has many more restrictions that they have to follow.

Councilman Thomas R. Augustini said our Town's moratorium was for six months and no one could do anything until it was lifted. He said our town code was adjusted to allow solar projects.

As no one else wished to speak, Supervisor Robert Mack 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's Monthly Report – December 2022.
2. Town Clerk's Annual Report – 2022.
3. Town of Union Planning Board Decision – Application # PB-2022-14, Aquifer Permit Approval for Used Oil and Antifreeze Storage – Ames Automotive, LLC, 2320 Lewis Street, Endwell, Tax Map #157.07-2-37.
4. Town of Union Planning Board Decision – Application #PB-2022-43A, Special Use Permit Approval to Sell Automobiles, Lawrence Curtiss, 1787 Union Center Maine Highway, Endicott, Tax Map #124.12-1-6.
5. Town of Union Planning Board Decision – Application #PB-2022-43B, Site Plan Approval: Auto Sales, Lawrence Curtiss, 1787 Union Center Maine Highway, Endicott, Tax Map #124.12-1-6.
6. Town of Union Planning Board Decision – Application # PB-2022-44, Site Plan Approval: Business Office with Storage, Yel-Help Locksmiths, 3106 Wayne Street, Endwell, Tax Map #141.20-5-14.

Carried.

Councilman Frank J. Bertoni reported that the bridge over Watson Boulevard at the IBM Country Club is now down. He also said the Christmas tree pick up went well today.

ADJOURNMENT:

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



Town of Union

The meeting was adjourned at 7:47 P.M.

Leonard J. Perfetti
Town Clerk

LJP/bk