

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JANUARY 25, 2016

Board Attendance: Supervisor Schaffer; Board Members: Fitzgerald, Messina and Agneshwar
Absent: Majewski

Also Attending: Town Attorney David Berger, Town Comptroller Laura McKane, Human Resource Officer Nancy Olmstead, Town Engineer Vern Myers, Town Clerk Emil Bielecki and 2 members of the general public.

Supervisor Schaffer **convened the Work Session at 6:00 PM.**

6:00 PM Town Justices Joe Meagher and Mike Sherwood - discuss part-time clerk position.

Town Justices Meagher and Sherwood announced an important change in Town Court procedure. Effective March 1, 2016, arraignments will be done during the day and there will be no more night court. Changing the time of the arraignments will allow us to have an Assistant District Attorney present. This should be helpful in speeding up the resolution of the cases. Also, this change will save about \$8,000 per year in overtime and other personnel costs. With the anticipated savings, the Justices are requesting authorization to hire a part-time clerk. The following points were made concerning this request:

- The part time clerk is needed to assist the two Court Clerks in a number of tasks including data entry, mailings, suspensions and to improve the financial oversight that has been referenced in a recent court audit.
- The part-time clerk would work 16-18 hours per week (Mondays, Wednesdays and Fridays).
- The rate of pay for this position is expected to be approximately \$10/hour.

Justice Meagher also stated that his full time Court Clerk will be retiring. The rate of pay for a new Court Clerk is expected to be lower than the rate for the current Clerk. This should result in additional savings of over \$6,000. Human Resource Officer Nancy Olmstead stated that about 12 people applied for the position and that specific discussion about the applicants should be done in Executive Session.

EXECUTIVE SESSION

On a motion of Councilwoman Agneshwar, seconded by Councilwoman Messina, the following was
ADOPTED Ayes 4 Agneshwar, Fitzgerald, Messina, Schaffer
Nays 0 Absent 1 Majewski

Resolved the Board enter into Executive Session to discuss the applications for the Court Clerk position. The time was 6:24 PM.

On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Messina, the following was
ADOPTED Ayes 4 Agneshwar, Fitzgerald, Messina, Schaffer
Nays 0 Absent 1 Majewski

Resolved the Board leave the Executive Session. The time was 6:44 PM.

6:30 PM IT Director Dan Williams - discuss the construction of a new radio tower at Andrews Road.

IT Director Dan Williams provided some background to the ongoing discussion between the Town and Broome County regarding the upgrade of the radio tower on Andrews Road along with a new build of a Tower near the Kopernik Observatory. We are currently experiencing many communications issues with the tower at the Andrew site. The County has agreed to build the tower at the Kopernik site if the Town builds a tower at the Andrews site to the same specifications. The cost of the new tower will

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JANUARY 25, 2016

greatly exceed the previously approved capital project. It is estimated that the new site build which now includes a new building, a generator and several other additional components would cost about \$425,000. The Town will own the tower and the new site will give the Town a greatly needed upgrade and will provide the potential for valuable tower space leasing. He is asking for the Board for approval to proceed with this project of building the 195' tower at the Andrews site to county specifications.

Several Board members expressed concern about the doubling in the price of the project and the general lack of transparency during the whole process. Town Engineer Vern Myers questioned why the County is asking the Town for such a large commitment of funds when this project is a part of a County communications network which is being financed by grant money. He is concerned with the fact that the Town is giving total control to the County but we are footing the bill.

After a lengthy discussion, the Board expressed the need to meet with the County representatives to address the numerous questions about this project. Supervisor Schaffer stated that he would schedule the County representatives to attend the Work Session on Monday, February 8th at 5:30 PM.

COMMITTEES

7.1 PUBLIC WORKS (FITZGERALD/Majewski)

1. Request to publish advertisement for Uniform Bids for Operating Engineers on February 10, 2016 to be opened on March 14, 2016.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

7.2 FINANCE (AGNESHWAR/Fitzgerald)

1. Warrants: 2016- 01, 2016-01A, 2016-1EA, 2016-02, 2016-02A, 2016-2EA, 2016-03, 2016-03A, 2016-03E, 2016-03L, 2016-3LA

OK – This item will be placed as a 'Receive and File' on the Agenda for the next Regular Meeting.

2. Request to publish Notice of Public Hearing on Feb 10, 2016 with the Public Hearing on February 24, 2016 for Local Law A - A local law to amend the Code of the Town of Vestal by amending Vestal Code Motor Vehicle and Traffic Section 14-82 Article II "Penalties for Offenses."

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

3. Request from Town Comptroller Laura McKane to close completed Capital Projects per memo dated January 13, 2016 and transfer these projects unexpended fund balances to General Fund Cash and to approve the budget transfers necessary to transfer unexpended funds into the Interfund Expense line where it will be paid out to the General Fund.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

4. Request from Water Superintendent Scott Groats to refund Paul Salamy the credit balance of \$116.09 remaining in his closed water/sewer account at 804 Sequoia Lane.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JANUARY 25, 2016

5. Request to pay \$400.00 for the annual membership renewal to the Upstate New York Towns Association Inc.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

6. Request authorization for Supervisor Schaffer to sign an agreement with Broome County for Snow and Ice Removal on certain County roads (CA 11-80-1) for the year 2016.

It was noted that that this agreement covers only one road --- Tracy Creek Road.

Councilwoman Messina asked if the terms of the agreement are reasonable. Supervisor Schaffer replied that after some changes were made, the terms are favorable to the Town.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

7. Request to pay \$12,000 to Kenneth G. Frommer for the appraisal of the NYSEG Facility located on Murray Hill Road, TM # 159.14-1-12.1

This work stems from an ongoing Article 7 tax assessment proceeding.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

8. Request for Business Office to issue expense checks for Thomas Smallcomb, Joseph Meagher and John Schaffer as noted in memo dated January 19, 2016 to attend the Association of Towns Conference, February 14-17, 2016.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

9. Request to approve Sewer District Bond Resolution after the public hearing is held on January 27 at 6pm.

BOND RESOLUTION DATED JANUARY 27, 2016.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE CONSOLIDATED SEWER DISTRICT, IN THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK.

10. Request to approve Water District Bond Resolution after the public hearing is held on January 27, 2016 at 6pm

BOND RESOLUTION DATED JANUARY 27, 2016.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,100,000 BONDS OF THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE CONSOLIDATED WATER DISTRICT, IN THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK.

Comptroller Laura McKane noted that the two bond resolutions above can be voted on after the completion of the Public Hearing. Town Attorney David Berger added that prior to the vote on the Bond Resolutions the Board will need to adopt a Public Interest Order for each of the matters covered by the Public Hearing. The language for the Public Interest Order has been provided by Bond Counsel.

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JANUARY 25, 2016

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

11. Discuss Resolution R286-15 Bond for Purchase of Police Cars - \$82,000

A RESOLUTION AUTHORIZING THE COST OF THE PURCHASE OF POLICE CARS, FOR THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$82,000, AND AUTHORIZING THE ISSUANCE OF UP TO \$82,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

Comptroller McKane stated that the price of the Tahoes that the Police Department planned to purchase under state contract has increased above the amount that was authorized in the bond resolution. There seems to be a wide price discrepancy and perhaps some misunderstanding as to how many vehicles are being purchased.

Supervisor Schaffer noted that if the price increase is that dramatic, the Police Department may have to purchase different vehicles.

The consensus of the Board is that the Bond Resolution will not be amended and the procurement of the vehicles will be made within the amount of the allocated funds.

12. Discuss vehicle fleet needs for the Code Department and IT Department.

Supervisor Schaffer stated that there was an expectation that some of the vehicles being retired by the Police Department could be transferred to IT and Code. As it turns out, the vehicles that will become available may be different than initially thought and may not meet the needs of these departments. It is his understanding that IT will be getting an Impala from the Police Department.

Comptroller McKane stated that she is reviewing the end of the year financial situation and will look for sources of money to purchase a vehicle for Code.

7.3 PERSONNEL (MESSINA/Majewski)

1. Discuss request from Highway Superintendent Rocco Turdo for a pay increase for the positions of Highway Superintendent and the Deputy Highway Superintendent.

The Board reviewed some of the previous discussion that occurred concerning this issue and determined that the decisions that were made during the budget preparation process will stand. There are no plans to revisit this issue for 2016.

2. Request from Human Resource Officer Nancy Olmstead to discuss employee performance evaluations.

Human Resource Officer Nancy Olmstead stated that she is continuing her work on developing an employee performance evaluation program for non-union employees. Whatever we do the program will likely start out slowly and improvements will be made as we go along. The following issues still need to be addressed:

- Job descriptions will need to be updated
- Need to decide who will be doing the evaluations
- Need to meet with employees to explain what is being expected of them

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JANUARY 25, 2016

The Board instructed Human Resource Officer Olmstead to proceed with the preparation and updates of the job descriptions and to schedule a presentation of the proposed program to the Board when all of the members are present.

3. Discussion of retirement time keeping requirements.

Human Resource Officer stated that all of the employees who are currently required to keep a time keeping logs for the retirement system have been provided the time sheets. Once the records are completed, there are various filing and posting requirements that need to be done. She is available to answer any questions.

4. Discussion of a part-time clerk vacancy at the Vestal Museum.

Human Resource Officer stated that the Museum has \$3,168 budgeted for the position and the Museum Director wants to fill the vacancy.

The Board, by consensus, authorized the Museum Director to proceed with the recruiting process to fill the part-time clerk vacancy.

7.4 PLANNING & ZONING (MESSINA/Agneshwar)

1. Request from Vestal High School Health Teacher Sue Darpino to hold “The Running of the Bears” 5K Road Race on April 2, 2016. The race would be held partially on Town roads.

Town Attorney Berger noted that the sponsor of the race should sign the Town’s Indemnification Agreement.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

2. Request from M Squared Manager Mark Mushalla, the vendor at the Coal House, to host a Spring Time 10K event that would incorporate the entire Rail Trail. The event would be staged in the late April or May timeframe.

After a brief discussion, the Board agreed to add the following conditions:

1. The event sponsor will pay for the cost of providing police services needed for the event.
2. The planned donation is to go to the Town General Fund.
3. The event sponsor is to sign the Town’s Indemnification Agreement.

Councilwoman Messina suggested that the sponsor be asked not to schedule the event for May 15th so as not to conflict with another local running event.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

3. Request from Matt Policare to put up sponsorship signs at Moore Park for the upcoming softball season.

Supervisor Schaffer stated that these signs would be put up during the playing season and would be taken down by the league at the end of the season.

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JANUARY 25, 2016

Town Attorney Berger expressed concern about allowing private individuals or groups to use Town property for monetary gain.

After a brief discussion, a question arose as to whether the area for the proposed signs is actually Town owned property. Supervisor Schaffer asked the Board to delay taking any action on this request until he has had an opportunity to get a better understanding of the request and to clarify some of the issues that are being raised.

4. Request from Traci's Hope and the Vestal Elks Club Veterans' Committee to hold the 4th Annual 5k race/walk on May 15, 2016 at 9am on Owego Road and some surrounding roads.

Town Attorney Berger noted that the sponsor of the race should sign the Town's Indemnification Agreement.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

5. Request from Mark Barnes, Vestal Band Aides, to hold a Brooks BBQ Fundraiser on May 29, 2016, 8 AM to 4 PM, at the Vestal Library parking lot.

Councilwoman Messina noted that she will not support the use of the library parking lot for fundraising activity that involves a third party food vendor.

Councilwoman Agneshwar stated that it would be most equitable if the Board simply adopted a policy prohibiting the use of the library parking lot for fundraising activity by outside groups.

Councilwoman Fitzgerald stated that it would be wrong to deny this request. There is no evidence that this event would be hurting anyone.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

6. Request from Code Officer Mark Dedrick to change the permitted uses for the Transitional Neighborhood District (TN) zone. Currently the district does not allow for any residential uses. It is suggested that a line be added to read "Residential uses, including multiple residence" and make this approval contingent on a Special Permit from the Planning Board or the Zoning Board of Appeals.

The Board asked the Town Attorney to draft the required local law and authorized the publication on February 10, 2016 for a Public Hearing on February 24, 2016.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

7.5 **PUBLIC SAFETY** (FITZGERALD/Messina) – no items were brought for consideration.

7.6 **ADMINISTRATION** (MAJEWSKI/Messina)

1. Request from Museum Director Ramona Kacyvenski to accept a Travel Grant in the amount of \$653.13 for the 2016 Museum Association of NY Annual Conference in Lake Placid.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JANUARY 25, 2016

2. Request from Museum Director Ramona Kacyvenski to approve the application for the Chenango Arts Council Grant for 2016.

The Board asked Councilwoman Messina to notify the Museum Director that it is not necessary for her to seek Board approval prior to applying for grants that she determines to be in the best interest of the Museum and the Town. The approval of the Board is still required to accept any grant that has been awarded.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

3. Request from Museum Director Ramona Kacyvenski to approve a grant application to the Broome County Arts Council for the Musical Memories Series at the Vestal Museum.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

4. Request from the Vestal Town Court to accept a grant for \$800 from the Justice Court Assistance Program for office equipment (wireless headsets and a monitor for the Court lobby).

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

5. Request from Recreation Planner Sue Jastran to approve employees for the Family Swim and Youth Basketball programs as listed in her memo dated January 5, 2016.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

6. Dog Control Officer to retire - discuss options for providing dog control services.

Town Clerk Emil Bielecki informed the Board that our long serving Dog Control Officer John Lenox will be retiring in June. He noted that even as a part-time employee, Mr. Lenox has provided the Town with exceptional service and 24/7 coverage for dog seizures and other emergencies. He will be difficult to replace. The Board is being asked for ideas on how to continue providing quality dog control services within the current budgetary parameters.

UNFINISHED BUSINESS

1. Vehicle Wash Bay at the Highway Department (in response to the EPA field audit)

Town Engineer Vern Myers noted that the EPA is asking us to attenuate the runoff, not to build a wash bay. **Update on 1/25/16:** Town Engineer Myers is looking at solution that involves constructing a concrete slab with an oil separator and perhaps some other minor additions. He will report back to the Board as he gets more information on the design and cost of construction.

2. Community Use of Municipal Facilities Policy

The purpose of this proposed policy is to establish the rules and regulations governing the use of Town facilities by outside users. **Update 01/25/16:** Supervisor Schaffer is compiling the information submitted by the Board and plans to resume discussion of the topic at the Work Session on Feb. 22nd.

3. Gas Card System for the Purchase of Fuel for Town Vehicles

As per the discussion with the representatives from the Mirabito Fuel Group, the Town will prepare the bid specifications for a contract to purchase fuel from an outside vendor thorough the use of a gas card

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JANUARY 25, 2016

system. **Update on 01/25/16:** Supervisor Schaffer stated that he is working with Comptroller McKane to complete the bid specs.

4. Sale of Town Property at 310 Rayelene Drive

The Board agreed to allow the residents whose properties adjoin the Town owned parcel to submit a bid to purchase the parcel along with a plan to divide it among the 4 property owners. All expenses connected with this proposed transaction are to be paid by the property owners. Town Attorney Berger added that the Town will need 4 individual bid offers and a surveyed map of each parcel.

Update on 01/25/16: In view of the fact that the residents have not submitted anything to facilitate this transaction, Supervisor Schaffer stated that this item is will no longer be carried as a topic under ‘unfinished business.’

NEW BUSINESS

- As the Town Board’s representative to the committee formed to convert the Vestal Library to a School District Public Library, Councilwoman Agneshwar informed the Board that this group will be presenting their plan at the Vestal School District Board of Education meeting on Tuesday, January 26, 2016.

SUPERVISOR ANNOUNCEMENTS:

- **Vestal Fire Department -DEFENSIVE DRIVING COURSE**

Station #1, Four Corners Saturday, February 02/06, 2016, 9:00 AM to 4:00 PM

You must call the Vestal Fire Administration Office, at 748-1514 x 383, or email Sue Bowen to register for this class. Fire District pays \$25 for Department Members and Auxiliary Members. Town pays \$12.50 for current employees and employees pay \$12.50 at the time of the class. \$30.00 fee for non-members.

EXECUTIVE SESSION

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

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

Resolved the Board enter into Executive Session to discuss the following:

- A specific employee contract
- CSEA Library negotiations
- Negotiations concerning the Emergency Squad building
- PBA grievance issue

The time was 9:18 PM.

On a motion of Councilwoman Fitzgerald, seconded by Supervisor Schaffer, 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 Work Session. The time was 9:50 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk