

**REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
FEBRUARY 12, 2014**

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 **January 22, 2014 Minutes of the Regular Meeting of the Town Board.**

3. **BID OPENINGS:**

4. **PUBLIC HEARINGS:**

4.1 Public Hearing regarding the request of *Marchuska LLC* for a Special Permit under section 24-385 of the Town of Vestal Code, for a **Vehicle Service Station** to occupy 3151 Vestal Parkway East, B.C.T.M.P # 158.11-1-19.

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

6. **RESOLUTIONS & MOTIONS:**

6.1 Motion to grant a **Special Permit** to *Power of One*, allowing the operation of a fitness center within an ID Zone on the premises located at 604 Vestal Parkway West BCTMP # 173.21-1-3 (across from Town Hall).

6.2 Motion to grant a **Special Permit** to **Rick Simon**, 527 South Street, Endicott, NY, for the operation of a light manufacturing or fabricating business within a C-2 zoning at 2315 Vestal Road, BCTMP # 158.09-1-5.

6.3 Motion to authorize the **transfer** of the **2006 Ford (Ambulance)** from the **Vestal Volunteer Emergency Squad** to the Town of Vestal. The Town will credit VVES (Vestal Volunteer Emergency Squad) \$36,500.00 account, which is the fair market value.

6.4 Motion authorizing the Supervisor to **sign a contract with the Town Attorney** as prepared on January 21, 2014.

6.5 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:

Clayton Village Apartments, LLC Wiesner Clayton Village Apartments, LLC, Clayton 2010, and Greenwood Commercial Investors, Inc. vs. The Assessor of the Town of Vestal, New York and the Town of Vestal, Broome County, New York, Index Nos. 2009-1780, 2010-1838, 2011-1931, 2012-1895, 2013-1841, as follows:

1. For tax years 2009/2010 the total assessment on 400-428 Clubhouse Road shall be reduced from \$4,312,000 to \$3,450,000.

**REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
FEBRUARY 12, 2014**

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

2. For tax years 2010/2011 the total assessment on 400-428 Clubhouse Road shall be reduced from \$4,312,000 to \$3,450,000.
3. For tax year 2011/2012, the total assessment on 400-428 Clubhouse Road shall be reduced from \$4,312,000 to \$3,450,000.
4. For tax years 2012/2013, the total assessment on 400-428 Clubhouse Road shall be reduced from \$4,312,000 to \$3,450,000.
5. For tax years 2013/2014, the total assessment on 400-428 Clubhouse Road shall be reduced from \$4,312,000 to \$3,450,000.

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2013-14	\$4,312,000	\$4,312,000	\$3,450,000	-\$862,000	\$95,438.36	\$55,751.40	\$3,695.97
2012-13	\$4,312,000	\$4,312,000	\$3,450,000	-\$862,000	\$91,672.26	\$54,698.25	\$3,602.87
2011-12	\$4,312,000	\$4,312,000	\$3,450,000	-\$862,000	\$88,089.41	\$53,161.75	\$3,436.50
2010-11	\$4,312,000	\$4,312,000	\$3,450,000	-\$862,000	\$84,663.10	\$51,387.73	\$3,328.99
2009	\$4,312,000	\$4,312,000	\$3,450,000	-\$862,000	\$95,438.00	\$48,800.26	\$3,130.00

* Town = General and Highway

TOTALS \$14,064.33

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: Majewski/Fitzgerald

7.1-1 Authorization for a **Budget Transfer of \$800** from A5132.4080 to A5132.2100, as needed for the **Highway boiler replacement** which was budgeted for 2014 replacement under line A5132.2100 for \$11,000. The lowest quote received was for \$11,800.

7.1-2 Authorization to advertise and sell the following Water Department inventory with **Auction International** as follows:

- 1- 1995 Sewer inspection camera, serial number 3543
- 3 - Truck mounted light bars

7.1-3 Authorization to discard the bids opened on January 13, 2014 for **Uniforms for Operating Engineers** and for the **Town Attorney to advertise on February 19, 2014** with bids to be opened on **March 11, 2014 at 2:00 PM.**

7.2 FINANCE: Majewski/Messina

7.2-1 Receive and File:

- **Warrant Reports** – 2014 04, 04A 04E, 04L, 4AL, 05, 5VP, 05A, 05T, 05E, 05R, 05M, 06, 06A, 06E, 06W

**REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
FEBRUARY 12, 2014**

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

- **Town Clerk Monthly Report** – January 2014 – Local Share Remitted: \$4,843.95

7.2-2 Authorization for the **Supervisor to sign an agreement** with Broome County for the **STOP DWI Task Force Overtime Program**. Said agreement shall be modified to provide for a substitution of the sum of **\$13,000.00** for the previous sum of \$13,500. Said agreement shall be modified to provide for a substitution of the term 1/1/14 – 12/31/14, for the previous term.

7.2-3 Authorization for the Business Office to **remit \$1757.50 for billable hours** for the month of January 2014 to **Town Attorney David Berger**.

7.3 **PERSONNEL: Fitzgerald/Majewski**

7.3-1 Authorization approving additional vacation to be carried over for the following employees:

Richard Buckingham	20.5 Hours
Scott Groats	4.5 Hours
Bill Peltz	4.5 Hours
Robert Flint	31.5 Hours
Dan Williams	9.25 Hours

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

7.4-1 Authorization for the **Kopernik Observatory and Science Center**, a non-profit educational organization, to hold a **Dicky's Barbeque Pit** fundraiser on March 15, 2014. The food wagon will be located at the Vestal Library from 10:00 am - 7:00 pm and a representative from KOSC will be on site at all times. An **Indemnification Agreement** is to be signed.

7.5 **PUBLIC SAFETY: Majewski/Messina**

7.5-1 **Retro-approval** from the Board of Fire Commissioners to hold a **Defensive Driving Course** that was held on Saturday, January 25th from 9am to 4pm at Vestal Station #1.

The cost of the course is \$25 for Department and Auxiliary Members which will come out of F3410 4030. For family and non-Fire Department Members the cost is \$30.00.

7.5-2 Authorization from the Board of Fire Commissioners for the Vestal Fire Department to offer **Defensive Driving Courses** at one of the four Fire Stations throughout 2014 at the cost of \$25 for Department and Auxiliary Members, and Town Employees and for family and non-Fire Department

**REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
FEBRUARY 12, 2014**

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

personnel at a cost is \$30.00. All costs associated with this course will come from F3410 4030 for Fire Department and Auxiliary personnel.

7.5-3 Approval from the Board of Fire Commissioners authorizing the acceptance of the following **lease for the Fred Singer Training Site** for a period of 2 years at the amount of \$600 per year:

Susquehanna County Fireman's Association

7.5-4 Authorization by the Board of Fire Commissioners granting *retro-approval* for the Vestal Fire Department to **send Engine 32-3 to Little Meadows** on January 31st, 2014 to stand by their station while the Little Meadows Fire Department honored their Chief, Chip Barnum. The Detail ran from 2:30 pm to 8:30 pm.

7.5-5 Authorization by the Board of Fire Commissioners to accept Frederick Ostrander as a member of Station 4.

7.6 **ADMINISTRATION: Fitzgerald/Messina**

7.6-1 Authorization granting Employee Approvals to the **Recreation Department** for the following employees. All employee pay rates are budgeted items in the 2014 budget and the background checks have been completed.

A7310.1027 Labor - Vestal Youth Basketball Organization League

Rob Carr - Apalachin as VYBO Director at \$1,250.00 salary

Troy Aikey - Vestal as VYBO Referee at \$8.00/hr.

Peyton Alig - Vestal as VYBO Referee at \$8.00/hr.

Joe D'Esti - Vestal as VYBO Referee at \$8.00/hr.

Kevin Franz - Vestal as VYBO Referee at \$8.00/hr.

Ben Kerns - Apalachin as VYBO Referee at \$8.00/hr.

Mike Kosty - Vestal as VYBO Referee at \$8.00/hr.

Josh Lewis - Apalachin as VYBO Referee at \$8.00/hr.

Elijah Mushalla - Vestal as VYBO Referee at \$8.00/hr.

Jake Nelson - Vestal as VYBO Referee at \$8.00/hr.

Andrew O'Hara - Vestal as VYBO Referee at \$8.00/hr.

Nick Rinde - Vestal as VYBO Referee at \$8.00/hr.

Jake Spellane - Vestal as VYBO Referee at \$8.00/hr.

Nick Wegmann - Apalachin as VYBO Referee at \$8.00/hr.

7.7 **RECEIVE AND FILE:**

- Building Department Year End Report for 2013
- Empire State Development – Public Hearing Notice February 11, 2014 Regarding Flood Mitigation Capital Project

**REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
FEBRUARY 12, 2014**

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

- Fire Advisory Board Meeting Minutes – December 2, 2013
- Notice of Appeal from UHS re: Decision and Order of the Broome County Supreme Court dated December 17, 2013.
- 2013 Annual Report – Margaret Hadsell Town of Vestal Historian

END OF CONSENT AGENDA

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

9. **PETITIONS & PROTESTS:**

10. **ADDITIONAL PUBLIC COMMENTS:**

11. **SUPERVISOR’S ANNOUNCEMENTS:**

- The U.S. Senate passed the [Home Flood Insurance Affordability Act](#), S. 1926, to [Delay Flood Insurance Premium](#) increases for National Flood Insurance Program (NFIP) policyholders that are scheduled to take effect this year. The bill would delay the increases for about four years.
- **Winter Parking Hours** – December 1st - March 31st. No parking on Town and County streets and highways between the hours of 2:00 AM and 6:00 AM.
- The Town has an ordinance requiring property owners to [remove snow and ice from sidewalks adjacent to their properties](#). Compliance continues to be a problem in some areas of the Town. If this problem persists, the Town will issue appearance tickets for these violations.

12. **OTHER NEW BUSINESS:**

13. **OLD BUSINESS:**

14. **ADJOURNMENT:**