

Regular Meeting of the Vestal Town Board September 24, 2014

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 24, 2014.

TOWN BOARD PRESENT:

**Supervisor John Schaffer
Councilman Fran Majewski
Councilwoman Patty Fitzgerald
Councilwoman Sue Messina**

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young, Fire Chief Patrick McPherson, Assistant Fire Chiefs Rose and Stout and approximately 12 members of the community.

The Supervisor 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 Messina, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
 Nays 0

Resolved the Minutes of the Regular Meeting on September 10, 2014 are approved.

PRIVILEGE OF THE FLOOR (Agenda Items Only)

A speaker made the following comments on several agenda items:

- This is a volunteer fire department. We should not be buying such an expensive chief vehicle.
- The Town should not be providing its employees with the defensive driving course and vaccines during working hours. They should be grateful just to have a job.
- He resents having to pay for a transcript for a court case that we will not win.
- We should not reappoint existing members to the Board of Assessment Review. They are giving out favors and are not abiding by the law.

A speaker noted that most of the larger employers offer such benefits as defensive driving courses and flu vaccines and he doesn't understand the objection.

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Supervisor Schaffer noted that the Town used to pay 100% of the costs for the driving courses but is now asking for partial payment due to the fiscal constraints imposed by the state budget cap. The money for vaccines comes out of the insurance reserves.

Assistant Fire Chief Doug Rose stated the chief's vehicle is in rough shape. As volunteers, we should not be expected to use our own vehicles. The use of the chief's vehicle saves a lot of money because it reduces the use of the larger equipment which is more costly to operate. The defensive driving course is mandated by the Fire Department and reduces insurance costs for the Town. The vaccines help people to stay healthy and to reduce our insurance rates.

Fire Chief Patrick McPherson noted that fire volunteers, unlike Town employees, don't get paid for the time to take this course. This is unfair.

RESOLUTIONS & MOTIONS

Purchase of Fire Chief Vehicle is Tabled

On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Messina, the following resolution was brought to the floor:

Motion to purchase a new vehicle for the Fire Department Chief from funds set aside in the Vestal Fire District Capital Reserve Fund established pursuant to Section 6-g of the General Municipal Law at a cost **not to exceed \$50,000**. This resolution is **subject to permissive referendum** in accordance with the requirements of Section 6-g of the General Municipal Law.

Councilman Majewski stated that new information has just come to light and he would like to put this on hold to confer with the Fire Chiefs and the Town Board.

On the **motion to table**, made by Councilman Majewski, seconded by Councilwoman Fitzgerald, the above resolution was

TABLED Ayes 3 Majewski, Fitzgerald, Messina
 Nays 1 Schaffer

Defensive Driving Course

R233-14 On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Messina, the following resolution was

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ADOPTED Ayes 3 Majewski, Fitzgerald, Messina,
 Nays 1 Schaffer

Resolved to hold a **Defensive Driving Course** on October 10, 2014. Participating employees and volunteer firefighters will pay 50% of the cost (\$11.00). All other participants will pay the full cost of the course (\$22.00).

Flu and Pneumonia Vaccine Clinics

R234-14 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
 Nays 0

Resolved to authorize the Director of Human Resources Nancy Olmstead to schedule **on-site flu and pneumonia vaccine clinics for Town employees**, retirees with Town health benefits and adult dependents who participate in the Town health benefits program. Adult dependents who are not insured by the Town health plan may obtain the vaccines at the same rate and are responsible for paying at the time of receipt.

Such clinics are to be provided by Lourdes Hospital at a rate of \$22 per flu shot and \$78 per pneumonia vaccine. Charges for eligible participants will be paid from the health insurance fund.

CONSENT AGENDA

On a motion of Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
 Nays 0

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

FINANCE: Messina/ Majewski

Receive and File:

- **Warrant Reports** – 2014 – 2014-38, 2014-38E, 2014-38L
- **Town Clerk Monthly Report** – Local Shares Remitted \$5,103.47.

Credit Card for Museum Director

R235-14 Authorization to issue a **credit card to Museum Director Ramona Kacyvenski** for the purpose of making small purchases with a credit limit of \$500.
Czerenda Court Reporting – Transcript

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R236-14 Authorization for the Business Office to submit payment to **Czerenda Court Reporting** in the amount of \$673.00 for a copy of Transcript Deposition for the *Ulrich vs Town of Vestal* litigation.

PERSONNEL: Fitzgerald/Majewski

Re-appoint Shep Bennett to the Board of Assessment Review (BAR)

R237-14 Authorization to re-appoint **Shep Bennett** to the *Board of Assessment Review* effective October 1, 2014. This term will expire September 30, 2019.

Upgrade Ingersoll to Mechanic II

R238-14 Authorization to promote **Todd Ingersoll** (Highway Department) Mechanic I to Mechanic II, effective 9/20/14 at an hourly rate of \$22.46.

PLANNING & ZONING: Messina/Fitzgerald

Special Permit to A.C. Moore

R239-14 Resolved to approve a **Special Permit**, as required by Chapter 24, Article V, Division 3, Section 24-387, allowing **A.C. Moore**, 2505 Vestal Parkway East (BCTMP # 158.10-2-1.1 the use of three temporary “sea box” trailers for storage of merchandise until January 1, 2015. Additionally, at least one hand held 2 pound fire extinguisher to be mounted in each box to assist in a small incidental fire.

This proposed activity has been identified as a Type II action and therefore is not subject to review under SEQRA.

RECEIVE AND FILE:

- New Liquor License Application Notice-*Take-A-Break* Restaurant, 2313 Vestal Road
- Fire Advisory Board Meeting Minutes – 2014 08 18
- **Binghamton University** – ITC Dev P IV and V FEAF* Park III Con’t., SEQRA Supporting Documents, FEAF* Part II and III. (* Full Environmental Assessment Form)

END OF CONSENT AGENDA

ADDITIONAL PUBLIC COMMENTS

A speaker expressed confusion about Councilman Majewski’s decision to table the motions concerning the fire vehicle. If someone has additional information, it should be brought up right now so we can all hear it and understand. There seems

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to be less public discussion about decisions being made by the Board. Supervisor Shaffer noted that he does not know what new information that Councilman Majewski has received but that it is his right to request that an item be tabled. He will likely discuss it at the next Work Session.

A speaker who lives on Harding Avenue stated that several properties on Front Street are a mess. It doesn't give a nice impression to anyone considering having a business in this area. Why is Code Enforcement not doing anything about these conditions? Supervisor Shaffer responded that he has been working with Councilwoman Fitzgerald and the owners of these properties to take some corrective actions. Code Enforcement has issued notices. If the property owners don't straighten things up, the Town will have it done and they will be charged on their tax bill. He will continue to monitor this situation.

A speaker asked why the Parks Department only maintains the lawn in front of Fire Station 1 and neglects the other three sides. Supervisor Schaffer said he would look into it.

Councilwoman Fitzgerald stated that there appears to be some scams going around in Vestal neighborhoods, particularly involving a paving company. She advises the residents to be vigilant and cautious.

ADJOURNMENT

On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Messina, **the meeting was adjourned at 6:32 PM.** Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk