

**REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
OCTOBER 9, 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 September 25, 2013, Regular Meeting of the Town Board.**

3. BID OPENINGS:

The following bids were received and opened in the Office of the Town Clerk at 2:00 p.m. on **Thursday, September 26, 2013** for **Vestal Rail Trail Section II, PHASE 2A - PIN 9009.30.**

Bothar Construction LLC	170 East Service Road, Binghamton, NY	\$415,447.00
Broome Bituminous	416 Vestal Road, Vestal, NY	\$359,500.00
Dycon Construction	1841 Pennsylvania Avenue, Pine City, NY	\$364,857.00
H2H Associates	179 River Street, Troy, NY	\$634,570.00
Procon Contracting LLC	P.O. Box 1037, Vestal, NY	\$343,000.00
ZMK Construction	3430 Route 434, Apalachin, NY	\$377,775.00

4. PUBLIC HEARINGS:

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

6. RESOLUTIONS & MOTIONS:

6.1 Motion authorizing the **Town Attorney to draw** and the **Supervisor to sign** the appropriate paperwork awarding the bid for **Vestal Rail Trail Section II, PHASE 2A - PIN 9009.30** to **Procon Contracting**, Vestal, NY at the low bid of **\$343,000.00.**

6.2 Motion for the Town Attorney to draw the necessary paperwork awarding the bid for the **Town Hall Generator** to low bidder **Matco Electric**, 3913 Gates Road, Vestal, NY at a price of **\$ 156,200.**

6.3 Motion by the Board of Fire Commissioners to adopt a resolution authorizing the purchase of a **Heavy Rescue Fire-Fighting Vehicle** for the Vestal Fire District in the town of Vestal, Broome County, New York, at a maximum estimated cost of **\$699,000**, and authorizing the issuance of not exceeding \$699,000 serial bonds of said fire district to pay the cost thereof, subject to the passage of a public referendum.

6.4 Motion to adopt a **resolution authorizing a Special Election on Tuesday, November 19, 2013:**

BE IT RESOLVED, by the Board of Fire Commissioners of Vestal Fire District in the Town of Vestal, Broome County, New York, as follows:

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Section 1. A special election of the qualified voters of Vestal Fire District in the Town of Vestal, Broome County, New York, is hereby authorized to be held on the 19th day of November, 2013, at the Town Hall, in Vestal, New York, in said Fire District, between the hours of 12:00 o'clock Noon and 9:00 o'clock P.M., Prevailing Time, to vote by paper ballot upon the adoption or rejection of the bond resolution heretofore adopted at this meeting.

Section 2. The notice of such special election shall be in substantially the form attached hereto as Exhibit A, and hereby made a part hereof.

Section 3. The Secretary of said Fire District is hereby authorized to give notice of such special election by publication once in official newspaper having a general circulation in said Fire District, the first publication to be not less than twenty-seven (9) nor more than thirty-four (34) days prior to the date of such election, and posting on the bulletin board and website of the Fire District and of the Town at least 15 days and not more than 20 days prior to the date of such election.

Section 4. This resolution shall take effect immediately.

6.5 Motion to adopt a Resolution appointing a Board of Election for the Special Election:

WHEREAS, the Board of Fire Commissioners of Vestal Fire District in the Town of Vestal, Broome County, New York, has called a special election of the qualified voters of said Fire District to be held on the 19th day of November, 2013; and

WHEREAS, it is now desired to provide for the appointment of a permanent chairman, inspectors of election and assistant clerks for said special election; NOW, THEREFORE, BE IT

RESOLVED, by the Board of Fire Commissioners of the Vestal Fire District in the Town of Vestal, Broome County, New York, as follows:

Section 1. Lucille Giles, a duly qualified voter of said Fire District is hereby appointed as the permanent chairman of the special election referred to in the preambles hereof.

Section 2. The following named qualified voters of said Fire District are hereby appointed to act as inspectors of election of said special election, so that there shall be at least two inspectors for each ballot box to be used thereat:

Inspectors: Marlene Arnold, Janet Cole, Nancy Gregory

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Section 3. Each inspector of election appointed for said special election, as herein provided, shall be entitled to compensation at the rate of \$11.00 an hour for the services for the Chairman and \$10.00 an hour for the services for the Inspectors. The Secretary of said Fire District is hereby authorized and directed to give written notice of appointment to the persons herein respectively appointed as permanent chairman, inspectors of election and assistant clerks for said special election.

Section 4. This resolution shall take effect immediately.

6.6 Motion authorizing the **Town Attorney to publish**, on October 16, 2013, a *Notice of Special Election* to be held on the 19th day of November, 2013.

7. CONSENT AGENDA

7.1 PUBLIC WORKS: Milkovich/Majewski

7.1-1 Authorization for the **Town Attorney to advertise on October 23, 2013** for **bids of the NRCS Creek Projects** being funded by Natural Resources Conservation Services, to be opened in the Clerk's Office on November 12, 2013 at 2:00 PM. (Date is subject to change at the request of the Town Engineer.)

7.1-2 Authorization for the Town Attorney to **advertise on October 16, 2013** for a **Public Hearing on November 6th, 2013** regarding the request of **Michael Mastro of New Holland Equipment**, for a **vehicle service station permit** for their relocation to 2807 Vestal Road (Airgas Building).

7.2 FINANCE: Marnicki/Fitzgerald

7.2-1 Receive and File:

- **Warrant Reports** – 2013 - 39, 39E, 40, 40E
- **Town Clerk Monthly Report** – October 2013 –
Local Shares Remitted \$5,833.72
- **Comptroller's Monthly Report** – September 2013

7.2-2 Authorization to **pay legal fees** in the amount of **\$1512.50** to **David Berger Town Attorney** for the period September 1 through September 30, 2013 for 10 hours 5 minutes.

7.3 PERSONNEL: Majewski/Marnicki

7.4 PLANNING & ZONING: Fitzgerald/ Milkovich

7.4-1 Authorization for the *Vestal Band Aides* to have **use of the library parking lot** on October 12, 2013 for bands to warm up for the New York State Field Band Conference. An Indemnification Agreement is to be signed.

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7.5 PUBLIC SAFETY: Marnicki/Fitzgerald

7.5-1 Approval from the Board of Fire Commissioners to accept:

- Junior Firefighter applicant **Adam Norovich** as a member of Company No. 1.
- Firefighter applicant **William Spangenburg** as a member of Company No. 1.

7.5-2 Authorization from the Board of Fire Commissioners to **release \$16,000 from the Capital Reserve and transfer it to F3410 2255** - Building Capital Improvements pending a permissive referendum to replace the roof over the apparatus bay at Station 3. This amount has been removed from the 2014 Fire Budget.

7.6 ADMINISTRATION: Majewski/Milkovich

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:

- Highway has begun leaf pick up.
- **NY Rising – Public Information Meeting** – October 15, 2013 at 6:30 – 8pm – Broome County Public Library, Decker Room, 1st floor.

12. OTHER NEW BUSINESS:

13. OLD BUSINESS:

14. ADJOURNMENT: