

**VESTAL TOWN BOARD REGULAR MEETING AGENDA
APRIL 10, 2013**

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 March 27, 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 authorize **Josh Lagerwall**, a Vestal resident and member of Boy Scout Troop 225 at Memorial Park Baptist Church, to **install storm drain markers** through Vestal neighborhoods under the direction of Gary Campo, Town Engineer, as an Eagle Scout project.

This project that will take place on May 11th and Arnold Park Shelter #3 has been reserved as a meeting place for volunteers to pick up their supplies -drills, rivets, drain markers, adhesive, fluorescent vests, and hammers. **The \$50 shelter usage fee is to be waived.**
 - 6.2 Motion to adopt the following Resolution authorizing the Comptroller to:

Close the 2008 Parks Improvements project (H0908.27100) and apply unexpended funds of approximately \$46,691 to the payment of the balance of outstanding note in the amount of \$70,000.

Close the 2004 Parks Improvements project (H0504.7100) and apply the unexpended funds of approximately \$49,945 to the remaining balance of the \$70,000 note related to the 2008 Parks Improvement Project and to cover any unfunded bills related to the Coal House project (currently about \$12,370). Any remaining funds would be reserved for the payment of debt.

Close 2007 Parks Improvements project (H0207.27100) and return to the general fund the \$50,000 it transferred to fund the project. Any funds remaining balance will be reserved for the payment of debt.
 - 6.3 Motion to direct the **Town Attorney draw a local law to amend Chapter 18** of the Town Code, amending the rules and regulation relating to the use of the Binghamton-Johnson City Joint Sewage Treatment Plant and to **advertise on April 24, 2013 for a public hearing on May 8th, 2013.**
 - 6.4 Motion to pay **Ruth Lewis, Grant Writer**, an additional **\$1012.46** for grant work performed and to authorize the Comptroller to transfer that amount from the contingency

VESTAL TOWN BOARD MEETING AGENDA
APRIL 10, 2013

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budget line.

6.5 Motion granting approval of the settlements of the following Article 7 Tax Certiorari cases filed in Broome County:

1) Property owned by **Buckeye Terminals LLC** located at 3301 Vestal Road, Tax map #158.07-2-14; 3113 Shippers Road, Tax Map #158.10-2-10; 3115 Shippers Road, Tax Map #158.06-1-23 and 3121 Shippers Road, Tax Map # 158.07-2-17 in accordance with the schedules on file in the Town Clerk's office.

2) Property owned by Miller Associates, LLC located at 412 Old Lane Road, Tax Map # 159.10-1-3 in accordance with the schedules on file in the Town Clerk's office.

3) Property owned by VPE 2100, located at 2100 Vestal Parkway E, Tax Map # 158.13-3-26.11 and property located at 2020 Vestal Parkway East, Tax Map # 158.13-3-26.2 in accordance with the schedules on file in the Town Clerk's office.

4) Property owned by Vestal Retail Center LLC, located at 221 Sycamore Road, Tax Map # 158.10-2-13 in accordance with the schedules on file in the Town Clerk's office.

The Town Attorney and Business office are authorized and directed to take all necessary steps to implement this resolution.

6.6 Motion to join the **Southern Tier Volunteer Center**, based at the United Way of Broome County, and declare *National Volunteer Week* in the Town of Vestal for the week April 20-27, 2013.

6.7 Motion to authorize the **Town Attorney to advertise for a public hearing** to consider the request for a **Special Permit** for **Hertz Car Rental**, 2520 Vestal Parkway East, BCTMP #158.14-1-9, allowing them to have 16 rental vehicles on the property.

6.8 Motion to reimburse the following Highway employees for **Out of Title** wages.

Out of class pay for **Matt Millard**, MEO/Lt as follows:

February 13 th to the 28 th -	Mechanic I	96 hours
	MEO/Medium	16 hours plus
Jan. 16 th to Feb. 19 th	overtime	33.5 hours

To be paid the difference between MEO/Light and Mechanic I for 96 hours and MEO/Light and MEO/Medium for 33.5 hours overtime and 16 hours regular time for a total of \$262.98.

Out of class pay for **Ben Peck**, MEO/Lt as follows:

Jan. 3 rd to March 13 th	Mechanic I	64 hours
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**VESTAL TOWN BOARD MEETING AGENDA
APRIL 10, 2013**

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He had previously worked the mandatory 30 days and should be paid the difference between MEO/Lt and Mechanic II rate for a Total of \$101.12.

Out of class pay for **Todd Ingersoll**, Mechanic I as follows:

February 25 th to March 22 nd	Mechanic II	223.45 hours
	Over time	12.5 hours

He had previously worked the mandatory 30 days and should be paid the difference between Mechanic I and Mechanic II rate for a Total of 615.96.

6.9 Motion authorizing the **Vestal Museum** to accept a **2013 UCF Project Grant** for the *2013 Exhibit Series* from the **Broome County Arts Council** in the amount of \$1,000.

7. CONSENT AGENDA

7.1 PUBLIC WORKS: Milkovich/Majewski

7.1-1 Authorization for the **Town Attorney to advertise** on April 17th, 2013 for **bids on all Highway Materials** to be opened **April 25th** at 2:00 pm in the Town Clerk's Office.

7.1-2 Authorization for the Town Attorney to advertise for bids on April 17th, 2013 for the following **water and wastewater line replacement projects** with openings on May 2nd, 2013 beginning at 2:00 pm.

Water Line replacement

- 1) Vestal Parkway East
- 2) George Street
- 3) Katherine Lane
- 4) Lewis St.

Wastewater Line Replacement

- 1) Cortland Drive

7.1-3 Authorization to declare **1716 Pearl Street** unsafe and to order the **Engineering Department to arrange for its demolition** as required by New York State Department of Labor.

7.1-4 Authorization for the **Town Attorney to advertise** on **May 1, 2013** with bid openings on May 20th, 2013 at 2:00 PM for the **FEMA 59 home demolitions**.

New York State Department of Labor has given the Town a waiver on the notification fees required for asbestos related project.

7.2 FINANCE: Marnicki/Fitzgerald

7.2-1 Receive and File:

- **Warrants - 2013 – 13 2013 – 13E, 2013 –14, 2013 –14E**
- **Town Clerk Monthly Report – March 2013**

VESTAL TOWN BOARD MEETING AGENDA
APRIL 10, 2013

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– Local Shares Remitted: \$5,523.52

- **Comptroller’s Monthly Reports** – January 2013, February 2013, March 2013

7.2-2 Authorization for the **Town Comptroller to sign agreements** to renew the contracts with **Excellus** for stop loss protection at a cost of \$98 per contact per month, a 6% increase, effective 4/1/2012 - 3/1/2014 and the contract for the PPO H plan effective 5/1/2013 - 4/30/2014. The PPO H plan administrative fee is increasing by 5% to \$58.07 per contract per month and additional fees are also added for fees added under the Affordable Care Act. The required letter of credit also increases from \$210,900 to \$233,900.

7.3 **PERSONNEL: Majewski/Marnicki**

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

7.4-1 Authorization for the **Vestal Girls Softball** to hold a fundraiser on Thursday, May 23rd from 11 am to 6 pm in the Vestal Library parking lot. An Indemnification Agreement is to be signed.

7.4-2 Authorization for the **Town Attorney to draw a Local Law** regarding the request from owner Jack Harrington to rezone **2100 Owego Road**, BCTMP # 72.14-1-26.1 plus remaining CD portion of 172.14-1-27 (2016 Owego Road) from CD to RA-2 and to **advertise on April 24, 2013** for a **Public Hearing on May 8th, 2013**.

7.5 **PUBLIC SAFETY: Marnicki/Fitzgerald**

7.5-1 Approval from Board of Fire Commissioners for the following fire personnel to attend the following training:

- Firefighter **Kenneth Fortier to attend the NY Public Fire Safety Educator’s Conference**, May 3rd through May 5th at the NYS Fire Academy in Montour Falls. Cost for this conference is \$109.00 to come from line F3410 4030 plus mileage if a fire department vehicle is unavailable.

7.5-2 Approval from Board of Fire Commissioners for the following:

1) To **send Engine 32-1 to Endwell Station 1 Saturday, April 20th 17:30-23:30** with an engine crew of 6 to cover their District while their members attend their Annual Installation Banquet.

Each year Endwell Fire Department comes over and covers our department while our members attend our Annual Banquet and we do the same when it comes time for their Annual Banquet.

**VESTAL TOWN BOARD MEETING AGENDA
APRIL 10, 2013**

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7.6 ADMINISTRATION: Majewski/Milkovich

7.6-1 Authorization for Dan Williams, IT Director to dispose of the following worthless or damaged hardware:

<u>Make</u>	<u>Model</u>	<u>Serial</u>	<u>Town Tag</u>
Dell	Latitude XT	J8Z9MG1	3442
Dell	Latitude XT	1NHH7G1	3428
Dell	Latitude D620	C8G2KC1	3359
Dell	Latitude D520	3579LB1	3357
Dell	Latitude D520	4CC8LB1	3361
Dell	PowerEdge 2800	GWSSW61	3297
Dell	OptiPlex GX110	3464C01	None
Dell	OptiPlex GX280	4KL5Y61	3263
Dell	OptiPlex GX280	5DL5Y61	3252
HP	Procurve 2610-24	CN810ZT2LH	None

7.7 RECEIVE AND FILE:

END OF CONSENT AGENDA

8. COMMITTEE CHAIR COMMENTS AND UPDATES:

9. PETITIONS & PROTESTS:

10. ADDITIONAL PUBLIC COMMENTS:

11. SUPERVISOR'S ANNOUNCEMENTS:

- **Public Hearing** – April 24, 2013 – **Proposed Local Law “B” of the Year 2013**
- “A Local Law Rezoning 2611 Owego Road, Vestal, New York (BCTMP # 172.70-1-15) from I Industrial District to C-2 Community Business”.
- In a **special election of the Vestal Fire District** held on Tuesday, April 9, 2013, the voters defeated the resolution authorizing the purchase of a heavy rescue fire-fighting vehicle for the Vestal Volunteer Fire Department at a cost not to exceed \$800,000.00. The final tally of the ballots is as follows:
Yes: 182
No: 189
- **Museum Exhibits** March 6 - May 25
The Mighty Susquehanna: Friend and Foe
 - A. Natural History
 - B. History of Exploration/Settlement
 - C. History of Use through today
 - D. The Floods

12. OTHER NEW BUSINESS:

13. OLD BUSINESS:

14. ADJOURNMENT: