

## **Regular Meeting of the Vestal Town Board March 25, 2015**

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 March 25, 2015.

### **TOWN BOARD PRESENT:**

**Supervisor John Schaffer  
Councilman Majewski  
Councilwoman Fitzgerald  
Councilwoman Messina  
Councilwoman Agneshwar**

**ALSO ATTENDING:** Town Attorney David Berger, Town Clerk Emil Bielecki, 1<sup>st</sup> Deputy Town Clerk Kathie Young and 12 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. He then invited Jerry Napoli from the Vestal Community Band to address the Board.

### **Vestal Community Band**

Vestal Community Band bandleader Jerry Napoli noted that this is the band's 28<sup>th</sup> year and invited Vestal residents to join the celebration. The band continues its mission to share the music that they love. All performances are free to the public. This is a 70 piece band which plays 6 concerts per year at Arnold Park, once a month at a nursing home, and twice a year at the Oakdale Mall. As an expression of appreciation for the Town's willingness to host the concerts, Mr. Napoli presented each Board member with several CD's of their concerts, one being from last summer's concert when they were joined by a visiting band from France. Last year, every one of their concerts at Arnold Park had an attendance of more than 350 people. The band would truly love to install lighting at Arnold Park to allow them to extend the evening concerts. Perhaps volunteers could be engaged to help defray the cost of the installation. The message from the band is simple: please come and enjoy the music.

### **APPROVAL OF MINUTES**

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

**ADOPTED** Ayes 5      Majewski, Fitzgerald, Agneshwar, Messina, Schaffer  
                 Nays 0

Resolved the Minutes of the Regular Meeting on March 25, 2015 are approved.

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**BID OPENINGS**

**Operating Engineers Uniforms**

The sealed single bid received for **Operating Engineers Uniforms** was opened by the Town Clerk on Thursday, March 12, 2015. The bid results were then forwarded to the Operating Engineers for review and recommendation:

**Logowise** 49 Court Street, 2<sup>nd</sup> Floor, Binghamton, NY 13901

**Reconstruction of the New Curbs on Evergreen Street and High Avenue**

The sealed bids for the **Reconstruction of Curbs on Evergreen Street and High Avenue** were received and opened by the Town Clerk on Monday, March 23, 2015. The bid results, as follows, were forwarded to the Town Engineer for review and recommendation:

Piccirilli Const.	32 Hall Street Binghamton, NY 13903	\$77,330.00
Seidel Construction Corp	91 Abby Road Windsor, NY 13865	\$54,939.50
DeNinis Construction	138 Burr Avenue Binghamton, NY 13903	\$38,720.00

**PRIVILEGE OF THE FLOOR (Agenda Items Only)**

A speaker asked about the history of the BMW and the Dodge Charger that the Police Department wants to sell at auction. Supervisor Schaffer responded that the BMW was a drug seizure car that we've had for about 6 to 8 years. The Charger was used by the Lieutenants. It is a high mileage car that needs to be sold.

**RESOLUTIONS & MOTIONS**

**Hire Vincent F. Stavola as Police Officer**

**R067-15** On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

**ADOPTED** Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer  
Nays 0

Resolved to authorize the Police Department to fill a vacancy by **hiring Vincent F. Stavola, as a Police Officer**, effective on March 30, 2015. Per the collective bargaining agreement, his rate of pay will be **\$63,906**.

**Award Bid for Curb Replacement at High Avenue and Evergreen Street**

**R068-15** On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the following resolution was

**ADOPTED** Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer  
Nays 0

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Resolved to authorize the Town Attorney to draw the necessary paper work awarding the bid for **Curb Replacement at High Avenue and Evergreen Street to DeNinis Construction**, 138 Burr Ave, Binghamton, NY 13903 at the lowest bid price of **\$38,720.00**.

**Award Bid for Uniforms for the Operating Engineers to Logo Wise**

Councilman Majewski: there is approximately a 3% increase from last year.

**R069-15** On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the following resolution was

**ADOPTED** Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer  
Nays 0

Resolved to authorize the Town Attorney to draw the paperwork awarding the bid for **Uniforms** for the Operating Engineers to **Logo Wise**, 49 Court Street, 2<sup>nd</sup> Floor, Binghamton, NY, the sole bidder.

**Town Hall to be Used as Polling Place for Primary and General Elections**

**R070-15** On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

**ADOPTED** Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer  
Nays 0

Resolved to grant approval for the **Broome County Board of Elections** to use Vestal Town Hall for a polling site for the 2015 Primary and General Elections.

**Amendment to Coalhouse Lease**

**R071-15** On a motion of Councilwoman Agneshwar, seconded by Councilwoman Messina, the following resolution was

**ADOPTED** Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer  
Nays 0

Resolved to authorize the Town Supervisor to sign the ***Amendment to Agreement Between M Squared Staffing, LLC and Town of Vestal*** (Coalhouse lease).

**Agreement with Fiscal Advisors**

**R072-15** On a motion of Councilwoman Agneshwar, seconded by Councilman Majewski, the following resolution was

**ADOPTED** Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer  
Nays 0

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Resolved to authorize the Town Supervisor to sign an **agreement with Fiscal Advisors for professional services** to provide services relating to financial advice for capital projects and prospective debt issuances.

**CONSENT AGENDA**

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

**ADOPTED** Ayes 5      Majewski, Fitzgerald, Agneshwar, Messina, Schaffer  
Nays 0

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

**PUBLIC WORKS: Majewski/Fitzgerald**

**Advertise for Bids for Dump Body**

**R073-15** Authorization for the **Town Attorney to advertise** for bids on April 1, 2015 for a **Dump Body** to be installed on an existing Water Department vehicle, with the bid opening to be held on April 13, 2015 at 2:00 PM.

**Advertise for Bids for Highway Materials**

**R074-15** Authorization for the **Town Attorney to advertise** for bids for the **Highway Materials** listed below on April 8, 2015, with the bid opening to be on May 11, 2015.

- Transit Mix Concrete
- Bank Run Gravel
- Type #4 Gravel – NYSDOT approved
- Coarse & Fine Aggregates & Road Sanding Materials
- Bituminous Concrete – Hot Mix Asphalt
- Tire Chain Material
- Plow Blades and Grader Cutting Edges
- Crusher Run Sub-base Type #2 (Item #304)
- Light and Medium Stone Fill

**FINANCE: Agneshwar/Messina**

**Receive and File: Warrant Reports** - 2015-10, 2015-10A, 2015-10E, 2015-11, 2015-11E, 2015-12, 2015-12E, 2015-12L

**Green, Hershdorfer, & Sharpe - Legal Services**

**R075-15** Authorization for the Business Office to pay \$2,836.90 to **Green, Hershdorfer, & Sharpe** for legal services (12/19/2014 thru 3/10/2015) for the

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Hicks vs. Town of Vestal litigation.

### Excellus Stop Loss Insurance Contract

**R076-15** Authorization for the Town Comptroller Laura McKane to retroactively authorize the renewal of the **Excellus Stop Loss Insurance Contract** with \$120,000 specific deductible effective 4/1/2015-3/31/2016 at a rate of \$100.94 per contract month. The renewal is with no increase to the rate.

### Administrative Services Contract with Excellus

**R077-15** Authorization for the Town Comptroller Laura McKane to retroactively authorize renewal of the **Administrative Services Contract with Excellus** for the contract period of 5/1/2015 – 4/30/2016 at a monthly administrative fee of \$57.07 per contract per month. This fee represents an increase of 6%, or roughly \$6,260 annually.

### PLANNING & ZONING: Messina/Fitzgerald

#### Vestal Historical Society to Use Library Parking Lot for Fundraising Event

**R078-15** Approval for the **Vestal Historical Society** to use the library parking lot for a fundraiser on June 17, 2015 and September 4, 2015. An Indemnification Agreement is to be signed.

#### Vestal HS German Club to Use Library Parking Lot for Fundraising Event

**R079-15** Approval for the **Vestal High School German Club** to use the library parking lot for a fundraiser on May 9, 2015. An Indemnification Agreement is to be signed.

### PUBLIC SAFETY: Majewski/Agneswar

#### Police to Purchase Laptops

**R080-15** Authorization for Police Chief John Butler to purchase **2 Lenovo laptops** for a total of \$700.00. The money will come from asset forfeiture line A3120-2626R.

#### Approval to Sell Vehicles Via Auction International

**R081-15** Authorization for the Police Department to sell the following vehicles via Auction International:

- **2003 BMW 5 Series** (VIN # WBADT43453G023104). Proceeds of this sale to go to the Asset Forfeiture line.
- **2008 Dodge Charger** (VIN # 2B3KA43H28H280219). Proceeds of this sale to go to the General Fund.

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### **Purchase Training Equipment from Amchar Wholesale**

**R082-15** Authorization for Police Chief John Butler (as per memo dated 3/20/15) to purchase training equipment from **Amchar Wholesale** for a total of \$10,102.58. The money will come from forfeiture line A3120-2626R.

### **Security and Emergency Response Training Center**

**R083-15** Approval for Charles Paffie to travel to the Security and Emergency Response Training Center in Pueblo, Colorado for a 3 day 'Crude by Rail' training program from March 29, 2015 to April 2, 2015. The only out of pocket expense is for food and gasoline for a rental car. All other costs are covered.

### **ADMINISTRATION: Messina/Agneshwar**

#### **Museum to Apply for Grant from Community Foundation**

**R084-15** Approval for Museum Director Ramona Kacyvenski for to apply for a grant from the **Community Foundation for South Central New York**.

#### **Museum to Purchase Linoleum**

**R085-15** Authorization for Museum Director Ramona Kacyvenski to use museum donation funds (CM0308-47450) in the amount of **\$80 to purchase linoleum** for the museum bathroom.

### **RECEIVE AND FILE**

- **NYS DOT Notice of Order**, dated: March 10, 2015: Stopping is prohibited on both sides of Route 26, at Sheedy Road.
- **CAC Conservation Management Plan for Vestal Town Parks** – March 18, 2015
- **NY Parks, Recreation and Historic Preservation**: Letter dated March 10, 2015 regarding the Town's Certified Local Government (CLG) status.
- **United States Environmental Protection Agency (EPA)**, February 11, 2015
  - Clean Water Act Information Request
  - Administrative Compliance Order

## **END OF CONSENT AGENDA**

### **SUPERVISOR'S ANNOUNCEMENTS**

- The NYS Department of Environmental Conservation (DEC) has an **OPEN BURNING BAN** policy in place from March 16<sup>th</sup> to May 14<sup>th</sup>. Burn Permits will not be issued during this time.

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- Winter Parking Reminder – No parking on all Town and County roads in Vestal between the hours of 2:00 AM and 6:00 AM from December 1 thru March 31.
- The Vestal Nursing Center is having a job fair at the India Cultural Center, 1595 NYS Route 26, (at Sheedy Road and NY 26S) on March 31<sup>st</sup> at 10:00 am. The Nursing Center is expected to open on June 1, 2015.

### **Free Easter Egg Hunt** *(Sponsored by the Vestal Elks)*

Saturday, March 28-11 AM at Arnold Park on Andrews Road. Enjoy hunting for eggs by age group and visiting the Easter Bunny. In case of bad weather, check for updates at [www.vestalny.com](http://www.vestalny.com) or call the Vestal Recreation Dept. at (607)754-3368.

### **ADDITIONAL PUBLIC COMMENTS**

A speaker noted that he sent a Letter to the Editor with recommendations on how to spend the \$5 billion windfall that New York State received from bank settlements. He feels the money should go to upgrade wastewater treatment facilities and to expand the use of renewable energy.

A speaker referenced his previous complaint that a driver of a Highway plow truck maneuvered in a deliberate way to block his driveway with snow and ice and wants to know if the incident was investigated. Also, he feels that the Board should set a regular meeting schedule and not change it at the whim of its members. In addition, he claims that his house is over assessed when others are getting reductions.

Supervisor Schaffer replied that he inquired about the alleged plow incident and is confident that there was no deliberate malicious action. The Board has discretion in scheduling meetings. The meetings calendar is established at the beginning of the year and is widely disseminated to the public. As to the claim of the speaker concerning his home assessment, the records show that it was lowered two years in a row and would have been reviewed last year had he kept his appointment.

### **ADJOURNMENT**

On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the meeting was **adjourned at 6:26 PM**. Carried unanimously.

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