

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD

December 18, 2019 6:00 PM

We kindly request that you turn off all cell phones.

1. **PLEDGE OF ALLEGIANCE**

2. **APPROVAL OF MINUTES**

2.1 Motion approving the **December 4, 2019** 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 authorize the Town Attorney to sign a *Stipulation of Settlement* for the following Article 7 Tax Certiorari cases filed in Broome County entitled:

Penfield Hotel L.P. & EJ Del Monte vs. The Assessor of the Town of Vestal, New York and the Town of Vestal, Broome County, New York, Index Nos. 2014-1920, 2015-1680, 2016-1517, 2017-1556, as follows:

1. For tax years 2014/2015 the total assessment on 3803 Vestal Parkway East shall be reduced from \$4,300,000 to \$4,000,000
2. For tax years 2015/2016 the total assessment on 3803 Vestal Parkway East shall be reduced from \$4,300,000 to \$4,000,000
3. For tax year 2016/2017 the total assessment on 3803 Vestal Parkway East shall be reduced from \$4,300,000 to \$4,000,000

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2016-17	\$4,300,000	\$4,300,000	\$4,000,000	-\$300,000	\$95,817.02	\$55,643.22	\$1,316.74
2015-16	\$4,300,000	\$4,300,000	\$4,000,000	-\$300,000	\$97,444.51	\$55,315.46	\$1,354.37
2014-15	\$4,300,000	\$4,300,000	\$4,000,000	-\$300,000	\$97,763.19	\$55,593.42	\$1,361.66

* Town = General and Highway

TOTALS \$4,032.77

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

6.2 Motion to adopt the following resolution:

WHEREAS, due to the resignation of the Receiver of Taxes effective at the close of business on December 31, 2019, there is a vacancy in the position of Town of Vestal Receiver of Taxes; and WHEREAS, there is an immediate need for a qualified individual to fill that vacancy; and WHEREAS, Town Law Section 64(5) authorizes the appointment of an Acting Receiver of Taxes; and

WHEREAS, the Town Board is now desirous of appointing Debra Wallace as Acting Receiver of Taxes; now, therefore, be it

RESOLVED, that the appointment of Debra Wallace, as Acting Receiver of Taxes, will expire upon the commencement of the calendar year next succeeding the first annual election at which the vacancy may be filled; and be it further

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD

December 18, 2019 6:00 PM

We kindly request that you turn off all cell phones.

RESOLVED, that the Town Board of the Town of Vestal hereby appoints Debra Wallace as Acting Receiver of Taxes for a period commencing on January 1, 2020 and ending no later than December 31, 2020; and be it further

RESOLVED, that the Town Supervisor and the Town Clerk are authorized and directed to execute any documents necessary to comply with the intent of this resolution; and be it further
RESOLVED, that this resolution take effect immediately.

6.3 Motion authorizing the Town Supervisor to sign an agreement with **Northstar Group, LLC** to accept a Conservation Easement subject to approval of the final agreement by the Town Attorney.

7. CONSENT AGENDA

7.1 PUBLIC WORKS: Fitzgerald/Fletcher

7.1-1 Authorization for the Town Attorney to advertise for a Public Hearing for a **Special Use Permit** for a Commercial Recreation Facility in an Industrial District at 161 North Jensen Road, BCTMP# 158.11-1-9, with the publication date of January 8, 2020, and a Public Hearing to be held on January 22, 2020.

7.2 FINANCE: Messina/Majewski

7.2-1 Receive and File

Warrants: 2019-48, 2019-48E, 2019-49, 2019-49E, 2019-50, 2019-50C, 2019-50E

7.2-2 Authorization to submit a payment in the amount of \$11,500.00 to Kenneth Frommer for his appraisal of 105 Sheedy Road (**Vestal Park Rehabilitation and Nursing Center**), BCTMP #189.12-1-41.22

7.2-3 Authorization to submit payment to *The Association of Towns of the State of NY* in the amount of \$1,650.00 for the 2020 membership dues.

7.2-4 Authorization to submit payment to *The Greater Binghamton Chamber of Commerce* in the amount of \$390.00 for 2020 membership dues.

7.2-5 Authorization for the Town Supervisor to sign a contract renewal agreement with the **Broome County Office for the Aging** for lease of space for the *Vestal Senior Center* from January 1, 2020 to December 31, 2020.

7.2-6 Authorization for a payment in the amount of \$525.00 to **Town Attorney David Berger** for billable hours for the period October – December 11, 2019.

7.2-7 Authorization for the Deputy Comptroller to make **budget transfers** as attached to his memo to the Town Board dated December 16, 2019.

7.2-8 Authorization for the Town Comptroller to transfer \$7,350 from line A1620.4080 (building and grounds maintenance) and \$10,000 from line

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD

December 18, 2019 6:00 PM

We kindly request that you turn off all cell phones.

A1990.4322 (contingency) to line A5132.2100 (highway garage equipment and capital outlay) for the **purchase of a boiler** for the Highway Garage.

7.3 PERSONNEL: Majewski/Fitzgerald

7.4 PLANNING & ZONING: Fletcher/Fitzgerald

7.5 PUBLIC SAFETY: Messina/Fletcher

7.5-1 Approval for **Police Officer Ryan Franz** to carryover 5 days of vacation and for **Police Officer Steven Will** to carryover 3 days of vacation in addition to the 5 days of carryover that each is allowed by the PBA contract.

7.5-2 Authorization for Police Chief John Butler to hire **Joseph Petrielle** as a Police Officer effective January 6, 2020. His pay rate will be \$52,976.00. Such authorization is conditioned upon meeting all civil service requirements as well as a satisfactory pre-employment background check and drug test.

7.5-3 Authorization from the Board of Fire Commissioners approving the following individuals as members of the Vestal Fire Department:

- **Derek Calcaine** as a new member of Company No. 2
- **Joel Darkwah** as a new member of Company No. 4

7.5-4 Authorization from the Board of Fire Commissioners authorizing the acceptance of \$700 payments and signed 3-year license agreements from **West Endicott Fire Department, Endwell Fire Department, West Corners Fire Department, Apalachin Fire Department, Union Center Fire Department and Broome County Fire Chief's Association** for use of the Fred Singer Training Site.

7.6 ADMINISTRATION: Fitzgerald/Messina

7.6-1 Authorization approving the appointment of **Jeffrey Merrill** to the *Conservation Advisory Commission* as an alternate member for a term of January 1, 2020 to December 31, 2020.

7.7 SCHOOL/LIBRARY LIAISON: Majewski/Fletcher

7.8 RECEIVE AND FILE:

- December 5, 2019 - Request to waive the 30-day waiting period for an alcoholic beverage license application filing by JE Future Inc. (Red Chili Restaurant) at 4700 Vestal Parkway E., Suite 7.
- December 16, 2019 – Request to waive the 30-day waiting period for an alcoholic beverage license application filing by Moghul Indian Cuisine Inc. at 4700 Vestal Parkway E., Suite 5.

END OF CONSENT AGENDA

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD

December 18, 2019 6:00 PM

We kindly request that you turn off all cell phones.

8. **COMMITTEE CHAIR COMMENTS AND UPDATES**

9. **PETITIONS & PROTESTS**

10. **SUPERVISOR'S ANNOUNCEMENTS**

- Winter Parking Hours are in effect from December 1 thru March 31. No parking of vehicles on any town streets and roads from 2:00 AM to 6:00 AM.
- The tentative date for the 2020 *Organizational Meeting of the Town Board* is Wednesday, January 8, 2020 at 6:00 PM. Check the Town website for updates.
- There will be a swearing-in ceremony for newly elected Town Officials at noon on January 1st. The public is welcome and refreshments will be served after the ceremony.
- Wishing Town employees and all Town residents a Merry Christmas and an enjoyable Holiday Season!

11. **OTHER NEW BUSINESS**

12. **OLD BUSINESS**

13. **ADJOURNMENT**

