

WORK SESSION
MONDAY, MAY 24, 2010

Peter Andreasen, Fran Majewski, Patty Fitzgerald, David Marnicki, John Schaffer, David Berger, Nancy Olmstead, Emil Bielecki, and Kathie Young, Jim Bukowski, Laura McKane, Doug Rose, Tom McCartney, Margaret Hadsell, Debbie Schwartz - Press and Sun.

WORK SESSION:

Police presentations at Town Board Meeting (Wednesday, May 26th @ 7pm)

6:00 pm Jim Bukowski – Concessions at Coal House

Jim wants to know how the Board wants to handle leasing out the Coal house. A straight lease or a performance based lease. Volunteers are a third option but he doesn't feel it is viable. He wants the Board to think about it. He has inquiries. If it is an RFP there will be a lot of interest. He would like to know the Board's pleasure.

Councilman Marnicki - Performance base is a gamble and we would have to monitor their books. He prefers a straight lease.

Supervisor Andreasen – we have had vandalism at the Coal House. It would be better to get some one in as soon as possible to minimize the risks. Police are working on keeping the bathroom at the east end locked at night. People are sleeping in that bathroom.

Peter prefers a straight lease.

Councilman Schaffer – He doesn't know why Jim should be involved in the leasing.

Jim Bukowski: This is all new. How does the Board want to proceed? How do they want things handled? It's up to them.

Councilman Schaffer - Whose department does this fall under?

David Berger: He would like to have Jim's assistance with the RFP. He is in the best position to do that since he has intimate knowledge of the building.

Councilman Schaffer - He thought the historical society was to go in there. He has spoken to someone who was originally involved. This should be in executive session. He has heard different stories.

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David Berger: Does it involve litigation or personnel? If he is unsure, that can be asked in Executive Session for a ruling.

Councilwoman Fitzgerald – She would like to see some one in there to start getting income in for the Town.

Councilman Majewski – He would like them to get started on an RFP. He would like a straight lease.

Councilman Schaffer – He would like a straight lease.

Jim – If Councilman Schaffer has concerns about anything to do with the Coal House, they should be answered before this starts. What would he like to know?

Ross Corners Park will be closed.

Councilman Majewski – This is the only park at the West end of Town. There is still a tennis court and soccer fields there.

Supervisor Andreasen – Since the economy has receded we have pulled back upgrading Fuller Hollow Park. It would cost 4 percent of the budget to fix this park. Stair Park is near by for their use.

Councilman Majewski – He would still like to see something open at Ross Corners.

Jim Bukowski: The Board needs to make a decision. It will take 45 to 60 thousand to put in new equipment. We don't own Ross Corners. The School does. Do you want to turn it pack to the School? (The same applies with Willow Point.) We schedule the leagues in the summer. We have hard decisions to make with this economy. These can be turned back to the School if the Town prefers. But it is doubted that the school will take over the scheduling of the leagues and they will have no where to go. In Ross Corners we only own a small triangle in the back. There is equipment and a pavilion in there. He wants the Board to

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advise him of what they want done.

The phones on the rail trail: The contract is up. Jim would like to turn the electrical service over to the Town. The casings to the phone are there. Jim will take pictures. He would like to clean them up. David Berger has sent a letter to the phone company long ago. Jim will have the power turned over to the Town. The equipment will be removed.

PUBLIC HEARINGS:

- Proposed Local Law “F” of 2010 - *Local Law Creating an Historic Preservation Ordinance for the Town of Vestal* - This is the state law that is required to be enacted to get the certification and grants. This places this board in lay hands and out of the Town Boards purview.

We will advertise on June 2nd for a Public Hearing on June 9th.

Code will be asked to advise on wording for the following:

Section 12: Violations

(A) Failure to comply with any of the provisions of this ordinance shall be deemed a violation and the violator shall be liable to a fine of not less than _____ nor more than _____ for each day the violation continues.

-
- Local Law “A” - *A Local Law Amending Chapter 5, Article V to Regulate Animated Signs* - Received SEQRA from County – the response from the 239 I & m is a suggestion that we wait to enact anything concerning these signs. Federal Highway Transportation Administration guidelines are pending.

Supervisor Andreasen – If we don’t do anything we will still have to handle every request that comes along. This will cover our needs at this time. This will be brought up on Wednesday.

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Moss Road:

The people who own the house on **Moss Road** have requested that the road name be changed. This is still a Town Road. There is also a water main down there. The road is about 400 feet long with a turn around. We maintain it. Do we want to abandon the road? There is a procedure. We will keep with the easement. Peter will have Gary look into this. He wants to name it Alexander Place.

6:30 pm Doug Bulman - Health Care Reform (Early Retirement Subsidy)

Laura McKane: There is an early retirement subsidy that may be available. Excellus is not ready to do this. There was a provision in the Affordable Care Act. This is an early retiree reinsurance program. Doug is going to collect our data and get our application in. There is 5 billion dollars allocated. PREMIER will do all the data collection. It is first come first served. Once our application goes in and is accepted, we will not need to reapply. We want it to go to reduce costs. The group works on a fee based on recovery. We get 65 and they keep 35. 20 percent goes to part D advisors. 15 goes to PREMIER to do data collection. This is found money.

This will supplement everything up to our stop loss. It is in our deductible portion. The groups of 100 employees will migrate to a government plan. The others will self insure. This will create more volume to a group like ours. This should increase the carriers that will be available to us.

There is no guarantee that we can get this. There is another option with a flat fee. We have about 70 people who would qualify.

We will need a Resolution to enter into a contract with these companies.

We would have them do all of our filings. It is a two year term. The problem is that it is hard to get accurate figures from Excellus.

We do not need to put any money up front if we go to the 20 percent plan. The data doesn't have to be submitted with the data. The data can be sent at a later date and PREMIER will

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get the data and submit it for us.

Councilman Majewski - Laura and Doug should decide which plan to go through and advise the board.

Councilman Marnicki if there is just one claim that pays off it will pay for itself.

Laura will get the information before Wednesday's Board meeting.

7:00 pm Doug Rose – Tom McCartney - Radios

We still have two Commissioners that still need to be trained. We have grants depending on the completion of this training. The \$150 that we spent in anticipation of a course being taken can not be returned. It has come out of the Fire Budget.

Training can be done on line and the Town will reimburse the training fee.

Doug gave a presentation. We need to come into compliance for Emergency Services Communications.

Western Broome Radio Plan –

We are consolidating between Endicott, West Corners, West Endicott, Vestal, and Endwell.

We have hi band as well at West Corners and Endicott. He showed our radio system. Twist Run is 100 watts tower. We can not use this. We use 60 watts. Ingram Hill is a Broome County Tower.

Andrews Road Tower is our primary site.

We do have some repeaters and remote receivers. There are some problem areas still. The downside of low band is that it doesn't work in a building. Hi band can.

We want to share our dispatch channel. It is the repeater channel that we talk to the County

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on. He showed a frequency listing of 16 different frequencies.

Additional Frequencies - VPD, VVES, Vestal Highway, Vestal Fire Police, NOAA Weather, PA High Band Channels

The plan cost is covered by OES with available/existing interoperability/capitol/project radio money

We are not giving up our radio channel(s). We are sharing it.

We are not giving them up, only sharing Channel 1. It is still available for use in poor coverage areas.

We are helping out Endicott, but this will also help our personnel when they are operating in Endicott.

We are going to maintain channel 1.

We are not sharing the old Highway channel town wide repeater.

We will still be able to talk to Broome on Channel 2. We will look at adding receivers on that Channel. We have \$12,000 to put towards them.

This will ease communications between departments. It gives better *Mayday* monitoring by OES.

OES will take over maintenance of the radio system. We turn over ownership of the system to OES. They assume all responsibility for the system and its updates. They have a huge maintenance plan.

We are getting more than we are giving.

He would like the Board to issue a Memo of Understanding. He wants a clause stating that if the County goes to ultra high or changes the way it works it will revert to the Town.

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Doug will print a copy for us. He would like to keep this moving. We have the software and it is free. We do need to reprogram some radios.

Tom McCartney feels that EMS and Police will follow with this program.

David Berger will draft the MOU. Doug will come back when he is ready.

7:30 pm Emil Bielecki

We have received a scholarship for Emil to attend a Records conference. It should be very useful.

He took over in January and has a direction for personnel needs to address. We do have a need to replace a part time individual that is left open at this time.

Susan Bailey has taken on some additional hours. Ruth Lewis our Records Manager will be retiring. We had a disaster in records management and Ruth has done wonders with our records, but we need to maintain it. It is detailed and specialty. He would like to see Sue step into Ruth's part-time position in addition to her duties as second deputy. He would like the town to consolidate 3 part time positions into one position. The major reason is to have the continuity and be able to train someone in this capacity. A quarter of her time would be records. He recommends Sue Bailey for this position. He presented the numbers and has worked with the comptroller and human resources. His target date would be September 1st which would allow her time to be trained by Ruth. This will save money since we are not hiring the other part time person. We will also be filling in for the duties that Ruth is doing for records management. This would be a grade 3 position at \$13.03. There is significant savings to be achieved by doing this. There will be no benefits this year. We would save almost 7,500 this year. Next year, at a worst case scenario, the savings would be about 8,100. If the board continues with their pursuit of grants this savings should cover this.

We are replacing a much higher salaried position. We would eliminate the phone card, we have eliminated the cell phone and there will be a reduced cost to the retirement system which is based upon salary will be considerable less.

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David Marnicki is against this. The same amount of work needs to be done. We did not give Department Heads a raise. This will create problems.

Emil: This would be a Deputy Clerk position.

John Schaffer: He would like more information. This would be a consolidation of positions which is a step in the right direction. He feels there still a lot of waste. Things have to change.

BIDS:

- The Bids for the Main Street Slope Repair Project were opened today in the Town Clerk's Office.
- The Bids for the Drainage Storm Markers were opened today in the Town Clerk's Office.
Single Bid Received: **Almetek** 2 Joy Drive, Hackettstown, NJ 07840
\$33,189.50
(approximately \$2.65 each) We will order 1000 for the Town of Vestal. Each municipality to order and be billed directly.

Gary Sloan:

Regarding - **Proposed Local Law "E" of the Year 2010** - A Local Law Rezoning 2524 & 2528 Vestal Parkway East, from CD Commercial Development to C2 Community Business District"

The Board was given a traffic impact study at the April 28th Board Meeting. He came in with the traffic counts. He came to see if the Board has any questions.

The Police Department provided an incident report. There have been 369 accidents – 25 between African and Rano.

DOT and BMTS have no problem with this study. They concur with the study.

Councilman Schaffer – He would like to see a copy of the study. He was at this site and feels that the accidents will go up because of the impulsiveness of those using this business. He would like the car wash to come but it not sure this is the place for it.

Gary Sloan will bring Gordon Stansbury, the traffic engineer who drafted the study, here on Wednesday.

Councilman Schaffer- He doesn't understand the difference between now and since he was before the Board before.

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He feels the traffic has increased since then.

Gary will bring in those figures.

The traffic engineer will comment on the reconfiguration of intersection and how it may affect the traffic.

Councilman Marnicki – Many of the *facts* that were brought up by the public at the public hearing were incorrect. There are only two lanes in front of this property. The measurements were incorrect and most of the owners of car washes in Vestal do not live here either.

Councilman Schaffer – He will vote against this unless something changes. He will read the study again.

Patty is against this also. The Town Board sued the ZBA over this for approving this. She feels there is major politics going on.

That was a different Town Board than sits now.

COMMITTEES:

7.1 PUBLIC WORKS –

1. Request to advertise for bids for the **back wall repair at the Main Street Bridge**, possible date could be June 2nd with bid opening June 21st at 2 pm. – The Town Engineer is to bring the plans in on Wednesday. - OK

2. I have reviewed the sole bid for water meters and recommend award to:

Ti-Sales Inc.
36 Hudson Road
Sudbury, MA
01776

Ti-Sales has held this contract in the recent past and has proved to be a very reliable vendor.
- OK

7.2 FINANCE –

1. Warrant Report - 2010 – 19
- 2010 – 19B
- 2010 – 20

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- 2010 – 20L

OK

2. Request to pay invoice for Transcription – Shye Bryson vs. Town of Vestal in the amount of \$264.00 - OK

3. Request to reimburse Dave Berger for a filing fee for \$45.00 for a Motion of Issue – Gorton vs. Town of Vestal - OK

4. Todd Murray is requesting authorization to transfer \$5835 from hardware line 4440 to software line 4441. This is in regards to going from a hardware spam filter to a software spam filter. In doing this, not only will we have a software spam filter but an Email archive software solution which puts us in compliance with 1989 board resolution *MU1 Retention and Disposition* from the N.Y. State archive records and administrative office for the same amount as just 1 hardware spam filter. - OK

7.3 EMPLOYEES –

1. Workers Comp PPO – Nancy Olmstead –

This was discussed two meetings ago. She will not pursue this with the Unions if the Board is not interested and if so - when? The Comptroller believes she can come up with the money to pay for this. This will not come out of contingency if we begin now – or - do we want to budget for this for 2011?

Supervisor Andreasen feel we should do this, the sooner the better.

Councilman Schaffer – There are changes coming.

Supervisor Andreasen – He feels we are spending too much money on our comp claims and this will greatly reduce our costs.

The Board would like her to pursue this with the Unions.

2. Discuss Safety Committee –

Is the Board interested? There is no mandate.

Councilman Majewski – If not mandated then it is just another day off for workers. Everyone needs their people to be on the job.

The safety committee doesn't stop people from getting hurt.

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People need to be fired for not following safety rules. Department heads need to enforce the safety policies.

Our comp claims have been things that can be avoided. We need work on enforcement of safety policies.

All of mandated training is set up and the verifications are turned in. Records are kept.

The experts say that a safety committee can reduce the number of these incidents.

Fran is against this.

David is for this.

John Schaffer is for this.

Department Heads need to step up when there are safety violations.

Nancy will come back to the Board about this.

3. Health Care Reform (Early Retirement Subsidy) – See above.

4. Town Clerk requesting Board approval for the following training and education session:

Susan Bailey, 2nd Deputy Town Clerk, to attend a NYS Archives workshop entitled ***Using State Archives Retention Schedules***. The workshop is scheduled from **9:00 AM to 1:00 PM on Tuesday, June 8th in Whitney Point**. Sue has been training to assume additional responsibility in the records management area in anticipation of the retirement of Ruth Lewis. There is **no cost for the workshop** and the town car will be used for transportation if available. Otherwise, the standard reimbursement for mileage will be applicable.

David is against this.

OK

5. Dawn Vosburg, Maintenance, has to have surgery and will be out 8–12 weeks; Gary Campo is requesting approval to hire per the attached memo for the interim.

The problem is that we have no time to find a replacement. Barb Taggart can do some locations and the Night Shift can do others. A fire department person will do the fire stations at \$9.09 per hour, 8 hours per week.

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Barb Taggart will work at \$21.81 (her hourly rate) and Night Shift will be \$21.61 (State rate) for 10 hours.

Councilman Schaffer – this is out of Barb’s job description. He is opposed to this. Police can be done by someone else. They can do a background check.

In that case the night shift would be hired.

They want to know where the money is coming from. The Town Engineer will be asked to provide information.

OK

6. Ruth Lewis request’s the board’s permission to attend EPF Grant Workshop on June 9th from 1-3 pm in Syracuse. There is no cost for seminar only expense would be mileage reimbursement for 70-80 miles round trip, which would be charged to A1460-1430. OK

7. Emil Bielecki has been awarded the **Cheryl Steinbach Memorial Scholarship** for attendance at the **2010 New York Association of Local Government Records Officers School in Rochester, NY, June13-15**. In view of the staffing transition in my office and my relative inexperience in the area of records management, this school represents a timely and important opportunity for me to learn more about the latest trends and challenges in this specialized area.

This scholarship includes the school registration fee, hotel accommodations and mileage reimbursement (a value of over \$500.00). There is no cost to the Town. I am requesting the Board’s approval to accept the Cheryl Memorial Scholarship and authorization to attend the NYALGRO School in Rochester, NY, June 13-15. OK

8. On Thursday June 10, 2010 the New York Rural Water Association will be conducting a training class on Marcellus Natural Gas Drilling and Source Water Protection in Oneonta. Please have the board approve Scott Shimer for reimbursement at a total cost of \$30.00.

The class is budgeted under line item W8310-4030. Please call me with any questions. OK

7.4 PLANNING & ZONING –

1. Request from the Vestal Athletic Department to waive the parking restrictions for the streets closest to the high school. They are hosting the annual NYSPHSAA Track & Field

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Championship event on June 11, and June 12, 2010. The event will begin approximately 12 noon on Friday and continue to 8 pm and will begin at 7 am and end approximately 5 pm Saturday.

Supervisor Andreasen – The police have no problem.

Patty would like **one side of the street parking only**.

This is only the Woodlawn area.

Peter will discuss this with the Police Department.

2. Discuss Lead Agency Designation for Susquehanna Heritage Area program

OK

3. Request from Vestal United Methodist Church for a special permit to the sign ordinance.

HOLD UNTIL NEXT WORK SESSION.

7.5 PUBLIC SAFETY –

1. Police Department requesting the board's approval for the following training seminar:

Retroactive for Investigator Rollison to attend the **CHILD FORENSIC INTERVIEWING** training to be held at the Buffalo Marriott Niagara from 08:45am to 4:45pm daily from the 19th to the 21st of May. The Broome County Child Advocacy Center will cover the cost of the training and lodging. Our department will be responsible for the cost of meals for Inv Rollison as follows:

The cost of this training is:

| | | |
|--------------|-----------|-----------------|
| 3 Breakfasts | 10.00 x 3 | \$30.00 |
| 3 lunches | 15.00 x 3 | \$45.00 |
| 4 Dinners | 25.00 x 4 | <u>\$100.00</u> |

Total not to exceed **\$175.00**

All cost to be paid out of the departments training line.

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2. Fire District requesting approval from the Board of Fire Commissioners to approve the following:

⌚ For up to 12 Firefighters to attend the FIRE 2010 - NYSAFC 104th Annual Conference & Expo - Turning Stone Resort - Verona, NY June 9th through June 12th. There is no cost to the Firefighters as the Department as obtained free one-day passes.

⌚ Firefighters, Christopher Hine, Thomas Wexilmann and Nathan Dunham to attend Firefighter I boot Camp from July 12th to July 23rd at Endwell Fire Station and the Fred Singer Training Facility. The course is at no cost to the Fire District at this time just notification and approval for VFBL Coverage.

OK

7.6 RECREATION –

1. Summer Help –

Patty spoke with Sue. She has a few more hires. When possible they hire Vestal people. The employees from Binghamton were Vestal residents whose parents moved. OK

2. Credit cards –

Authorization for the Recreation Planner to get two additional credit cards with the credit limit of \$1,000.00 each. One for Missy Papa - Special Events Coordinator and one for the Summer Office Assistant - Amber Frost. This has been approved by the Comptroller and will greatly make purchasing more efficient for this department.

This will free up Sue's time. The bills are reviewed. OK

RECEIVE & FILE:

- Letter from Joseph Husnay requesting the Town of Vestal (along with other municipalities) to consider passing the **Cold War Exemption** – No one knows how many Veterans would be eligible. We can't get those figures. We would need to know how this will affect our budget.
- Martin & Susan Klucka proposal to sell or lease 404 Front Street to the Town of Vestal

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- Letter from NYS Office of Parks Recreation & Historic Preservation regarding the Drovers Inn & Rounds Family Residence being placed on National Register of Historic Places
- Liquor License renewal request from Applebee's Neighborhood Grill & Bar
- 2009 Vestal Annual Water Quality Report
- Fire Advisory Board Meeting Minutes from April 19, 2010
- Broome County Legislature Agenda – May 18, 2010
- Broome County Legislature Notice – Special Session – June 3, 2010 regarding a request to amend County Law to increase the surcharge for access lines for the enhanced 911 Emergency Land-Line Telephone System.
- Letter dated May 11, 2010 – **George VerWys**, 112 Mary Street – Complimenting the work being done on the **Rounds Coal House Project**.

SUPERVISOR'S ANNOUNCEMENTS:

- DEC website Draft Supplemental Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program – October 2009 ---
www.dec.ny.gov/energy

12. OTHER NEW BUSINESS:

13. OLD BUSINESS:

- Motion to establish the following regulation: (held over from 1/25/10)

Install a sign indicating **NO PARKING HERE TO CORNER** shall be erected on both the north and south sides of **Sheedy Road** 300 feet from the Route 26 South intersection. Additional signs indicating **NO PARKING ANYTIME** shall be erected every 50 feet on both sides of **Sheedy Road** proceeding back towards the Route 26 South intersection.

- The Public Hearing for the following was held on January 27th, 2010 and not acted upon.

Local Law "A" of 2010 – *A local law amending Chapter 5, Article V to Regulate Animated Signs*

- Local Law "E" of 2010 – Car Wash

UHS will go off the tax rolls. It will probably be made exempt.

There will be a Town Board Meeting on Monday June 2nd – 6:00 PM Special Meeting

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Motion by Councilman Schaffer and seconded by Councilman Marnicki to enter into Executive Session for the discussion of Negotiations and Litigations. The time was 9:18 pm.

Ayes: All. Nays: None.

Motion by Councilwoman Fitzgerald and seconded by Councilman Majewski to leave Executive Session and adjourn. Ayes: All. Nays: None.

The time was 9:30 pm.