

Regular Meeting Minutes of the Vestal Town Board

March 10, 2021

The Regular Meeting of the Town Board of the Town of Vestal, County of Broome and the State of New York was held via Zoom and Twitch on the Town Website on March 10, 2021.

TOWN BOARD PRESENT:

Supervisor John Schaffer
Councilwoman Patty Fitzgerald
Councilwoman Sue Messina
Councilman John Fletcher
Councilman Jason Ellis

ALSO ATTENDING: Town Attorney David Berger, Director of Human Resources Nancy Olmstead, Town Engineer Vern Myers, Secretary to Town Supervisor & Town Attorney Andria Kintner, Deputy County Executive Kevin McManus, Town Clerk Debra Wallace and 2 members of the public.

Supervisor Schaffer convened the meeting at 6:00 PM.

STATE OF THE COUNTY ADDRESS

Supervisor Schaffer welcomed Deputy County Executive Kevin McManus who gave the State of the County Address.

One year ago, the county was on notice that a deadly pandemic was coming. Everybody dropped their political differences and came together to help our community. We collected over 1 million PPE at our collection sites. County employees in the Parks & Recreation Department and Library became Contact Tracers and a Mobile Testing site was created from an overhauled Broome Transit bus. There are over 21,000 county residents fully vaccinated and over 20% of residents have received their first dose. A mass vaccination site has been set up at Suny Broome which can give 2500 vaccinations a day.

Our economy is opening back up and on the rise, unemployment rates are starting to come down, sales tax is coming back, median house prices are coming up and only a 5% cut in state funding was imposed instead of 20%. The County is expected to receive some Federal Aid. The Fund Balance before Covid was \$14 million and climbing and the County did not take money from the municipalities. There are some exciting new projects coming and we are looking to bring back some of the projects that were set aside due to Covid.

Councilman Fletcher asked about County guidance on opening schools or if it is left up to each district. McManus stated that the County felt it would be best to let the Superintendents of each district decide what is best for their individual needs.

Councilwoman Messina asked about Covid numbers at Binghamton University. McManus stated that BU makes up about 50% of the Town of Vestal's numbers and has been for the past 10 days.

The Board thanked Mr. McManus for all his hard work during his time serving as Deputy County Executive and wished him the best of luck as he retires.

Regular Meeting Minutes of the Vestal Town Board

March 10, 2021

APPROVAL OF MINUTES

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

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

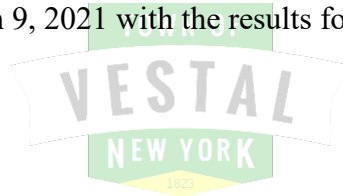
Resolved the Minutes of February 24, 2021 are approved

BID OPENINGS

Sealed Bids for Police Vehicle Parts & Service were received by the Town Clerk and were publicly opened and read at 2:00 pm on March 2, 2021 with the results forwarded to the Police Department for recommendation.

Sealed Bids for Water Appurtenances were received by the Town Clerk and were publicly opened and read at 3:00 pm on March 2, 2021 with the results forwarded to the Water Superintendent for recommendation.

Sealed Bids for Operating Engineers Uniforms were received by the Town Clerk and were publicly opened and read at 2:00 pm on March 9, 2021 with the results forwarded to the Operating Engineers for recommendation.



PUBLIC HEARINGS

Construction of a New Ambulance Facility to be Financed by the Issuance of Tax Exempt Bonds

Supervisor Schaffer opened the Public Hearing for comment and presented the following from Town Comptroller Laura McKane.

The Town Board of the Town of Vestal, Broome County, New York, has under consideration adoption of a bond resolution authorizing the construction of a new Town Ambulance Facility on Vestal Parkway East adjacent to and east of the Vestal Public Library, in Vestal, New York, including incidental equipment and expenses, in and for the said Town, at a revised maximum estimated cost of \$4,200,000, and authorizing the issuance of not to exceed \$1,400,000 serial bonds of said Town to pay a portion of the cost thereof. The remaining cost of \$2,800,000 is expected to be funded by a grant expected to be received from the U.S. Department of Housing and Urban Development (“HUD”) for Community Development Block Grant Disaster Recovery.

The bonds and any bond anticipation notes issued in anticipation thereof will constitute “private activity” bonds which are “Section 501(c)(3) Bonds” within the meaning of the Internal Revenue Code due to the proposed use of said building by the Vestal Volunteer Emergency Squad, Inc., a Section 501(c)(3) organization.

The Internal Revenue Code requires that bonds or notes which are “private activity bonds”, within the

Regular Meeting Minutes of the Vestal Town Board
March 10, 2021

meaning of said Internal Revenue Code, be approved by the governmental unit issuing such bonds and notes after a public hearing following reasonable public notice, in order for interest on the bonds or notes to be excludable from gross income for federal income tax purposes.

Seeing or hearing no one wishing to speak, Supervisor Schaffer closed the Public Meeting.

RESOLUTIONS & MOTIONS

Bond Resolution for Emergency Squad Building

R056-21 On a motion by Councilman Ellis, seconded by Councilwoman Messina, the following was

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

Resolved to adopt the following Bond Resolution for the Emergency Squad Building:

Bond Resolution Dated March 10, 2021

A resolution supplementing the Bond Resolution dated March 27, 2019, to

Authorize the issuance of an additional \$550,000 Serial Bonds of the Town of Vestal, Broome County, New York, to pay part of the cost of the town's share of the cost of the construction of a new Emergency Squad building on Vestal Parkway East, in Vestal, New York, in and for said Town. The Resolution is adopted subject to Permissive Referendum. (Full Text is available in the addendum and the Town Clerk's Office.)

Signing of Stipulation of Settlement - Target

R057-21 On a motion by Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following was

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

Resolved to authorize the Town Attorney to sign a Stipulation of Settlement for the following Article 7 Tax Certiorari cases filed in Broome County entitled:

Target #1506 vs. the Board of Assessors and/or the Assessor of the Town of Vestal and the Board of Assessment Review, Index Nos. EFCA2016001533, EFCA2017001576, EFCA2018001803, EFCA2019002137, EFCA2020001290 as follows:

Roll Year	Assessment	FMV	STIP VAL	Change in TV From Prior Year	School Tax	Town / County Tax	*Town Refund
2021-22	\$10,650,000	\$10,650,000	10,650,000	-\$600,000	na	na	\$0.00
2020-21	\$13,937,000	\$13,937,000	\$11,250,000	-\$2,687,000	\$322,583.06	\$180,043.85	\$12,196.59

Regular Meeting Minutes of the Vestal Town Board

March 10, 2021

FURTHER RESOLVED, that the Town of Vestal understands that upon selection of a vendor the town may enter into its own contract with the vendor, and be it

FURTHER RESOLVED, that participation in this joint request for proposal does not obligate the Town of Vestal to enter into a contract with the selected vendor, and be it

FURTHER RESOLVED, that the Town of Vestal agrees to provide Broome County any HIPAA compliant information required to develop the Request for Proposal including, but not limited to, census information of Medicare primary retirees including date of birth, gender and zip code. Copy of current Summary Plan Description and Benefit Summary along with this resolution, and be it

FURTHER RESOLVED, that once the RFP process is complete, the town agrees to provide post RFP resolution and elect to opt in or out of participation in the selected vendors' MA or MAPD program.

FURTHER RESOLVED, that the Town Supervisor is authorized to execute any agreements, documents or papers as may be necessary to implement the intent of this resolution.

CONSENT AGENDA

On a motion by Councilman Fletcher, seconded by Councilman Ellis, the following was

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

Resolved to adopt the Consent Agenda as follows:

PUBLIC WORKS (ELLIS/Messina)



Core & Main Awarded Water Appurtenances Bid

R060-21 Request from Scott Groats, Water & Wastewater Superintendent, to award the bid for Water Appurtenances to the lowest complete bidder, Core and Main, Binghamton, New York. Bid price \$133,896.15.

FINANCE (MESSINA/Fletcher)

Agreement with Douglas Bulman for Consulting Services

R061-21 Request from Laura McKane, Town Comptroller, to authorize agreement with Douglas Bulman for consulting services.

Budget Transfers

R062-21 Request from Nick Angeline, Deputy Comptroller, to approve budget transfers dated 12/31/2020 as indicated in memo.

PERSONNEL (FLETCHER/Fitzgerald)

Mallow Hired as Police Officer

R063-21 Request from Nancy Olmstead, Director of Human Resources, for authorization for John Butler, Police Chief to appoint Kurtis Mallow to a vacant Police Officer position effective March

Regular Meeting Minutes of the Vestal Town Board

March 10, 2021

22, 2021. Per the PBA Collective Bargaining Agreement the annual rate of pay will be \$54,433. Such appointment is contingent on successful completion of all Town and County Civil Service requirements including but not limited to physical examination, drug testing and psychiatric examination.

Adoption of Public Employer Health Emergency Plan

R064-21 Request from Nancy Olmstead, Director of Human Resources, for the Town Board to adopt the Public Employer Health Emergency Plan for Town of Vestal (as provided in the addendum) and authorize John Schaffer, Town Supervisor to sign the document. Following Board approval the assigned resolution number and adoption date will be added to the document and the word “DRAFT” will be removed. As required by NYS law the document will be posted on the Town’s website, the Town’s K Drive (for employee access) and included in the next publication of the Town’s Employee Handbook.

PLANNING & ZONING (FITZGERALD/Fletcher)

Washington Drive Bridge Supplemental Agreement

R065-21 Request from Vernon Myers, Town Engineer, for the Town Board to authorize the Town Supervisor to sign Supplemental Agreement #3 with the NYSDOT for adding the funding for the construction inspection for the Washington Drive Bridge.

“Race to the Stars” 5K Road Race

R066-21 Request from Andrew J. Deskur, Executive Director Kopernik Observatory & Science Center, to hold a 5K road race, “Race to the Stars” on April 24, 2021 contingent on proof of insurance.

“Southern Tier Enduro” Mountain Bike Event

R067-21 Request from Anthony Folk, Owner, Roots Trail Development, to host the annual “Southern Tier Enduro” Mountain Bike event at Jones Park on Sunday, July 11, 2021.

Architectural Contract Agreements

R068-21 Request from Vernon Myers, Town Engineer, for the Town Board to authorize the Town Supervisor to sign three (3) architectural contract amendments to Bergmann Associates once approved and processed by the Governor’s office of storm recovery for the following services:

Amendment #1: Additional Service not in original contract for Parcel Legal Description and Parcel Map for the NYSDOT Surplus Property (Site of New EMS Facility) Total Cost = \$4,635.90

Amendment #2: Additional Services not in original scope to address last minutes changes affecting building layout, mechanical, electrical and plumbing
Total Cost = \$15,810.00

Amendment #3: For Owner’s Representative Services during construction
Total Cost = \$70,922.00.

Regular Meeting Minutes of the Vestal Town Board
March 10, 2021

NYSDOT Agreement for Site Work

R069-21 Request from Vernon Myers, Town Engineer, for the Town Board to authorize the Town Supervisor to sign the NYSDOT agreement for Site Work allowing construction to begin on the NYSDOT property.

Awarding of EMS Contracts

R070-21 Request from Vernon Myers, Town Engineer, for the Town Board to authorize the Town Supervisor to sign four (4) construction contract agreements for the construction of the EMS Facility once approved and processed by the Governor's Office of Storm recovery for the following services:

Streeter Associates – General Construction Contract - \$2,444,000.00
Petcosky & Sons Plumbing and Heating – Mechanical Contract - \$220,700.00
Petcosky & Sons Plumbing and Heating – Plumbing Contract - \$255,000.00
Spectrum Electrical – Electrical Contract - \$332,000.00

PUBLIC SAFETY (MESSINA/Ellis)

New Member of Fire Station 1

R071-21 Request from John Paffie, Fire Chief, to approve Richard Murphy as a new member of the Vestal Fire Department at Company No. 1.

Birdsall to Receive LOSAP Pre-Entitlement Disability Benefit

R072-21 Request from Susan Bowen, Secretary to the Board of Fire Commissioners and LOSAP Administrator, for Kimberly Birdsall to receive her LOSAP Pre-Entitlement Disability Benefit of approximately \$6,200.

Selling of Retired Police Vehicles

R073-21 Request from Stace Kintner, Police Captain, for the Town Board to approve the sale and proposed pricing of retired police vehicles which are no longer in service.

Cover-All Tent, LLC Awarded Police Vehicle Parts and Service Bid

R074-21 Request from Stace Kintner, Police Captain, to award the Aftermarket Equipment and Labor Bid for Police Vehicle Parts and Service to the low bidder, Cover-All Tent LLC: Owego N.Y., with a total of \$16,311.13.

ADMINISTRATION (FLETCHER/Ellis)

END OF CONSENT AGENDA

RECEIVE AND FILE

- Warrants: 2021 – 08, 08A, 08E; 09, 09E
- Change of Tenant – Moghul Fine Indian Cuisine, LLC – 4700 Vestal Pkwy E
- Clerk's Office Monthly Report – Feb 2021
- Town of Vestal, NY Justice Court Final AUP 2020

