

**VESTAL TOWN BOARD MEETING AGENDA  
FEBRUARY 13, 2013**

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*We kindly request that you turn off all cell phones and pagers.*

**1. PLEDGE OF ALLEGIANCE:**

**2. APPROVAL OF MINUTES:**

**2.1** Motion approving the **Minutes of the January 23, 2013 Regular Town Board Meeting.**

**3. BID OPENINGS:**

**4. PUBLIC HEARINGS:**

**5. PRIVILEGE OF THE FLOOR – For Agenda Items Only:**

**6. RESOLUTIONS & MOTIONS:**

**6.1** Motion to transfer **\$1,450** from the contingency line A1990.4322 to line A1220.4030 to allow the **Town Supervisor** to attend the **NYS Association of Towns Training School & Annual Meeting**, February 17-20, 2013.

**6.2** Motion to authorize the Highway Superintendent, to transfer a **1981 John Deer 550 Bulldozer** to the Parks Department.

**6.3** Motion to authorize the organization **P.E.O.** to use the **Vestal Library parking lot** on Wednesday April 24, 2013 from 11 am until 6 pm for a fundraiser. An **indemnification agreement** is to be signed.

**6.4** Motion to adopt a Resolution to support Susquehanna Rain and Stream Gage.

**WHEREAS**, the Town of Vestal is located within Broome County;

**WHEREAS**, there are currently a series of sixteen rain gages and eighteen stream gages in the Susquehanna River Basin all of which are federally funded;

**WHEREAS**, one of the rain gages and three of the stream gages are in Broome County;

**WHEREAS**, the stream and river gages are maintained and operated by the US Geological Survey and generate real-time data needed by the National Weather Service to forecast river levels and to issue timely, accurate early flood warnings;

**WHEREAS**, this information is used by emergency managers, local officials, and citizens to make critical decisions to protect life and property;

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**WHEREAS**, the Susquehanna River is one of the most flood prone portions of the country, with more than 80 percent of the over 1,400 municipalities in the region including areas that are flood prone;

**WHEREAS**, Broome County was subject to a devastating record flood in 2006;

**WHEREAS**, the 2006 record flood was exceeded by a more damaging flood in 2011;

**WHEREAS**, the 2011 flood event alone caused hundreds of millions in damage due to property loss, economic impacts, and infrastructure damage;

**WHEREAS**, the community is still recovering from the 2011 flood;

**WHEREAS**, we were fortunate not to have experienced loss of life during the 2011 flooding, due in substantial part to have sufficient advance warning to allow for orderly evacuations;

**WHEREAS**, according to our recently drafted Hazard Mitigation Plan there is the potential for \$1 billion in damage in Broome County alone from a future flood event;

**WHEREAS**, the annual cost to the Federal government to maintain this vital gage system for the entire Susquehanna River is approximately \$215,000;

**WHEREAS**, the funding of these vital gages is uncertain from year to year;

**NOW, THEREFORE, BE IT RESOLVED**, that we, the undersigned, urgently call for the Federal government make a firm, long-term commitment to funding this critical rain and stream gage system.

**BE IT FURTHER RESOLVED**, that it is requested that the Clerk send a certified copy of this resolution to:

Frank Evangelisti, Chief Planner  
Broome County Department of Planning  
P.O. Box 1766  
Binghamton, NY 13902

**LASTLY IT IS RESOLVED**, that this resolution shall take effect immediately.

**7. CONSENT AGENDA**

**7.1 PUBLIC WORKS: Milkovich/Majewski**

**7.1-2** Authorization for the Business Office to **reduce the sewer portion** of the Water/Sewer bill of George VerWys for **112 Mary Street** in the **amount of**

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\$57.63 (17,000 gallons) due to a water pipe break that did not enter into the sanitary sewer system.

**7.2 FINANCE: Marnicki/Fitzgerald**

**7.2-1 Receive and File:**

- **Warrant Reports** –      2013 –04      2013 – 05      2013– 05M  
    2013 –04A      2013 – 05A      2013– 06A  
    2013 –04E      2013 - 05E      2013– 06
- Town Clerk Monthly Report – January 2013 Local Shares Remitted: \$5,911.45

**7.2-2** Approval to remove the following assets from the asset record and to approve the transfer of asset.

The following assets have been designated to be **disposed** of:

<u>Asset</u>	<u>Location</u>	<u>Disposal Method</u>
Air Condition Unit	<b>IT Building</b>	- junked, replaced with new unit
Twin Orchards Building (old squad)	<b>Twin Orchards Park</b>	- demolished, flood damaged
Twin Orchards Building roof	<b>Twin Orchards Park</b>	- demolished, flood damaged
Hot Water Heater	<b>Fire Station #2</b>	- junked, replaced with new unit

The following asset has been designated for **transfer** between departments:

<u>Asset</u>	<u>Location</u>	<u>Disposal Method</u>
Exhaust -Twin Orchards Building	<b>Twin Orchards Park</b>	- Exhaust removal transferred to Highway Garage

**7.2-3** Authorization to **amend Resolution 014-13** approved on January 23, 2013 for **Appropriate Fund Balance A1012** in the amount of \$24,300 to allow the **IT Director** to make needed upgrades. The revision would be increasing appropriated fund balance by \$24,300 (same) and increasing budget lines as follows:

- A1680.2220 \$ 5,000 UPS Rack 5600W w/ External Module, Net Manage Card, Enviro Sensor
- A1680.4060 \$ 2,775 Neat Patch Cable Management, Switch Replacement Sites
- A1680.4064 \$ 2,825 Remote Location UPS Replacements
- A1680.4499 \$13,700 Windows Server 2012 DataCenter 2 CPU, What's Up Gold w/ WhatsConnected Plugin 100 Dev, Windows Server 2012 DataCenter 2 CPU

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**7.2-4** Authorization for the **Business Office** to issue payment to **Town Attorney David Berger** for January 2013 billable hours. Total hours are 17 hours, 40 minutes totaling \$2650.

**7.2-5** Authorization for the **Town Attorney to draw the appropriate paper work** to award the **Operating Engineering Uniform** bid to **LogoWise**, 49 Court Street Binghamton, New York.

**7.3** **PERSONNEL: Majewski/Marnicki**

**7.3-1** Authorization to adopt the following Designated Holidays and to amend the **Employee Handbook - Section #801 – Holidays** as follows:

Designated Holidays - The Town of Vestal will observe the following holidays:

- |                     |                           |
|---------------------|---------------------------|
| 1. New Year's Day   | 6. Veterans' Day          |
| 2. Good Friday      | 7. Thanksgiving Day       |
| 3. Memorial Day     | 8. Day after Thanksgiving |
| 4. Independence Day | 9. Christmas Day          |
| 5. Labor Day        |                           |

**Floating Holidays** - the designated holidays, an eligible employee, as defined below is credited with three floating holidays on January 1st to be used during the calendar year. New employees hired on or after April 1st will only be entitled to one floating holiday during that calendar year. An employee must receive prior approval from the employee's Department Head to take the floating holiday. If required by another governmental entity to grant a mandatory holiday, the floating holiday shall be used for such date.

**7.4** **PLANNING & ZONING: Fitzgerald/Milkovich**

**7.4-1** Approval for the **Vestal Central School District 10<sup>th</sup> Grade Class** to use the Vestal Library parking lot March 1, 2013. An indemnification agreement is to be signed.

**7.5** **PUBLIC SAFETY: Marnicki/Fitzgerald**

**7.5-1** Authorization for the **Vestal Police Department** for the disposal of the following items that are inoperable and beyond a reasonable cost to repair.

**2 - Kustom Silver Eagle** radar units that are unable to pass calibration inspections by NYS Division of Criminal Justice Services due to repairs needed. These units have been replaced by radar units provided by STOP DWI grant funding.

**2 - Zetron radio communications consoles** that became inoperable after a lightning strike and subsequent power surge to the communications area of

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the police station. These units have been replaced through an insurance claim.

**1 - Image Mate identification card printer and** adapters that have not been in use since 2006. This printer has been replaced.

**7.5-2** Authorization from the Board of Fire Commissioners approving the following **fire personnel** to attend the following **training**

- **Keith Chason** and **Ben Schwartz** to attend *Fire Fighter I* at West Corners Fire Dept that started January 3.
- **Tyler Vandervort** and **Sacha Sigleman Schwartz** to attend *Conducting Live Fire Training* February 7 at the Broome County Public Safety Building.

There is no cost for these NYS Outreach Courses.

- **Hugh Reynolds** and **Susan Bowen** to attend *Legal Issues of the Volunteer Fire Service* at NYS Fire Academy in Montour Falls February 9th and 10<sup>th</sup>.

The cost of this course is \$41.00 each which includes Registration and Meals plus mileage if a Fire Department vehicle is unavailable.

**7.5-3** Approval from the Board of Fire Commissioners to hold a **Defensive Driving Course on Tuesday and Thursday, March 5<sup>th</sup> and 7<sup>th</sup>** from 6pm to 9pm and Saturday March 16th from 8:30am to 3:30pm at Vestal Station #1.

The cost of the course is \$25 for Department, Auxiliary Members and Town Employees which will come out of each respective budget line. For family and non Fire Department Members the cost is \$30.00.

**7.6** **ADMINISTRATION: Majewski/Milkovich**

**7.7** **RECEIVE AND FILE:**

- Acknowledgment of *Notice of Intent* for **Vestal Park Rehabilitation & Nursing Center** – SPDES Permit
- Resignation letter from **Jeffrey Smith**, Volunteer Member and Chairman of the **Vestal Historic Preservation Commission** dated January 31, 2013.
- **2012 Annual Report – Historian** – Margaret Hadsell (available for review in the Clerk's office)
- Update from Town Engineer, Gary Campo dated January 31, 2013.  
On January 31, 2012 the **solar panels at the Vestal Library** were placed in service. As of today they have generate 36,500 kWh of energy which roughly saved the Town \$3,000 in electricity cost. The 31.68 kW system was 100% paid for thru NYSEDA with the use of ARRA funding.

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- **Fire Advisory Board Meeting Minutes** dated December 10, 2012.
- Letter from **Stephen Bezek** dated February 1, 2013 expressing his thanks to the Town Engineer, Water Superintendent Scott Groats and Water employee Rick Paglia for solving his issue concerning his water reading.

**END OF CONSENT AGENDA**

8. **COMMITTEE CHAIR COMMENTS AND UPDATES:**

9. **PETITIONS & PROTESTS:**

- Petition asking for **redress and enforcement** of the **applicable zoning laws and regulations** that apply concerning the operation of a commercial contracting/home improvement business, JKS Home Improvement LLC, being headquartered on Third Avenue in the **Twin Orchards neighborhood**. This has been forwarded to the Town Attorney and the Code Department for review.

10. **ADDITIONAL PUBLIC COMMENTS:**

11. **SUPERVISOR'S ANNOUNCEMENTS:**

**Winter Parking Hours** – December 1st - March 31st - 2:00 AM to 6:00 AM

Vestal Fire Department Membership for **Station 2's Firemen Breakfasts and Station 2's Ladies Auxiliary Soup and Salad Dinners** being held on following dates at Vestal Fire Department Station #2. **Auxiliary Soup and Salad** - 2/23, 3/16 - Time: 4:00 pm till gone  
**Firemen's Breakfast** - 4/14 - Time: 7:00 am till 11:30 am

12. **OTHER NEW BUSINESS:**

13. **OLD BUSINESS:**

The Public Hearing for Proposed **Local Law "A" of the Year 2013** entitled: "A Local Law **Rezoning BCTMP# 189.12-1-41.2 on West Sheedy Road** from C-2 to PDD (Planned Development District) was heard on January 23, 2013.

14. **ADJOURNMENT:**