

## VESTAL TOWN BOARD WORK SESSION MINUTES

**MONDAY, AUGUST 7, 2017**

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

Also Attending: Town Attorney David Berger, Town Engineer Vern Myers, Director of Human Resources Nancy Olmstead, Town Clerk Emil Bielecki and 3 people from the general public.

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

### **COMMITTEES**

#### **7.1 PUBLIC WORKS (FITZGERALD/Majewski)**

1. Request from Town Engineer Vern Myers to adopt a resolution authorizing Supplemental Agreement No.1 for PIN 9754.00 Washington Drive Bridge over Fuller Hollow Creek. Right-of-Way Preliminary service added as supplemental, to original contract.

This is allocating money that was included in the funds of the contract to verify location of highway boundaries during preliminary design. In essence a line item in the original budget, no increase to project or Vestal share (which is still \$0). So far preliminary design \$123,000 is being fully reimbursed by federal/state funds. Normally we would end up with 25% of this cost or \$30,750! ). Now that we have all money contractually for preliminary design, we can procure Engineering through the Locally Administered Project pre-approved list.

**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: 2017-29, 2017-29E, 2017-30, 2017-30E, 2017-31, 2017-31E

Councilwoman Fitzgerald noted that there are several payments for legal services from the Zoning Board of Appeals and asked for more information. Town Attorney David Berger stated that these are expenses connected with the ongoing litigation with Feinberg (Hayes Student Housing) and the ZBA. The case against the Town has been dismissed but the case against the ZBA is ongoing.

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

2. Request to pay Town Attorney David Berger \$800.00 for the July 2017 billable hours.

**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 from Director of Human Resources Nancy Olmstead for the Town Board to approve the Tentative Agreement between the Town of Vestal and the Vestal Police Benevolent Association (PBA) reached on July 18, 2017 and to authorize the Town Supervisor to sign the resulting collective bargaining 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 Human Resources Director Nancy Olmstead to discuss a proposal from the Museum Director to hire a part-time clerk to work on program development. There would be no increase in spending under the part-time clerk line but the hours would be split between 2 people.

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Human Resources Director Nancy Olmstead noted that the second part-time clerk is being sought to provide the Museum with additional staffing flexibility.

After a brief discussion, the Board by consensus approved going ahead with creating the second part-time clerk position with the understanding that the funding would not exceed the existing budget line.

3. Request from Code Enforcement Officer Lincoln Ellis to appoint Brian Christophersen as a full-time Building & Code Inspector (provisional) effective August 28, 2017 at the CSEA rate of \$20.05 per hour.

Human Resources Director Nancy Olmstead noted that Mr. Christophersen has successfully completed the background check and pre-employment drug test. Councilwoman Fitzgerald stated that this person is very qualified and the Board will be pleased with this selection.

**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. Request from Code Director Lincoln Ellis to authorize Building & Code Inspector Steve Cortright to attend a 2 day training class at the NYS Fire Academy in Montour Falls, NY on September 6-7, 2017. The cost is \$41.00 for registration and meals. Steve will be commuting from home, so there are no accommodation expenses or use of a town vehicle.

Supervisor Schaffer suggested that perhaps the new Building & Code Inspector that the Board will be approving at the next Regular Meeting should also be sent to this training class.

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

2. Request from Town Attorney David Berger to discuss Telecommunications Law.

Town Attorney Berger noted that he distributed to the Board a draft of a proposed Telecommunications Law for the Town and is now seeking input from the Board. Supervisor Schaffer stated that the Board needs additional time to review the proposed law.

### 7.5 PUBLIC SAFETY (MAJEWSKI/Messina)

1. Request to sell via the September 2017 Broome-Tioga Auction the following retired Police Department vehicle which is no longer in service:  
2005 Ford Taurus (VIN#1FAFP53U45A165901) with approximately 60,000 miles.

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

2. Request from Kopernik Observatory & Science Center Director Andrew Deskur to hold the *Race to the Stars* 5k road race on September 16, 2017. The race will begin at the corner of West Hill Rd. and Glenwood Rd. and will end at the Kopernik Observatory on Underwood Road.

Kopernik Observatory Director Drew Deskur stated that this road race is part of a plan to create an annual fundraising event and numerous steps are being taken to ensure the safety of the participants and the public. The event will take place at dusk and appropriate precautions are being taken. Emergency services have been contacted and will be available for the event.

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Town Attorney Berger asked if the participants will be signing a liability waiver. Mr. Deskur replied that the race participants will be required to sign waivers. In addition, he submitted a Certificate of Liability Insurance naming the Town of Vestal as an insured party.

Responding to a question from Councilwoman Messina, Mr. Deskur stated that an automatic external defibrillator (AED) and trained personnel will be available onsite.

Responding to concerns about public safety expressed by Councilman Majewski, Mr. Deskur noted that the race monitors will wear safety vests and flares will be used at various junctures to alert vehicles.

Supervisor Schaffer asked Mr. Deskur to contact the Police Chief to discuss the event to which he agreed.

**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 from Recreational Planner Sue Jastran to hire employees for various camps and organized activities as detailed in her memo to the Town Board dated July 31, 2017. All employee pay rates are budget items in the 2017 budget and the background checks have been completed.

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

2. Request from the Vestal Farmer's Market (Kuzawinski/Bloodnick) to have a plaque added to the existing sign on the grassy area between Rt. 434 and the Vestal Library parking lot. The sign would read: Farmer's Market Wed. & Sat. 9:00-1:00.

After a brief discussion, the Board decided not to act on this request until the applicant submits a drawing of the dimensions and appearance of the proposed plaque/sign.

3. Request from Vestal Historic Preservation Commission member Margaret Hadsell to accept a grant from the William G Pomeroy Foundation in the amount of \$1,060.00 to cover the cost and delivery of a historical marker for the Willis Cemetery on Vestal Road.

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

### **UNFINISHED BUSINESS**

#### **1. Employee Handbook Updates**

**From Work Session on 7/17/17:** Human Resources Director Nancy Olmstead distributed the proposed amendments to the Employee Handbook (proposed changes for 7/17/17) which largely reflected the changes that were discussed by the Board at a previous Work Session. She also noted that the IT Director is working on changes to the Computer Use Policy. At a later time, she will also ask the Board to discuss in Executive Session some changes in the health benefits for retirees. After these action items are completed and approved by the Board, a final vote can be taken to approve the entire package.

**Update on 8/7/17:** Human Resources Director Nancy Olmstead stated that she sent the Board a draft of the new Computer Use Policy. Supervisor Schaffer noted that he still has some concerns about the adequacy of the policy and stated that he would ask the IT Director to attend the Work Session on August 21<sup>st</sup>.

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**2. Request to Hire Appraisal Consultant for the 112 Clayton Ave. Tax Certiorari Case**

**From Work Session on 7/17/17:** Councilman Majewski stated that we should seek additional quotes for such work. Town Attorney Berger noted that he selected Mr. Frommer because we have used him in the past and found his work to be good and his prices to be reasonable. However, if the Board so chooses, he could seek additional quotes for this appraisal.

**Update on 8/7/17:** After additional discussion between the Town Attorney and the Board members, the decision was made to proceed with the request to hire Real Estate Appraisal Consultant Kenneth G. Frommer to undertake and complete an appraisal of the property at 112 Clayton Avenue at a cost of \$2,950.00.

**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 Justices to hire a Part-time Clerk**

**From Work Session on 6/12/17:** Supervisor Schaffer asked that this item be placed on hold so as to discuss the Town Court staffing issues in Executive Session.

**Update on 8/7/17:** Supervisor Schaffer stated that he has already expressed his conditional support of this request and is waiting for the Court to provide a more detailed explanation as to the duties, hours and pay rate for this new position.

**EXECUTIVE SESSION**

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

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

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

- Planning Board applicant
- Negotiations for CSEA, Operating Engineers and VSPA
- School District Article 78
- Proposed EPA fine
- Library lease

The time was 6:47 PM.

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

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

Resolved the Board leave the Executive Session and **adjourn the meeting. The time was 7:54 PM.**

Respectfully submitted,  
Emil Bielecki, Town Clerk