

## **Regular Meeting of the Vestal Town Board January 25, 2017**

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 January 25, 2017.

### **TOWN BOARD PRESENT:**

**Supervisor Schaffer**  
**Councilwoman Fitzgerald**  
**Councilwoman Messina**  
**Councilwoman Agneshwar**

**ABSENT: Councilman Majewski**

**ALSO ATTENDING:** Town Attorney David Berger, Town Clerk Emil Bielecki, 1<sup>st</sup> Deputy Town Clerk Kathie Young, Town Engineer Vern Myers and 17 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 Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following resolution was

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

Resolved the Minutes of the Regular Meeting on January 4, 2017 are approved.

### **PUBLIC HEARINGS**

Supervisor Schaffer *Offered Proof of Posting* and *Affidavit of Publication* for the Public Hearing regarding **Proposed Local Law “B” of the Year 2017**, a local law to rezone 4701 thru 4729 Vestal Parkway East from TN Transitional Neighborhood (TN) to Community Business (C-2). Applicant: North Star Group, LLC. He then opened the public hearing.

The following documents were received in reference to this Public Hearing:

- 23 l & m from the County
- Affidavit of mailing and Short Environmental Assessment Form (SEQR) from the applicant.
- NYS DOT – Broome County Department of Planning and Economic Development – NYSDOT Case #16-199

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Eric Webb, a representative from the Northstar Group, LLC noted that the company had no specific development plan for the parcels but they understood that any proposed development would need to be reviewed by the Planning Board and perhaps the Zoning Board of Appeals.

A speaker asked if anything would be done to make it safer to cross the Parkway. Supervisor Schaffer responded that there are plans to add sidewalks and the crossing would be at the existing light.

A speaker stated that the development across the Parkway has created some drainage issues and the problem will only increase if these parcels are developed. Town Engineer Vern Myers responded that the development of the plaza met the state MS-4 requirements for mitigating runoff. If these parcels are developed, they will also have to meet the MS-4 requirement to keep the runoff at pre-development levels. To limit traffic problems, DOT will allow only one access to the development. Any proposed development would require a traffic study and would be reviewed by the Planning Board.

Councilwoman Fitzgerald stated that she is most concerned about the students crossing the busy intersection. Town Engineer Myers and Supervisor Schaffer noted the traffic study would address this issue and the State will mandate whatever changes are necessary to alleviate the safety concerns.

Hearing or seeing no one else wishing to speak, Supervisor Schaffer closed the public hearing.

**Adopt Local Law “B” of the Year 2017**

**R006-17** On a motion of Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following resolution was

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

Resolved to accept the Short Environmental Assessment Form (SEQR) and to **adopt Local Law “B” of the Year 2017**, a local law to rezone 4701 thru 4729 Vestal Parkway East from TN Transitional Neighborhood (TN) to Community Business (C-2). Applicant: North Star Group, LLC.

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<u>Tax ID</u>	<u>Street #</u>	<u>Tax ID</u>	<u>Street #</u>
159.15-1-27	4701 VPE	159.15-1-31	4717 VPE
159.15-1-28	4705 VPE	159.15-1-32	4721 VPE
159.15-1-29	4709 VPE	159.15-1-33	4725 VPE
159.15-1-30	4713 VPE		

**PRIVILEGE OF THE FLOOR**

A speaker asked about the proposed local law to place a temporary ban on telecommunication towers. Supervisor Schaffer explained that new technology has resulted in a significant increase in requests to construct telecommunication towers. We want some time to study the issue and to draft regulations that adequately protects the interests of the Towns and the residents. Town Engineer Vern Myers stated that approval by the Planning Board is always needed for the site plan and if a zoning variance is required they would need approval from the ZBA. Some towers are being installed under the guise of a *public service* which doesn't require approval. Some of the smaller telecom companies are finding it necessary to expand their locations and we want to make sure that we have a say in that process.

A speaker stated that President Trump has ordered all EPA grants and projects to be suspended indefinitely which could affect the plans for the brown site remediation work on Stage Road. It might be a good idea to speak to our elected representatives about this issue.

A speaker asked about the agreement with the NYS DOT to provide lighting on the 201 bridge. Town Engineer Vern Myers explained that under this agreement, DOT will fix the lights and maintain them. The Town of Union and the Town of Vestal will pay for the energy which should be less costly because the new lights will have energy efficient LED bulbs.

A speaker asked about the Town's intentions for Magnolia Park. Supervisor Schaffer stated that the property is not being used as a park and the Town is trying to sell it. Town Attorney Berger noted that the sale of the land would require State approval. The neighborhood will be kept informed of the status.

A speaker commented on a number of topics as follows:

- Why has the Town not budgeted for all the projects that it is bonding for?
- He noted that two new appointments are being made to the ZBA and again he has been excluded from consideration.

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- The additional Orders of Stipulation proves how badly the reassessment was done.
- The Water Department should put the water bills on line.
- We shouldn't send people to NYC for training conferences -- too expensive.
- Magnolia Park was allowed to deteriorate and now we want to sell it. Why is there only one bidder and why wasn't the neighborhood told about it.
- Councilman Majewski should resign due to too many absences and the Town should have term limits for elected officials.

Supervisor Schaffer stated that we bond for capital items that cannot be financed through the operating budget or reserves. We passed a capital budget. He reminded the speaker that the Privilege of the Floor section is not a Q & A session and he should get his numerous questions addressed by filing a FOIL request or by stopping at the Supervisor's office during the day.

**RESOLUTIONS & MOTIONS**

**BOND RESOLUTIONS:**

**R007-17** On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to adopt a BOND RESOLUTION DATED JANUARY 25, 2017. A RESOLUTION AUTHORIZING THE COST OF PRELIMINARY STUDIES FOR IMPROVEMENTS AT THE **TOWN SWIMMING POOL**, IN AND FOR THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED **COST OF \$30,000** AND AUTHORIZING THE ISSUANCE OF \$30,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

**R008-17** On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to adopt a BOND RESOLUTION DATED JANUARY 25, 2017. A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF **\$150,000 BONDS** OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY THE COST OF THE **RECONSTRUCTION OF TOWN HALL**, IN AND FOR SAID TOWN.

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**R009-17** On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to adopt a BOND RESOLUTION DATED JANUARY 25, 2017. A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF **\$150,000 BONDS** OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF THE **SEWER/SANITARY SEWER LATERALS OF THE ROOF DRAINAGE SYSTEM AT THE TOWN-OWNED PUBLIC LIBRARY BUILDING**, IN AND FOR SAID TOWN.

**R010-17** On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to adopt a BOND RESOLUTION DATED JANUARY 25, 2017. A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF **\$700,000 BONDS** OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY THE COST OF THE **RECONSTRUCTION AND RESURFACING OF VARIOUS ROADS** THROUGHOUT AND IN AND FOR SAID TOWN.

**R011-17** On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to adopt a BOND RESOLUTION DATED JANUARY 25, 2017. A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF **\$164,000 BONDS** OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY A PORTION OF THE COST OF **THE RECONSTRUCTION OF THE WASHINGTON STREET BRIDGE**, IN AND FOR SAID TOWN.

**R012-17** On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved adopt a BOND RESOLUTION DATED JANUARY 25, 2017.

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A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF **\$46,500 BONDS** OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY THE COST OF **PARK CONCESSION STAND IMPROVEMENTS AND THE PURCHASE OF PARK MAINTENANCE EQUIPMENT**, FOR SAID TOWN.

**SEQR Approved for NYS DOT Surplus Land**

**R013-17** On a motion of Councilwoman Agneshwar, seconded by Supervisor Schaffer, the following resolution was

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

Resolved to approve the **Short Environmental Assessment Form (SEQR)** for the transfer of NYS DOT surplus land (adjacent to the Library) to the Town of Vestal. This is the property that is being considered for the future Ambulance/EMS squad building to be constructed with NY Rising funds.

**Appoint Jennifer Kakusian and John Taylor to Zoning Board of Appeals**

**R014-17** On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to appoint **Jennifer Kakusian** and **John Taylor** to the Zoning Board of Appeals as Alternate Members effective January 30, 2017. Both terms will expire December 31, 2021.

**Advertise for Public Hearing on Local Law C**

**R015-17** On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to direct the Town Attorney to advertise on February 8, 2017 for a Public Hearing February 15, 2017 on proposed **Local Law C** - "A local law placing a temporary moratorium on telecommunication towers within the Town of Vestal."

**Advertise for Public Hearing on Local Law D**

**R016-17** On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Agneshwar, the following resolution was

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

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Resolved to direct the Town Attorney to advertise on February 15, 2017 for a Public Hearing on March 8, 2017 on proposed **Local Law D** - “A local law to prohibit Smoking in all Town Parks.”

### Stipulation of Settlement - Article 7 Tax Certiorari Cases

**R017-17** On a motion of Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following resolution was

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

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:

**Brookdale Senior Living Solutions, Meriweg Vestal LLC & Emeriweg Vestal LLC vs. The Town of Vestal Board of Assessment Review, the Assessor of the Town of Vestal, Broome County, New York, Index Nos., 2014-1949, 2014-1950, 2015-0981, 2015-1919, 2016-1515, 2016-1516, 2016-1576, as follows:**

#### **Tax ID 159.19-2-25**

1. For tax years 2014/2015, the total assessment on 501 Clubhouse Road shall be reduced from \$5,407,000 to \$4,575,000
2. For tax years 2015/2016, the total assessment on 501 Clubhouse Road shall be reduced from \$5,407,000 to \$4,575,000
3. For tax years 2016/2017, the total assessment on 501 Clubhouse Road shall be reduced from \$5,407,000 to \$4,575,000
4. For tax years 2017/2018, the total assessment on 501 Clubhouse Road shall remain the same at \$4,575,000
5. For tax years 2018/2019, the total assessment on 501 Clubhouse Road shall remain the same at \$4,575,000

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town/County Tax	Town Refund
2014-15	\$5,407,000	\$5,407,000	\$4,575,000	-\$832,000	\$122,931.52	\$70,893.16	\$3,776.34
2015-16	\$5,407,000	\$5,407,000	\$4,575,000	-\$832,000	\$122,530.80	\$70,537.63	\$3,756.10
2016-17	\$5,407,000	\$5,407,000	\$4,575,000	-\$832,000	\$120,484.33	\$70,985.38	\$3,651.77
2017-18	\$4,575,000	\$4,575,000	\$4,575,000	\$0			
2018-19	\$4,575,000	\$4,575,000	\$4,575,000	\$0			

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						<b>TOTALS</b>	<b>\$11,184.21</b>
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\* Town = General and Highway

TOTALS \$11,184.21

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

**R018-17** On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the following resolution was

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

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

**Brookdale Senior Living Solutions, Meriweg Vestal LLC & Emeriweg Vestal LLC vs. The Town of Vestal Board of Assessment Review, the Assessor of the Town of Vestal, Broome County, New York, Index Nos., 2014-1949, 2014-1950, 2015-0981, 2015-1919, 2016-1515, 2016-1516, 2016-1576, as follows:**

### Tax ID 159.19-1-8

1. For tax years 2014/2015, the total assessment on 421 Plaza Drive shall be reduced from \$4,607,900 to \$4,043,700
2. For tax years 2015/2016, the total assessment on 421 Plaza Drive shall be reduced from \$4,607,900 to \$4,043,700
3. For tax years 2016/2017, the total assessment on 421 Plaza Drive shall be reduced from \$4,607,900 to \$3,875,500
4. For tax years 2017/2018, the total assessment on 421 Plaza Drive shall be reduced from \$3,875,500 to \$3,720,200
5. For tax years 2017/2018, the total assessment on 421 Plaza Drive shall remain the same at \$3,720,200

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town/County Tax	Town Refund
2014-15	\$4,607,900	\$4,607,900	\$4,043,700	-\$564,200	\$104,763.49	\$59,531.80	\$2,560.83
2015-16	\$4,607,900	\$4,607,900	\$4,043,700	-\$564,200	\$104,421.99	\$59,234.20	\$2,547.10
2016-17	\$4,607,900	\$4,607,900	\$3,875,500	-\$732,400	\$102,677.96	\$59,583.40	\$3,214.60
2017-18	\$3,720,200	\$3,720,200	\$3,720,200	-\$155,300			
2018-19	\$3,720,200	\$3,720,200	\$3,720,200	\$0			
						<b>TOTALS</b>	<b>\$5,761.70</b>

\* Town = General and Highway

TOTALS \$5,761.70



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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**

**The following motion was pulled from the Consent Agenda by Supervisor Schaffer and will be addressed at the next Town Board Work Session:**

Approval for Anthony Folk and the Hockey Shop to hold the **Southern Tier Enduro** mountain bike race at **Jones Park** on a date to be determined in June, 2017. They are to submit the following: proof of insurance naming the Town as an insured party; waivers signed by participants; a signed Town Facilities Use Agreement. In addition, the Town's Indemnification Agreement is to be signed and they are to make the necessary arrangements with the appropriate public safety agencies as required for the staging of this event.

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

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

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

**PUBLIC WORKS: Fitzgerald/Majewski**

**Advertise for the King Street Sanitary Sewer Replacement Project Bid R019-17**      Authorization for the Town Attorney to advertise for the **King Street Sanitary Sewer Replacement Project** on February 15, 2017 and to be opened on Tuesday March 2, 2017 at 2:00 PM in the Town Clerk's office.

**Advertise for Highway Truck Accessories Bid**

**R020-17**      Authorization for the Town Attorney to advertise for **Highway Truck Accessories** (plow, wing, salt spreader, etc.) bids on February 1, 2017 to be opened on February 23, 2017 at 2:00 PM in the Town Clerk's Office. This is part of the capital truck purchase that was approved for 2017. These accessories will be installed in-house.

**Advertise for Operating Engineers Uniform Bid**

**R021-17**      Authorization for the **Town Attorney to advertise for Operating Engineers Uniforms** on February 15, 2017 with the bids to be opened on February 28, 2017.

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**Approval of Agreement - State Highway Lighting Along NYS Rt. 201**

**R022-17** Adopt a Resolution of the Board of the **Town of Vestal agreeing to energize a highway lighting system** on or along within the geographical jurisdiction of the Town of Vestal, such highway identified in Project D263037 – Standby Contract Used to Construct Repairs to State Highway Lighting along NYS Rte. 201 from the center of the Susquehanna River to the south encompassing lights not included in PIN 904504 agreement, Town of Vestal, County of Broome.

**Agreement with DOT to Energize Lighting System on Project D263037**

**R023-17** Authorization for the Supervisor of the Town of Vestal to enter into and execute an Agreement with the State of New York and through the Commissioner of Transportation to commit the Town of Vestal to energize, at its own expense, the lighting system on Project D263037, such agreement to provide energy shall include furnishing of electric current for the lighting system.

**FINANCE: Agneshwar/Fitzgerald**

**Receive and File:**

- **Warrant Reports:** 2016-52, 2016-52E, 2017-01, 2017-01A, 2017-1EA, 2017-02, 2017-02A, 2017-2EA, 2017-03, 2017-03A, 2017-3EA, 2017-3LA
- **Town Clerk Monthly Report:** December 2016 – Local Shares Remitted: \$3,943.30

**Occupational Health Services Agreement**

**R024-17** Authorization for the Town of Vestal to enter into an agreement with Our Lady of Lourdes Memorial Hospital, Inc., for **Occupational Health Services** pursuant to the contract as presented to the Town Board on January 23, 2017 and for the Town Supervisor John Schaffer to sign same.

**Budget Transfers**

**R025-17** Authorization for Deputy Comptroller Nick Angeline to perform the **Budget transfers for dates 12/15/2016-1/19/2017** as attached to his memo dated January 19, 2017.

**Billable Hours for Attorney Berger**

**R026-17** Authorization for payment in the amount of \$262.50 to **Town Attorney David Berger** for billable hours for December 2016.

**PUBLIC SAFETY: Fitzgerald/Messina**

**Accept George Allen as Fire Member**

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**R027-17** Approval from the Board of Fire Commissioners to accept **George Allen** as a new member of the Vestal Fire Department Company No. 4.

### **Transfer 1988 Utility Trailer from Parks to Fire Department**

**R028-17** Approval from the Board of Fire Commissioners for the transfer of a **1988 Utility Trailer**, ID No. NYA397449 from the Parks Department to the Vestal Fire District. The Board has determined that this utility trailer has no value to the Town and its transfer is a gift to the Vestal Fire Department.

### **The Running of the Bears Approved**

**R029-17** Approval for Vestal High School Health Teacher Sue Darpino to hold ***The Running of the Bears*** 5K Road Race on April 8, 2017. The race will be held partially on Town roads. The Town's Indemnification Agreement is to be signed and they are to make the necessary arrangements with the appropriate public safety agencies as was required for the staging of the event in previous years.

### **5<sup>th</sup> Annual Traci's Hope 5K Run/Walk**

**R030-17** Approval for ***Traci's Hope and the Vestal Elks Club Veterans' Committee*** to hold the 5<sup>th</sup> Annual Pink Elk 5K Run/Walk on April 30<sup>th</sup>, 2017 at 10 AM on Owego Road and some surrounding roads. The Town's Indemnification Agreement is to be signed and they are to make the necessary arrangements with the appropriate public safety agencies as was required for the staging of the event in previous years.

### **"Herald of Victory" Marathon**

**R031-17** Authorization for Confluence Running and Binghamton Health Campaign to hold **"Herald of Victory"** Marathon on May 28, 2017. The event will be staged on the same course as last year. A half marathon will be added this year with the expectation of a modest increase in participation.

The applicant is to sign the Town's Indemnification Agreement and make the necessary arrangements with the appropriate public safety agencies as was required for the staging of the event last year.

### **Accept Justice Court Assistance Program (JAP) Grant**

**R032-17** Authorization for the Town of Vestal Court to accept a grant awarded under the 2016-2017 cycle of the **Justice Court Assistance Program (JCAP)** in the amount of \$2649.00 for office equipment.

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This grant will be used to purchase: two all-in-one computers for the payment window and wall mounting equipment, two under counter locking cash drawers, a paper cutter, a new judicial robe, a new gavel and block for the bench, check binders for Judge Meagher's savings and bail accounts, literature racks for the lobby, an intercom system for the payment window, and chairs for the courtroom.

### **ADMINISTRATION: Majewski/Messina**

#### **Snapshot Audit SpyGlass Group, LLC**

**R033-17** Authorization for IT Director Dan Williams to sign a snapshot audit agreement with **SpyGlass Group, LLC** concerning the Town's telecom bills.

#### **Recreation Program Hires**

**R034-17** Authorization for **Recreation Planner Sue Jastran** to hire basketball, swim, playground, and weight room employees as listed in her memo to the Town Board dated January 9, 2017. All employee pay rates are budgeted items in the 2017 Budget and background checks have been completed.

#### **Tax Receiver Hires**

**R035-17** Authorization for Tax Receiver Debra Wallace to hire **Emily Whitaker** as a Clerk (part-time) for the period January 24, 2017 through January 27, 2017 at the rate of \$9.70 per hour.

### **RECEIVE AND FILE:**

- Vestal Fire Advisory Board Meeting Minutes December 5, 2016.
- Building and Code Department Year End Report for 2016

## **END OF CONSENT AGENDA**

### **SUPERVISOR'S ANNOUNCEMENTS**

- We are continuing to accept bids for the sale of [Magnolia Park](#). A notice will also be posted on the Town's website.
- The new and improved access to the Vestal Town Code Book is now available through the Town's website.
- The Recreation Department is still taking registrations for the 2017 Father Daughter Ball. The deadline is Friday, February 3<sup>rd</sup> unless filled earlier. 607-754-3368.
- The public can now subscribe to receive e-mail notices of the latest news and updates on the Town's website. To subscribe, go to the desired section on the

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Town's website at [www.vestalny.com](http://www.vestalny.com), click *e-notify*, enter your email address and click *subscribe*. You will receive an email from [e-notify@vestalny.com](mailto:e-notify@vestalny.com). In the email, click the link *click here* and it will confirm you want to be subscribed.

- There are discussions about putting in a community garden in Castle Gardens, as proposed by Vestal Museum Director Cheresse Weisner-Rosales. This will be discussed at our next Work Session.

### **ADDITIONAL COMMENTS FROM THE BOARD**

Councilwoman Agneshwar stated that we should advertise our intention to sell Magnolia Park in the legal section of the local newspapers. Town Attorney Berger noted that the Board is not legally obligated to publish the notice in such a manner but should advertise it in a commercially reasonable manner.

### **OTHER NEW BUSINESS**

#### **Refund for Overpayment of Utility Fund Bill**

**R036-17** On a motion of Supervisor Schaffer, seconded by Councilwoman Messina, the following resolution was

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

Resolved to issue a **refund of \$217.79 to Steve Jeremko** for an overpayment of a Vestal Utility Fund bill, account # 101031125, location # 101031125 from 4th quarter of 2016.

### **EXECUTIVE SESSION**

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

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

**Resolved** the Board enter into Executive Session to discuss a possible acquisition of land. The time was 6:56 PM.

Acting in their capacity as the Board of Fire Commissioners, the Board voted in Executive Session on the following resolutions:

#### **Purchase Offer for Property Located on Jensen Road, Vestal NY**

**R037-17** On a motion of Commissioner Messina, seconded by Commissioner Fitzgerald, the following resolution was

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

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**Resolved** to authorize Fire Commissioner John Schaffer to sign a purchase offer for property located on Jensen Road, Vestal NY (for the construction of a new Fire Station 4 building) at an amount not more than \$550,000.00 subject to an acceptable contract as approved by the Town Attorney, contingencies to be set forth.

**Retention of Karen L. Klecar of Bridgeway Commercial Realty, LLC**

**R038-17** On a motion of Commissioner Messina, seconded by Commissioner Agneshwar, the following resolution was

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

**Resolved** to authorize the retention of Karen L. Klecar of Bridgeway Commercial Realty, LLC as buyer's agent subject to a satisfactory agreement approved by the Town Attorney.

**ADJOURNMENT**

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

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

**Resolved** the Board leave the Executive Session and **adjourn the Regular Meeting. The time was 7:18 PM.**

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