

**REGULAR MEETING OF THE VESTAL TOWN BOARD**  
**September 16, 2020**

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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 September 16, 2020.

**TOWN BOARD PRESENT:**

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

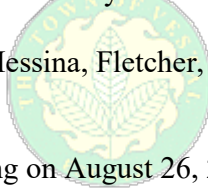
**ALSO ATTENDING:** Town Engineer Vern Myers, Town Clerk Debra Wallace and 9 members of the public.

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 by Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following was

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



**Resolved** the Minutes of the Regular Meeting on August 26, 2020 are approved.

**BID OPENINGS**

**PUBLIC HEARINGS**

**Special Aquifer Permit for Upstate Tower, 420 Old Mill Road**

Town Engineer, Vern Myers stated that the applicant was unable to attend and would like to postpone the hearing until he can be there. Myers informed the Board that the applicant would pay for the re-advertising of the hearing. The Board agreed to remove the public hearing from the agenda and will put it on at a later date.

**Local Law B – Amending Code Chapter 5, Article 5 “Signs”**

A resident stated that there needs to be some regulations on the signs. Some are so big and left out for long periods of time so she is in favor of the law. Councilman Ellis informed her that this law will address her concerns.

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Another resident asked how you would know what the law states and Supervisor Schaffer said that it will be on the Town website and a hard copy would be available at the Town Hall.

**Adopted Local Law "B" – Amending Code Chapter 5, Article 5 "Signs"**

**R148-20** On a motion from Councilman Messina, seconded by Councilman Fletcher, the following was

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

**Resolved** to adopt proposed Local Law "B" of the Year 2020 entitled "A Local Law Amending the Code of the Town of Vestal, Chapter 5, Article 5 "Signs".

**PRIVILEGE OF THE FLOOR**

A resident stated that she was walking on the newer part of the Rail Trail and there was a gentleman playing golf on the side of the trail. She stated that it could be dangerous for walkers and runners. Supervisor Schaffer stated that the Town has no authority outside of the six feet on either side of the trail. The other part is a Federal overflow.

Rochelle Cohen, a Binghamton University student, presented to the Board a concern regarding pedestrian safety on Plaza Drive and Oxford Place. She presented to the Board a study from Binghamton Metropolitan Transportation Study with proposed safety measures and letters of support from local establishments in the area. Supervisor Schaffer thanked her for bringing her concerns. He stated that the BMTS study is a costly study and unless they are willing to put in some funding, it is unattainable. Schaffer stated the U Club was supposed to put sidewalks on the right side of their property and that was never done. Schaffer stated that the Greenway Trail will be available for students to walk back and forth from the U Club and the University when it is completed. Councilwoman Messina and Schaffer measured Oxford Place and looked at that area. Oxford Place is not wide enough for walking lanes and there is a blind spot for buses making turns. He is concerned that a walking lane would give the pedestrians a false sense of security. The Town put in a crosswalk on Murray Hill, but the University needs to put signage up reminding the students they are off campus property and to be aware of traffic. Supervisor Schaffer believes that something could be done on Plaza Drive. The Town will take the recommendations under consideration.

Another BU Student stated that there is a Broome Transit bus stop in front of his building on Country Club Rd but to get on a BU bus, he needs to cross the triple blind intersection. It is a daily risk he does not want to expose himself to. Councilwoman Messina stated that he should contact the University in regards to their bus stop location.

A resident of Vestal wanted to thank the group that put this on the agenda and wanted to show his support for this and how important it is for him and his neighbors.

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Councilwoman Fitzgerald asked how they felt about the lighting in the concerned areas. Students stated that on Murray Hill Rd there is sufficient lighting. Crossing the street at the intersection on Murray Hill Rd and Oxford Place is where more lighting could be useful. Plaza Drive has sufficient lighting. Councilman Fletcher agreed that there are parts that could be lit better. Councilwoman Fitzgerald was wondering if BU would donate solar lights similar to the ones at Ithaca High School.

Rochelle Cohen stated she has already spoken with the Vice President of Student Affairs regarding the crosswalks and he agreed this is a good idea. The Board suggests presenting to BU about contributing to the cost of the crosswalks.

The Board welcomed Anthony Dudinyak, who attended the Town Board meeting to fulfill his Citizenship & Community requirements to become an Eagle Scout.

Supervisor Schaffer asked if anyone else wanted to speak and after no one spoke up, he closed the floor.

**RESOLUTIONS & MOTIONS**

**CONSENT AGENDA**

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

**ADOPTED** Ayes 5  
Nays 0

Fitzgerald, Messina, Fletcher, Ellis, Schaffer



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

**PUBLIC WORKS** (ELLIS/Messina)

**FINANCE** (MESSINA/Fletcher)

**Supervisor to Sign Shared Services Agreement**

**R149-20** Authorized John Schaffer, Town Supervisor to sign Shared Services Agreement between New York State and the Town of Vestal for road materials and equipment.

**Budget Transfers**

**R150-20** Approved budget transfers dated 9/14/2020 as indicated in memo.

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**PERSONNEL (FLETCHER/Fitzgerald)**

**Reappointment of Winterberger to BAR**

**R151-20** Approved the re-appointment of Carl J. Winterberger as a member of the Board of Assessment Review effective October 1, 2020, Mr. Winterberger's term will end September 30, 2025.

**Appointment of Police Officer O'Connor**

**R152-20** Authorized John Butler, Police Chief to appoint Jonathan O'Connor to a vacant police officer position effective September 21, 2020. Per the PBA Collective Bargaining Agreement the rate of pay will be \$52,976.00. Officer O'Connor will be transferring from another police agency. Such appointment is contingent upon successful completion of all Town and County Civil Service requirements including but not limited to drug testing.

**Signing of Collective Bargaining Agreement**

**R153-20** Approved the Memorandum of Agreement between the Town of Vestal and the Vestal Police Benevolent Association (PBA) reached on September 9, 2020 and to authorize the Town Supervisor to sign the resulting collective bargaining agreement.

**PLANNING & ZONING (FITZGERALD/Messina)**

**PUBLIC SAFETY (MESSINA/Fletcher)**



**Advertising for Permissive Referendum for Pump Fire Apparatus**

**R154-20** Approved advertising on September 23, 2020 for 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 \$740,000.

**New Member for Fire Station 2**

**R155-20** Approved Steven McGraw as a new member of Fire Station 2.

**ADMINISTRATION (ELLIS/Fletcher)**

**Court Justices to Apply for Grant**

**R156-20** Authorized Joseph Meagher and Michael Sherwood, Court Justices' to apply for a grant from the Justice Court Assistance Program in the amount of \$30,000 for court equipment.

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#### **Adoption of Updated Retention & Disposition Schedule**

**R157-20** Adopted the updated Retention and Disposition Schedule for New York local Government Records (LGS-1) which took effect August 1, 2020.

#### **Grant for Haudenosaunee Festival and Donation to Museum**

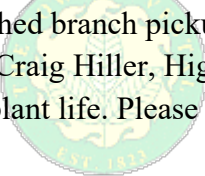
**R158-20** Approved to accept a grant from Visions Federal Credit Union for \$500 for the Haudenosaunee Festival and to accept a \$200 donation for the use of the museum.

#### **COMMITTEE CHAIR COMMENTS AND UPDATES RECEIVE AND FILE**

- Warrants: 2020-35, 35E, 36, 36E, 37, 37C, 37E
- Town Clerk Monthly Report – August 2020
- 2020 Change of Tenant Dog Dayz Inn – 305 Vestal Parkway E
- Town of Binghamton Solar Local Law – 239 Review

#### **PETITIONS & PROTESTS**

#### **SUPERVISOR'S ANNOUNCEMENTS**

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- The Highway Department has finished branch pickup for the season and will be switching to leaf pickup in October. Contact Craig Hiller, Highway Superintendent at 785-4616 with any questions. No garden or dead plant life. Please do not place branches or leaves in the street or on the sidewalks.
  - Town Hall remains closed and can only be entered by appointment. You do not need an appointment to pay your School Taxes, but all other Clerk and Town Hall business is by appointment only. This is by order of the Governor.

#### **OTHER NEW BUSINESS**

#### **Selling of Retired Police Vehicles**

**R159-20** On a motion by Councilwoman Messina, seconded by Councilman Fletcher, the following resolution was

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

**Resolved** to approve the sale of the following retired police vehicles which are no longer in service. The vehicles information and proposed sale prices are listed below:

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<b>Vehicle Identification Number</b>	<b>Vehicle Year &amp; Make</b>	<b>Miles</b>	<b>Comments</b>
1FM5K8AR8FGC52148	2015 Ford Interceptor	90,022	\$9,900 – Via Auctions International
1GNSKDEC5HR266772	2017 Chevrolet Tahoe	118,300	\$15,600 –Via Auctions International
1GNSKDECXHR268114	2017 Chevrolet Tahoe	93,143	\$15,500 – To The Vestal Volunteer Emergency Squad
1GNSKDEC9JR271303	2018 Chevrolet Tahoe	76,806	\$16,000 – To The Village of Owego Police Department
1GNSKDEC4JR266770	2018 Chevrolet Tahoe	87,419	\$16,000 – To The Village of Owego Police Department

**OLD BUSINESS**

**ADJOURNMENT**

On a motion by Councilman Ellis, seconded by Councilwoman Fitzgerald, the meeting was **adjourned at 6:33 pm**. Carried unanimously.

Approved by \_\_\_\_\_  
**Debra Wallace, Town Clerk**

