

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
June 11, 2014

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 **May 21, 2014 Minutes** of the Regular Meeting of the Town Board.

3. BID OPENINGS:

3.1 Bids for the installation of **Concrete Curbs at High Avenue and Evergreen Street** were received and opened in the Town Clerk's Office on June 3, 2014 with the bid results being forwarded to the Town Engineer for review and recommendation:

<u>BID</u>		
Piccirilli Construction	32 Hall Street Binghamton, NY 13903	\$54,780.00
Seidel Construction	91 Abbey Road Windsor, NY 13865	\$72,946.50
De Ninis Construction	138 Burr Avenue Binghamton, NY 13903	\$29,673.60

3.2 Bids for **Sanitary Sewer Projects** were received and opened in the Town Clerk's Office on May 27, 2014 with the bid results being forwarded to the Water Superintendent for review and recommendation:

	<u>William Street</u>	<u>High Avenue</u>	<u>Tulane Street</u>
Vacri Construction 1 Brick Ave. Binghamton, New York 13901	\$52,800.00	\$114,400.00	\$55,000.00
ZMK 3430 Route 434 Apalachin, NY 13732	\$48,730.00	\$79,860.00	\$47,190.00
Pro Con Contracting PO Box 1037 Vestal, New York 13850	\$58,388.00	\$93,346.00	\$67,100.00

3.3 The following bids for the construction of a **New Pavilion at Arnold Park** were received and opened in the Town Clerk's Office at 2:00 PM on June 9th, 2014 with the bid results being forwarded to the Town Engineer for review and recommendation:

Allis Development - 136 Ridge Road, Vestal, NY	\$126,500.00
Pro Con - P. O. Box 1037, Vestal, NY	\$ 90,750.00
First General - 2713 East Main, Endwell, NY	\$102,740.00
ZMK - 3430 Route 434, Apalachin, NY	\$ 96,800.00

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
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4. PUBLIC HEARING:

4.1 NOTICE PURSUANT TO CHAPTER 5 ARTICLE IV OF THE TOWN OF VESTAL CODE

By order of the Town Board of the Town of Vestal dated May 7, 2014 the following notice was served:

WHEREAS, the Town Board of the Town of Vestal passed a resolution on May 7, 2014 authorizing the preparation of this notice:

YOU ARE HEREBY NOTIFIED THAT THE TOWN BOARD has determined that the building or structure on the premises is dangerous or unsafe to the public to wit:

1. 1708 Vestal Road, Vestal, New York, Tax Map No. 157.52-2-3.
2. The building is dangerous or unsafe in that section the building is in threat of falling, 40% of the foundation walls are collapsed, the structure is in imminent danger of collapsing.

The home is located within 12' of adjacent building which could be damaged if an uncontrolled collapse occurs. To repair would require lifting the building and pouring new foundation which would require engineered plans to obtain a building permit. To make safe would require removal of structure.
3. The manner in which the building is to be made safe is that complete demolition of the principal structure and foundation and any accessory buildings, with complete removal of all debris, materials, trash and litter to a proper landfill.
4. The securing or removal of such building shall commence within 30 days of the service of this notice and shall be completed within 60 days thereafter, unless for good cause shown such time shall be extended.
5. The date and time for a hearing before the Town Board shall be June 11, 2014 at 6 pm in the Vestal Town Hall, Vestal, New York.
6. In the event of neglect or refusal to comply with the order to secure or demolish and remove the building, be advised that the Town Board is authorized to provide for its demolition and removal, and to assess all expenses thereof against the land on which it is located and to institute a special proceeding to collect the cost of demolition, including legal expenses.

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

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
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6. RESOLUTIONS & MOTIONS:

6.1 Motion to adopt the following Resolution of Support endorsing the plan of the **Kopernik Science Park at the Kopernik Observatory & Science Center** in Vestal:

WHEREAS, officials of THE TOWN OF VESTAL consider the Kopernik Observatory & Science Center (KOSC), located at 698 UNDERWOOD ROAD, VESTAL, NY to be of utmost importance to the region by providing the region with STEM Education programs and classes for K-12 students; and

WHEREAS, KOSC plans to design and implement the KOPERNIK SCIENCE PARK, a SCIENCE AND TECHNOLOGY THEMED PLAYGROUND to be located on the grounds of KOSC; and

WHEREAS, the KOPERNIK SCIENCE PARK will provide students and the public and opportunity to play and learn about the science that is all around us; and

WHEREAS, officials of the TOWN OF VESTAL feel that it is in the best interest of the citizens of VESTAL and the local region to endorse said project;

NOW, THEREFORE, BE IT RESOLVED that the TOWN OF VESTAL hereby endorses the KOPERNIK SCIENCE PARK PROJECT.

6.2 Motion to authorize the Museum to sponsor a **Day of Activities** at the Vestal Library Campus on August 2, 2014 from 9 am to 7 pm.

This event will run in conjunction the Farmers Market, a Library sponsored book sale and several activities sponsored by the Historical Society. The Museum sponsored event will include the following: archeology exhibits and demonstrations (including spear throwing), folk art demos, food vendors, music and historic games and kids crafts.

An **Indemnification Agreement** is to be signed by all outside vendors.

6.3 Motion authorizing the **Highway Superintendent** to remove the NO PARKING signs from **Vandervort Avenue**. Due to the move of Our Lady of Sorrows Church to a new location, the signs are not needed.

6.4 Motion authorizing the approval of the **settlement of Public Employment Relations Board Case No. U-33320 Town of Vestal and Vestal Police Benevolent Association, Inc.** as outlined in the letters of May 20, May 22 and email of May 23rd. Officers will receive one hour of compensatory time for each hour worked on February 4th, 2014.

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
June 11, 2014

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7. CONSENT AGENDA

7.1 PUBLIC WORKS: Majewski/Fitzgerald

7.1-1 Authorization for the **Town Attorney to advertise** for bids on June 18, 2014 with bid openings on June 30, 2014 at 2:00pm for **Water Chemicals**

- Liquid Polymeric Phosphate and
- Chlorine, Sodium Hypochlorite Solution, and Hydrofluorosilicic Acid

7.1-2 Authorization for the **Town of Attorney to advertise** on June 18, 2014 for bid for **Water Appurtenances** for the Water/Sewer Department with bid openings on June 30, 2014 at 2:10pm.

7.1-3 Authorization for the **Town Attorney to draw the appropriate paperwork awarding the bid for Curbs on High Ave and Evergreen Street** to low bidder **DeNinis Construction**, 138 Burr Ave, Binghamton, NY 13903 at a price of **\$29,673.60**.

7.1-4 Approval for the Business office to execute the following adjustments:

- Reduce the sewer bill for **2221 Kathleen Drive** in the amount of 95.40 (18,000 gallons).
- Reduce the sewer bill for **417 Raelene Drive** in the amount of \$169.60 (32,000 gallons).
- Refund in the amount of \$83.00 for **4724 Deerfield Place**. The final water/sewer bill after the sale of the property was paid by both the seller and their attorney's office. There is a credit of \$83.00 left on the account.

7.1-5 Authorization approving a **change order** to increase the contract price by \$673.38 to \$199,423.38 for the creek work at **Tracy Creek for NRCS** (National Resource Conservational Services). The project bid price with Procon Contracting was \$198,750.00. The increase is due to the additional rock needed. Estimated at 4,560 ton, we exceeded that amount by 227 tons. The project is now complete.

7.1-6 Authorization for the **Town Attorney to draw the appropriate paperwork awarding the bid for the following Sanitary Sewer Projects** to the low bidder **ZMK**, 3430 Route 434, Apalachin, NY as follows:

William Street	\$ 52,800.00
High Street	\$ 79,860.00
Tulane Street	\$ 47,190.00
Total	\$175,780.00

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
June 11, 2014

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7.2 FINANCE: Messina/Majewski

7.2-1 Receive and File:

- **Warrant Reports** – 2014-21, 2014-21X, 2014-21E and 2014-21L
- **Town Clerk Monthly Report May 2014** – Local Shares Remitted \$7,034.47.
- **Comptroller’s Monthly Report** – May 2014

7.2-2 Authorization for the Business Office to pay an invoice from **Hickey & Gates** \$1,592.50 for invoice 1319 and \$1,102.50 for invoice 1300. Total payment is \$2,695.00 for Williams vs Town of Vestal litigation.

7.3 PERSONNEL: Fitzgerald/Majewski

7.3-1 Authorization to advertise and interview for the **Municipal Fire Code Inspector** position that Kayley Morgan will be vacating on June 18, 2014.

7.3-2 Authorization for the **Town Human Resources Officer, Nancy Olmstead** and **Town Attorney David Berger** to attend the *New York State Public Employer Labor Relations Association Annual Training Conference* July 15 through July 18, 2014 in Saratoga Springs, NY.

The cost to the Town is as follows:

Registration	\$275 each	= \$ 550.00	(includes Wed & Thurs lunch)
Hotel	\$173/night	= \$ 519.00	(rate the same single or double room)
Mileage	339 miles @ \$.56/mi	= \$ 189.84	(miles based on previous attendance)
Meals	3 breakfasts each	= \$ 60.00	(\$10 each for Wed, Thurs & Fri)
	1 lunch each	= \$ 30.00	(\$15 each for Fri)
	2 dinners each	= \$ 100.00	(\$25 each for Wed & Thurs)
	Total	= \$1448.84	

There is \$896.00 budgeted for this conference in line A1430 4030 of the Human Resources budget and \$540.00 in line A1420 4030 of the Town Attorney budget. The shortfall of \$12.84 will either be transferred from another budget line within the Town Attorney budget or he will seek \$12.84 less in reimbursement for meals.

7.3-3 Motion to adopt the following Resolution:

BE IT RESOLVED, that the **Town of Vestal** hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
June 11, 2014

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TITLE	Standard Work Day (Hours/day) Min. 6 Hours Max. 8 Hours	NAME	TERM BEGINS/ENDS	PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM (Y/N)	DAYS/MONTH (BASED ON RECORD OF ACTIVITIES)
ELECTED OFFICIALS					
Councilperson	6	Suzanne Messina	1/1/14-12/31/17	N	15.76
Justice of the Peace	6	Michael Sherwood	1/1/14-12/31/17	N	11.69
Highway Superintendent	8	Brock Leonard	1/1/14-12/31/17	N	30.68
Tax Collector	6	Debra Wallace	01/01/14-12/31/17	N	6.09
APPOINTED OFFICIALS					
Town Attorney	6	David Berger	1/1/14-12/31/15	N	6.36
Assessor	7.5	Mark Minoia	10/1/13-09/30/19	Y	
Town Comptroller	7.5	Laura McKane	10/01/14-12/31/15	Y	
1 st Deputy Town Clerk	7.5	Kathie Young	01/01/12-12/31/15	Y	

7.4 PLANNING & ZONING: Messina/Fitzgerald

7.5 PUBLIC SAFETY: Majewski/Messina

7.6 ADMINISTRATION: Fitzgerald/Messina

7.6-1 Approval for the **Recreation Planner to hire** the following 2014 Summer employees. All employee pay rates are budgeted items in the 2014 budget and the background checks have been completed.

A7310.1021 Labor – Playground Instructors

- Lyndsey Ackerman - Vestal as Playground Instructor at Pay rate \$8.00/hr.
- Chelsea Aiosa – Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Jennifer Almy - Vestal, as Substitute Playground Instructor at Pay rate \$8.00/hr.
- Logan Calvey - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Jaisen Clark - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Thomas Comerford - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Savanna Connolly - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Lauren Cook - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Mary Gasper - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Derek Grinnell - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Katherine Heath - Vestal, as Playground Instructor at Pay rate \$8.00/hr.
- Cole Lewis - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Margaret Reynolds - Vestal as Substitute Playground Instructor at Pay rate \$8.00/hr.
- Martin Reynolds - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Jackie Rice - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Diana Ruggiero - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Timbray Shafer - Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Ashley Tabuntschikow - Vestal, as Substitute Playground Instructor at Pay rate \$8.00/hr.
- Brittany Ann Taylor Vestal as Playground Instructor at Pay rate \$8.25/hr.
- Spencer Teed - Vestal as Substitute Playground Instructor at Pay rate \$8.00/hr.

REGULAR MEETING AGENDA OF THE VESTAL TOWN BOARD
June 11, 2014

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Stephanie Wright - Vestal as Substitute Playground Instructor at Pay rate \$8.00/hr.

A7310.1026 Labor – Tennis

Randy Cummings - Vestal as Tennis Camp Director at Pay Rate \$425.00 salary

Tyler Klossner - Vestal as Tennis Instructor at pay rate \$8.50/hr.

Christopher Murphy - Apalachin as Tennis Instructor at pay rate \$8.50/hr.

Ethan Willis - Vestal as Tennis Instructor at pay rate \$8.50/hr.

A7180.1020 Labor – Labor Lifeguards

Cassandra Canino - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Madison Card - Apalachin as Part Time Lifeguard at Pay rate \$8.25/hr.

Thomas Carlson - Apalachin as Full Time Lifeguard at Pay rate \$9.25/hr.

Michelle Chisdak - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Jenny Comency - Vestal as Full Time Lifeguard at Pay rate \$9.25/hr.

Emily Fox - Vestal as Full Time Lifeguard at Pay rate \$9.25/hr.

Morgan Gaylord - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Sam Gaynes - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Cherri Hanakovic - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Alexandra Kiser - Apalachin as Part Time Lifeguard at Pay rate \$8.25/hr.

Ben Krauss - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Taylor Lansing - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Samantha Lee - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Jana Loso - Vestal as Full Time Lifeguard at Pay Rate \$9.25/hr.

Anthony Michaels - Apalachin as Full Time Lifeguard at Pay rate \$9.25/hr.

Hannah Mieczkowski - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Sarah Mieczkowski - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Emma Milligan - Vestal as Full Time Lifeguard at Pay rate \$9.25/hr.

Logan Murdock - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Shane Murdock - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Chris Newins - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Peggy Pan - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Danielle Pittari - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Derek Ruggiero – Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Jaclyn Ruhl - Vestal as Full Time Lifeguard at Pay rate \$9.25/hr.

Catherine Spivak - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Michael Spivak - Vestal as Full Time Lifeguard at Pay rate \$9.25/hr.

Andi Marie Stack - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

Jeffrey Washington - Vestal as Full Time Lifeguard at Pay rate \$9.25/hr.

Sara Wendell - Vestal as Full Time Lifeguard at Pay rate \$9.25/hr.

Steven Wendell - Vestal as Full Time Lifeguard at Pay rate \$9.25/hr.

Ariana Wilkie - Apalachin as Full Time Lifeguard at Pay rate \$9.25/hr.

Jeffery Zhou - Vestal as Part Time Lifeguard at Pay rate \$8.25/hr.

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7.6-2 Authorization for the Supervisor to sign and the Town to accept the \$3669 grant from **Chenango Arts Council (CAC)** for the Vestal Museum.

This funding will support Vestal Museum exhibits, staff time, cultural events and programs and is made possible with public funds from the Chenango County Arts Council's Decentralization Program, a re-grant program of the NYS Council on the Arts, with support from Governor Cuomo and the NYS Legislature.

Additional support for Broome County provided by the Stewart W. & Wilma C. Hoyt Foundation.

7.6-3 Authorization to approve Fire Fighters Kahl Miller, Brian Terrell, Justin Petcosky, Chuck Paffie and Andrew Leslie to participate in the **5th Annual Water Workout Weekend** (water rescue training) at Dorchester Park in Whitney Point on June 21-22, 2014. Transportation will be in a Chief vehicle.

7.7 **RECEIVE AND FILE:**

- **NYS DEC** – Notice that Shumaker Consulting Engineering and Land Surveying and Keystone Associates have been authorized to conduct a boundary survey/data collection of the NYSDEC managed flood protection parcels and easements as needed to update flood protection information within Broome County.
- Written Notice from **Jerrold Rutkove**, 509 Skyline Drive, June 5, 2014 regarding *Drainage Ditch Digging on Skyline Drive*.
- Letter of resignation from **Kayley R. Morgan**, effective June 18th, 2014 from the Town of Vestal Fire Inspector position.
- **PILOT Agreement – Vestal Park, LLC**, 300 Plaza Drive – (Approved R016-14 - January 1, 22, 2014)

END OF CONSENT AGENDA

8. COMMITTEE CHAIR COMMENTS AND UPDATES:

9. PETITIONS & PROTESTS:

10. ADDITIONAL PUBLIC COMMENTS:

11. OTHER NEW BUSINESS:

11.1 Motion authorizing the Superintendent of Parks to purchase a **new walk behind mower at a cost of approximately \$5,600**. This mower will replace the Toro walk

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behind mower that blew an engine last week. Funds for the purchase will be transferred from the Contingency line A1990.4322 to the Parks Equipment line A7140.2100.

12. OLD BUSINESS:

13. SUPERVISOR'S ANNOUNCEMENTS:

- Vestal Museum – Saturday, June 21 at 11:00 AM. Talk by Curator Kate Ellenberger on Vestal Archeology: Finding and collecting artifacts.
- The Vestal Elks will be holding a Flag Day Ceremony at the Gazebo on Saturday, June 14 at 1:00 PM. The public is also invited to attend a luncheon at the Elks Club immediately following the ceremony.
- Station 1 of the Vestal Fire Department will be holding a Chicken Barbeque on Saturday, June 14, noon – 4 pm, at the Tractor Supply parking lot, catered by Phil's Chicken House.
- Residents are reminded that the Town does not pick up lawn clippings and it is a violation of the Town Code and the NYS Vehicle and Traffic Law to deposit such items at the curbside and on the street.
- The construction of the **Section 2 of the Rail Trail** is progressing nicely and we expect it to be officially opened in July.

14. ADJOURNMENT:

