

# Town of Vestal Organizational Meeting January 2013

The Organizational 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 January 9, 2013.

## **TOWN BOARD PRESENT:**

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

**ABSENT: Councilman David Marnicki**

**ALSO ATTENDING:** Town Attorney David Berger, Town Clerk Emil Bielecki, 1<sup>st</sup> Deputy Town Clerk Kathie Young and approximately 20 members of the community.

The Supervisor called the Organizational Meeting in the Vestal Town Board Room to order at **6:00 PM**, welcomed everyone and asked that all present join in the PLEDGE OF ALLEGIANCE:

## **SUPERVISOR'S APPOINTEES:**

### **1. COMMITTEES:**

**PUBLIC WORKS:** (Utility, Highway, Water, Parks, Building Maintenance) MILKOVICH/Majewski

**PUBLIC SAFETY:** (Fire, Police, Emergency Services, Courts) MARNICKI/ Fitzgerald

**PERSONNEL:** MAJEWSKI/Marnicki

**PLANNING & ZONING:** (Code Department, Planning and Zoning, Engineering) FITZGERALD/Milkovich

**FINANCE:** MARNICKI/Fitzgerald

**ADMINISTRATION:** (Assessment, Tax Collector Clerk, Library, IT, Recreation, Historian, Museum) MAJEWSKI/Milkovich

**2. APPOINT TOWN ATTORNEY:** David Berger

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3. APPOINT COMPTROLLER/DIRECTOR OF FINANCE: Laura McKane
  - APPOINT DEPUTY COMPTROLLER: Pam Fitzgerald
  - DEPUTY DIRECTOR OF FINANCE: Pam Fitzgerald
  - BUDGET OFFICER: Laura McKane
  - DEPUTY BUDGET OFFICER: Pam Fitzgerald
  
4. TOWN ENGINEER: Gary Campo
  
5. DEPUTY HIGHWAY SUPERINTENDENT: Rocco Turdo
  
6. DEPUTY WATER SUPERINTENDENT: William Peltz
  
7. DEPUTY TOWN CLERKS: 1<sup>st</sup> Deputy Kathie Young 2<sup>nd</sup> Deputy Susan Bailey
  
8. COURT ATTENDANT: Barbara Taggart Alternates: John Pelletier,  
Joe Gallagher
  
9. POLICE MATRON: Barbara Taggart
  
10. SCHOOL CROSSING GUARDS:
  - John Linfoot Gene Wagner
  - Sharon Rosenkrans Richard L. Hunsinger
  - Alternates:**
  - Jan Linfoot Ron Linfoot
  
11. VEHICLE MAINTENANCE: Larry Kozina
  
12. APPOINT REGISTRAR OF VITAL STATISTICS: Emil Bielecki
  - DEPUTY REGISTRAR: Kathie Young
  - SUB-REGISTRAR Susan Bailey
  
13. APPOINT TOWN HISTORIAN: Margaret Hadsell
  
14. APPOINT COURT CLERKS: Gloria Meade, Andrea Bird

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### 15. ZONING BOARD OF APPEALS MEMBERS AND TERMS:

**Chairman** - Mark Johnson

Mark S. Johnson	12/31/17
Mark Tomko	12/31/14
Paul Houle	12/31/15
Tom Smallcomb	12/31/16

**Alternates:**

Ross Geoghegan	12/31/14
George Gerner	12/31/15

**Attorney:** Matt Butler

### 16. RECREATION COMMISSION MEMBERS AND TERMS:

**Recreation Commission** – This seven (7) member Commission works with the Recreation Department to plan and implement the Town’s recreation programs and review Park facilities. The staggering terms, beginning on January 1 are seven (7) years in length. Meetings are held as needed.

Greg Papa	12/31/19
Mary Ann Wilcox	12/31/13
Collin Stuart	12/31/14
Mary Ann Joggerst	12/31/15
Sue Hoyt	12/31/16
John Hroncich	12/31/17
Scott Hessian	12/31/18

### 17. SUMMER RECREATION DIRECTOR: Elyse Papa

### 18. CONSERVATION ADVISORY COMMITTEE AND TERMS:

**Conservation Advisory Committee** – There are seven (7) members. In 2012 three (3) terms will expire and in 2013 four (4) terms will expire. Beginning with the appointments for terms beginning January 1, 2013, all terms will be for a period of two (2) years. Beginning in **2012** alternate members will be appointed. Meetings are scheduled by the Chair on an as needed basis. One member is appointed to act as the liaison to the Broome County Environmental Management Council.

**Curt Pueschel – Chairman**

▪ Cynthia Westerman	12/31/13
▪ Victor Lamoureux	12/31/13
▪ Stephen Appel	12/31/14
▪ Curt Pueschel	12/31/13
▪ Shep Bennett	12/31/13

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- Michael J. Restuccia 12/31/14
- Linda Green 12/31/14

**Alternate Member:** Richard Pastore 12/31/13  
Cole Moore 12/31/14

### 19. APPOINT AS LIAISON TO BROOME COUNTY EMC FOR A 1 YEAR TERM:

- Cynthia Westerman 12/31/13

### 20. LIBRARY TRUSTEES AND TERMS:

**Library Board of Trustees** – This five (5) member Board is responsible for the operations of the Vestal Public Library. Terms are staggered, begin on January 1, and are five (5) years in length. Meetings are held monthly.

#### **Catherine Schaewe – Chairman**

- Catherine Schaewe 12/31/17
- Robin Oggins 12/31/13
- Gerald Prudhomme 12/31/14
- Gordon Allen 12/31/15
- Sue Hoyt 12/31/16

### 21. BOARD OF ASSESSMENT REVIEW MEMBERS AND TERMS:

**Board of Assessment Review** – This Board has five (5) members and three (3) alternates. They meet in May of each year to hear tax grievances filed by Town property owners. Relevant training is provided prior to hearings. The terms are staggered and are for a period of five (5) years beginning October 1.

- David Goon 09/30/17
- Robert A. Flanders 09/30/13
- Shep Bennett 09/30/14
- Carl J. Winterberger 09/30/15
- Russell Livermore 09/30/16

Alternate Members - All for a five-year term expiring September 30, 2013.

- Asif Shaikh
- Deborah Gruver
- Walter Barbour

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### 22. PLANNING BOARD MEMBERS AND TERMS:

**Chairwoman:** Joyce Majewski

- Robert Warner      07/07/17      • Bob Bennett      07/07/15
- Delivan Gates      07/07/13      • Edward Zimmer   07/07/16
- Joyce Majewski      07/07/14      • Alternate - Madeleine Cotts   07/07/16

### 23. ADOPT TOWN BOARD AGENDA:

2013 WORK SESSIONS	2013 BOARD MEETINGS
Monday before the 1 <sup>st</sup> , 2 <sup>nd</sup> & 4 <sup>th</sup> Wednesdays of the month at 6:00 p.m. unless otherwise indicated	2 <sup>nd</sup> & 4 <sup>th</sup> Wednesdays of the month at 6:00 p.m. unless otherwise indicated
1/7/13	1/9/13
1/21/13 <b>MLK Holiday TOV open</b>	1/23/13
2/4/13	
2/11/13	2/13/13
2/25/13	2/27/13
3/4/13	
3/11/13	3/13/13
3/25/13	3/27/13
4/8/13	4/10/13
4/22/13	4/24/13
5/6/13	5/8/13
5/20/13	5/22/13
6/3/13	
6/10/13	6/12/13
6/24/13	6/26/13
7/8/13	7/10/13
7/22/13	7/24/13
8/5/13	
8/12/13	8/14/13
8/26/13	8/28/13
9/9/13 <b>no 1<sup>st</sup> Monday due to Labor Day</b>	9/11/13
9/23/13	9/25/13
9/30/13	
10/7/13	10/9/13
	10/15/13 <b>FIRE DEPT BUDGET HEARING</b>
10/21/13	10/23/13
11/4/13 <b>FIRE DEPT BUDGET MUST BE ADOPTED</b>	11/6/13 <b>TOWN BUDGET HEARING</b>
11/18/13	11/20/13 <b>TOWN BUDGET MUST BE ADOPTED</b>
12/2/13	
12/9/13	12/11/13
12/16/13 <b>3<sup>rd</sup> week due to Christmas</b>	12/18/13 <b>3<sup>rd</sup> week due to Christmas</b>

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**24. ADOPT DESIGNATED HOLIDAYS: The Town of Vestal will Observe the Following Holidays:**

- |                     |                           |
|---------------------|---------------------------|
| 1. New Year's Day   | 6. Veterans' Day          |
| 2. Good Friday      | 7. Thanksgiving Day       |
| 3. Memorial Day     | 8. Day after Thanksgiving |
| 4. Independence Day | 9. Christmas Day          |
| 5. Labor Day        |                           |

**25. ADOPTION OF EMPLOYEE HANDBOOK AS AMENDED.**

**26. ESTABLISH SALARY AND WAGE RATES FOR TOWN EMPLOYEES AS STATED IN THE 2013 SALARY SCHEDULE.**

**27. AUTHORIZE EMPLOYEE SURETY BOND.**

**28. ADOPT RESOLUTION SPECIFYING APPORTIONMENT OF MAINTENANCE FOR SEWER AS SHOWN IN THE 2013 BUDGET.**

**29. DESIGNATE OFFICIAL NEWSPAPER: The Vestal Town Crier**

**30. DESIGNATE DEPOSITORIES FOR TOWN FUNDS:**

■ M & T	\$12,000,000
■ J. P. Morgan Chase	\$20,000,000
■ Tioga State Bank	\$12,000,000
■ First Niagara	\$ 2,000,000

**31. FIRE MARSHAL:** Carle Truman  
**DEPUTY FIRE MARSHAL:** Brian Mather

**32. FIRE DEPARTMENT CHIEF:** Chief Patrick McPherson  
1st Assistant Chief - John Paffie  
2nd Assistant Chief – Douglas Rose  
3rd Assistant Chief – William Stout  
4th Assistant Chief – Dave Harrington

**33. SECRETARY TO THE FIRE DISTRICT:** Emil Bielecki  
**DEPUTY SECRETARY TO THE FIRE DISTRICT:** Kathie Young

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34. APPOINT TREASURER TO FIRE DISTRICT: John Schaffer
35. HISTORICAL SOCIETY PRESIDENT: Janice Mangan
36. MUSEUM: Curator: Dai Newman Director: Virginia Wood
37. SENIOR CITIZEN PRESIDENT: Tom Boslet
38. APPOINT THE FOLLOWING SECRETARIES:
- PLANNING BOARD - Barb Taggart /Kathie Young alternate
  - ZBA – Kathleen Cannon
39. APPOINT MARRIAGE OFFICER: Emil Bielecki
40. APPROVAL OF \$100.00 FOR CLOTHING AND BOOT ALLOWANCE FOR:
- |                                 |                |
|---------------------------------|----------------|
| ▪ Water Superintendent          | Scott Groats   |
| ▪ Parks Superintendent          | James Bukowski |
| ▪ Highway Superintendent        | Brock Leonard  |
| ▪ Deputy Highway Superintendent | Rocco Turdo    |
| • Town Engineer                 | Gary Campo     |
| ▪ Deputy Water Superintendent   | Bill Peltz     |
| ▪ Code Officer                  | Mark Dedrick   |
41. Authorize attendance at budgeted monthly/quarterly/annual association meetings as follows:
- Cost of registration, meal, and mileage. Meal reimbursement to be at meeting rate if set or at the reimbursement rate per the Employee Hand Book or Union Contract unless otherwise authorized.
- Broome County Association of Municipal Court Clerks Monthly meeting.
  - Broome County Association of Receivers and Tax Collectors Quarterly Meetings.
  - Broome County Association of Towns and Villages Monthly meeting.
  - Building Officials Quarterly Meetings in March, June, August & December
  - Broome County Municipal Clerks Assoc. Monthly meetings.  
NYS Town Clerks Association Annual Conference

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- Education Seminars for Building and Code as follows:
  - Winter/Spring**     STBOA One Day Seminar  
Northern Adirondack BOA  
Finger Lakes BOA 4 days
  - Summer**             STBOA One Day Seminar  
NY Firefighters Association
  - Fall**                    ICC Conference  
STBOA One Day Seminar  
Fire Inspectors Seminar
  - Spring or Fall**     NYS Fire Academy Sprinkler workshop
- Association of Assessors monthly meetings.
- NYS GFOA meetings and seminars.
- NYS GFOA Board of Governors quarterly meetings.
- NYS GFOA Annual Conference
- PERMA Annual Conference

- Various Parades the VFD attends each year as follows:

<b>Parade</b>	<b>Location</b>	<b>Month</b>	<b>Station Apparatus</b>
St. Patrick's	Binghamton	March	Station 4
Memorial Day	Endicott	May	Station 1
Apalachin Firemen's Field Day	Apalachin	June	Station 3
Owego Strawberry Festival	Owego	June	Station 3
Rush Community	Lawton, PA	July/August	Station 2
Halloween Parade	West Endicott	October	Station 1
Veteran's Day	Endicott	November	Station 1
Johnson City Holiday	Johnson City	December	Station 4
Endicott Holiday	Endicott	December	Station 1

42. APPOINT RECORDS MANAGEMENT OFFICER:     Emil Bielecki
- Deputy Records Management Officer: Susan Bailey
43. RECORDS ACCESS OFFICER FOR FOIL REQUESTS: Emil Bielecki
- Deputy Access Officer for Foil Requests:             Kathie Young



## **Town of Vestal Organizational Meeting January 2013**

**44.** Adopt Rules of Conduct and Decorum for Town Board Meetings as follows:

Whereas, the New York State Open Meeting Law (Article 7, Public Officers Law) gives members of the public the right to attend meetings of public bodies but does not give the public the right to speak or otherwise participate at those meetings, except at public hearings and under other limited circumstances, and

Whereas, New York State Town Law authorizes a town board to enact rules and regulations regarding the conduct of public meetings and public hearings conducted by the town board, and the New York State Committee on Open Government has agreed that a public body can adopt reasonable rules that treat members of the public equally, and

Whereas, the Committee on Open Government has stated that any such rules could serve as a basis for preventing verbal interruptions, shouting or other outbursts, as well as slanderous or obscene language or signs, and that a town board could regulate actions of the public attending meetings so as not to interfere with meetings or prevent others in attendance from observing or hearing the deliberative process, and

Whereas, a town board has a responsibility to insure that everyone has the right to participate in a public hearing and therefore can reasonably limit the length and general nature of public comments to the subject of the public hearing so that a town board can consider various points of view, and

Whereas, a town board can limit other comments from the public at town board meetings to a specific time set in the agenda for public participation and comment.

Now, therefore, be it resolved by the Town Board of the Town of Vestal hereby adopts the following rules for public participation at meetings of the Town Board:

1. Except for public hearings duly designated as such by action of the Town Board, public participation at meetings of the Town Board shall be limited to the public participation segment of the agenda of Town Board meetings and not at Town Board Work Sessions.

2. Public comment, whether during the public participation segment of the Town Board meeting or during a duly designated public hearing, shall be limited to three minutes per person. An individual's time may not be given or traded to other speakers or reserved for other portions of the meeting.

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3. Any person wishing to speak at a public meeting during the public participation segment or during a public hearing must sign in upon entering the room, when such sign-in sheet is available, indicating his or her intention to speak, which sheet will be used by the Supervisor or the presiding officer to recognize speakers.

4. Any individual wishing to speak during the public participation segment or during a public hearing; when a sign-in sheet is not available, shall raise his or her hand, When recognized by the Supervisor or the presiding officer, the individual must stand and state his or her name and, if appropriate, group affiliation and must state the subject he or she will be addressing.

5. Comments must relate to the purpose of the public hearing or to legitimate town business.

6. The Supervisor or the presiding officer shall act as timekeeper or shall designate another elected official as timekeeper.

7. Members of the Town Board, speakers and audience members must observe proper decorum. Any statements made during the meeting or during a public hearing by the Supervisor, members of the Town Board, town officials or employees, or members of the general public shall not involve personal, impertinent, or slanderous attacks on individuals, regardless of whether the individual so attacked is an elected official, a town official or employee, or a member of the general public.

8. The Supervisor or the presiding officer shall control the meeting. The use of profane, vulgar, inflammatory, threatening, abusive, or disparaging language or racial or ethnic slurs directed at the Supervisor, members of the Town Board, town officials or employees and members of the general public, or statements by a person attending the meeting which are not made during the public participation segment of the agenda or during a public hearing, shall not be tolerated.

9. It is inappropriate to utilize a public meeting for the purpose of making political speeches, including threats of political action and the same will not be allowed.

10. Comments by speakers must be addressed to the Town Board. Attendees may not address the Town Board unless recognized by the Supervisor or the presiding officer.

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11. Discussion between speakers and attendees of the public meeting or hearing are prohibited. A speaker may disagree with or support prior speakers in comments directed to the Town Board.

12. Banners, flyers or other signs are not permitted in the meeting room; distribution of flyers in the meeting room is also not permitted.

13. If the Supervisor or the presiding officer fails to enforce the rules set forth above, any member of the Town Board may move to require him or her to do so, and an affirmative vote of a majority of the Town Board shall require him or her to do so. Any decision relating to enforcement of the rules set forth above may be appealed and overturned by a vote of a majority of the Town Board members.

14. Any person who disregards the directives of the Supervisor or the presiding officer in enforcing the rules or who generally conducts himself or herself in a boisterous or inappropriate manner while addressing the Town Board disturbs the peace at a meeting and will be barred from further participation and forfeit any balance of time remaining for his or her comments.

15. If a speaker who has violated these rules refuses to step down, the Supervisor or the presiding officer may ask for the individual to be removed from the meeting room and charged with disorderly conduct as per the Penal law.

16. The above rules shall take effect at the next meeting of the Town Board after the adoption of these rules.

**R001-13** On a motion of Councilwoman Fitzgerald, seconded by Councilman Milkovich, the following resolution was

**ADOPTED** Ayes 5 Majewski, Fitzgerald, Milkovich, Schaffer

Nays 0

Absent 1 Marnicki

Resolved to adopt the above Organizational Meeting items for the year 2013.