

## **Regular Meeting of the Vestal Town Board October 28, 2015**

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 28, 2015.

### **TOWN BOARD PRESENT:**

**Supervisor John Schaffer  
Councilman Majewski  
Councilwoman Fitzgerald  
Councilwoman Messina  
Councilwoman Agneshwar**

**ALSO ATTENDING:** Town Attorney David Berger, Town Clerk Emil Bielecki, and 14 members of the general public.

The Supervisor called the Regular Meeting to order at **6:04 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 Councilwoman Messina, the following resolution was

**ADOPTED** Ayes 5      Majewski, Fitzgerald, Agneshwar, Messina, Schaffer  
                 Nays 0

Resolved the Minutes of the Regular Meeting on October 14, 2015 are approved.

### **PRIVILEGE OF THE FLOOR (Agenda Items Only)**

Seeing or hearing no one wishing to speak, Supervisor Schaffer closed this segment of the Privilege of the Floor.

### **RESOLUTIONS & MOTIONS**

#### **Advertise Public Hearing for Proposed Local Law D of the Year 2015**

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

**ADOPTED** Ayes 5      Majewski, Fitzgerald, Agneshwar, Messina, Schaffer  
                 Nays 0

**R236-15**      Resolved to authorize the Town Attorney to publish a Notice of Public Hearing for **proposed Local Law D of the Year 2015**, a local law to rezone 4109 Vestal Road, Vestal NY, BCTM#159.09-1-17, from Transitional Office (TO)

## Regular Meeting of the Vestal Town Board October 28, 2015

to Multiple Residence (RC). The notice is to be published on November 25, 2015 with the Public Hearing to be held on December 9, 2015.

### CONSENT AGENDA

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

**ADOPTED** Ayes 5      Majewski, Fitzgerald, Agneshwar, Messina, Schaffer  
                 Nays 0

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

#### FINANCE: Agneshwar/Messina

##### Receive and File

- **Warrant Reports:** 2015-42, 2015-42E, 2015-43, 2015-43E, 2015-43L

#### Payment for Legal Services to Greene, Hershdorfer & Sharpe

**R237-15** Authorization for the Business Office to remit payment to **Greene, Hershdorfer & Sharpe** in the amount of \$4028.08 for legal services rendered in the Hicks v. Town of Vestal litigation.

#### PLANNING & ZONING: Messina/Fitzgerald

##### Boy Scout Troop 225 to Hold Tree Sale on Library Parking Lot

**R238-15** Authorization for **Boy Scout Troop 225**, Vestal, NY, to use the front portion of the library parking lot for the annual tree sale from November 21, 2015 to January 3, 2016. An Indemnification Agreement is to be signed.

#### PUBLIC SAFETY: Majewski/Agneshwar

##### Bake Sale at Fire Station # 2

**239-15** Approval for Fire Station # 2 Membership and Ladies Auxiliary to hold a **bake sale at Station # 2** on November 3, 2015, from 6 am to 9 pm. A sign-in sheet will be used to track personnel at this event.

#### Use of Fred Singer Training Site by Outside Fire Departments

**R240-15** Authorization for Fire Chief David Harrington to accept payment of \$100 each per day for usage of the **Fred Singer Training Site** by the Athens Borough Fire Department on November 8<sup>th</sup> and by the Endicott Fire Department on November 9<sup>th</sup> and 16<sup>th</sup>. Also, approve the City of Binghamton Fire Department to use the Fred Singer Training Site on November 6<sup>th</sup>.

## Regular Meeting of the Vestal Town Board October 28, 2015

### ADMINISTRATION: Messina/Agneshwar

#### Contract to Purchase Phone System from All-Mode Communication

**R241-15** Authorization for the Town Supervisor to retroactively sign an agreement with **All-Mode Communication** for the purchase of phone system, as per the terms of the quote provided on October 16, 2015. This is an approved capital project for 2015 and is being purchased off of an existing state contract.

### RECEIVE AND FILE

**\*\*** Letter from Dennis & Michele Ruvola and Elaine Brownell (submitted to the Town Board on October 28, 2015), expressing concern about the potential rezoning of 3504 & 3512 Vestal Parkway East.

## END OF CONSENT AGENDA

### SUPERVISOR'S ANNOUNCEMENTS

- *Night at the Museum* – Friday, October 30th, 6 - 8 PM: A dark and exciting evening of candle light fun, treats, and crafts. Watch out for some surprises that may come out of the woodwork! RSVP at 748-1432 with ages and number of children.
- The Town Offices will be closed on Wednesday November 11, 2015 in observance of Veteran's Day.
- Public Hearing for the 2016 Town of Vestal Preliminary Budget is on Wednesday, November 4, 2015 at 6:00 PM.
- We have just been notified that the Town will receive a State and Municipal Grant for \$275,000, the details of which will be announced shortly. This additional funding will likely allow us to adopt a final 2016 Town Budget without an increase in the tax levy and under the state tax cap.

### ADDITIONAL PUBLIC COMMENTS

Several residents of South Meadowbrook Lane expressed concern about the potential rezoning of a parcel on the southeast corner of the Vestal Parkway to accommodate the development of a hotel on the adjoining lot (formerly Coury Furniture). This corner lot is currently zoned Transitional Office (TO) and rezoning it to a commercial use could have a negative impact on their residential neighborhood. The neighborhood is already experiencing problems with Warren Realty and this new development could add to the traffic that is already going through the neighborhood to avoid the busy Parkway. They are asking that the

## Regular Meeting of the Vestal Town Board October 28, 2015

Board keep the neighborhood informed and involved before any actions are taken that could have a negative impact on their neighborhood. Supervisor Schaffer noted the TO zoned lot can be used as a parking lot for an adjoining commercial use. If that is the intended use, the developer would have to go the Planning Board for site plan approval. If there is a request to rezone the TO parcel, it would come to the Board and the neighborhood would have plenty of opportunity to participate in the process.

A speaker stated that after constant complaining, the ditches on Underwood Road have been cleaned and he is pleased with the work. However, we now have a situation on Ridge Road where trees have come down on power lines and no one seems to be responding to address the issue. There should be a chain of command in place that makes it easier to get a response in situations like this. Supervisor Schaffer responded that there is a chain of command to address these issues. However, this situation may be something that NYSEG is responsible for. The Town Engineer was sent to the site and contacted NYSEG to help establish who is responsible.

A speaker noted that from her past experience, NYSEG has been very responsive to dealing with trees when it involves their power lines. Councilwoman Messina added that NYSEG sends notices when they plan to do tree trimming but need the cooperation of the property owners to do their work. Councilwoman Agneshwar stated that she may have a contact at NYSEG that could be a potential go-to person for these types of issues. She will check into it and get back to the Board.

### **ADJOURNMENT**

On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the **meeting was adjourned at 6:35 PM.** Carried unanimously.

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