

Regular Meeting of the Vestal Town Board July 13, 2016

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 July 13, 2016.

TOWN BOARD PRESENT:

Supervisor Schaffer
Councilman Majewski
Councilwoman Fitzgerald
Councilwoman Agneshwar

ABSENT: Councilwoman Messina

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and 7 members of the general 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 of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Agneshwar, Schaffer
Nays 0 Absent 1 Messina

Resolved the Minutes of the Regular Meeting on June 22, 2016 are approved.

BID OPENINGS

The Supervisor offered *Affidavit of Publication* and *Proof of Posting* regarding the bids for the **Mobile Water Supply Fire Apparatus Tanker 32-2**, which were received by the Town Clerk at his office until 2:00 pm on June 28, 2016 where all proposals thus received were publicly opened and read with the following results:

Vander Molen \$411,434.99	224 Wellington Road Dewitt NY 13214	Federal Safety Equipment \$403,129.00	PO Box 293 Clark Mills, NY 13321
Firehouse Apparatus \$401,749.00	13219 State Route 90 Locke, NY 13092	J.P.B Fire Services \$373,681.00	4736 Onondaga Blvd. PMB #210 Syracuse, NY 13219
Churchville Fire App. \$373,904.00	340 Sanford Road South Churchville, NY 14428	LaFrance Equipment \$542,522.00	516 Erie Street Elmira, NY 14904
Fort Garry Fire Trucks \$375,106.00	RR#2, 53 Bergen Cutoff Rd. Winnipeg, MB R3C 2	Campbell Freightliner of Orange County, LLC \$432,514.00	2040 Route 208, Suite 2 Montgomery, NY 12549

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PUBLIC HEARINGS

Petition for Establishment of Consolidated Sewer District # 1, Ext No. 158

Supervisor Schaffer offered *Proof of Posting* and *Affidavit of Publication* for a Public Hearing regarding the **Petition for Establishment of Consolidated Sewer District No. 1 Extension No. 158**, BCTMP # 173.19-2-18, 1236 Main Street and opened the Public Hearing.

Hearing or seeing no one wishing to speak, Supervisor Schaffer closed the Public Hearing and asked the Board if it wished to vote on the matter at this time.

Establish CSD No. 1 Ext. 158

R164-16 On a motion of Councilwoman Agneshwar, seconded by Councilman Majewski, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Agneshwar, Schaffer
Nays 0 Absent 1 Messina

Resolved to authorize the Town Attorney to file the necessary paperwork for the **Establishment of Consolidated Sewer District No. 1 Extension No. 158**, BCTMP# 173.19-2-18, 1236 Main St. Petitioner: Timothy & Nancy Stephenson.

PRIVILEGE OF THE FLOOR

A speaker requested that the Board consider free admission to the Vestal Pool for senior residents who live in the Town. Perhaps, it should be free after 4:00 PM. Also, she again expressed her opposition to subsidizing trips for non-resident members of the Vestal Senior Citizens Center.

A speaker wanted to clarify that in a recent press article concerning solar energy, it was never stated that the *Vestal Residents for Safe Energy* was against the Town exercising Home Rule. They feel that opting out of the solar energy tax exemption is simply a bad idea having nothing to do with Home Rule. Anyone who has installed solar panels is rightly concerned about the possibility of being taxed on them in the future. The Assessor's comments and opinion are not enough.

RESOLUTIONS & MOTIONS

R165-16 On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Agneshwar, Schaffer
Nays 0 Absent 1 Messina

Resolved to direct the Town Attorney to draft a **Local Law to Rezone 4629 thru 4729 Vestal Parkway East (BCTMP # 159.14-1-8 thru 159.15.1-34)** from Residential Area-2 Family (RA-2) to Transitional Neighborhood (TN) with

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publication on July 27, 2016 for a Public Hearing to be held on August 10, 2016. The applicant is the Northstar Group, LLC.

Stipulation of Settlement

R166-16 On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Agneshwar, Schaffer
 Nays 0 Absent 1 Messina

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

United Health Services Hospitals, Inc., vs. the Assessor of the Town of Vestal, New York and the Town of Vestal, Broome County, New York, Index Nos. 2011-001926.

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2011-12	\$2,420,000	\$2,420,000	\$2,156,250	-\$263,750	\$49,437.93	\$36,702.68	\$1,051.48

* Town = General and Highway TOTAL \$1,051.48

The Town Attorney and Business Office are authorized and directed to take all necessary steps to implement this resolution.

Stipulation of Settlement

R167-16 On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Agneshwar, Schaffer
 Nays 0 Absent: Messina

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

United Health Services Hospitals, Inc., Twin Tier Home Health Inc., Professional Home Care, Inc., and FGR Realty, LLC, vs. Mark Minoia, in his capacity as the Assessor of the Town of Vestal, the Board of Assessment Review of the Town of Vestal, New York, the Town of Vestal, New York, the County of Broome, and the Vestal Central School District, Index Nos. 2013-1858

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2013-14	\$3,604,600	\$3,604,600	\$3,006,000	-\$598,600	\$79,781.33	\$46,069.90	\$2,566.59

* Town = General and Highway TOTAL \$2,566.59

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The Town Attorney and Business Office are authorized and directed to take all necessary steps to implement this resolution.

CONSENT AGENDA

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

ADOPTED Ayes 4 Majewski, Fitzgerald, Agneshwar, Schaffer
 Nays 0 Absent 1 Messina

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

PUBLIC WORKS: Fitzgerald/Majewski

Award Bid to Microbac Laboratories for Water Analysis

R168-16 Authorization for Town Attorney to draw the appropriate paperwork and the Water/Waste Water Superintendent to award the bid for water analysis (laboratory testing) to the single bidder as follows:

Microbac Laboratories

3821 Buck Drive

Cortland, NY 13045

Bid Price: \$38,538.75

Two Rivers Greenway Sign Project Supplemental Agreement #2

R169-16 Authorization for the Town Supervisor to sign the **Two Rivers Greenway Sign Project Supplemental Agreement #2**. Monies were added for the additional cost of construction and construction inspection.

FINANCE: Agneshwar/Fitzgerald

Receive and File

Warrant Reports: 2016-25, 2016-25E, 2016-25L, 2016-26, 2016-26E, 2016-27, 2016-27E

Woidt Engineering & Consulting

R170-16 Approval to pay **\$2,398.60** to **Woidt Engineering & Consulting** for professional services in the *Moody vs. Town of Vestal* case through January 31, 2016.

Town Attorney David Berger - Billable Hours

R171-16 Approval for the Business Office to pay **\$762.50** to **Town Attorney David Berger** for billable hours in June 2016.

PUBLIC SAFETY: Fitzgerald/Messina

Vestal Girl Scouts to use Library Parking Lot

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R172-16 Authorization for the **Vestal Girl Scouts** Event Coordinator Kristen Duff to use the **Library parking lot** on September 18 and November 11, 2016 for parking of cars while the girl scouts are on a bus trip outing. If space is available, the cars shall be parked in the area that is normally being used for student parking.

ADMINISTRATION: Majewski/Messina

Hire Summer Employees for Recreation

R173-16 Approval for Recreation Planner Sue Jastran to hire the following employees per her memo dated July 7, 2016. All employee pay rates are budgeted items in the 2016 budget and the background checks have been completed.

A7310.1024 – Cheerleading Camp Labor

Renee Anderson - Vestal as Cheerleading Camp Instructor at pay rate \$210.00 salary
Katherine Donlin - Vestal as Cheerleading Camp Director at pay rate \$600.00 salary
Kirstin Fuller - Vestal as Cheerleading Camp Instructor at pay rate \$180.00 salary
Erin Schultz - Vestal as Cheerleading Camp Instructor at pay rate \$180.00 salary
Brooke Traver - Vestal as Cheerleading Camp Instructor at pay rate \$180.00 salary

A7310.1121 – Soccer Camp Labor

Caroline Barrett - Vestal as Soccer Camp Instructor at pay rate \$150.00 salary
Payton Gennett - Vestal as Soccer Camp Instructor at pay rate \$70.00 salary
Cristiane Lourenco - Vestal as Soccer Camp Assistant Director at pay rate \$400.00 salary
Melaine Patterson - Vestal as Soccer Camp Instructor at pay rate \$150.00 salary
Noelle Patterson - Vestal as Soccer Camp Instructor at pay rate \$150.00 salary
David Pirc - Vestal as Soccer Camp Instructor at pay rate \$150.00 salary
Joseph Pirc - Vestal as Soccer Camp Instructor at pay rate \$150.00 salary
Josh Wlostowski - Vestal as Soccer Camp Instructor at pay rate \$130.00 salary
Matthew Wood - Binghamton as Soccer Camp Director at pay rate \$650.00 salary
028 Labor - Softball Camp Labor A7310.1028 Labor - Softball Camp Labor

A7310.1028 Labor – Softball Camp Labor

Cassidy Barrett - Apalachin as Softball Camp Instructor at pay rate \$75.00 salary
Sara Berube - Apalachin as Softball Camp Instructor at pay rate \$75.00 salary
Jessica Duff - Apalachin as Softball Camp Instructor at pay rate \$100.00 salary
Morgan Gendron - Apalachin as Softball Camp Instructor at pay rate \$75.00 salary
Emma Hroncich - Vestal as Softball Camp Instructor at pay rate \$100.00 salary
Lauren Lee - Vestal as Softball Camp Instructor at pay rate \$75.00 salary
MacKenzie Poulton - Apalachin as Softball Camp Instructor at pay rate \$75.00 salary
Natalie Poulton - Apalachin as Softball Camp Instructor at pay rate \$75.00 salary
Katherine Ruoff - Vestal as Softball Camp Instructor at pay rate \$100.00 salary
Matthew Vivona - Endicott as Softball Camp Assistant Director at pay rate \$225.00 salary
Jodi Yesensky - Endwell as Softball Camp Director at pay rate \$375.00 salary

A7310.1130 – Basketball Shooting and Conditioning Labor

Rob Carr - Apalachin as Basketball Camp Director at pay rate \$650.00 Salary

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A7310.1128 - Girls Lacrosse Camp Labor

Dave Williams - Vestal as Girls Lacrosse Camp Director at pay rate \$650.00 Salary
Jamie Peters - Vestal as Girls Lacrosse Camp Instructor at pay rate \$150.00
Nicole Leska - Vestal as Girls Lacrosse Camp Instructor at pay rate \$150.00
Tomasina Leska - Vestal as Girls Lacrosse Camp Instructor at pay rate \$150.00

A7310.1127 Labor - Baseball Camp Labor

Rob Carr - Apalachin as Baseball Camp Director at pay rate \$650.00 Salary
Matthew Carr - Apalachin as Baseball Camp Instructor at pay rate \$225.00 Salary
Connor Harding - Vestal as Baseball Camp Instructor at pay rate \$225.00 Salary
Matthew McAllister - Vestal as Baseball Camp Instructor at pay rate \$225.00 Salary
James Moyer - Vestal as Baseball Camp Instructor at pay rate \$225.00 Salary

A7310.1023 - Weight Room

Rob Zetsche - Vestal as Weight Room Supervisor at pay rate \$11.25/hr.

A7180.1020 Labor – Labor Lifeguards & Swimming Instructors

Samantha Lee - Vestal as Part Time Lifeguard at pay rate \$9.00/hr. & \$10.00/hr.

RECEIVE AND FILE

- **Independent Audit - Inero & Company CPAs, LLP, Ithaca, New York –**
Town of Vestal Financial Report for the Year Ending December 31, 2015.

END OF CONSENT AGENDA

SUPERVISOR’S ANNOUNCEMENTS

- The Vestal Museum Presents: “Vestal Goes to War” - An exhibit of the Vestal Historical Society’s Military collection items from local families and the families of the Vestal Historical Society.
 - **July 16** – George Cummings presentation depicting one of General Clinton’s Soldiers from the 1779 Sullivan Clinton Campaign 1PM.
 - **Traveling exhibit “War and Disability”** from The Museum of DisABILITY History July 6 - July 30.

- Residents are once again reminded not to place brush and yard waste in the road. The Highway Department will not pick them up and they clog the drains.

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the **meeting was adjourned at 6:12PM**. Carried unanimously.

Approved by _____ **Emil J. Bielecki, Town Clerk**