

Regular Meeting of the Vestal Town Board November 20, 2019

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 November 20, 2019.

TOWN BOARD PRESENT:

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

ALSO ATTENDING: Town Attorney David Berger, Town Engineer Vern Myers, Town Clerk Emil Bielecki, and 8 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

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

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

Resolved the Minutes of the Regular Meeting on November 6, 2019 are approved.

BID OPENINGS

Bids for the purchase of two (2) new Pumper Fire Apparatus were opened in the Town Clerk's Office at 2:00 pm on November 12, 2019 with the following results:

Federal Safety Equipment	(METAL FAB) Candor, NY 13743	\$1,401,000.00
Premier Fire Apparatus	(EMERGENCYONE) Ocala, FL	\$1,473,920.00
LaFrance Equipment Corp.	(ALEXIS) Elmira, NY 14904	\$1,477,802.00
Firehouse Apparatus	(HME) Locke, NY 13092	\$1,237,634.00

PUBLIC HEARINGS

Public Hearing on the issuance of a Special Permit to allow General Office use in an Industrial Development Zone regarding premises situated at **408 Commerce Road**, in the Town of Vestal, NY, Broome County Tax Map No. 158.08-1-1.

Regular Meeting of the Vestal Town Board November 20, 2019

Supervisor Schaffer offered the Proof of Posting and Affidavit of Publication and then opened the Public Hearing.

Justin Marchuska, representing Marchuska Brothers LLC, the applicant for the Special Permit, explained that the company will be renovating 2 floors of the building. Lincare Medical will be occupying the lower level and Marchuska Brothers Construction will be on the second floor.

Councilman Fletcher asked about the review of the site plan. Town Engineer Vern Myers responded that the Planning Board has reviewed and approved the site plan.

Town Engineer Vern Myers stated that the approval of this Special Permit should be contingent upon the following conditions:

- There will be no storage of construction equipment on the site.
- Any change of tenants in the future will require coming back to the Town Board for another permit.

Hearing or seeing no one else wishing to speak, Supervisor Schaffer closed the Public Hearing.

Special Permit for Marchuska Brothers Construction at 408 Commerce Road

R205-19 On a motion of Councilwoman Messina, seconded by Councilman Fletcher, the following resolution was

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

Resolved to approve the issuance of a Special Permit to **Marchuska Brothers Construction, LLC** to allow General Office use in an Industrial Development Zone at 408 Commerce Road, in the Town of Vestal, New York and being designated as Broome County Tax Map No. 158.08-1-1. The Special Permit is subject to the following conditions.

- There will be no storage of construction equipment on the site.
- Any change of tenants in the future will require coming back to the Town Board for another permit.

The Town Board has reviewed the Short Environmental Assessment Form under SEQRA submitted by the applicant and determines that this action will not result in any significant environmental impacts and a negative declaration is adopted.

PRIVILEGE OF THE FLOOR

A resident of Upper Stair Tract expressed concern about vehicles speeding, particularly in the area of Campus Drive and Marietta Drive. There are a lot of

Regular Meeting of the Vestal Town Board November 20, 2019

kids that live in the area and the speeding is creating a very dangerous situation. She is asking to Town to consider adding additional stop signs at some of these intersections and perhaps installing speed bumps. Supervisor Schaffer responded that he has been discussing this problem with the Police Chief and is continuing to explore the available options. There have been additional patrols added to the area and we are considering additional speed limit signs. Also, some sections of the roads in this area are in the Town of Binghamton and we will reach out to them for possible assistance.

A resident of Lynwood Place complained that some commercial properties which share boundary lines with residential homes on Lynwood Place have removed trees and shrubs which served as natural barriers from the commercial activity on Vestal Road. The removal of trees and shrubs has altered the character of this residential area. He is asking the Town to intervene in restoring these natural barriers.

RESOLUTIONS & MOTIONS

Amended the 2020 Preliminary Town Budget

R206-19 On a motion of Councilwoman Messina, seconded by Councilman Fletcher, the following resolution was

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

Resolved to amend the **2020 Preliminary Budget** as follows:

General Fund			2020 PRELIM	2020 FINAL	CHANGE
REVENUE CHANGES					
A1011	1011	Appropriated Fund Balance	-\$240,400	-\$1,440,400	-\$1,200,000
A2610	2610	Fines & Forfeited Bail	-\$200,000	-\$184,000	\$16,000
					-\$1,184,000
APPROPRIATION CHANGES					
A9045	8405	Life Insurance	\$9,500	\$7,500	-\$2,000
A9055	8408	Disability Insurance	\$40,000	\$26,000	-\$14,000
A9950	9000	Transfer to Capital Projects	\$0	\$1,200,000	\$1,200,000
					\$1,184,000
<u>Highway Fund</u>					
APPROPRIATION CHANGES					
D5130	4230	Repair Of Machinery etc.	\$180,000	\$182,000	\$2,000
D9045	8405	Life Ins.-Term	\$3,500	\$2,700	-\$800
D9055	8408	Disability Insurance	\$9,850	\$7,500	-\$2,350
D9730	7452	Interest on BANS	\$63,204	\$64,320	\$1,116
D9901	9002	Transfer to Health Ins Fund	\$766,091	\$766,125	\$34
					\$0

Regular Meeting of the Vestal Town Board November 20, 2019

Water District

REVENUE CHANGES

W1011	1011	Approp. Fund Balance	-\$67,413	-\$567,413	-\$500,000
-------	------	----------------------	-----------	------------	------------

APPROPRIATION CHANGES

W9950	9000CR	Interfund Transfer, Cap. Res.	\$0	\$500,000	\$500,000
-------	--------	-------------------------------	-----	-----------	-----------

Sewer District

APPROPRIATION CHANGES

S8120	2060	Capital Improvements - Infrass	\$430,000	\$280,000	-\$150,000
S8120	2130	Pump Station Improvements	\$45,000	\$195,000	\$150,000
					\$0

Drainage Districts

REVENUE CHANGES

01D30	1003	Maintenance Assessment	-\$4,990	-\$4,999	-\$9
18D30	1003	Maintenance Assessments	-\$72,329	-\$72,375	-\$46
					-\$55

APPROPRIATION CHANGES

01SD8	4060	Operational Expenses	\$2,495	\$2,504	\$9
18SD8	4060	Operational Expenses	\$72,329	\$72,375	\$46
					\$55

Final 2020 Town of Vestal Budget

R207-19 On a motion of Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following resolution was

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

Resolved to adopt the 2020 Preliminary Town of Vestal Budget including Special Districts, as amended on November 20, 2019, as the **Final 2020 Town of Vestal Budget** with a tax levy in the amount of \$11,174,314 and appropriations in the amount of \$31,486,811.

Insurance Reserve Fund to Purchase Bond Anticipation Note

R208-19 On a motion of Councilwoman Fitzgerald, seconded by Councilman Fletcher, the following resolution was

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

Resolved to authorize the Insurance Reserve Fund to purchase a **Bond Anticipation Note** in the amount of \$175,000 to finance the cost of the reconstruction and resurfacing of roads. The note will be dated December 6, 2019 at the market rate interest of 1.5% and will mature on May 8, 2020.

**Regular Meeting of the Vestal Town Board
November 20, 2019**

Advertise for Permissive Referendum to Purchase Fire Chief Vehicles

R209-19 On a motion of Fire Commissioner Fletcher, seconded by Fire Commissioner Fitzgerald, the following resolution was

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

Resolved to authorize the Town Attorney to advertise on December 4, 2019 for a **Permissive Referendum** to use funds from the Fire District Capital Reserve to fund the purchase of **four Chief Vehicles** not to exceed the amount of \$240,000.

Advertise for Permissive Referendum to Purchase Pump Fire Apparatus

R210-19 On a motion of Fire Commissioner Messina, seconded by Fire Commissioner Fletcher, the following resolution was

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

Resolved to authorize the Town Attorney to advertise on December 4, 2019 for a **Permissive Referendum** to use funds from the Fire District Capital Reserve to fund the purchase of one **Pump Fire Apparatus** not to exceed the amount of \$790,000.

Agreement for Occupational Health Services with Southern Tier Medical

R211-19 On a motion of Councilman Fletcher, seconded by Councilwoman Messina, the following resolution was

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

Resolved to authorize the Town of Vestal to enter into an agreement with **Our Lady of Lourdes Memorial Hospital, Inc.** to receive Occupational Health Services on an as-needed basis beginning January 1, 2020 as described in the contract and for the Town Supervisor to sign such contract. The Town has received an Assignment from Our Lady of Lourdes Memorial Hospital, Inc. advising that such contract has been assigned to their affiliate **Southern Tier Medical Care – NY, P.C.** All terms and conditions to remain unchanged.

CONSENT AGENDA

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

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

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

**Regular Meeting of the Vestal Town Board
November 20, 2019**

PUBLIC WORKS: Fitzgerald/Fletcher

Washington Bridge Replacement Project Supplement Agreement No. 1

R212-19 Authorization for the Town Supervisor to sign the **Washington Bridge Replacement Project Supplement Agreement No. 1** for Additional Right-of-Way Services.

FINANCE: Messina/Majewski

Receive and File

- Warrant Reports: 2019-45, 2019-45E, 2019-46, 2019-46B, 2019-46C, 2019-46E

Budget Transfers

R213-19 Approval for Deputy Town Comptroller Nick Angeline to perform the **budget transfers dated November 18, 2019**, as attached to his memo to the Town Board dated November 18, 2019.

Refund on Utility Bill to National Vision, Inc.

R214-19 Authorization to issue a refund in the amount of \$2,083.94 to **National Vision, Inc.**, 2431 Vestal Parkway East, for paying a utility bill in error.

Refund on Utility Bill to Syned Kamal

R215-19 Authorization to issue a refund in the amount of \$40.92 to **Syned Kamal**, 2111 Vestal Road, for a credit on the final utility bill.

ADMINISTRATION: Fitzgerald/Messina

Fireman Breakfast with Santa at Station No. 2

R216-19 Authorization from the Board of Fire Commissioners to hold the **Firemen Breakfast with Santa** on December 8, 2019, 7:30 am-11:00 am at Station No. 2.

Sale of Fire Department Training Van 32

R217-19 Authorization from the Board of Fire Commissioners to list **Training Van 32**, a 1997 Dodge Van (VIN # 2B5WB35Z5VK568000) for sale on Auctions International.

Sale of Fire Department Tanker 32-3

R218-19 Authorization from the Board of Fire Commissioners approving the **sale of Tanker 32-3**, a 1989 Volvo GMC Saulsbury, VIN #4V2BCBJF2KN612623), through Permissive Referendum with advertising on December 4, 2019.

**Regular Meeting of the Vestal Town Board
November 20, 2019**

Noah Sheriff and Noah Ginsburg as New Members of Fire Department

R219-19 Authorization from the Board of Fire Commissioners to approve the following as **new members of the Vestal Fire Department**:

- **Noah Sheriff** as a new member at Company No. 1
- **Noah Ginsburg** as a new member at Company No. 4

ADMINISTRATION: Fitzgerald/Messina

Renewed Contract for Dog Shelter Services with Vestal Veterinary Hospital

R220-19 Authorization for the Town Supervisor to sign a **renewed contract for dog shelter services for the year 2020** with the **Vestal Veterinary Hospital**. There are no changes from the 2019 contract.

RECEIVE AND FILE:

- **Town of Vestal Financial Report** for the Year 2018
- **Vestal Fire Dept. Fire Advisory Board Meeting Minutes** – October 21, 2019

END OF CONSENT AGENDA

SUPERVISOR'S ANNOUNCEMENTS

- **Winter Parking Hours** are in effect from December 1 thru March 31. There is no parking of vehicles on any town streets and roads from 2:00 AM to 6:00 AM.
- Town Engineer Vern Myers announced that the project to install LED lighting throughout the Town is proceeding rapidly. About 600 lights have already been installed and about 1,400 more are coming.

ADJOURNMENT

On a motion of Councilwoman Messina, seconded by Councilman Fletcher, the meeting was **adjourned at 6:25 PM**. Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk