

**VESTAL TOWN BOARD WORK SESSION MINUTES**  
**MONDAY, JANUARY 21, 2013**

In Attendance: Supervisor Schaffer, Board Members Marnicki, Fitzgerald, Milkovich and Majewski

Also Attending: Town Comptroller Laura McKane, Town Attorney David Berger, Fire Chief Patrick McPherson, Assistant Fire Chief (Station 1) Doug Rose, Town Clerk Emil Bielecki and several members of the community.

**WORK SESSION** Supervisor Schaffer convened the meeting at 6:00 PM.

**Fire Department Presentation**

Assistant Fire Chief (Station 1) Doug Rose gave a power point presentation concerning the replacement of the Rescue 32-1 vehicle with a **new custom heavy duty rescue** vehicle.

Assistant Chief Rose noted that Rescue 32-1 is a 27 years old vehicle that is nearing the end of its useful life and needs to be replaced. The vehicle is not NFPA (National Fire Prevention Association) compliant and has a growing list of issues that make it difficult and expensive to maintain.

The recommendation of the Fire Department is to replace Rescue 32-1 with a new 2013 model custom heavy duty rescue vehicle which will be fully NFPA compliant and will feature the latest advances in design, equipment and operational safety. Some of the features include the following: a 10 man cab, a 20 foot stainless steel walk around body, rollover protection and more storage area in the same amount of space.

The cost analysis for the vehicle (which includes the cost of the chassis, the body, the equipment and all other costs associated with the acquisition process) approximates a **total price of \$800,000**.

According to Assistant Chief Rose, the purchase of this rescue vehicle would not result in a cost increase to the taxpayers due to the retirement of existing bonds. The debt is being retired rapidly because the Fire Department has not purchased any major vehicles recently. This rescue vehicle would be the first major truck purchase in over 10 years.

Comptroller Laura McKane noted that the next step in the process would be to go to referendum which essentially would authorize the borrowing for the purchase of the vehicle.

Several Board members questioned Fire Chief McPherson and Assistant Chief Rose about the details of the vehicle and Supervisor Schaffer concluded the discussion with a commitment to give the proposal a full Board review. He anticipates that the Board will be able to provide some feedback to the Fire Department by next week.

**UPCOMING PUBLIC HEARINGS**

There will be a Public Hearing proposed Local Law "A" of the year 2013 entitled: "A Local Law Rezoning BCTMP# 189.12-1-41.2 on West Sheedy Road from C-2 to PDD (Planned Development District) at 6:00 PM on Wednesday, January 23, 2013.

**VESTAL TOWN BOARD WORK SESSION MINUTES**  
**MONDAY, JANUARY 21, 2013**

**COMMITTEES**

**7.1 PUBLIC WORKS**

1. Request to approve to remove properties from the Central Street light district map and request help from the Assessors office as per memo from Town Engineer Gary Campo dated 1/16/13.

Councilman Marnicki stated that the lighting districts should be consolidated into one central district.

Town Attorney Berger and Comptroller McKane noted that more research needs to be done to determine what changes can be made to the structure of the lighting districts.

Supervisor Schaffer stated that no action will be taken on this request at this time and that a meeting will be scheduled with the Town Engineer and the Assessor to gather additional information.

2. Request for Supervisor to sign agreement with Broome County for snow and ice removal on certain county roads.

Although the Town has in the past plowed some of the County roads in Vestal, the contracts were not renewed due to a failure to reach an agreement on compensation. Now, Broome County and Highway Superintendent Brock Leonard have reached an understanding for the Vestal Highway Department to resume plowing of Tracy Creek Road in 2013.

During a discussion of this item, several Board members expressed confusion as to who should be signing the agreement. Also, some concern was expressed as to whether the Town was being adequately compensated under this new contract.

Supervisor Schaffer asked the Town Clerk to send a copy of the full packet received from the County to all of the Board members and asked anyone with additional questions to contact the Highway Superintendent prior to the Regular Meeting on Wednesday.

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

3. Request from parcs department to dispose of a Gladiator universal gym for scrap metal

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

4. Request from Highway Department to pay out of class pay as detailed in the memo from Brock Leonard dated January 15, 2013.

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

**7.2 FINANCE –**

1. <b>Warrants</b>	- 2012 –52	2013 – 02	2013 - 03
	- 2012 –52E	2013 – 02PD	2013 – 3L
	- 2013 -01	2013 – 02A	2013 – 3A
	- 2013 -01A	2013 – 2EA	2013 – 3LA
	- 2013 -1EA		2013 – 03E

**OK** - This item will be placed on the Agenda as a Receive and File item at the next Regular Meeting.

**VESTAL TOWN BOARD WORK SESSION MINUTES**  
**MONDAY, JANUARY 21, 2013**

2. Request for Supervisor to sign agreement with Vestal Central Schools for the space that is occupied by the Vestal senior Citizens, rent will increase to \$744 a month from \$720. This agreement is effective March 1, 2013 to February 28, 2014

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

3. Request to pay the Town Attorney billable hours in the amount of \$1875 for the month of December 2012

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

4. Discuss refinancing for towns 2006 bond as per email from Laura McKane dated 1/8/13

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

Comptroller McKane stated that Fiscal Advisors, the company that helps the Town sell our debt, feels that now is a good time to refinance the bonds that were issued in 2006. The interest rates have fallen further allowing us to achieve a potential savings of up to \$95,000. Fiscal Advisors would prepare the RFP for the Refunding Resolution.

The Board agreed to **authorize the Comptroller to contact Fiscal Advisors & Marketing, Inc. to proceed with the potential refunding of the 2006 bond.**

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

5. Request to send the supervisor's car, 1997 Chevy Lumina, to auction

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

6. Discussion of physical inventory of certain assets and resulting corrections to the inventory records.

Comptroller McKane stated that this action is being taken to clean up and update our fixed asset inventory. A recent review of the fixed assets has identified a number of items that should be removed from the inventory. The items which should be removed (with appropriate explanations) are **identified in bold type in the memo from her dated January 16, 2013.**

**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 Ahmuty, Demers & McManus \$14,265.20 for services rendered for period ending January 9, 2013 in the Town of Vestal vs. Candlehouse

Town Attorney Dave Berger noted that the increased expense is connected with an upcoming legal motion scheduled for February.

\*\*Responding to a question from Councilman Marnicki, Comptroller McKane provided the following expense figures connected with the Candlehouse litigation.

- The total cost of the litigation to date (excluding current invoice) is \$102,219.25.
- Total payment to date to the Ahmuty law firm (excluding current invoice) is \$80,183.75.

**\*\*Town Clerk's amendment on 1/23/13-As per a memo from the Comptroller, the above figures provided for the Candlehouse lawsuit are incorrect. The correct figures are as follows:**

**VESTAL TOWN BOARD WORK SESSION MINUTES**  
**MONDAY, JANUARY 21, 2013**

Candlehouse expenditures prior to latest Ahmuty bill are as follows:

Ahmuty, Demers & McManus	\$77,171.45
Cassandra Bransford	\$ 2,300.00 (other payments for her services were made through Ahumty)
Czerenda Court Reporting	\$ 713.00
Dave Berger	\$13,322.50

**The grand total is \$92,793.95.**

**7.3 PERSONNEL**

1. Request to approve the contract with the Library CSEA as per the terms and conditions identified in the memo from Human Resource Director Nancy Olmstead dated January 17, 2013.

**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**

1. Request for supervisor to sign an indemnification agreement with NYSDEC for the trail section that will be built along the ponding area on Pumphouse Road.

Supervisor Schaffer stated that this agreement is part of the Section 2 Rail to Trail expansion that has been put on hold due to a funding shortfall. It appears that we will now be able to transfer funds slated for Sections 3 and 4 to complete the Section 2 portion.

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

2. Review the memo dated 1/8/13 from Gary Campo regarding the recommendations from the Planning Board for the zoning change request for West Sheedy Road (Vestal Park Rehabilitation and Nursing Center)

Supervisor Schaffer noted that the Planning Board has done a preliminary review of the proposed development and a number of issues have been identified. Also, a number of concerns have been expressed to him from the neighborhood near the planned development. He expressed disappointment that the developer has not shared any information with him or the Board. There is indication that the project may seek an IDA PILOT agreement, but no has spoken to him about it. He does not expect the Board to take any action at the conclusion of the Public Hearing on January 23<sup>rd</sup>.

3. Request to rezone 113 and 117 Annetta Street from RA-1 to RC to build a 3 story multi-dwelling unit.

Councilwoman Fitzgerald noted that she has visited the site and is opposed to the rezoning request. This rezoning would not be consistent within this area of single family homes. Councilman Marnicki agrees, further noting that this action would be considered spot zoning.

With three Board members expressing opposition to the rezoning, this request will not be considered by the Board at this time.

**VESTAL TOWN BOARD WORK SESSION MINUTES**  
**MONDAY, JANUARY 21, 2013**

**7.5 PUBLIC SAFETY**

1. Request for Supervisor to sign agreement with Broome County for the Contract Renewal of Stop DWI Overtime Patrol for the term of January 1, 2013 to December 31, 2013, in the amount of \$19,500 from \$13,500.

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

2. Request to Board of Fire Commissioners to approve Firefighter Christopher Gitro to attend intermediate ICS Course in Montour Falls February 25-28, 2013, the cost is \$149

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

3. Request to approve Brian Terrell to become a member of Fire Company Number 2

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

4. Request to approve certification list for the Town of Vestal Fire District Length of Service Awards Program

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

**7.6 ADMINISTRATION**

1. Request from Dan Williams, IT Director to transfer money from 2012 budget lines to 2013 budget lines, per his memo dated 1/15/13

Comptroller McKane stated that this request is problematic since budget appropriations lapse at the end of the year. If the Board wishes to transfer funds to the IT Department, it could do so through a budget amendment to appropriate funds from fund balance.

Several Board members expressed a willingness to consider transferring some funds and requested the Comptroller to work with the IT Director to prepare a budget amendment for that purpose.

**RECEIVE AND FILE**

1. Annual Report from the Vestal Museum

**NEW BUSINESS**

1. Supervisor Schaffer stated that he received a request to pass a resolution in support of **Broome County's application to become a Land Bank**. According to the Town Attorney, this would be a vehicle to make foreclosed properties viable.

Several Board members asked why there was so little notice about this initiative. In fact, our County Legislators have not even seen this.

Supervisor Schaffer indicated that we should hold off taking any action on this until we get a recommendation from our County Legislators.

**VESTAL TOWN BOARD WORK SESSION MINUTES**  
**MONDAY, JANUARY 21, 2013**

2. Supervisor Schaffer stated that he has received a request from Town Historian Margaret Hadsell to **arrange a meeting between Julian Adams (Federal CLG Program Coordinator with the State Historic Commission office) and the Board concerning recent actions on 1808 Vestal Road**. Apparently, the new owner of this property was not notified that it was designated as a historic property and proceeded to do some work without proper review and authorization from the Vestal Historic Commission. The Town issued the building permit.

Supervisor Schaffer indicated that he would try to coordinate a meeting with Mr. Adams and any available Board members.

3. Supervisor Schaffer noted that the Town is progressing with the processing of the properties slated to be demolished under the FEMA buyout program. He has **requested that Broome County waive the landfill tipping fee** for the debris from these demolitions but has not received a response.

**UNFINISHED BUSINESS**

1. Procurement Policy – no new discussion

2. Road Use Agreement- no new discussion

3. Kopernik Agreement / Construction of Communications Tower

The Board authorized Town Attorney Berger to proceed with finalizing an agreement for Board approval, although Councilman Majewski continued to express concern about the sharing arrangement for the potential revenue from leasing tower space to commercial users.

4. Cold Storage Facility – no new discussion

**SUPERVISOR'S ANNOUNCEMENTS**

**Winter Parking Hours** – December 1st - March 31st - 2:00 AM to 6:00 AM

Vestal Fire Department Membership for **Station 2's Firemen Breakfasts and Station 2's Ladies Auxiliary Soup and Salad Dinners** being held on following dates at Vestal Fire Department Station

#2. **Auxiliary Soup and Salad**  
1/26, 2/23, 3/16 - Time: 4:00 pm till gone  
**Firemen's Breakfast**  
2/10, 4/14 - Time: 7:00 am till 11:30 am

**Adjournment**

On a motion of Councilman Marnicki, seconded by Councilman Majewski, the meeting was adjourned at 7:56 PM. Carried unanimously.

Respectfully submitted,  
Emil Bielecki, Town Clerk