

**REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD  
JANUARY 8, 2014**

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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 December 18, 2013 Regular Meeting of the Town Board.**

**3. BID OPENINGS:**

**4. PUBLIC HEARINGS:**

**Local Law A of the Year 2014 Amending Sewer Rents**

**Section 1.** Chapter 18, Article V of the Code of the Town of Vestal is hereby amended to provide as follows:

(a) Sec. 18-201 Definitions is amended by modifying the term “Sewer Rents” to read as follows: “Means a scale of charges established and imposed by the sewer district pursuant to this article for the use by a property of a sewer system or any part or parts thereof including charges to cover the cost of operation, maintenance, replacement and capital costs, bond and interest redemption and other authorized expenditures.”

(b) Sec.18-202(b) (1) Imposition and Computation is amended by deleting “...four dollars and eighty eight cents (\$4.88)...” and inserting in its place “five dollars and thirty cents (\$5.30)” and further amended by deleting “...forty nine dollars and zero cents (\$49.00)...” and inserting in its place “fifty three dollars (\$53.00)”.

(c) Sec. 18-202 is further amended by adding a new provision as follows: “(b)(4) The quarterly capital cost charge for each property within the sewer district is \$5.00 per account. Said monies collected shall be deposited in the Reserve Fund established for these purposes and no expenditure shall be made from this fund except pursuant to Section 6-C of the General Municipal Law or by resolution of the Town Board as applicable.

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

**6. RESOLUTIONS & MOTIONS:**

**6.1** Motion to adopt the **2014 Town of Vestal Organizational Appointments and Authorizations** as follows:

**A.** Town Board Committees:

PUBLIC WORKS: (Utility, Highway, Water, Parks, FITZGERALD /Messina  
Building Maintenance)

FINANCE: MESSINA/Majewski

PERSONNEL: FITZGERALD/Majewski

PLANNING & ZONING: (Code Department, MESSINA/Fitzgerald  
Planning and Zoning, Engineering)

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PUBLIC SAFETY: (Fire, Police, Emergency Services, Courts) MAJEWSKI/ Messina

ADMINISTRATION: (Assessment, Tax Collector Clerk, Library, IT, Recreation, Historian, Museum) MAJEWSKI/Messina

**B.** Appointment of Town Attorney: David Berger (a two year appointment from January 1, 2014 – December 31, 2015)

**C.** Appointment of Comptroller/Director of Finance: Laura McKane (a two year appointment from January 1, 2014 – December 31, 2015)

**D.** Appointment of Town Engineer: Gary Campo (a two year appointment from January 1, 2014 – December 31, 2015)

**E.** Town Board Meeting Schedule

<b>2014 WORK SESSIONS</b>	<b>2014 BOARD MEETINGS</b>
Monday before the 1 <sup>st</sup> , 2 <sup>nd</sup> & 4 <sup>th</sup> Wednesdays of the month at <b>6:00 p.m.</b> unless otherwise indicated	2 <sup>nd</sup> & 4 <sup>th</sup> Wednesdays of the month at <b>6:00 p.m.</b> unless otherwise indicated
1/6/14	1/8/14
1/20/14 <a href="#">MLK Holiday TOV open</a>	1/22/14
2/10/14	2/12/14
2/24/14	2/26/14
3/3/14	
3/10/14	3/12/14
3/24/14	3/26/14
4/7/14	4/9/14
4/21/14	4/23/14
5/5/14	5/7/14
5/19/14	5/21/14
6/2/14	
6/9/14	6/11/14
6/23/14	6/25/14
7/7/14	7/9/14
7/21/14	7/23/14
8/4/14	
8/11/14	8/13/14
8/25/14	8/27/14
9/8/14 <a href="#">no 1<sup>st</sup> Mon due to Labor Day</a>	9/10/14
9/22/14	9/24/14 <b>ADOPT FIRE DEPT PROPOSED BUDGET</b>
	<b>***NO LATER THAN 9/30/14 TENTATIVE BUDGET FILED WITH TOWN CLERK***</b>
<b>***TOWN CLERK PRESENT TENTATIVE BUDGET TO BOARD ON OR BEFORE 10/5/14***</b>	

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10/6/14	10/8/14
10/20/14	
****10/21/14 FIRE DEPT PUBLIC HEARING****	10/22/14 ADOPT FIRE DEPT BUDGET
****PUBLISH NOTICE OF PUBLIC HEARING ON TOWN BUDGET AT LEAST BY 10/29/14	
11/3/14	11/5/14 TOWN BUDGET PUBLIC HEARING
11/17/14	11/19/14 ADOPT TOWN BUDGET
12/1/14	
12/8/14	12/10/14
12/15/14 3 <sup>rd</sup> week due to Christmas	12/17/14 3 <sup>rd</sup> week due to Christmas

**F.** Establish salary and wage rates for town employees as stated in the 2014 salary schedule on file in the Town Clerk’s office.

**G.** Approval of the form, manner and sufficiency of the Employee Surety Bond.

**H.** \$100 for clothing and boot allowance for:  
 Water Superintendent – Scott Groats  
 Parks Superintendent – Jim Bukowski  
 Highway Superintendent – Brock Leonard  
 Deputy Highway Superintendent – Rocco Turdo  
 Town Engineer – Gary Campo  
 Deputy Water Superintendent – Bill Peltz  
 Code Officer – Mark Dedrick

**I.** Attendance to budgeted association meetings as follows:

*Monthly:*

Broome County Association of Municipal Court Clerks  
 Broome County Association of Towns and Villages  
 Broome County Municipal Clerks Association  
 Association of Assessors

*Quarterly:*

Broome County Association of Receivers and Tax Collector’s  
 Building Officials  
 NYS GFOA Board of Governors

*Annual:*

NYS GFOA Annual Conference  
 PERMA Conference  
 NYS Town Clerks Association Annual Conference

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*Other Training:*

NYS GFOA meetings and seminars

*Education Seminars for Building and Code*

Winter/Spring STBOA One Day Seminar

Northern Adirondack BOA

Finger Lakes BOA 4 days

Summer STBOA One Day Seminar

NY Firefighters Association

Fall ICC Conference

STBOA One Day Seminar

Fire Inspectors Seminar

Spring or Fall NYS Fire Academy Sprinkler Workshop

**J.** Under Section 77-b of General Municipal Law the board delegates department heads to authorize training within the limits of the department budget

**K.** Adopt **Procurement Policy** and list of authorized purchasers as amended 1/7/2014.

**L.** Adopt **Scrap Metal Policy** as amended 1/7/2014.

**M.** Mileage Reimbursement for the use of a personal vehicle on Town Business will be based on the Federal Government guidelines

**N.** Designate Depositories for Town Funds:

M & T	\$12,000,000	J. P. Morgan Chase	\$20,000,000
Tioga State Bank	\$12,000,000	First Niagara	\$ 2,000,000

**O.** Designate the Delegate for Association of Town Meeting as John Schaffer with the alternative being Fran Majewski

**P.** Designate the official Town newspaper as the *Vestal Town Crier*

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**6.2** Motion approving the following **Negative Declaration of SEQR:** (Public Hearing was held on October, 23, 2013.)

Concerning proposed a **Local Law “F” of the Year 2013 Entitled:** A Local Law to change the zoning map of the Town of Vestal regarding 4696 Vestal Parkway East within the University Plaza, BCTMP #159.2-21.1 from Community Business (C-2) to Planned Development District (PDD) (Metroplex Student Housing, Vestal Park, LLC). The Town Board of the Town of Vestal hereby finds and determines that:

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(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.

**6.3** Motion to **adopt proposed Local Law “F” of the Year 2013 Entitled: A Local Law to change the zoning map of the Town of Vestal regarding 4696 Vestal Parkway East within the University Plaza, BCTMP #159.2-21.1 from Community Business (C-2) to Planned Development District (PDD) (Metroplex Student Housing, Vestal Park, LLC).**

**7. CONSENT AGENDA**

**7.1 PUBLIC WORKS: Fitzgerald/Messina**

**7.1-1** Authorization for the Town Engineer to sign the necessary paperwork to enter into an agreement with **Troy & Banks Consultants**, Buffalo, NY, to perform a utility accounts audit. They will receive no payment unless they find billing errors.

**Electric and Gas** – will go back 6 years and receive 40 % of the monies relating to billing mistakes they find (this will include street lighting)

**Telephone** – they will go back 6 months with payment of 20% of future saving for the next 18 months(6 months is all that is allowed by Public Service Commission)

**Cable** – they will review the cable franchise fees to determine if accurate franchise fees are submitted to the Town at a rate of 50%.

**7.1-2** Authorization for Highway Superintendent Brock Leonard to pay **out of class pay** for:

**Greg Burd**        \$348.00    240.00 hours (November 11 – December 31, 2013)

**Todd Ingersoll**    \$287.66    108.50 hours (November 22 – December 16, 2013)

**Donnie Younker** \$380.34    125.25 hours (November 24 – December 23, 2013)

**7.1-3** Authorization for the following highway employees to carry over amounts of **vacation over 40 hours into 2014:**

Greg Burd    21.25 hours over 40    Richard Cady    10.50 hours over 40

Louise Smith    9.75 hours over 40    Rocco Turdo    7.75 hours over 40

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**7.1-4** Request from Town Engineer Gary Campo to accept a donation in the amount **\$1,250.00 for the purchase and installation of a park bench on Section 2 of the Trail**. This cost covers to purchase of the bench, install a concrete pad, plus Park's Department labor and equipment for the new bench.

**7.2** **FINANCE: Messina/Majewski**

**7.2-1** **Receive and File:**

- **Warrant Reports** – 2014 - 2013-50, 50E, 51, 51E, 51L, 51M, 52, 52E, 2014-01
- **Town Clerk Annual Report 2013**
- **Town Clerk Monthly Report - December, 2013** – Total Local Share Remitted \$5,207.29

**7.2-2** Authorization for the Deputy Comptroller Pam Fitzgerald to perform **Budget Transfers**, as attached to her memo dated 12/30/13 for the effective dates 8/9/13 thru 12/30/2013. These transfers were needed to cover 2013 budget deficits for a variety of reasons.

**7.3** **PERSONNEL: Fitzgerald/Majewski**

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

**7.4-1** Authorization for the Town Attorney to advertise on January 29, 2014, for a Public Hearing on February 12, 2014 regarding a request for a Vehicle Service Station **Special Permit** to reoccupy the old Hess gas station/convenience store at 3151 Vestal Parkway East, BCTMP# 158.11-1-19.

**7.5** **PUBLIC SAFETY: Majewski/Messina**

**7.5-1** Authorization from the Board of Fire Commissioners to move **\$12,225.11 of the Fire District Insurance reimbursement** to the Station #1 account (for losses during the 2011 flood); the amount of \$20,000 to be re-encumbered for use in 2014, with the remaining funds being put into the Fire District General Fund Balance. This will close out the flood insurance balance.

**7.5-2** Approval from the Board of Fire Commissioners to accept the results of the **Fire Chief elections** and to appoint **Christopher S. Lupold** as Deputy Fire Marshall. The established positions are as follows:

**Fire Chief:** Patrick McPherson (second year of his 2 year term)

**Fire Marshall:** Carle Truman                      **Deputy Fire Marshall:** Brian Mather

**Deputy Fire Marshall:** Christopher S. Lupold

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**Elected Station Chiefs for 2014**

**Station 1:** Douglas Rose

**Station 2:** William Stout

**Station 3:** David Harrington

**Station 4:** John Paffie

**7.6 ADMINISTRATION: Majewski/Messina**

**7.7 RECEIVE AND FILE:**

- Memo dated December 18, 2013 from Town Engineer Gary Campo regarding NYSDOT Repaving of SR 434.
- Notices dated December 16 and 17, 2014 – **Talisman Energy** regarding Notice of Intention to Commence Natural Gas Well Drilling Operations in the Choconut and Apolacon Townships.

**END OF CONSENT AGENDA**

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

**9. PETITIONS & PROTESTS:**

**10. ADDITIONAL PUBLIC COMMENTS:**

**11. SUPERVISOR'S ANNOUNCEMENTS:**

**Winter Parking Hours** – December 1st - March 31st – No Parking on Town roads between 2:00 AM and 6:00 AM.

**12. OTHER NEW BUSINESS:**

**13. OLD BUSINESS:**

**14. ADJOURNMENT:**