

Regular Meeting of the Vestal Town Board January 9, 2013

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 January 9, 2013.

TOWN BOARD PRESENT

Supervisor John Schaffer
Councilman Fran Majewski
Councilwoman Patty Fitzgerald
Councilman Steve Milkovich

ABSENT: Councilman David Marnicki

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and approximately 20 members of the community.

The Supervisor called the Regular Meeting in the Vestal Town Board Room to order at **6:05 PM**.

APPROVAL OF MINUTES

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

ADOPTED Ayes 4 Majewski, Fitzgerald, Milkovich, Schaffer
 Nays 0 Absent 1 Marnicki

Resolved the Minutes of the Regular Meeting on December 19th, 2012 are approved.

BID OPENINGS

The bids submitted by the following, for the **Operating Engineers Uniforms**, were received and opened in the **Town Clerk's Office** at 2:00 PM on January 8th, 2013 with the results forwarded for review and recommendation.

Team World
498 Conklin Ave., PO Box 1853
Binghamton, NY 13902

Logo-Wise
49 Court St., 2nd Floor
Binghamton, NY 13901

PRIVILEGE OF THE FLOOR – For Agenda Items Only:

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

RESOLUTIONS & MOTIONS

R002-13 On a motion of Councilman Majewski, seconded by Councilman Milkovich, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Milkovich, Schaffer

**Regular Meeting of the Vestal Town Board
January 9, 2013**

Nays 0 Absent 1 Marnicki

Resolved to approve the settlement agreement between the **Town of Vestal and Wal-Mart Stores Inc.**, Broome County Index No. 2012-1620 on the following items:

	<u>2405 VPE 158.14-1-1</u>		<u>2525 VPE 158.10-2-2.2</u>
2012-13	\$18.5 million	2012-13	\$11.5 million
2013-14	\$16.0 million	2012-14	\$10.0 million
2014-15	\$17.5 million	2014-15	\$10.5 million
2015-16	\$17.5 million	2015-16	\$10.5 million
2016-17	\$17.5 million	2016-17	\$10.5 million

The Town Attorney and Comptroller are authorized to act pursuant to this approval.

CONSENT AGENDA

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

ADOPTED Ayes 4 Majewski, Fitzgerald, Milkovich, Schaffer
Nays 0 Absent 1 Marnicki

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

FINANCE: Majewski/Marnicki

Receive and File:

- **Warrant Reports** 2012 –51 2012-51B 2012 -51E
2012 –51L
- **Town Clerk Monthly Report** – December 2012 – Total Local Shares
\$4,093.39

Budget Transfers

R003-13 Authorization for the Business Office, per the Deputy Comptroller's memo dated December 19th, 2012, to perform the **Budget Transfers** dated **November 8, 2012 through December 19th, 2012** to cover 2012 expenses.

Hire Appraiser

R004-13 Authorization for the **Town Attorney** to hire **Upstate Group** to provide appraisals for **433 Brook Hill Road** and **577 Ross Hill Road**, Vestal NY at the rate of \$300 per appraisal plus \$50 per hour for pre-trial or court testimony.

**Regular Meeting of the Vestal Town Board
January 9, 2013**

EMPLOYEES: Fitzgerald/Marnicki

Mullins to Carry Vacation Days

R005-13 Authorization for **Lt. Gerald Mullins** to carryover an additional 2 unused vacation days into 2013. His total carryover will be 7 days. The need for this was unexpected and due to the need to cancel his planned vacation days on 12/26/2012 and 12/27/2012.

PUBLIC SAFETY: Majewski/Fitzgerald

Budget Transfer to Purchase Vehicle for Fire

R006-13 Authorization from the Board of Fire Commissioners to perform a **2013 budget transfer in the amount of \$9500** from line F3410 4040 to F3410 2255 to purchase a 2000 Ford Excursion for the Department Chief.

Paffie to Sign Vouchers

R007-13 Authorization from the Board of Fire Commissioners for Assistant Fire **Chief John Paffie to sign vouchers** in the absence of Chief McPherson for the 2013 fiscal year

Approve Fire Members

R008-13 Authorization from the Board of Fire Commissioners approving **Benjamin Schwartz** to become a member of the Vestal Fire Department at Company No. 4.

R009-13 Authorization from the Board of Fire Commissioners approving **Trevor Pease** to become a member of the Vestal Fire Department at Company No. 3.

R010-13 Authorization from the Board of Fire Commissioners approving **Mark Christiansen** to become a member of the Vestal Fire Department at Company No. 1.

Stop Signs to be Erected at Country Club and Washington Drive

R011-13 Approval to adopt the following resolution:

Stop signs will be erected at the intersection of **Country Club Road** and **Washington Drive**: One STOP sign will face west and will stop traffic traveling

Regular Meeting of the Vestal Town Board January 9, 2013

east on Country Club Road, the other will face east and will stop traffic traveling west.

RECEIVE AND FILE

- **Building Department** Year End Report for 2012
- The **November and December CAC Meeting Minutes** have been posted on the Town Website.
- **Environmental Easement** – Notice to Municipality as granted to the NYS Department of Environmental Conservation for property at 1808 Vestal Parkway BCTMP 158.13-3-2.1 NYSDEC Site No. 704029.

END OF CONSENT AGENDA

COMMITTEE CHAIR COMMENTS AND UPDATES

Councilman Majewski – Fire Chief McPherson has announced the completion of **well site safety training** for the entire Vestal Fire Department and has received a proclamation from Broome County as well as a NYS Excellence Award for this accomplishment.

ADDITIONAL PUBLIC COMMENTS:

Approximately 8 speakers addressed the Board. A synopsis of the comments is as follows:

- Paying \$9,500 for a 13 year old vehicle for the Fire Department seems too high. We should have considered a used Police vehicle.

Supervisor Schaffer response: this vehicle is clean and has low mileage and warranties.

- Board meeting time should return to 7:00 PM to make it easier for people to attend.

Councilman Majewski response: no one else has complained about the 6:00 PM start.

Supervisor Schaffer response: We will take this recommendation for consideration.

- We should not be making budget transfers. Departments need to manage within their budgets.

Supervisor Schaffer response: speaker is welcome to discuss the details of the transfers with the Comptroller.

- Speaker claims the schedule of the Board meetings was not advertised.

Regular Meeting of the Vestal Town Board January 9, 2013

Town Clerk Bielecki response: this is the meeting where the schedule for the year is approved. The 2013 Town Board meeting schedule will be posted on the website tomorrow.

- Speaker stated that the purchase price of the vehicle for the Fire Department is within the ballpark of the listed Blue Book value.
- Speaker noted some areas of the country have experienced methane migration because of hydro-fracking. If fracking comes to Vestal, there will definitely be methane as well as hydrogen sulfide migration.

SUPERVISOR'S ANNOUNCEMENTS:

- **Winter Parking Hours** – December 1st - March 31st - 2:00 AM to 6:00 AM
- 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 Public Hearing for Proposed Local Law "A" of the year 2013 entitled: "*A Local Law Rezoning BCTMP# 189.12-1-41.2 on West Sheedy Road from C-2 to PDD (Planned Development District)*" will be held at 6:00 PM on January 23, 2013.

Supervisor Schaffer praised Senator Libous and Congressman Hanna for responding to his letter seeking assistance for flood victims. They are the only two elected officials that have responded. Our Code Department is working on Phase II measures for flood mitigation.

Councilman Milkovich was sworn in earlier this evening for a one year term.

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilman Milkovich, the meeting was adjourned at 6:35PM. Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk