

**REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
JUNE 10, 2015**

We kindly request that you turn off or mute all cell phones.

1. PLEDGE OF ALLEGIANCE:

2. APPROVAL OF MINUTES:

2.1 Motion approving the **May 20, 2015** Minutes of the Regular Meeting of the Town Board.

3. BID OPENINGS:

3.1 The sealed proposals for the **Sanitary Sewer Line Replacement for Hazel Drive, Harvard Street and Keenan Drive** were received by the Town Clerk and then opened at 2:00 PM on June 4, 2015:

Vacri Construction

1 Brick Avenue	\$106,700	\$133,100	\$71,500 OPT #1
Binghamton, New York 13901	\$104,500	\$128,760	\$48,400 OPT #2

Procon

100 Vestal Road	\$ 87,120	\$ 99,000	\$42,350 OPT #1
PO Box 1037, Vestal, NY	\$108,020	\$129,140	\$68,706 OPT #2

4. PUBLIC HEARINGS:

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

6. RESOLUTIONS & MOTIONS:

6.1 Motion to approve the route and the operation and safety plan for the **Greater Binghamton Marathon** to be held on September 20, 2015, from 7:30 AM to 2:30 PM, as submitted to the Town by Race Director William Safarik of the Runners Club of America. The race organizers are required to notify the Police Department and Emergency Services of their plans and to cooperate accordingly in addressing all public safety issues. The Town of Vestal is to be added as an additional insured party on the Certificate of Liability Insurance.

6.2 Motion authorizing the Supervisor to sign an agreement with **Plexicomm LLC** of Binghamton, NY to install a new fiber optic internet line at a cost of \$1,000 and to use the existing wireless connection as a backup, with the cost of maintaining the total service at \$530 per month.

6.3 Motion to authorize the Town Attorney to draw the appropriate paperwork awarding the **Sanitary Sewer Line Replacement for Hazel Drive, Harvard, Street and Keenan Drive** to the low bidder of Option #2, **Vacri Construction**, 1 Brick Avenue, Binghamton, N.Y. Budget line item S8120-4323.

Harvard Street	\$104,500.00
Keenan Drive	\$128,760.00

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
June 10, 2015

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Hazel Drive		\$ 48,400.00
	Total	\$281,660.00

6.4 Motion to authorize the Highway Department to draw the appropriate paperwork awarding the bids for **Highway Materials** opened on May 11, 2015 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** – Single bidder
- Plow Blades, Grader Cutting Edges and Tire Chain Material: Lowest bidder when possible:
 - **Chemung Supply** PO Box 527, Elmira, New York 14902
 - **Northern Supply** 2959 Ashman Road, PO Box 69, Bloomfield, NY 14469
 - **Bradco Supply Company** 80 Mills Road, Towanda, PA 18848

The bid results are available for review in the Town Clerk’s Office.

6.5 Motion to adopt the following resolution in support **Tioga Downs** being awarded the Eastern Southern Tier Region Gaming License:

WHEREAS: In November 2013, New York State voters approved a constitutional amendment to allow casino gaming in New York State; and

WHEREAS: Tioga Downs has already proven to be a valued community partner by way of job creation, capital investment and revenue generated; and

WHEREAS: Tioga Downs owner has also shown experience in the gaming industry, not only at the existing facility in Tioga County but also in other facilities across the state; and

WHEREAS: in anticipation of the passing of the Upstate New York Gaming and Economic Development Act, Tioga Downs has made substantial improvements to their already existing facility located in Tioga County; and

WHEREAS: the Town of Vestal previously endorsed the prospect of Tioga Downs being awarded the Eastern Southern Tier Region Gaming License; and

WHEREAS: the Town of Vestal wishes to reiterate its support and commitment to Tioga Downs being awarded the Eastern Southern Tier Region Gaming License; and

WHEREAS: an expanded Tioga Downs facility will serve as a benefit to the Town of Vestal and the Southern Tier; now therefore be it

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
June 10, 2015

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RESOLVED: That the Town of Vestal, New York pass this resolution in support of Tioga Downs being awarded the Eastern Southern Tier Region Gaming License.

6.6 Motion for Police Chief John Butler to fill a vacancy by hiring **Colby L. Taber**, as a Police Officer, effective June 15, 2015. Per the collective bargaining agreement his rate of pay will be \$53,698.

6.7 Motion authorizing the Highway Department to purchase a **Wacker BS 50-4AS Jumping Jack Tamp** from Admar Supply in Vestal at a cost of **\$2,250** (service and parts are available locally). The Business Office is authorized to execute a transfer of \$2,250 from budget line D5130.2201 (military) to budget line D5130.2200 (machine equipment).

6.8 Motion to grant **General Municipal Law 207-c** benefits to:

- **Police Officer Craig Angeline** as set forth in the union contract, effective retroactive to the date of his injury on 5-24-15.
- **Police Officer Shane Rollison** as set forth in the union contract, effective retroactive to the date of his injury on 3-8-14.

6.9 Motion to adopt the following Resolution:

RESOLVED, that the Town Board of the Town of Vestal, pursuant to the provisions of Section 64 of the Town Law, hereby authorizes the sale of the property described as a portion of the lands known as African Road Park annexed hereto to Vestal Veterinarian for the price of \$5,000.00.

BE IT FURTHER RESOLVED that this Resolution is subject to a **Permissive Referendum**, notice of which shall be posted and published in accordance with Section 90 of the Town Law.

This proposed activity has been identified as a Type II action and therefore is not subject to review under SEQRA.

6.10 Motion to adopt the following Resolution:

Home Rule Message Requesting the State of New York to Authorize the Town of Vestal to discontinue use of Certain Land and sell such property to Vestal Veterinary Hospital (Senate Bill S. 5864 and Assembly Bill A 8126)

Whereas the Town of Vestal acquired 4.01 acre parcel of land from Roger and Janet Mead on November 2, 1966 and

Whereas Vestal Veterinary Hospital would like to purchase a portion of land from the Town and

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD

June 10, 2015

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Whereas the Town of Vestal must obtain State Authorization to sell a parcel which has been dedicated for park purposes, now therefore be it

Resolved that this Town Board hereby requests the State of New York to enact Senate Bill 5864 and Assembly Bill 8126 to authorize the Town of Vestal to discontinue the use of certain Town Lands used as park land and to sell and convey such lands to Vestal Veterinary Hospital and be it further

Resolved the Clerk of the Town is hereby directed to forward copies of this resolution to Gov. Andrew Cuomo; to the Majority Leader of the New York State Senate John Flanagan, to the Speaker of the New York State Assembly Carl Heastie, to the Minority Leaders of the Senate and Assembly and to each member of the Southern Tier delegation to the New York State Legislature.

7. CONSENT AGENDA

7.1 PUBLIC WORKS: Majewski/Fitzgerald

7.1-1 Authorization for the Engineering Department to place the (M-1 Maintenance) 2001 Dodge pickup - VIN # 3B6KC26Z31M545775 (Mileage 130,713) up for auction. This vehicle was replaced with a 2015 Ford Pickup.

7.1-2 Approval for the Town Attorney to prepare the Local Law for the **Town of Vestal Fats, Oil and Grease (FOG) Control Program** and to advertise on June 24 for a Public Hearing on July 8th, 2015.

7.2 FINANCE: Agneshwar/Messina

7.2-1 Receive and File:

- **Warrant Reports:** 2015-21, 2015-21E, 2015-21L, 2015-22, 2015-22E, 2015-23, 2015-23E
- **Town Clerk Monthly Report:** May 2015 – Total Local Shares Remitted: \$5,986.56
- **Comptroller's Monthly Reports:** January – May 2015

7.2-2 Authorization for the Deputy Comptroller to **close the completed Capital Projects** per the memo dated May 26, 2015 and to transfer the fund balances to the respective debt service fund to be used towards reducing the Town's outstanding debt service obligations or future reliance on debt.

7.2-3 Approval for the Business Office to submit payment in the amount of **\$412.50 Town Attorney David Berger** for May 2015 billable hours.

7.2-4 Approval for the Business Office to submit payment in the amount of **\$6,025.11 to Greene, Hershendorfer & Sharpe** for legal services for the period March 10, 2015 to May 14, 2015 regarding the Hicks vs. Town of Vestal litigation.

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
June 10, 2015

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7.3 PERSONNEL: Fitzgerald/Majewski

7.3-1 Authorization to appoint **Robert Flint** to the vacant position of *Water Meter Reader & Repair Person*, effective June 15, 2015, at the Operating Engineer rate of \$22.55 per hour. The vacant position was posted as required by Collective Bargaining Agreement. The funding for this position is from line W8340-1000.

7.3-2 Authorization for Museum Director, Ramona Kacyvenski to fill a vacancy by hiring **Alexis Hopersberger** as a Clerk Part-Time to work an average of 8 hours per week in the Museum effective June 25, 2015 at a rate of \$8.75 per hour. This position is non-union.

7.3-3 Authorization for the Director of Human Resources, Nancy Olmstead to attend the **New York State Public Employer Labor Relations Association Annual Training Conference** July 21, 2015 through July 24, 2015 in Saratoga Springs, New York. Anticipated costs are as follows: Registration \$275; Hotel \$179/night; Meals \$135; Mileage \$194.35. Authorization for a budget transfer from budget line A1420 4030 to budget line A1430 4030 to cover conference costs.

7.4 PLANNING & ZONING: Messina/Fitzgerald

7.4-1 Authorization approving the closing of Kimble Road to thru traffic allowing the residents to hold the **3rd Annual John Palmiter Memorial Block Party** on June 26, 2015 from 5 pm to 9 pm. The road will still be accessible to emergency vehicles. Police, Fire, and Emergency to be notified.

7.5 PUBLIC SAFETY: Majewski/Agneshwar

7.6 ADMINISTRATION: Messina/Agneshwar

7.6-1 Authorization for the Town Supervisor John Schaffer to sign the **School Resource Officer Agreement (SRO)** for the period September 2015 thru June 2016.

7.7 RECEIVE AND FILE:

- **Vestal Fire Advisory Board Meeting Minutes** – April 20, 2015.
- Letter from **HH&K** dated May 21, 2015 regarding **UHSH** demolition on and building permits at 4433 Vestal Parkway East, BCTMP # 159.10-1-17.1
- **Vestal Conservation Advisory Commission Minutes** of April 16, 2015.
- **Communication from Pat Roberts** dated June 9, 2015 concerning the Town Board's discussion on adopting a Road Use Agreement.

END OF CONSENT AGENDA

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD

June 10, 2015

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

9. **PETITIONS & PROTESTS:**

10. **SUPERVISOR'S ANNOUNCEMENTS:**

- We are receiving an increasing number of complaints about dog feces on the new Rail Trail Extension. We remind all dog owners of their legal responsibility to clean up after their pets. If the problem persists, the Board will have no choice but to consider banning dogs from the Rail Trail.

11. **OTHER NEW BUSINESS:**

12. **OLD BUSINESS:**

13. **ADDITIONAL PUBLIC COMMENTS:**

14. **ADJOURNMENT:**

