

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JANUARY 23, 2017

Board Attendance: Supervisor Schaffer; Board Members Agneshwar and Messina

Absent: Majewski, Fitzgerald

Also Attending: Town Attorney David Berger, Town Engineer Vern Myers, Human Resource Officer Nancy Olmstead, Police Chief John Butler, Code Director Mark Dedrick, Town Clerk Emil Bielecki and 9 people from the general public.

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

6:00 PM – Representatives from Airborne Towing and Road Service, Schultz’s Vestal Service Center and Wilcox Towing to discuss towing in the Town of Vestal.

The representatives from the 3 towing services noted that their companies are long time Vestal based businesses that have been providing quality towing services to the Town for many years. They object to the placement of a new company (U-Save Towing) in the rotation for callouts from emergency services dispatching. A summary of the comments from the representatives of the towing companies is as follows:

- We do not need another towing company to service calls from dispatching.
- New entrants should play by the same rules as the existing companies.
- The new company is not a Vestal business. They only rent vehicle storage space in the Town.
- The new company is a shell. There is no employee at the location. There is no towing truck at the location and there are no bathroom facilities.
- We are providing a service to the Town and the Town should determine who it wants to provide dispatched towing services. The Town should define what is considered to be a *Vestal business*.
- The Vestal Police Chief, not the County should determine who the Town uses for towing services.

Police Chief John Butler stated for the record that that he is not related to the owner of U-Save Towing and he did send a message to his attorney that he doesn’t believe that we need another towing service. He further stated that he does not have control over what business comes to town.

Supervisor Schaffer noted that this new company is a legitimate business in the Town and we can’t stop them from operating in the Town.

Town Engineer Vern Myers and Code Director Mark Dedrick both stated that the company was approved for occupancy as a vehicle storage area which is permitted in that location. If they comply with the legal restrictions on the use of the property, they can use this area for their towing services.

After a brief discussion of this topic by the Board, Supervisor Schaffer stated that Board will review the matter and consider potential legislation to address it. The towing companies will be invited to provide input during this process.

UPCOMING PUBLIC HEARING:

Wednesday January 25, 2017 at 6:00 PM - application from North Star Group LLC to rezone 4701-4729 Vestal Parkway East from Transitional Neighborhood (TN) to Community Business (C-2).

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COMMITTEES

7.1 PUBLIC WORKS (FITZGERALD/Majewski)

1. Request to reconsider reduction of late fees for Westminster Gardens water bill.

Supervisor Schaffer noted that this applicant has a history of late payments. This request was previously reviewed by the Board and was rejected. The new regulations from the Joint Sewage Treatment Plant have forced the Town to deny requests for reductions to water and sewer bills.

By consensus of the Board, this request is being denied and the Town Attorney is instructed to send a response to the applicant.

2. Request to advertise on February 1, 2017 for highway truck accessories; opening bids on February 21, 2017.

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

3. Request for Town Supervisor John Schaffer to sign agreement with NYSDOT for 201 Highway Lighting.

Town Engineer Vern Myers stated that the NYS DOT will install LED lighting and will take over the maintenance of the lighting infrastructure on the bridge. The light bill will be split between the Town of Vestal and the Town of Union.

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 advertise the King Street Sanitary Sewer Replacement project on February 15, 2017; bid opening March 2, 2017.

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: 2016-52, 2016-52E, 2017-01, 2017-01A, 2017-1EA, 2017-02, 2017-02A, 2017-2EA, 2017-03, 2017-03A, 2017-3EA, 2017-3LA

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

2. Request to pay \$262.50 to Town Attorney David Berger for December 2016 billable hours.

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

3. Request for a bond resolution authorizing the cost of preliminary studies for improvements to the town swimming pool at the maximum estimated cost of \$30,000; publication date of February 1, 2017.

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

4. Request for a bond resolution authorizing, subject to permissive referendum, the issuance of \$150,000 bonds to pay the cost of the reconstruction of Town Hall; publication date of February 1, 2017.

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

5. Request for a bond resolution authorizing, subject to permissive referendum, the issuance of \$150,000 bonds 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; publication date of February 1, 2017

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

6. Request for a bond resolution authorizing, subject to permissive referendum, the issuance of \$700,000 bonds to pay the cost of the reconstruction and resurfacing of various roads; publication date of February 1, 2017.

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

7. Request for a bond resolution, subject to permissive referendum, the issuance of \$164,000 bonds to pay a portion of the cost of the reconstruction of the Washington Street Bridge; publication date of February 1, 2017.

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

8. Request for a bond resolution authorizing, subject to permissive referendum, the issuance of \$63,000 to pay the cost of park concession stand improvements and the purchase of park maintenance equipment; publication date of February 1, 2017.

Supervisor Schaffer and Councilwoman Agneshwar noted that upon review of this project with the Parks Department, they are recommending that the bonding amount be **reduced to \$28,500**. The consensus of the Board was in agreement on the reduced amount.

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 travel/meal allowance for attendees to the NYS Association of Towns Training Conference on February 19-22, 2017.

Human Resource Officer Nancy Olmstead stated that the meal reimbursement amounts are dictated by the Employee Handbook. However, the Town has in the past recognized the higher expenses in New York City and authorized higher reimbursement amounts. The Board has the discretion to do that again.

Supervisor Schaffer stated that he favors a higher reimbursement rate for the New York City training conference but that the decision should be postponed until the next meeting so that the entire Board has an opportunity to weigh in on the matter.

10. Request for Town Supervisor John Schaffer to sign an agreement with Lourdes Hospital for occupational health services.

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

11. Request from Deputy Comptroller Nick Angeline to make budget transfers for dates 12/5/16 – 1/19/17 as attached to his memo to the Town Board dated 1/19/17.

Councilwoman Agneshwar noted that some of the budget transfer entries listed in the original memo have been removed because it was discovered that they have already been approved previously.

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

7.3 PERSONNEL (FITZGERALD/Agneshwar)

1. Request for Recreation Planner Sue Jastran to hire basketball, swim, playground, and weight room employees as listed in her memo to the Town Board dated 1/9/17.

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

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2. Request for Water Superintendent Scott Groats to begin hiring process to fill Account Clerk position.

By consensus of the Board, the authorization to begin the hiring process has been granted.

3. Request for Water Superintendent Scott Groats, to begin hiring process to fill vacant Water/Waste Water Maintenance Crew Chief position.

By consensus of the Board, the authorization to begin the hiring process has been granted.

4. Request for Tax Collector Debra Wallace to hire a part time clerk.

The following language was submitted by Human Resource Officer Nancy Olmstead: *Authorization for Tax Collector 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.*

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

7.4 PLANNING & ZONING (MESSINA/Fitzgerald)

1. Discuss request for a bicycle race at Jones Park.

Anthony Folk presented a proposal to hold the Southern Tier Enduro mountain bike race at Jones Park on a date to be determined in June, 2017. The race would be hosted by The Hockey Shop, a bicycle shop that he manages and it would have other sponsors. He provided the Board with detailed information on the staging of this event.

Town Attorney Berger stated that the Town will need the following: proof of insurance naming the Town as an insured party; waivers signed by participants; signed Town Facilities Use Agreement.

Several Board members stated support for the event.

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

2. Discuss request to hold "Herald of Victory" Marathon on May 28, 2017.

Jennifer Jenks, the Marketing Manager at Confluence Running, presented the Board with a full plan to stage the Harold 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.

Several Board members stated that last year's event was well run and well received by the community.

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

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

3. Discuss request to hold "The Running of the Bears" 5K road race on April 8, 2017.

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

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

4. Discuss request to hold “The Pink Elk 5K Run/Walk” on April 30, 2017.

The applicant is to sign the Town’s Indemnification Agreement and make the necessary arrangements with the appropriate public safety agencies as required for the staging of the event in previous years.

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

5. Request authorization for 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 moratorium on telecommunication towers.

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 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.

Councilwoman Agneshwar asked if the proposed law will allow the use of designated smoking areas. Town Attorney Berger replied that the latest version of the proposed law has that provision.

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

7. Discuss accepting bids for the sale of Magnolia Park.

Supervisor Schaffer stated that to date, the Town has received only one bid on the property. He asked the Board how it wished to proceed. Town Attorney Berger suggested that it would be prudent to perhaps make an additional announcement that the Town is seeking bids. He also noted that the sale of this park land may not be as simple as our previous experience. State law could require us to replace the sold park land with other land designated for park purposes. Town Clerk Bielecki added that it would be helpful if the request for bids was also posted on the Town’s website. Both ideas were accepted by consensus of the Board.

7.5 **PUBLIC SAFETY** (MAJEWSKI/Messina)

1. Request to accept George Allen as a new member of the Vestal Fire Department Company No. 4.

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

2. Request to approve the transfer of a utility trailer 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.

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

7.6 **ADMINISTRATION** (MESSINA/Majewski)

1. Request to accept a Justice Court Assistance Program (JCAP) grant award for \$2649.00.

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

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2. Request to advertise for Operating Engineers Uniforms on February 15, 2017 with the bids to be opened on February 28, 2017.

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

3. Request from IT Director Dan Williams to sign a snapshot audit agreement with SpyGlass Group, LLC concerning the Town’s telecom bills.

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

NEW BUSINESS

1. Citing a request from the Town Engineer, Supervisor Schaffer asked the Board to consider the approval of the following request: *Approval of 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.

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

2. Supervisor Schaffer informed the Board that the idea of building a community garden in Vestal is being discussed. One location that has been mentioned is the ‘forever green’ FEMA land next to the Rail Trail parking lot in Castle Gardens. He expects more detailed information to be forthcoming for the Board’s consideration.

3. Supervisor Schaffer stated that the idea of a dog park is also being discussed but he does not have any additional information about it at this time.

EXECUTIVE SESSION

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

ADOPTED Ayes 3 Agneshwar, Messina, Schaffer
 Nays 0 Absent 2 Majewski, Fitzgerald

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

- Review of interviewed applicants for the Zoning Board of Appeals (ZBA)
- Two Article 7 cases
- Applicant for a Water Department position
- Fire Station 4 negotiations
- Negotiations with the Police Benevolent Association (PBA)

The time was 7:37 PM.

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

ADOPTED Ayes 3 Agneshwar, Messina, Schaffer
 Nays 0 Absent 2 Majewski, Fitzgerald

Resolved the Board leave the Executive Session and **adjourn the meeting. The time was 8:10 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk