

Regular Meeting of the Vestal Town Board December 10, 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 December 10, 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 and 10 members of the general public.

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 Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

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

Resolved the Minutes of the Regular Meeting on November 19, 2014 are approved.

PRIVILEGE OF THE FLOOR (Agenda Items Only)

Referencing the on street parking issues around Binghamton University, a speaker stated that the Town should consider a comprehensive parking policy near the University that allows parking only by special passes issued to the residents.

RESOLUTIONS & MOTIONS

Talbot Promoted to Groundsman IV

Councilman Majewski stated that this action is being taken to address an oversight that needs to be acted on prior to the approval of the collective bargaining agreement with the Operating Engineers.

R281-14 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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

Resolved to promote Joseph Talbot from Groundsman III to Groundsman IV at the hourly rate of \$20.14, effective October 20, 2014.

School Resource Officer Contract Approved

Councilman Majewski noted that the SRO program provides numerous benefits to the Town and to the School District. It enhances public safety and serves as an excellent way for the Police to interact with the young people.

Councilwoman Messina added that the SRO officer is still available to the Town in emergencies and continues to interact with students on a one to one basis even when school is not in session.

R282-14 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 Town Supervisor John Schaffer to sign the **School Resource Officer Agreement (SRO)** to cover from September 2014 thru June 2015.

Operating Engineers Contract Approved

R283-14 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 approve the Tentative **Agreement between the Town of Vestal and the Operating Engineers** and to authorize the Town Supervisor to sign the resulting collective bargaining agreement.

No Parking on Section of Murray Hill Road

R284-14 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 Highway Department to place a sign reading **“No Parking Here to Corner 8:00 AM-5:00 PM”** on Murray Hill Road, 50 feet north of the northwest corner of Washington Drive and Murray Hill Road.

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Excellus Medicare Blue PPO Plan Approved

R285-14 On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

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

Resolved to renew the **Medicare Blue PPO plan** offered by Excellus at a cost of \$358.43 per contract per month.

PERMA Workers' Comp. Contract Approved

R286-14 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 enter into a **two year contract with the Public Employer Risk Management Association, Inc. (PERMA)** to provide workers' compensation insurance coverage. In accordance with their proposal, the first year cost will be \$385,245 less a 2% discount if paid in full in January 2015. The second year costs are fixed depending on the loss ratio in year 1.

Stipulation of Settlement for Endicott Trust Co. on Article 7 Case

R287-14 On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

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

Resolved to authorize the Town Attorney to sign a **Stipulation of Settlement** for the following Article 7 Tax Certiorari cases filed in Broome County entitled: Endicott Trust Company (M&T) vs. The Assessor of the Town of Vestal, New York and the Town of Vestal, Broome County, New York, Index Nos. 2010-1975, 2011-1770, 2012-1788, 2013-1672, 2014-1826, as follows:

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2013-14	\$931,400	\$931,400	\$754,000	-\$177,400	\$21,175.96	TBA	TBA
2012-13	\$931,400	\$931,400	\$754,000	-\$177,400	\$20,614.86	\$11,993.17	\$760.63
2011-12	\$931,400	\$931,400	\$754,000	-\$177,400	\$19,801.38	\$11,764.78	\$741.61
2010-11	\$931,400	\$931,400	\$754,000	-\$177,400	\$19,027.47	\$11,433.93	\$707.22
2009-10	\$931,400	\$931,400	\$754,000	-\$177,400	\$18,287.39	\$11,051.10	\$685.11

TOTALS \$2,894.57

* Town = General and Highway

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

Stipulation of Settlement for Manufacturers and Trust Co. on Article 7 Case R288-14 On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

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

Resolved to authorize the Town Attorney to sign a Stipulation of Settlement for the following Article 7 Tax Certiorari cases filed in Broome County entitled: Manufacturers and Traders Trust Company vs. The Assessor of the Town of Vestal, New York and the Town of Vestal, Broome County, New York, Index Nos. 2010-1975, 2011-1770, 2012-1788, 2013-1672, 2014-1826, as follows:

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2013-14	\$798,900	\$798,900	\$620,000	-\$178,900	\$18,163.49	TBA	TBA
2012-13	\$798,900	\$798,900	\$620,000	-\$178,900	\$17,682.21	\$10,204.11	\$767.06
2011-12	\$798,900	\$798,900	\$620,000	-\$178,900	\$16,984.45	\$10,008.50	\$747.43
2010-11	\$798,900	\$798,900	\$620,000	-\$178,900	\$16,320.64	\$9,724.92	\$713.20
2009-10	\$798,900	\$798,900	\$620,000	-\$178,900	\$15,685.84	\$9,396.41	\$690.91

TOTALS \$2,918.60

* Town = General and Highway

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 Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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

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

PUBLIC WORKS: Majewski/Fitzgerald

Water Vehicles to be Sold at Auction

R289-14 Authorization for Water Superintendent Scott Groats to advertise and sell three department vehicles with Auction International as follows:

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- 1 - 2005 Ford Ranger 4x4 - VIN#1FTYR15EX5PA87181
- 1 - 2005 Chevy Silverado 1500 4x4 - VIN#2GCEK19V451277024
- 1 - 2001 Ford F150 4x4 - VIN#1FTRX18W31NB98000

FINANCE: Messina/ Majewski

- **Receive and File:**
- **Warrant Reports:** 2014-47,2014-47E,2014-47L,2014-48,2014-48E
- **Town Clerk Monthly Report** – November 2014 – Local Shares Remitted \$4,613.47
- **Comptroller's Monthly Report** – November 2014

Budget Transfers

R290-14 Authorization for Deputy Comptroller Pam Fitzgerald to make **budget transfers** as noted in memo dated November 25, 2014 effective from August 26, 2014 thru November 25, 2014.

Billable Hours for Town Attorney

R291-14 Authorization for the Business Office to pay Town Attorney David Berger \$1,535 for billable hours for the month of November, 2014 (10 hours, 14 minutes).

Chamber of Commerce Membership Dues

R292-14 Authorization to pay \$210.00 for the 2015 membership dues to the Greater Binghamton Chamber of Commerce.

PERSONNEL: Fitzgerald/Majewski

Appointments to Volunteer Advisory Boards

R293-14 Authorization to make the following appointments:

- Re-appoint **Stephen Appel, Linda Green and Michael Restuccia** to the Conservation Advisory Committee (CAC) as members effective January 1, 2015. These terms are to expire December 31, 2016.
- Re-appoint **Mark Tomko** to the Zoning Board of Appeals (ZBA) effective January 1, 2015. This term is to expire December 31, 2019
- Re-appoint **Mary Lou Supa** to the Historic Preservation Commission effective January 1, 2015. This term will expire December 31, 2018.

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PLANNING & ZONING: Messina/Fitzgerald

Special Permit for Storage Trailer for Harbor Freight

R294-14 Approval to issue a **Special Permit**, as required by Chapter 24, Article V, Division 3, Section 24-387, allowing **Harbor Freight**, 134 Sycamore Road, to place one storage trailer at the store location (as shown on the submitted map) from now until January 31, 2015. At least one hand held 2 1/2 pound fire extinguisher is to be mounted in the box. The Board has reviewed the submitted Short Environmental Assessment Form under SEQRA and finds it acceptable.

VHS German Club to use Library Parking Lot

R295-14 Authorization for the Vestal High School German Club to use the Vestal Library parking lot on January 10, 2015 for a Doug's Fish Fry fundraiser. An Indemnification Agreement is to be signed by the Club.

PUBLIC SAFETY: Majewski/Messina

Station 2 to Hold Fireman Breakfast

R296-14 Approval from the Board of Fire Commissioners to approve the Vestal Fire Department Membership for **Station 2's Firemen Breakfast** at Vestal Fire Department Station #2, Route 26 South, Vestal Center on December 14, 2014, from 7:00 AM to 11:30 AM. Coverage time will be all day which includes personnel to set up, the event itself and clean up. A sign in sheet is to be used to track personnel at this event.

New Members to Fire Department

R297-14 Authorization to accept the following as new members of the Vestal Fire Department:

Colin Christmas	Junior Member Company No. 2
Asa Don Brown	Member Company No. 2
Christopher Darling	Member Company No. 2
Tyler Dingman	Member Company No. 3

RECEIVE AND FILE:

- Fire Advisory Board Minutes – October 20, 2014
- Fire Advisory Board Minutes – November 17, 2014

END OF CONSENT AGENDA

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CHAIR COMMENTS AND UPDATES

Councilman Majewski announced that Santa Claus is rumored to be making an appearance at the Fire Station 2 breakfast on Sunday, December 14th and encouraged everyone to attend.

ADDITIONAL PUBLIC COMMENTS

A speaker noted that there is a logical correlation between hydro-fracking and the incidence of earthquake. Another speaker disputed that statement.

SUPERVISOR'S ANNOUNCEMENTS

- **Winter Parking Reminder** – Parking of vehicles is prohibited on all Town and County roads in Vestal between the hours of **2:00 AM TO 6:00 AM** from December 1st through March 31st.
- **Town of Vestal Offices Closed:** December 25-26, 2014 and January 1-2, 2015.
- The Vestal Fire Department will be voting on a new Chief tomorrow.

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Messina, the meeting was adjourned at **6:15 PM**. Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk