

Regular Meeting of the Vestal Town Board December 19, 2012

The Regular Meeting of the Town Board of the Town of Vestal, County of Broome and the State of New York was held at the Town Hall, 605 Vestal Parkway W, Vestal, NY on December 19, 2012.

TOWN BOARD PRESENT:

**Supervisor John Schaffer
Councilman Fran Majewski
Councilwoman Patty Fitzgerald
Councilman David Marnicki
Councilman Steve Milkovich**

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and several members of the community.

The Supervisor called the Regular Meeting in the Vestal Town Board Room to order at **6:00 PM**, welcomed everyone and asked that all present join in the PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES

On a motion of Councilwoman Fitzgerald, seconded by Councilman Majewski, the following resolution was

ADOPTED Ayes 5 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer
Nays 0

Resolved the Minutes of the Regular Meeting on **December 12, 2012** are approved.

PRIVILEGE OF THE FLOOR (Agenda Items Only)

Seeing or hearing no one wishing to speak the Supervisor closed the Privilege of the Floor.

RESOLUTIONS & MOTIONS

Table Motion for Flood Wall Engineering Study

Councilman Marnicki stated that he is disappointed that the engineering firm is using GIS maps for this project which are not accurate and no boring samples are to be performed. The schematics for the flood wall designs are boiler plate. The proposed cost of the study is grossly inflated. This should be a 4 to 5 thousand dollar job.

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Councilman Milkovich asked if quotes from other engineering firms were solicited. He would like to look into this.

On a motion of Councilman Milkovich, seconded by Councilwoman Fitzgerald the following resolution was

Tabled Ayes 5 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer
Nays 0

Authorization for the Town Engineer to hire Woidt Engineering & Consulting, P.C., PC, 41 Chenango Street, Binghamton, NY to provide a *Flood Protection Feasibility Study* for a flood protection system for the Town of Vestal Town Hall, as required by FEMA, in the amount of \$14,000.

Rescind Bond Resolution(R104-11)

R382-12 On a motion of Councilman Majewski, seconded by Councilman Milkovich, the following resolution was

ADOPTED Ayes 5 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer
Nays 0

Resolved to **rescind the Bond Resolution (R104-11)** as adopted on April 13, 2011 in the amount of \$16,950 for the Town's share of the cost for the painting of the Main Street Bridge.

Draw Local Law and Advertise Rezone for Nursing and Rehabilitation Center

R383-12 On a motion of Councilman Majewski, seconded by Councilman Milkovich, the following resolution was

ADOPTED Ayes 5 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer
Nays 0

Resolved to authorize the Town Attorney to draw the local law to rezone BCTMP# 189.12-141.2 on West Sheedy Road from **C-2 to PDD** for the construction of a new Nursing and Rehabilitation Center and to advertise on January 9, 2013 for a Public Hearing on January 23, 2013.

CONSENT AGENDA

On a motion of Councilman Marnicki, seconded by Councilman Majewski, the following resolution was

ADOPTED Ayes 5 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer
Nays 0

Resolved the **Consent Agenda** is approved as follows:

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PUBLIC WORKS: Marnicki/Milkovich

FINANCE: Majewski/Marnicki

Receive and File:

- **Warrant Reports** – 2012 – 2012 50, 2012 -50B, 2012 - 50C, 2012 – 50E

Encumber Funds for Scanning Project

R384-12 Authorization to **encumber \$3,000** from the Contractual & Professional Services line in the Records Management budget (A1460-4000) to be used in 2013 for completing the *Fire/Court scanning project*.

Association of Towns 2013 Dues

R385-12 Authorization for the Business Office to submit payment to *The Association of Towns* dues for the year 2013 in the amount of \$1,650.00.

General Reserve Fund Expenditure

R386-12 Resolved, that the Town Board of the Town of Vestal, pursuant to the provisions of Section 55 of the Town Law, hereby authorizes the expenditure from the General Reserve Fund of up to \$20,000 for the purchase of radio equipment and up to \$24,900 for the reconstruction of a portion of the police station. 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.

These projects were previously approved and these reserve fund expenditures are in lieu of issuing bond anticipation notes which were previously authorized. Such bond resolutions are hereby rescinded.

Contract Renewal - Broome County Office for the Aging

R387-12 Authorization to retroactively authorize the Supervisor to sign the Contract Renewal agreement with Broome County Office for the Aging – lease of space for an additional one year term (January 1 – December 31, 2013) for the Vestal Senior Center – CA 292-145.

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PUBLIC SAFETY: Majewski/Fitzgerald

Fire Election Results

R388-12 Acceptance by the Board of Fire Commissions of the following election results:

Fire Chief for 2013 and 2014 - Patrick McPherson

Station Chiefs: Station 1: Douglas Rose - Station 2: William Stout
Station 3: David Harrington - Station 4: John Paffie

Station 4 to Hold Barbeque

R389-12 Approval from the Board of Fire Commissioners to hold a *Brooks Chicken Barbeque* on January 5, 2013 at Station 4 on the Vestal Parkway as well as approval for all day coverage time. A sign-in sheet will be used to track personnel at this event. An indemnification agreement is to be signed.

Fire Training

R390-12 Approval from the Board of Fire Commissioners authorizing Firefighters Stephen Lanland and Michael Tingey to attend NYS Firefighter 1 Outreach Course in West Corners starting January 3 and going for 26 weeks. There is no cost for this course.

Dispose of Turnout Gear

R391-12 Authorization from the Board of Fire Commissioners to dispose of Turnout Gear, in accordance with NFPA1851, which has surpassed the 10 year life expectancy for the years 1989, 1990, 1999, 2000, 2001.

RECEIVE AND FILE

- [ZBA Decision - BCTMP 173.14-2-3 - 917 Main Street - Painter](#)

END OF CONSENT AGENDA

COMMITTEE CHAIR COMMENTS AND UPDATES

Councilman Majewski asked for a moment of silence for the victims of the heart breaking shooting tragedy at the Sandy Hook Elementary School in New Town, Connecticut.

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ADDITIONAL PUBLIC COMMENTS

Speaker noted that after the State decides on the status of gas drilling, we will still need to live together as Vestal residents despite our viewpoints. Everyone cherishes our land, regardless of what side of this issue they are on. He encourages everyone to look at **a study funded by the Australian Petroleum Institute**. This is a long term study on the health impact of gas drilling. He respects the hard work done by the Town Board on dealing with the gas drilling issue.

Speaker inquired if any flood mitigation work was being done in the Town creeks. Supervisor Schaffer responded that the Army Corps of Engineers is doing some work but that he would get an update about any additional activity from the Town Engineer.

Speaker noted that we can submit comments to the DEC concerning gas drilling until January 11th. She would like new regulations to increase the distance of drilling pads from certain types of adjoining properties (currently at 500 feet).

SUPERVISOR'S ANNOUNCEMENTS

◆ Vestal Fire Department Membership for Station 2's Firemen Breakfasts and Station 2's Ladies Auxiliary Soup and Salad Dinners being held on following dates at Vestal Fire Department Station #2.

Auxiliary Soup and Salad

1/26, 2/23, 3/16 - Time: 4:00 pm till
gone

Firemen's Breakfast

2/10, 4/14 - Time: 7:00 am till 11:30
am

The Supervisor thanked everyone for their hard work on behalf of the Town and wished all a Merry Christmas.

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilman Milkovich, the meeting was adjourned at 6:23 PM. Carried unanimously.

Approved by _____

Emil J. Bielecki, Town Clerk