

**Regular Meeting of the Vestal Town Board
May 24, 2017**

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 May 24, 2017.

TOWN BOARD PRESENT:

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

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and 12 members of the general public.

Supervisor Schaffer 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

Councilwoman Fitzgerald noted that there was a change in the draft minutes of this meeting and asked for a clarification. Town Clerk Emil Bielecki acknowledged that the paraphrasing of Councilwoman Agneshwar's comments concerning the fences at Moore Park was amended for clarification. This minor adjustment was made to the official version of the draft minutes and reposted on the website. So as to avoid any confusion in the future, a notification of any such adjustments will also be sent to the Board.

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

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

Resolved the Minutes of the Regular Meeting on May 10, 2017 are approved.

BID OPENINGS

The bids received for the Jones Road Sanitary Sewer Replacement were opened on Thursday May 11, 2017 at 2:00pm in the Town Clerk's office with the following results:

ZMK Construction \$266,000.00
3430 Route 434
Apalachin, NY

Procon \$287,980.00
100 Vestal Road
PO Box 1037, Vestal, NY

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Vacri Construction
One Brick Avenue
Binghamton, NY 13901

\$246,400.00

Alberto Torto Construction \$346,500.00
12 Belden Street
Binghamton, NY 13903

PRIVILEGE OF THE FLOOR

A speaker expressed concern about the recently approved natural gas compressor station in the town of Fenton that will tap the Millennium pipeline, primarily for commercial and industrial customers. The facility will compress the gas and load it into specialized trucks for delivery. They will be traveling all of our roads.

Supervisor Schaffer agreed that trucks will be allowed to fill up and they will be traveling through our communities. NG Advantage is the name of the company. We have a similar facility off of Vestal Road.

Councilman Majewski and Supervisor Schaffer noted our Fire Department is highly trained to handle any emergencies although we may need to seek additional funding from the companies who operate these energy facilities. Also, it is perhaps time to revisit the adoption of a countywide road use agreement.

A speaker from Forest Lake, PA stated that this is compressed gas and they are traveling on all of our side roads. They are headed to Manheim, NY. We should be concerned about them going through our neighborhoods. There are about 60 trucks per day that are on our roads. They call them *Bomb Trucks*. Supervisor Schaffer noted we have no control of their use of State or County roads.

A speaker stated that the traffic situation near the Rt. 201 exit onto Vestal Road (near Old Lane Rd.) is extremely dangerous. There is limited visibility when you pull out to enter onto Vestal Road. A yield sign was installed and now it poses a very dangerous situation for merging traffic. Supervisor Schaffer stated that he would speak about this issue to the Police Chief. However, he also noted that Old Vestal Road is a County road and Rt. 201 is a State road and advised the speaker to contact the NYS Department of Transportation, the County Planning Department and the Binghamton Metropolitan Transportation Study (BMTS).

RESOLUTIONS & MOTIONS

Memorial Bench to be Installed on Rail Trail

R113-17 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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

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Resolved to authorize the Parks Department to install a Memorial Bench on the new section of the Vestal Rail Trail in honor of **Fire Captain Mathew Porcari** of the Owego Fire Department, who died in the line of duty on January 22, 2013. There will be minimal cost to the Town other than in kind services. Parks Superintendent Jim Bukowski has worked out the details of proceeding with this project with Captain Porcari's widow Christina.

\$1,700.00 Donation From the Vestal Elks

R114-17 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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

Resolved to authorize the Recreation Department to accept a \$1,700.00 donation from the **Vestal Elks** to be deposited into Line item A7310.4333 for reimbursement for the purchases made for the community **Easter Egg Hunt** held on April 8, 2017. The Vestal Elks check is #6505 and is dated May 5, 2017.

Levene Gouldin & Thompson, LLP to Defend Article 78 Petition

R115-17 On a motion of Councilwoman Agneshwar, seconded by Councilman Majewski, the following resolution was

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

Resolved to authorize Town Supervisor John Schaffer to sign an agreement between the Town of Vestal and **Levene Gouldin & Thompson, LLP, Attorneys at Law**, regarding legal services in defense of the Town of Vestal Zoning Board of Appeals (ZBA) in connection with the Article 78 Petition by Feinburg-Smith Associates, Inc. dba Hayes Student Living Community.

CONSENT AGENDA

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

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

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

PUBLIC WORKS: Fitzgerald/Majewski

Award Jones Road Sanitary Sewer Project

R116-17 Authorization for the Town Attorney to prepare the necessary paperwork awarding the **Jones Road Sanitary Sewer** project to the low bidder:

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Vacri Construction Corporation
1 Brick Avenue, Binghamton, N.Y. 13901

Bid Price: **\$246,400.00**

Water/Waste Water Department to Hire Summer Laborer

R117-17 Authorization for the Water /Waste Water Department Superintendent Scott Groats to hire **Nicholas Bartholomew** at the summer help rate of \$9.70 per/hr. with a start date of May 30, 2017. A favorable background check has been completed. The budget line for this hire is W8340-1034.

Parks Department to Hire Summer Laborers

R118-17 Authorization for Parks Department Superintendent Jim Bukowski to *retroactively approve* the hiring of **Mike Tomcho, Justin Perez, Chris Dutkowsky, Jacob Dean, and Andy Gleason** as Summer Laborers effective May 17, 2017 at the rate of \$9.70 per hour.

FINANCE: Agneshwar/Fitzgerald

Receive and File:

- **Warrant Reports:** 2017- 19, 2017-19B, 2017-19E, 2017-20, 2017-20E

PLANNING & ZONING: Messina/Fitzgerald

2004 Ford Explorer to be Sold through Auction International

R119-17 Approval for the Code Enforcement Department to sell the department's **2004 Ford Explorer** VIN (1FMPU16LB63982) through Auction International. Originally used by the Police Department, this vehicle's current mileage is approximately 95,000 and is in need of costly repairs.

PUBLIC SAFETY: Majewski/Messina

Binghamton Memorial Day Parade

R120-17 Approval by the Vestal Board of Fire Commissioners authorizing Fire Chief David Harrington to send one piece of **Station 4 apparatus** and members to the **Binghamton Memorial Day Parade** on May 29, 2017.

Fred Singer Training Site

R121-17 Approval by the Vestal Board of Fire Commissioners for Fire Chief David Harrington to authorize the **Monroe Hose Fire Company** to use the Fred Singer Training Site at a cost of \$100 on May 28, 2017.

END OF CONSENT AGENDA

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SUPERVISOR'S ANNOUNCEMENTS

Memorial Day Ceremony

VESTAL MEMORIAL PARK

(FOUR CORNERS)

NOON ON MONDAY MAY 29, 2017

VESTAL ELKS FLAG DAY CEREMONY

WEDNESDAY JUNE 14, 2017- 6:00 PM

VESTAL MEMORIAL PARK

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the meeting was adjourned at 6:22 PM. Carried unanimously.

Approved by _____ Emil J. Bielecki, Town Clerk