

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD

JUNE 22, 2016

We kindly request that you turn off all cell phones.

1. PLEDGE OF ALLEGIANCE

Citizens Police Academy Recognition Ceremony

2. APPROVAL OF MINUTES:

2.1 Motion approving the **June 8th, 2016 Minutes of the Regular Meeting of the Town Board.**

3. BID OPENINGS:

4. PUBLIC HEARINGS:

5. PRIVILEGE OF THE FLOOR

6. RESOLUTIONS & MOTIONS:

6.1 Motion to adopt the **Town of Vestal Community Use of Municipal Facility Policy** as follows:

The Primary function of municipal facilities is to serve the needs of municipal government. The Town wishes to make facilities available for broader community use when not in use for municipal purposes. The Town Board retains the right at all times to make individual decisions regarding use of municipal facilities, but generally facilities will be made available in accordance with this policy.

The Town Board shall be responsible for the overall implementation of this policy and for developing any necessary administrative procedures concerning facility use as long as they are consistent with this policy. The Secretary to the Town Supervisor is responsible for administering this policy and shall report to the Town Supervisor.

A. Priority Order of Municipal Facilities Use

1. Municipal government activities take precedence over all other uses
2. Community groups and non-profit organizations will also be granted reasonable use of municipal facilities Per board approval
3. Private groups and local citizens who reside in the Town of Vestal will always have preference. Per board approval
4. Profit making businesses or groups shall not be granted use of Municipal facilities that would compete with local businesses.

Exceptions to this priority order may be made in the event of weather or civil emergency use.

B. Prohibited Activities

The following general prohibitions apply to all outside uses of Municipal facilities. Other activities may be prohibited on a case by case basis at the discretion of the Town Board.

1. No municipal facility shall be made available to any group or individual advocating unconstitutional or illegal acts.
2. No municipal facility shall be made available for any activities that are, in the opinion of the Town Supervisor, contrary to the best interest of the municipality or the welfare of its employees.

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3. No municipal facility shall be made available in violation of any local, state or federal laws.
4. No municipal facility shall be made available for any purpose that may present a risk of damage to municipal buildings, grounds or equipment.
5. Possession or consumption of alcohol or illegal drugs on municipal property is prohibited.
6. Use or sale of tobacco products is prohibited in municipal facilities.
7. Preparation, cooking and/or serving food in municipal meeting room is prohibit

C. Conditions of Use

1. The municipality assumes no liability for any damage or loss to non municipal property resulting from the use of municipal facilities.
2. Proof of adequate liability insurance or financial resources may be required, depending upon the particular use.
3. Applicants must complete a Facility Use Application and Agreement 14 days prior to the date of use, which contains a release and indemnity provision and comply with all administrative procedures for reserving municipal facilities.
4. Organizations and groups must designate a specific person responsible for the event. The person responsible for any facility must be over the age of 21.
5. Facilities must be used for the approved purpose.
6. Any event advertising must make clear that the event is not municipally sponsored and will include the disclaimer stated on the Facility Use Agreement form in all advertising. If this disclaimer is not included in advertising, the event will be cancelled.
7. Users must comply with all life safety code requirements and municipality safety rules.
8. All Board policies, procedures and municipality rules remain in effect during any facility use.
9. The Town Board reserves the right to require that municipal personnel (such as Police or Public Works) be present during an event. Any such costs shall be borne by the user.
10. Users are responsible for maintaining appropriate supervision, order and security during the event. The Board/Town Supervisor reserves the right to require that police, maintenance or public works personnel be present during an event. Any such costs shall be borne by the user.
11. Authorized municipal staff retains the right to access all facilities during all events.
12. All facilities and equipment must be left in the condition in which they were received. The user shall be responsible for any clean up and/ or equipment repair or replacement costs incurred as a result of the facility use.

D. Policy Violations

Users who violate this policy may be required to vacate the facility immediately and may, at the discretion of the Town Supervisor, be barred from future facility use.

E. Appeals

In the event that use of municipal facilities is denied or revoked, the applicant or user may appeal the decision in writing to the Town Board. The Town Board's decision is final.

6.2 Motion to reappoint the following:

- **Edward Zimmer** as a member of the Planning Board effective July 8, 2016. This term is to expire July 7, 2021.
- **Madeleine Cotts** as an alternate member of the Planning Board effective July 8, 2016. This term is to expire July 7, 2021.

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6.3 Motion authorizing the Comptroller to perform a **budget transfer** from the Highway Wage line (D5130.1020) to Highway Purchase of Machinery line D5130.2200. The unexpended funds in the Highway Wage line are to be used towards the purchase of a new hydraulic lift as a replacement for their broken lift. The final amount will be determined by the low quote received and estimated to be between \$6,000 and \$7,000. This is not a budgeted item.

6.4 Motion authorizing the Business Office to pay **ZMK Construction**, Apalachin, NY the sum of \$38,958.16 for emergency repair work to sewer lines conducted from April 28 – May 9, 2016 on **King Street**. The events leading to this repair constituted a public emergency exempting this work from the competitive bidding requirements in accordance with Section 103(4) of the General Municipal Law.

7. CONSENT AGENDA

7.1 PUBLIC WORKS: Fitzgerald/Majewski

7.2 FINANCE: Agneshwar/Fitzgerald

7.2-1 Receive and File

- **Warrant Reports:** 2016-23, 2016-23B, 2016-23E, 2016-24, 2016-24E
- **Comptroller's Monthly Report:** December 2015, January 2016, February 2016, March 2016, April 2016
- **Town of Vestal Investment Reports:** December 2015 – April 2016

7.2-2 Authorization for the Business Office to submit payment in the amount of **\$712.50 to Town Attorney David Berger** for billable hours for the month of May 2016.

7.3 PERSONNEL: Messina/Majewski

7.4 PLANNING & ZONING: Messina/Agneshwar

7.5 PUBLIC SAFETY: Fitzgerald/Messina

7.6 ADMINISTRATION: Majewski/Messina

7.6-1 Approval for Museum Director Cheresse Wiesner-Rosales to hire **Tracy Hanna** as a part time clerk to start on June 18, 2016 at a rate of \$9.00 per hour.

7.6-2 Approval to amend the **Vestal/Conklin Intermunicipal Agreement for Dog Control Services** by adding a new Section 7 reading as follows: "Within thirty (30) days written notice, either party may terminate this agreement."

7.7 RECEIVE AND FILE:

- **Fire Advisory Board Minutes – May 16, 2016**

END OF CONSENT AGENDA

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June 22, 2016

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8. COMMITTEE CHAIR COMMENTS AND UPDATES:

9. PETITIONS & PROTESTS:

10. SUPERVISOR'S ANNOUNCEMENTS:

- The Vestal Museum Presents: "Vestal Goes to War" - An exhibit of the Vestal Historical Society's Military collection items from local families and the families of the Vestal Historical Society.
 - ♦ **July 16** – George Cummings presentation depicting one of General Clinton's Soldiers from the 1779 Sullivan Clinton Campaign 1PM.
 - ♦ **Traveling exhibit "Civil War"** from The Gilder Lehrman Institute of American History June 4 – July 6.
 - ♦ **Traveling exhibit "War and Disability"** from The Museum of DisABILITY History July 6 - July 30.

11. OTHER NEW BUSINESS:

12. OLD BUSINESS:

13. ADJOURNMENT:

