

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD

January 25, 2017

We kindly request that you turn off all cell phones.

1. **PLEDGE OF ALLEGIANCE**

2. **APPROVAL OF MINUTES**

2.1 Motion approving the **January 04, 2017 Minutes of the Regular Meeting of the Town Board.**

3. **BID OPENINGS**

4. **PUBLIC HEARINGS**

4.1 Public Hearing regarding **Proposed Local Law “B” of the Year 2017** from TN “Transitional Neighborhood” to C2 “Community Business” - Application from North Star Group LLC to rezone 4701 thru 4729 Vestal Parkway East (8 parcels) from Transitional Neighborhood (TN) to Community Business (C-2).

5. **PRIVILEGE OF THE FLOOR**

6. **RESOLUTIONS & MOTIONS**

6.1 Motion to adopt a BOND RESOLUTION DATED JANUARY 25, 2017. A RESOLUTION AUTHORIZING THE COST OF PRELIMINARY STUDIES FOR IMPROVEMENTS AT THE **TOWN SWIMMING POOL**, IN AND FOR THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED **COST OF \$30,000** AND AUTHORIZING THE ISSUANCE OF \$30,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

6.2 Motion to adopt a BOND RESOLUTION DATED JANUARY 25, 2017. A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF **\$150,000 BONDS** OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY THE COST OF THE **RECONSTRUCTION OF TOWN HALL**, IN AND FOR SAID TOWN.

6.3 Motion to adopt a BOND RESOLUTION DATED JANUARY 25, 2017. A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF **\$150,000 BONDS** OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF THE **SEWER/SANITARY SEWER LATERALS OF THE ROOF DRAINAGE SYSTEM AT THE TOWN-OWNED PUBLIC LIBRARY BUILDING**, IN AND FOR SAID TOWN.

6.4 Motion to adopt a BOND RESOLUTION DATED JANUARY 25, 2017. A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF **\$700,000 BONDS** OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY THE COST OF THE **RECONSTRUCTION AND RESURFACING OF VARIOUS ROADS** THROUGHOUT AND IN AND FOR SAID TOWN.

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6.5 Motion to adopt a BOND RESOLUTION DATED JANUARY 25, 2017. A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF **\$164,000 BONDS** OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY A PORTION OF THE COST OF **THE RECONSTRUCTION OF THE WASHINGTON STREET BRIDGE**, IN AND FOR SAID TOWN.

6.6 Motion to adopt a BOND RESOLUTION DATED JANUARY 25, 2017. A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF **\$46,500 BONDS** OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY THE COST OF **PARK CONCESSION STAND IMPROVEMENTS AND THE PURCHASE OF PARK MAINTENANCE EQUIPMENT**, FOR SAID TOWN.

6.7 Motion to approve the **Short Environmental Assessment Form (SEQR)** for the transfer of NYS DOT surplus land (adjacent to the Library) to the Town of Vestal. This is the property that is being considered for the future Ambulance/EMS squad building to be constructed with NY Rising funds.

6.8 Motion to appoint **Jennifer Kakusian** and **John Taylor** to the Zoning Board of Appeals as Alternate Members effective January 30, 2017. Both terms will expire December 31, 2021.

6.9 Motion directing the Town Attorney to advertise on February 8, 2017 for a Public Hearing February 15, 2017 on proposed **Local Law C** - "A local law placing a temporary moratorium on telecommunication towers within the Town of Vestal."

6.10 Motion directing the Town Attorney to advertise on February 15, 2017 for a Public Hearing on March 8, 2017 on proposed **Local Law D** - "A local law to prohibit Smoking in all Town Parks."

6.11 Motion to authorize the Town Attorney to sign a **Stipulation of Settlement** for the following **Article 7 Tax Certiorari** cases filed in Broome County entitled:

Brookdale Senior Living Solutions, Meriweg Vestal LLC & Emeriweg Vestal LLC vs. The Town of Vestal Board of Assessment Review, the Assessor of the Town of Vestal, Broome County, New York, Index Nos., 2014-1949, 2014-1950, 2015-0981, 2015-1919, 2016-1515, 2016-1516, 2016-1576, as follows:

Tax ID 159.19-2-25

1. For tax years 2014/2015, the total assessment on 501 Clubhouse Road shall be reduced from \$5,407,000 to \$4,575,000

2. For tax years 2015/2016, the total assessment on 501 Clubhouse Road shall be reduced from \$5,407,000 to \$4,575,000

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3. For tax years 2016/2017, the total assessment on 501 Clubhouse Road shall be reduced from \$5,407,000 to \$4,575,000
4. For tax years 2017/2018, the total assessment on 501 Clubhouse Road shall remain the same at \$4,575,000
5. For tax years 2018/2019, the total assessment on 501 Clubhouse Road shall remain the same at \$4,575,000

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town/County Tax	Town Refund
2014-15	\$5,407,000	\$5,407,000	\$4,575,000	-\$832,000	\$122,931.52	\$70,893.16	\$3,776.34
2015-16	\$5,407,000	\$5,407,000	\$4,575,000	-\$832,000	\$122,530.80	\$70,537.63	\$3,756.10
2016-17	\$5,407,000	\$5,407,000	\$4,575,000	-\$832,000	\$120,484.33	\$70,985.38	\$3,651.77
2017-18	\$4,575,000	\$4,575,000	\$4,575,000	\$0			
2018-19	\$4,575,000	\$4,575,000	\$4,575,000	\$0			
TOTALS							\$11,184.21

* Town = General and Highway

TOTALS \$11,184.21

The Town Attorney and Business Office are authorized and directed to take all necessary steps to implement this resolution.

6.12 Motion to authorize the Town Attorney to sign a Stipulation of Settlement for the following Article 7 Tax Certiorari cases filed in Broome County entitled:

Brookdale Senior Living Solutions, Meriweg Vestal LLC & Emeriweg Vestal LLC vs. The Town of Vestal Board of Assessment Review, the Assessor of the Town of Vestal, Broome County, New York, Index Nos., 2014-1949, 2014-1950, 2015-0981, 2015-1919, 2016-1515, 2016-1516, 2016-1576, as follows:

Tax ID 159.19-1-8

1. For tax years 2014/2015, the total assessment on 421 Plaza Drive shall be reduced from \$4,607,900 to \$4,043,700
2. For tax years 2015/2016, the total assessment on 421 Plaza Drive shall be reduced from \$4,607,900 to \$4,043,700
3. For tax years 2016/2017, the total assessment on 421 Plaza Drive shall be reduced from \$4,607,900 to \$3,875,500

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4. For tax years 2017/2018, the total assessment on 421 Plaza Drive shall be reduced from \$3,875,500 to \$3,720,200

5. For tax years 2017/2018, the total assessment on 421 Plaza Drive shall remain the same at \$3,720,200

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town/County Tax	Town Refund
2014-15	\$4,607,900	\$4,607,900	\$4,043,700	-\$564,200	\$104,763.49	\$59,531.80	\$2,560.83
2015-16	\$4,607,900	\$4,607,900	\$4,043,700	-\$564,200	\$104,421.99	\$59,234.20	\$2,547.10
2016-17	\$4,607,900	\$4,607,900	\$3,875,500	-\$732,400	\$102,677.96	\$59,583.40	\$3,214.60
2017-18	\$3,720,200	\$3,720,200	\$3,720,200	-\$155,300			
2018-19	\$3,720,200	\$3,720,200	\$3,720,200	\$0			
						TOTALS	\$5,761.70
						TOTALS	\$5,761.70

* Town = General and Highway



The Town Attorney and Business Office are authorized and directed to take all necessary steps to implement this resolution.

7. CONSENT AGENDA

7.1 PUBLIC WORKS: Fitzgerald/Majewski

7.1-1 Authorization for the Town Attorney to advertise for the **King Street Sanitary Sewer Replacement Project** on February 15, 2017 and to be opened on Tuesday March 2, 2017 at 2:00pm in the Town Clerk's office.

7.1-2 Authorization for the Town Attorney to advertise for **Highway Truck Accessories** (plow, wing, salt spreader, etc.) bids on February 1, 2017 to be opened on February 23, 2017 at 2:00 pm in the Town Clerk's Office. This is part of the capital truck purchase that was approved for 2017. These accessories will be installed in-house.

7.1-3 Authorization for the **Town Attorney to advertise for Operating Engineers Uniforms** on February 15, 2017 with the bids to be opened on February 28, 2017.

7.1-4 Adopt a Resolution of the Board of the Town of Vestal agreeing to energize a highway lighting system on or along within the geographical jurisdiction of the Town of Vestal, such highway identified in Project D263037 – Standby Contract

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Used to Construct Repairs to State Highway Lighting along NYS Rte. 201 from the center of the Susquehanna River to the south encompassing lights not included in PIN 904504 agreement, Town of Vestal, County of Broome.

7.1-5 Authorization for the Supervisor of the Town of Vestal to enter into and execute an Agreement with the State of New York and through the Commissioner of Transportation to commit the Town of Vestal to energize, at its own expense, the lighting system on Project D263037, such agreement to provide energy shall include furnishing of electric current for the lighting system.

7.2 **FINANCE: Agneshwar/Fitzgerald**

7.2-1 **Receive and File:**

- **Warrant Reports** – 2016-52, 2016-52E, 2017-01, 2017-01A, 2017-1EA, 2017-02, 2017-02A, 2017-2EA, 2017-03, 2017-03A, 2017-3EA, 2017-3LA
- **Town Clerk Monthly Report** – December 2016 – Local Shares Remitted: \$3,943.30

7.2-2 Authorization for the Town of Vestal to enter into an agreement with Our Lady of Lourdes Memorial Hospital, Inc., for **Occupational Health Services** pursuant to the contract as presented to the Town Board on January 23, 2017 and for the Town Supervisor John Schaffer to sign same.

7.2-3 Authorization for Deputy Comptroller Nick Angeline to perform the **Budget transfers for dates 12/15/2016-1/19/2017** as attached to his memo dated January 19, 2017.

7.2-4 Authorization for payment in the amount of \$262.50 to **Town Attorney David Berger** for billable hours for December 2016.

7.3 **PERSONNEL: Messina/Majewski**

7.4 **PLANNING & ZONING: Messina/Agneshwar**

7.5 **PUBLIC SAFETY: Fitzgerald/Messina**

7.5-1 Approval from the Board of Fire Commissioners to accept **George Allen** as a new member of the Vestal Fire Department Company No. 4.

7.5-2 Approval from the Board of Fire Commissioners for the transfer of a **1988 Utility Trailer**, ID No. NYA397449 from the Parks Department to the Vestal Fire District. The Board has determined that this utility trailer has no value to the Town and its transfer is a gift to the Vestal Fire Department.

7.5-3 Approval for Vestal High School Health Teacher Sue Darpino to hold *The Running of the Bears* 5K Road Race on April 8, 2017. The race will be held

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partially on Town roads. The Town's Indemnification Agreement is to be signed and they are to make the necessary arrangements with the appropriate public safety agencies as was required for the staging of the event in previous years.

7.5-4 Approval for *Traci's Hope and the Vestal Elks Club Veterans' Committee* to hold the 5th Annual 5K Run/Walk on April 30th, 2017 at 10 am on Owego Road and some surrounding roads. The Town's Indemnification Agreement is to be signed and they are to make the necessary arrangements with the appropriate public safety agencies as was required for the staging of the event in previous years.

7.5-5 Approval for Anthony Folk and the Hockey Shop to hold the **Southern Tier Enduro** mountain bike race at **Jones Park** on a date to be determined in June, 2017. They are to submit the following: proof of insurance naming the Town as an insured party; waivers signed by participants; a signed Town Facilities Use Agreement. In addition, the Town's Indemnification Agreement is to be signed and they are to make the necessary arrangements with the appropriate public safety agencies as required for the staging of this event.

7.5-6 Authorization for Confluence Running and Binghamton Health Campaign to hold "**Herald of Victory**" Marathon on May 28, 2017. The event will be staged on the same course as last year. A half marathon will be added this year with the expectation of a modest increase in participation.

The applicant is to sign the Town's Indemnification Agreement and make the necessary arrangements with the appropriate public safety agencies as was required for the staging of the event in last year.

7.5-7 Authorization for the Town of Vestal Court to accept a grant awarded under the 2016-2017 cycle of the **Justice Court Assistance Program (JCAP)** in the amount of \$2649.00 for office equipment.

This grant will be used to purchase: two all-in-one computers for the payment window and wall mounting equipment, two under counter locking cash drawers, a paper cutter, a new judicial robe, a new gavel and block for the bench, check binders for Judge Meagher's savings and bail accounts, literature racks for the lobby, an intercom system for the payment window, and chairs for the courtroom.

7.6 **ADMINISTRATION: Majewski/Messina**

7.6-1 Authorization for IT Director Dan Williams to sign a snapshot audit agreement with **SpyGlass Group, LLC** concerning the Town's telecom bills.

7.6-2 Authorization for **Recreation Planner Sue Jastran** to hire basketball, swim, playground, and weight room employees as listed in her memo to the Town Board dated January 9, 2017. All employee pay rates are budgeted items in the 2017 Budget and background checks have been completed.

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7.6-3 Authorization for Tax Receiver Debra Wallace to hire **Emily Whitaker** as a Clerk (part-time) for the period January 24, 2017 through January 27,2017 at the rate of \$9.70 per hour.

7.7 **SCHOOL/LIBRARY LIAISON: Agneshwar/Majewski**

7.8 **RECEIVE AND FILE:**

- Vestal Fire Advisory Board Meeting Minutes December 5, 2016.
- Building and Code Department Year End Report for 2016

END OF CONSENT AGENDA

8. COMMITTEE CHAIR COMMENTS AND UPDATES

9. PETITIONS & PROTESTS

10. SUPERVISOR'S ANNOUNCEMENTS

- We are continuing to accept bids for the sale of Magnolia Park. A notice will also be posted on the Town's website.
- The new and improved access to the Vestal Town Code Book is now available through the Town's website.
- The Recreation Department is still taking registrations for the 2017 Father Daughter Ball. The deadline is Friday, February 3rd unless filled earlier. 607-754-3368.
- The public can now subscribe to receive e-mail notices of the latest news and updates on the Town's website. To subscribe, go to the desired section on the Town's website at www.vestalny.com , click *e-notify*, enter your email address and click *subscribe*. You will receive an email from e-notify@vestalny.com. In the email, click the link that says click here and it will confirm you want to be subscribed.

11. OTHER NEW BUSINESS

12. OLD BUSINESS

13. ADJOURNMENT