

## **Regular Meeting of the Vestal Town Board October 8, 2014**

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 West, Vestal, NY on October 8, 2014.

### **TOWN BOARD PRESENT:**

**Supervisor John Schaffer  
Councilman Fran Majewski  
Councilwoman Patty Fitzgerald  
Councilwoman Sue Messina**

**ALSO ATTENDING:** Town Attorney David Berger, Town Clerk Emil Bielecki, 1<sup>st</sup> Deputy Town Clerk Kathie Young and 12 members of the community.

The Supervisor called the Regular Meeting 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 Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

**ADOPTED** Ayes 4      Majewski, Fitzgerald, Messina, Schaffer  
                 Nays 0

Resolved the Minutes of the Regular Meeting on September 24, 2014 are approved.

### **BID OPENINGS**

The following bids received for the Water/Sewer Department bids for **Murray Hill Booster Generator Installation** and the **Lyndale Drive Generator Installation** were opened on Thursday October 2, 2014 at 2:00pm in the Town Clerk's Office:

#### **Murray Hill Booster Generator:**

<b>Diekow Electric</b>	375 Route 11 South Marathon, NY 13803	\$61,160.00 Option #1 \$58,960.00 Option #2
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<b>Matco Electric Co.</b>	3913 Gates Road Vestal, NY 13850	\$55,000.00 Option #1 \$56,000.00 Option #2
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#### **Lyndale Drive Generator:**

<b>Diekow Electric</b>	375 Route 11 South Marathon, NY 13803	\$49,940.00
<b>Matco Electric Co.</b>	3913 Gates Road Vestal, NY 13850	\$39,149.00

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The results were forwarded to the Water Superintendent for review and recommendation.

### **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**

#### **New York Rising Funding Agreement**

**R243-14** On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

**ADOPTED** Ayes 4 Majewski, Fitzgerald, Messina, Schaffer  
Nays 0

Resolved to adopt a resolution authorizing the Town of Vestal to enter into the required **subrecipient agreement** with the **Housing Trust Fund Corporation** as required in the implementation of the *NY State Community Development Block Grant – Disaster Recovery (CDBG-DR) Program*; and, to authorize the Town Supervisor to sign any and all documents required in the implementation of the program.

#### **Service Fee Agreement with Penflex**

**R244-14** On a motion of Councilwoman Fitzgerald, seconded by Councilman Majewski, the following resolution was

**ADOPTED** Ayes 4 Majewski, Fitzgerald, Messina, Schaffer  
Nays 0

Resolved to authorize the Chairman of the Board of Fire Commissioners to sign the Service Fee Agreement with **Penflex** in the amount of approximately \$6,300 to provide the Vestal Fire District actuarial and administration services for the 2014/2015 Service Award Program (**LOSAP**).

#### **Adopt the Revised Employee Handbook**

**R245-14** On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

**ADOPTED** Ayes 4 Majewski, Fitzgerald, Messina, Schaffer  
Nays 0

Resolved to adopt the **revised Employee Handbook** incorporating all changes made as of October 6, 2014.

#### **Special Permit to Fairbanks Karate**

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**R246-14** On a motion of Councilman Majewski, seconded by Councilman Majewski, the following resolution was

**ADOPTED** Ayes 4 Majewski, Fitzgerald, Messina, Schaffer  
Nays 0

Resolved to approve a **Special Permit** to **Fairbanks Karate**, a fitness/martial arts center, to occupy 604 Vestal Parkway West, BCTMP#173.21-1-3 within an ID zoning district. The Board has reviewed the submitted Short Environmental Assessment Form under SEQRA and finds it acceptable.

**Budget Transfer to Purchase Snow Blower Attachment**

**R247-14** On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

**ADOPTED** Ayes 4 Majewski, Fitzgerald, Messina, Schaffer  
Nays 0

Resolved to approve the **transfer of \$5,164** from line A7140.1034 to line A7140.2100 for the purpose of purchasing a **snow blower attachment** for the Town's skid steers.

**CONSENT AGENDA**

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

**ADOPTED** Ayes 4 Majewski, Fitzgerald, Messina, Schaffer  
Nays 0

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

**FINANCE: Messina/ Majewski**

**Receive and File:**

- **Warrant Reports** – 2014-40, 2014-40E
- **Town Clerk Monthly Report** – Sept. 2014 – Local Shares Remitted: \$6,549.90
- **Comptroller's Monthly Report** – September 2014

**PUBLIC SAFETY: Majewski/Messina**

**Equipment Repair for Police Department**

**R248-14** Authorization to spend a total of \$2,055.02 to **repair the Police Department's license plate reader**. The funding will come from the asset forfeiture line (3120-2626R).

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### Fire Company #1 to Hold a 5K Run/Walk Fundraiser

**R249-14** Authorization from the Board of Fire Commissioners for Company #1 to hold a **5k Run/Walk Fundraiser** on Sunday, November 16 at 2:00 pm at the Vestal Coal House subject to the approval of the insurance certificate by the Town. Proceeds will benefit Company #1 and the Fred Singer Training Site.

### RECEIVE AND FILE

- 2015 Tentative Town Budget
- **Certificate of Appreciation** presented to the Town of Vestal from the American Legion on Sept. 19, 2014 in recognition and grateful appreciation for outstanding patriotic service in displaying of the POW/MIA flag.

### END OF CONSENT AGENDA

### ADDITIONAL PUBLIC COMMENTS

A speaker stated that a year ago, 9 inches of water that entered through his floor drain into the lower level of his home, ruining his rec room. It was not sewer water, it was clear run-off. He has not been able to get an answer from the Town as to why it happened. Based on his knowledge of how storm sewers work, he believes that the problem lies with the installation of *orangeburg* piping instead of cast iron and an inadequate amount of catch basins. Seymour Road should have catch basins and curbs. Supervisor Schaffer responded that that the infrastructure for the subdivision was built to specifications. *Orangeburg* was probably used because it was common at that time. Seymour Road does have catch basins but we don't have the money to add additional ones. There are similar problems throughout the Town. He recommends that a back flow preventer be installed. For additional information, he needs to speak to the Town Engineer.

### NEW BUSINESS

#### Install Temporary *No Parking* Signs on Mansfield, Marlboro and Mercer

Councilman Majewski stated that the residents have asked for the no parking signs because students attending Binghamton University are parking in the neighborhood, blocking mailboxes, creating visibility issues and causing problems for fire protection.

**R250-14** On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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**ADOPTED** Ayes 4      Majewski, Fitzgerald, Messina, Schaffer  
Nays 0

Resolved to install temporary 'No Parking' signs on Mansfield Road, Marlboro Place and Mercer Place during the hours 8 AM to 5 PM Monday through Saturday.

**OLD BUSINESS**

**Resolutions Adopted at the Town Board Work Session on Sept. 29, 2014**

**Adopt 2015 Proposed Vestal Fire District Budget and set Pubic Hearing**

**R240-14**      On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

**ADOPTED** Ayes 4      Majewski, Fitzgerald, Messina, Schaffer  
Nays 0

Resolved to **adopt the 2015 Proposed Vestal Fire District Budget** totaling \$1,181,018 and to authorize the **publishing of the notice of a budget hearing** on October 15, 2014 for a hearing to be held on October 21, 2014.

**Purchase of Fire Chief Vehicle Approved** (Tabled on September 24, 2014.)

**R241-14**      On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

**ADOPTED** Ayes 4      Majewski, Fitzgerald, Messina, Schaffer  
Nays 0

Resolved to authorize the **purchase of a new vehicle for the Fire Department Chief** from funds set aside in the Vestal Fire District Capital Reserve Fund established pursuant to Section 6-g of the General Municipal Law at a **cost not to exceed \$50,000**. This resolution is **subject to permissive referendum** in accordance with the requirements of Section 6-g of the General Municipal Law.

**General Reserve Funds Allocated for Property at 512 Front Street**

In a memo to the Board, dated 9/29/14, Comptroller Laura McKane states the following: the Town has a balance of \$26,234 in what is known as the General Reserve Fund which was established in 1970 pursuant to Town Law Section 55. The Town Board previously authorized the expenditure of up to \$18,000 from this reserve for the purchase of the property located at 512 Front Street. Now that the property has been acquired, funds need to be allocated to the asbestos removal, tear down of the building and costs associated with the parking lot. The plans are to use surplus millings to ready the parking lot and in the spring, stone and oil will

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be applied. As these costs were not budgeted, I am proposing that the Town Board allocate funds from the General Reserve Fund for this purpose.

**R242-14** On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

**ADOPTED** Ayes 3 Fitzgerald, Messina, Schaffer  
Nays 1 Majewski

Resolved that the Town Board of the Town of Vestal, pursuant to the provisions for Section 55 of the Town Law, hereby authorizes the **expenditure from the General Reserve Fund of up to \$12,500** for improvements to the real property located at 512 Front Street, Vestal, NY. 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.

### SUPERVISOR'S ANNOUNCEMENTS

- **Public Hearing-** October 21, 2014 on the 2015 Fire District Budget
- **Two Additional Work Sessions** for reviewing the 2015 Budget have been scheduled: **October 13 and October 27, 2014**
- Vestal Highway Department begins **Leaf Pick Up** the week of October 6th, 2014 until snowfall. Place leaves along the curb but **AWAY FROM STORM DRAINS!** No yard waste or branches. For more information, contact the Highway Department at 607-785-4616.
- **FIRE EXPO** at the Vestal Lowe's Parking Lot: Saturday October 11, 2014, 10 am – 2 pm.

### ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Messina, the meeting was adjourned at 6:18 PM. Carried unanimously.

Approved by \_\_\_\_\_  
**Emil J. Bielecki, Town Clerk**