

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD

April 12, 2017

We kindly request that you turn off all cell phones.

1. **PLEDGE OF ALLEGIANCE**

2. **APPROVAL OF MINUTES**

2.1 Motion approving the **March 22, 2017 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 authorizing the Town Attorney to draw the appropriate paperwork to award the **Automated Pump Dispensing Service Fleet Card Program** for fueling services to **Mirabito Energy Products** of Binghamton NY, contingent upon securing a letter of commitment to provide fueling services at agreed upon service stations on a 24/7 basis.

6.2 Motion authorizing Police Chief John Butler to fill a vacancy by hiring **Daniel Barta** as a Police Officer effective May 8, 2017. Officer Barta will be transferring from the City of Binghamton and as per the PBA collective bargaining agreement his hiring rate of pay will be \$66,159.00. All necessary pre-employment testing has been successfully completed.

6.3 Motion to approve the hiring of **Kenneth G. Frommer** to provide expert real estate appraisal services for the Town in the matter of *Muench Realty Co. v Assessor of TOV* in the amount of \$2250.00, not including court time. Broome County Index No 2014-1848

6.4 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:

Southern Tier Sports Center and Kashou Enterprises Inc. vs. The Assessor of the Town of Vestal, New York and the Town of Vestal, Broome County, New York, Index Nos. 2012- 1892, 2013-1821, 2014-1892, 2015-2104, 2016-1091 as follows:

1. For tax years 2012/2013 the total assessment on 2220 Vestal Road shall be reduced from \$900,000 to \$825,000
2. For tax years 2013/2014 the total assessment on 2220 Vestal Road shall be reduced from \$900,000 to \$825,000
3. For tax year 2014/2015, the total assessment on 2220 Vestal Road shall be reduced from \$900,000 to \$825,000
4. For tax years 2015/2016, the total assessment on 2220 Vestal Road shall be reduced from \$900,000 to \$825,000

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5. For tax years 2016/2017, the total assessment on 2220 Vestal Road shall be reduced from \$900,000 to \$825,000

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2012-13	\$900,000	\$900,000	\$825,000	-\$75,000	\$19,133.82	\$12,635.40	\$315.21
2013-14	\$900,000	\$900,000	\$825,000	-\$75,000	\$19,919.88	\$12,739.24	\$321.58
2014-15	\$900,000	\$900,000	\$825,000	-\$75,000	\$20,462.06	\$15,886.38	\$340.42
2015-16	\$900,000	\$900,000	\$825,000	-\$75,000	\$20,395.36	\$17,541.77	\$338.59
2016-17	\$900,000	\$900,000	\$825,000	-\$75,000	\$33,731	\$13,372.03	\$329.19

* Town = General and Highway

TOTALS \$1,644.99

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

6.5 A motion to adopt a bond resolution dated April 12, 2017 titled as follows:

A RESOLUTION AUTHORIZING THE PURCHASE OF A DUMP TRUCK, FOR THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$195,000, AND AUTHORIZING THE ISSUANCE OF \$110,000 BONDS OF SAID TOWN TO PAY PART OF THE COST THEREOF.

7. CONSENT AGENDA

7.1 PUBLIC WORKS: Fitzgerald/Majewski

7.1-1 Authorization for the Town Attorney to advertise the **Jones Road Sanitary Sewer Replacement** project on April 19, 2017 to be opened on Thursday May 4, 2017 at 2:00pm in the Town Clerk's office.

7.1-2 Authorization for Parks Department Supervisor Jim Bukowski to **replace the dump box on Truck #78**, a 2002 F550 dump truck. The funds to pay for this replacement (\$2,511.00) are to come out of the *Surplus Equipment Sale* fund line.

7.1-3 Authorization for Scott Groats, Water and Wastewater Superintendent to hire **Margaret Flint as a part-time Account Clerk** effective April 17, 2017. Per the CSEA collective bargaining agreement the rate of pay will be \$12.36 per hour. Pre-employment background check and drug testing have been successfully completed.

7.1-4 Approval by the Town Board for **the Binghamton Metropolitan Transportation Study (BMTS)** to develop a conforming **American with Disabilities Act (ADA) Transition Plan** for the Town of Vestal. This free service

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will be managed by the Town Engineer who will supply BMTS with the required information.

7.1-5 Motion authorizing the Water Superintendent to proceed with the emergency repair of the concrete floor slab at the Castle Gardens Pumphouse at a cost of \$2,430.56 to be done by **21st Century Concrete Leveling**.

7.1-6 Motion to rescind Resolution **R067-17** as adopted on March 22, 2017 and to adopt the following resolution:

It is hereby resolved that the Town Board of the Town of Vestal has been advised by the NYS Department of Transportation that the land next to the Vestal Public Library may be made available to the Town of Vestal for the purpose of a new Vestal Emergency Squad Building, subject to the following conditions:

- No access would be allowed on the Route 26 ramp
- The Right-of-Way fence would need to be moved along the new property boundary line to ensure no encroachments.
- All ingress/egress would only be allowed through the current library driveway. (Right Out Only.)

That the Town Board is interested in pursuing this transfer of the land subject to the conditions noted above.

Nothing in this resolution requires the Town to accept the proposed transfer and reserves the right to alter, change or revoke this resolution at any time prior to the actual transfer of the property.

That Town of Vestal Supervisor W. John Schaffer is authorized to execute any agreements or other documents necessary to effectuate the conveyance of the property from the State of New York to the Town of Vestal.

7.2 **FINANCE: Agneshwar/Fitzgerald**

7.2-1 **Receive and File:**

- **Warrant Reports** – 2017-12, 2017-12E, 2017-14, 2017-14E
- **Town Clerk Monthly Report:** March 2017 – Local Share Remitted: \$5628.18

7.2-2 Authorization to pay \$487.50 to **Town Attorney David Berger** for legal services for the period February 1, 2017 through March 31, 2017.

7.3 **PERSONNEL: Messina/Majewski**

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

7.4-1 Retroactive approval for Town Supervisor John Schaffer to sign a letter drafted by Broome County to FEMA urging them to slow the timeline associated with the *Levee Analysis and Mapping Procedure* (LAMP) process.

7.4-2 Authorization for Jack McQuiston of the **Vestal Historical Society** to hold

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Doug's Fish Fry Fundraisers in the library parking lot on June 9, 2017 and September 1, 2017. The monies from these fundraisers will be used to support the Museum and its' ongoing exhibits. The applicant is to sign the Town's Indemnification Agreement.

7.5 **PUBLIC SAFETY: Fitzgerald/Messina**

7.5-1 Approval for the **Vestal Police Department** to purchase \$1235.17 worth of photographic equipment from Best Buy to be used by the department's investigative unit. The current equipment is aged and not acceptable for modern evidentiary use. The funds will be taken out of A3120-2626R the forfeiture budget line.

7.5-2 Approval by the Fire Commissioners to accept the following Departments for usage at the Fred Singer Training Site at a cost of \$100 per day:

Five Mile Point Fire Company - April 8th (or makeup day) and May 13th
Chenango Bridge Fire Company - May 6th
North Towanda Fire Department - May 7th
Sayre Fire Department - May 21st
Tioga County, PA Fire Department - June 11th, 2017.

7.6 **ADMINISTRATION: Majewski/Messina**

7.6-1 Motion to accept a \$1,000.00 donation from **Vilma Byrne**. This donation is to cover the gate cost for the Vestal Recreation Department's Town Picnic, on Wednesday, August 2, 2017.

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

7.8 **RECEIVE AND FILE:**

- **2016 Vestal Police Department Report**
- **NYS Department of Transportation** – Construction Update - PIN 903808
NYS Route 434 Greenway: South Washington Street Bridge to Pennsylvania Avenue City of Binghamton, Broome County date March 22, 2017

*****END OF CONSENT AGENDA*****

8. **COMMITTEE CHAIR COMMENTS AND UPDATES**

9. **PETITIONS & PROTESTS**

10. **SUPERVISOR'S ANNOUNCEMENTS**

11. **OTHER NEW BUSINESS**

12. **OLD BUSINESS**

13. **ADJOURNMENT**