

**REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
APRIL 23, 2014**

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

1. **PLEDGE OF ALLEGIANCE:**

PRESENTATION TO BOY SCOUT TROOP 225

2. **APPROVAL OF MINUTES:**

2.1 Motion approving the April 9, 2014 **Minutes of the Regular Meeting of the Town Board.**

3. **BID OPENINGS:**

3.1 Sealed proposals requested for **Highway Materials** were received by the Town Clerk at his office until 2:00 pm on April 11th, 2014 at which time the sealed proposals thus received were publicly opened and read. The results were then forwarded to the Highway Superintendent for review and recommendation.

3.2 Proposals requested for a **Wireless PTP Upgrade** project were received by the Town Clerk in his office on **April 21, 2014** and the sealed single proposal thus received was publicly opened and read at 2:00 PM. The results as follows were then forwarded to the Information Director for review and recommendation:

Plexicomm, LLC, Binghamton, NY - \$76,898.80 (Includes 10% Contingency)

4. **PUBLIC HEARINGS:**

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

6. **RESOLUTIONS & MOTIONS:**

The Public Hearing regarding proposed **Local Law “B” of the Year 2014** entitled: *A Local Law Amending Vestal Code to Permit Electronic Gateway Signs in the Town of Vestal* was held on April 9th, 2014: [SEQR - Local Law B of 2014](#)

6.1 Motion approving a **Negative Declaration of SEQR** concerning proposed **Local Law “B” of the Year 2014 - A Local Law Amending Chapter 5, Article V, Section 5-111 through Section 5-114, Adding Section 5-115 through Section 5-136 (Sign Ordinance - Amending the Town of Vestal Code to permit Electronic Gateway Signs)**

The Town Board of the Town of Vestal hereby finds and determines that:

- (a) it has considered the action, reviewed the environmental assessment form, reviewed the criteria set forth in 6 NYCRR section 617.7(c), thoroughly analyzed the relevant areas of potential environmental concern, and has duly considered all of the potential environmental impacts and their magnitude in connection with the proposed project
- (b) This project will not result in any large and important environmental impacts, and, therefore, is one, which will not have a significant impact on the environment, and, therefore, a negative declaration is hereby adopted.

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6.2 Motion to adopt **Local Law “B” of the Year 2014** entitled: *A Local Law Amending Vestal Code to Permit Electronic Gateway Signs in the Town of Vestal:*

Chapter 5, Article V, Division 1, Section 5-111 is amended to include the following definition:

Gateway sign means a monument ground sign constructed of natural masonry or stone, located on non-public owned property for use in presenting public announcements, emergency and local government messages and limited controlled advertisement, in a format approved by the Town of Vestal.

Chapter 5, Article V, Division 4, Section 5-127.2 is amended to include the following:

Gateway Signs

(a) Gateway signs shall be approved by special permit from the Town Board.

(1) The Town Board may request counsel and recommendations from the Town Planning Board, the Town Zoning Board of Appeals or other Town Departments

(b) Gateway signs shall be installed in locations along major thoroughfares in the Town of Vestal as approved by the Town Board. Not more than four (4) gateway signs shall be permitted within the boundaries of the town.

(c) Gateway signs shall adhere to all prescribed rules as noted on the gateway sign permit application, which may be amended from time to time as conditions warrant, and which shall be considered part of this local law for enforcement purposes.

(d) The maximum height of any gateway sign structure shall not exceed ten (10) feet above adjacent grade.

(1) The Town Board may approve other heights as deemed necessary.

(e) Any electrically activated changeable sign, incorporated into the design of a gateway sign, shall not have a display area greater than eight (8) feet by twelve (12) feet.

(f) The architectural design of the sign shall include the message, “Welcome to the Town of Vestal” or similar greeting as approved by the Town Board.

(g) Gateway signs only, may contain messages which include announcements for events, products, professions, businesses and etc. that are not located on the property on which the sign is located.

(h) Gateway signs shall be properly maintained or removed as directed by the Town in addition to other portions of this article.

6.3 Motion authorizing the **Highway Department to award the bids for Highway Materials** as follows.

- **Transit Mix Concrete:** Barney & Dickenson Inc. and C & C Ready Mix with the understanding that we buy from the lowest bidder when possible.
- **Bank Run Gravel, Type #4 Gravel – NYSDOT approved, Coarse & Fine Aggregates & Road Sanding Materials, Crusher Run Sub-base Type #2 (Item#304)**
- **Light and Medium Stone Fill:** F.S. Lopke, Inc. – Single bidder
- **Bituminous Concrete – Hot Mix Asphalt:** Broome Bituminous and Barrett Paving with the understanding that we buy from the lowest bidder when possible.
- **Plow Blades, Grader Cutting Edges and Tire Chain Material:** Chemung Supply – Single bidder

6.4 Motion to direct the Town Attorney to draw the appropriate paperwork **awarding** the bid for the Wireless PTP Upgrade project to single bidder **Plexicomm, LLC** for a total of \$76,898.80 (which includes a 10% contingency of \$6,990.80).

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6.5 Motion to reduce the **2014 contribution to the LOSAP** contribution from the budgeted amount of \$88,000 to \$21,382.01 for 2014 and to transfer to the Fire District Capital Reserve Fund the difference between the 2014 amount budgeted and the actual contribution.

7. CONSENT AGENDA

7.1 PUBLIC WORKS: Majewski/Fitzgerald

7.1-1 Authorization for the Business Office to reduce the sewer bill for **33 Hawthorne Street** in the amount of **\$795.00**, reflecting the 50,000 gallon charge incurred due to a burst pipe inside the house. The water did not go into the town sanitary sewer system.

7.1-2 Authorization for the Town Supervisor to sign the proposal with **HAAS Landscape Architects** regarding the *Two Rivers Greenway Signage Project PIN 9753.89*. There are total of 9 municipalities involved with Haas helping each municipality develop the graphics/art work they wish to have included on their signs at a cost not to exceed \$14,950. The cost will be divided between each municipality and their 20% share will be figured as a function of the number of signs being installed within their jurisdiction.

7.2 FINANCE: Majewski/Messina

7.2-1 Receive and File: Warrant Reports – 2014 – 15, 15E, 16, 16-E, 16-L

7.2-2 Authorization for the Business Office to remit payment to **David Berger, Town Attorney for billable hours** for the month of March 2014 in the amount of **\$862.50**.

7.2-3 Authorization for the Business Office to remit payment to **Counsel Press LLC**, voucher #0009048220, in the amount of **\$390.41** with regard to the appeal (reply brief) performed in the case of **United Health Services vs. The Town of Vestal** and dated April 3, 2014.

7.2-4 Authorization for Pam Fitzgerald, Deputy Comptroller to **close the completed Capital Projects** as noted below and transfer unexpended fund balances to the respective debt service fund.

Capital Projects to Close @4/15/2014

Project Name - General Fund	Org./Object	Unexpended Funds	Fund to Receive Unexpended \$	Total Reserves by Fund
2013 Police Vehicles	H0113.23100	\$ 3,861 .65	General Fund, Reserves	
2013 Computer Upgrades	H0313.21600	\$ 253.41	General Fund, Reserves	
			Total to General Fund	\$ 4,115.06
Project Name -Hghwv Fund	Org./Object	Unexpended Funds	Reserve Fund to Receive Unexpended \$	Total Reserves by Fund
2012 Road Improvement	H0212.25100	\$ 3,696.80	Highway, Reserves	
2011 Main St. Bridge - Painted	H0711.25100	\$ 154.00	Highway, Reserves	

Note: Final invoice submitted for reimb. after we closed initially.

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2010 Storm Drainage	H0810.25100	\$26,162.71	Highway, Reserves
2012 Large Equipment (Dump Trucks)	H0412.25100	\$13,610.60	Highway, Reserves
2013 Hwy. Large Equipment	H0513.25100	\$ 4,829.78	
			Total to Highway Fund, Res. \$48,453.89

Project Name – Special Districts Fund	Org./Object	Unexpended Funds	Reserve Fund to Receive Unexpended \$	Total Reserves by Fund
CS1 P20 Video/ Repair Sewer Trunk Lines	H2706.28100	\$24,980.64	Sewer, Reserves Total to Sewer, Res.	\$24,980.64

7.3 PERSONNEL: Fitzgerald/Majewski

7.4 PLANNING & ZONING: Messina/Fitzgerald

7.5 PUBLIC SAFETY: Majewski/Messina

7.5-1 Approval to accept **Nicholas Sladky** as a new junior member to the Vestal Fire Department at Station 4 and **Adam Hofmann** as a new junior member the Vestal Fire Department to Station 3.

7.6 ADMINISTRATION: Fitzgerald/Messina

7.6-1 Authorization to approve the following people to provide maintenance for the abandoned cemeteries in the Town of Vestal for the year 2014, and for the Town Attorney to draw the contracts:

Scott Coleman

367 Crumm Road
Vestal, NY 13850



Rounds Cemetery	\$ 325.00
Crumm Rd. Cemetery	\$ 425.00
Vestal Rd. Cemetery	\$ 325.00
	\$1,075.00

Chuck Lane

400 Elmhaven Drive
Vestal, NY 13850

Jensen Rd. Cemetery	\$ 475.00
Vestal Center Cemetery	\$1,100.00
	\$1,575.00

The maintenance of abandoned cemeteries is a statutory obligation of the Town and this is a budgeted item under line A8810-4060.

7.7 RECEIVE AND FILE:

- Red Lobster Hospitality, LLC – Notice of Liquor License Application
- Vestal Fire District Service Award Program Actuarial Certification – December 31, 2013 Valuation – Tony Fiorillo, Senior LOSAP Specialist and Actuary for Penflex, Inc.
- Notification of Local Law Amending Village of Johnson City Code
- Fire Advisory Board Minutes of March 17, 2 014

END OF CONSENT AGENDA

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8. COMMITTEE CHAIR COMMENTS AND UPDATES:

9. PETITIONS & PROTESTS:

10. ADDITIONAL PUBLIC COMMENTS:

11. SUPERVISOR'S ANNOUNCEMENTS:

- The New York State Department of Environmental Conservation has issued an **Open Burning Ban** from March 16, 2014 to May 15, 2014. Burn permits will not be issued during this time.
- The Vestal Museum is having a speaker on Archaeology, April 29, 5:30-6:30 PM at the Vestal Library. Public is welcome. Free admission. Programs supported by NYSCA-Dec, Chenango Arts Council.
- The Vestal Museum is offering a **Native American** craft for children during Vestal Library's Family Day, May 3, 11 am-12 noon. There will be hands-on projects to learn about coiled pottery and cordage. Children must have an adult with them. Public welcome. Free admission. Presented collaboratively by the Vestal Museum and the Vestal Library Youth Services.
- Vestal Museum's exhibit, "Archaeology in Vestal" is open Wed – Fri 10 am to 5 pm, and Saturday, 10 am to 3 pm. Admission is free.
- The Town Board Work Sessions on June 2nd and August 4th, 2014 have been cancelled.
- Fire fighter Recruitment Day – Saturday 26, 2014. All Fire stations will be open Noon to 3:00 PM.

12. OTHER NEW BUSINESS:

13. OLD BUSINESS:

14. ADJOURNMENT: