

## **Special Meeting of the Vestal Town Board November 19, 2012**

A Special 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 November 19th, 2012.

### **TOWN BOARD PRESENT:**

**Supervisor John Schaffer**  
**Councilman Fran Majewski**  
**Councilwoman Patty Fitzgerald**  
**Councilman David Marnicki**  
**Councilman Steve Milkovich**

**ALSO ATTENDING:** Town Comptroller Laura McKane, Town Attorney David Berger, Human Resource Director Nancy Olmstead, Town Clerk Emil Bielecki, Library Board President Gordon Allen, Vestal Museum Curator Virginia Wood, News reporters from The Press & Sun Bulletin and Town Crier and approximately 10 members of the community.

The Supervisor called the Special Meeting in the Vestal Town Board Room to order at 6:00 PM and stated that the main purpose of the special meeting was to deliberate and to adopt the 2013 Town and Special Districts budgets.

### **Temporary Easements for the African Road Bridge Project**

**R337-12** On a motion of Councilman Marnicki, seconded by Councilwoman Fitzgerald, the following resolution was

**ADOPTED** Ayes 5 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer  
Nays 0

Resolved to authorize the Supervisor to sign two (2) temporary easements for the African Road Bridge replacement, PIN 9753.76, and arrange for same to be filed with the Broome County Clerk.

### **Local Law to override the Tax Levy Cap**

Supervisor Schaffer stated that this local law would not need to be enacted if the 2013 Town Budget comes in with a tax levy that is less than the state mandated tax levy cap amount. He expressed confidence that the final budget figures would come in under the cap.

### **Adopt the Final 2013 Town Budget**

Comptroller McKane distributed to the Board Members a list of potential changes to the 2013 Preliminary Budget which she identified as adjustments that should be made to reflect some changes that have occurred since the Preliminary Budget was

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adopted. The net result of these adjustments freed up an additional \$12,000 in the General Fund and \$2,923 in the Library Fund. In addition, as per the recommendation of the Town Supervisor, funds are to be transferred from the Contingency Line A1919.4322 to provide a 1% raise to department heads and non-union employees at the Town Hall.

After a brief discussion, the Board agreed by consensus to accept all of the budget adjustments and recommendations as put forth on the list from Comptroller McKane (dated 11/19/12) and to allocate the freed up money as follows:

- \$13,500 to restore the budget lines for the operation of the Vestal Museum.
- \$ 1,423 to the book purchasing line in the Library budget.

Councilman Majewski cautioned that things are not likely to get better next year and not to assume that the Museum funding will be available in the future.

A motion made by Councilman Marnicki, seconded by Councilman Majewski, to restore funding for the Children's Librarian at the Vestal Library was

**DEFEATED**      Ayes    1    Marnicki  
                     Nays    4    Majewski, Fitzgerald, Milkovich, Schaffer

Additional motions were made by Councilman Marnicki to:

- Restore \$50,000 to the Library book purchasing budget
- Restore seasonal (summer) hires in the Parks and Highway departments
- Add \$100,000 to the Highway paving budget line

The motions died for lack of a second.

Comptroller McKane stated that the 2013 Preliminary Budget, as amended this evening, would require a tax levy that is about \$96,000 below the state mandated cap.

Supervisor Schaffer, citing the consensus of the Board to support the 2013 budget as amended, stated that no action was necessary on the local law to override the tax levy cap and asked for a motion to adopt the Final 2013 Town Budget.

**R338-12**      On a motion of Councilman Majewski, seconded by Councilman Milkovich, the following resolution was

**ADOPTED**      Ayes    4    Majewski, Fitzgerald, Milkovich, Schaffer  
                     Nays    1    Marnicki

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Resolved to adopt the 2013 Preliminary Budget, as amended, as the Final 2013 Town of Vestal Budget with a tax levy in the amount of \$7,630,630.00 and appropriations in the amount of \$16,200,476.00.

### Adopt Special Districts Budget for the Year 2013

**R339-12** On a motion of Councilwoman Fitzgerald, seconded by Councilman Marnicki, the following resolution was

**ADOPTED** Ayes 5 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer  
Nays 0

Resolved to adopt the 2013 Preliminary Special Districts Budget as the Final 2013 Town of Vestal Special Districts Budget.

### Adopt Local Law “E” of the Year 2012 – Amending Sewer Rents

**Section 1.** Chapter 18, Article V, Section 18-202 of the Code of the Town of Vestal is hereby amended to provide as follows:

(a) Sec.18-202(b)(1) is amended by deleting “...three dollars and thirty nine cents (\$3.39)...” and inserting in its place “four dollars and eighty eight cents (\$4.88)” and further amended by deleting “...thirty three dollars and ninety cents (\$33.90)...” and inserting in its place “forty nine dollars and zero cents (\$49.00)”.

(b) Sec. 18-202(b)(2) is amended by deleting “...fifty dollars and ninety cents (\$50.90)...” and inserting in its place, “seventy three dollars and fifty five cents” (\$73.55”).

Comptroller McKane stated that in response to comments made at the public hearing, she and Water Superintendent Groats recommend that the flat fee for non-metered users be changed in the proposed local law from the \$73.55 to \$66.00. This new figure would more accurately reflect the estimated usage of an average user.

Supervisor Schaffer expressed sympathy for the people who will be affected by these large sewer rent increases. Had we not had problems with getting accurate billing information from the Joint Sewage Treatment Plant, we could have raised the rates more gradually.

Councilman Majewski suggested that the Water & Sewer Superintendent post conservation ideas on our website to assist our residents in managing these rate increases.

Supervisor Schaffer stated that at this time he was closing the Public Hearing (adjourned on 11/14/12) on the proposed Local Law “E”.

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**R340-12** On a motion of Councilman Milkovich, seconded by Councilman Majewski, the following resolution was

**ADOPTED** Ayes 5 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer  
Nays 0

Resolved to **amend** Section 1(b) of the proposed Local Law “E” of the Year 2012 to read as follows:

Sec.18-20(b)(2) is amended by deleting “...fifty dollars and ninety cents (\$50.90)...” and inserting in its place, **“sixty six dollars” (\$66.00)**”.

**R341-12** On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

**ADOPTED** Ayes 5 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer  
Nays 0

Resolved to adopt Local Law “E” of the Year 2012, as amended:

“A Local Law Amending Chapter 18 Article V of the Code of the Town of Vestal”

**Section 1.** Chapter 18, Article V, Section 18-202 of the Code of the Town of Vestal is hereby amended to provide as follows:

(a) Sec.18-202(b)(1) is amended by deleting “...three dollars and thirty nine cents (\$3.39)...” and inserting in its place “four dollars and eighty eight cents (\$4.88)” and further amended by deleting “...thirty three dollars and ninety cents (\$33.90)...” and inserting in its place “forty nine dollars and zero cents (\$49.00)”.

(b) Sec. 18-202(b)(2) is amended by deleting “...fifty dollars and ninety cents (\$50.90)...” and inserting in its place, “sixty six dollars” (\$66.00)”.

**Section 2.** Any other Local Law, ordinance or resolution inconsistent herewith is hereby repealed.

**Section 3.** This Local Law shall take effect upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**ADJOURNMENT**

On a motion of Councilman Majewski, seconded by Councilman Milkovich, the meeting was adjourned at 6:39 PM. Carried unanimously.

Approved by \_\_\_\_\_  
**Emil J. Bielecki, Town Clerk**