

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, FEBRUARY 10, 2014

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

Also Attending: Town Attorney David Berger, Human Resource Officer Nancy Olmstead, Town Clerk Emil Bielecki, Fire Chief Pat McPherson and seven members of the community.

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

UPCOMING PUBLIC HEARINGS

2/12/14: Special Permit for Vehicle Service Station 3151 Vestal Parkway East (Hess Station)

COMMITTEES

7.1 PUBLIC WORKS

1. Request from Gary Campo, Town Engineer to transfer \$800 from line A5132.4080 to line A5132.2100 to cover the replacement of highway boiler.

Councilman Majewski noted that the increased cost was for the installation of additional controls on the boiler.

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

2. Request from Water Superintendent Scott Groats to approve listing and selling on Auction International: 1995 Sewer Inspection Camera Serial # 3543, and three truck mounted light bars.

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

3. Request from Rick Simon to obtain a special permit to run a small fabricating business in at 2315 Vestal Road (zoned C-2). The business owner would be the only employee.

Town Attorney David Berger stated that the applicant needs to file a SEQR form with the Town.

OK-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board if the applicant submits the SEQR Environmental Impact Statement prior to the meeting.

4. Request to discard bids received on January 13, 2014 for Operating Engineers uniforms (bids were incomplete) and re-advertise on February 19, 2014 with bid opening on March 11, 2014.

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

5. Discuss mowing of flood buy out properties as per FEMA requirements.

Supervisor Schaffer noted that numerous people have expressed an interest in maintaining these vacant lots for the right to use them for the limited purposes allowed by FEMA. Until such agreements are in place, he feels that the Town should mow these lots 2 to 3 times a year, as recommended by Town Engineer Gary Campo. **The Board members agreed with that recommendation.**

7.2 FINANCE

1. **Warrants** – 2014 04, 04A 04E, 04L, 4AL, 05, 5VP, 05A, 05T, 05E, 05R, 05M, 06, 06A, 06E, 06W

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

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2. Request to pay \$1757.50 to Town Attorney David Berger for January 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 to pay Kenneth Frommer \$4256.00 for appraisal of Clayton Village Apartments.

This amount is \$506 more than the Board originally approved.

Town Attorney David Berger stated that this was a particularly difficult appraisal and more time was spent on it than was originally anticipated. This appraiser has been a real asset and has saved money for the Town.

Councilman Majewski expressed concern about paying the additional amount, noting that there was an agreement in place. Perhaps we should consider splitting the difference.

Supervisor Schaffer stated that this item will be put on hold. The appraiser will be asked to provide his time records for review by the Board.

4. Request for Supervisor to sign contract for \$13,000 for STOP DWI program.

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

5. Discuss Renewal of Lease for 133 Front Street (Engineering and Code).

Town Attorney David Berger stated that this lease is up for renewal. The property owner has kept the rent unchanged. The Board needs to decide on the length of the lease extension.

Supervisor Schaffer noted that this is an expensive lease and he would still like to relocate these office back into Town owned space. He wants to hold this until the next Work Session to explore other options.

6. Request the transfer of the 2005 Ford (Ambulance) from the Vestal Volunteer Emergency Squad to the Town of Vestal. The Town will credit VVES (Vestal Volunteer Emergency Squad) \$36,500.00 account, which is the fair market value.

Supervisor Schaffer noted that this agreement will help to settle a dispute with the Emergency Squad over some bonding issues connected with the financing of the Squad building.

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

7.3 PERSONNEL

1. Discuss contract for Town Attorney.

Town Attorney David Berger noted that a State Audit advised that the Town should have a written contract with the Town Attorney. The Board was given the proposed agreement (draft dated 1/21/14) for review.

The consensus of the Board was to vote on the Town Attorney Agreement (draft dated 1/21/14) at the next Regular Meeting of the Town Board.

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2. Request for the following employees to carryover vacation, as per a memo from Human Resource Office Nancy Olmstead dated 1/21/14:

Richard Buckingham - 20.5 hours; Robert Flint - 31.5 hours; Scott Groats - 4.5 hours;

Bill Peltz - 4.5 hours; Dan Williams - 9.25 hours

Human Resource Officer Nancy Olmstead noted that these requests came in late but recommends that the Board approve them because there is still no clear policy concerning this matter. She is asking that the Personnel Committee work with her to establish a better procedure for handling such requests in the future.

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 from Anthony Fold with Roots Trail Development to organize a bike race on June 15, 2014 at Jones Park.

Supervisor Schaffer noted that Councilwoman Fitzgerald has been working closely with the organizer of this event and they appear to be doing all the right things to warrant approval from the Board.

Town Attorney Berger noted that the group would need to fill out a SEQR Environmental Impact Form and provide proof of insurance prior to the date of the event.

Councilman Majewski expressed concern about allowing camping at the park and the risks of fire.

After a brief discussion, the Board determined that the organizer of the event should be invited to come to the next Work Session to provide additional information.

2. Request from Julie Sifert, Kopernik Observatory & Science Center, to hold a Dicky's Barbeque Pit Fundraiser on March 15, 2014 at the Vestal Library from 10:00 – 7:00.

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

3. Discuss the request from M Squared to host the "Paws for a Cause" event in September 2014 on the Rail to Trail. This event's purpose is to raise funds and awareness for the 'Encore Plus' program which provides breast/cervical cancer health outreach, education and advocacy to women.

Supervisor Schaffer asked that this item be put on hold to get additional information about this proposed event. One of the major issues is how much additional space will be needed outside of the space leased by M Squared.

7.5 PUBLIC SAFETY

1. Request from Fire Chief Patrick McPherson to retro approve sending engine 32-3 to Little Meadows on Friday January 31, 2014 to stand by in their station while Little Meadows' Fire Department honor their Chief, Chip Barnum from 2:30 to 8:30pm.

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

2. Request from Fire Chief Patrick McPherson to retro approve a Defensive Driving Course held on January 25, 2014 at Station 1.

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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.

3. Request from Fire Chief Patrick McPherson to approve for the 2014 year to hold Defensive Driving Courses at one of the four stations throughout the year at the cost of \$25 for Department and Auxiliary members, and Town Employees and for family and non-Fire Department personnel the cost is \$30. All Cost associated with this course would come from F3410-4030 for Fire Department and Auxiliary personnel.

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

4. Request from Fire Chief Patrick McPherson to accept lease agreement for the Fred Singer Training site with Susquehanna County Fireman's Association for a 2 year extension in the amount of \$600 per year.

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

5. Request from Fire Chief Patrick McPherson to approve Frederick Ostrander to become a member of Station 4.

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 Sue Jastran, Recreation Planner to hire youth basketball director and referees according to her memo dated January 20, 2014.

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

RECEIVE AND FILE

1. Notice of Appeal from UHS re: Decision and Order of the Broome County Supreme Court dated December 17, 2013.

UNFINISHED BUSINESS

1. **Community Electronic Signs** – The Board is to review the proposed changes to the Sign Ordinance prepared by the Code Department and take up this matter at the next Work Session.

2. **Resolution to temporarily exclude trucks and other similar vehicles exceeding a certain designated weight from some Town roads** – The Town Attorney stated that he needs to have a more in-depth discussion with the Highway Superintendent concerning his authority and responsibilities under such a Resolution. If we don't take this approach, the only other alternative is to deal separately with each case by adopting local laws.

3. **Special Permit request for 604 Vestal Parkway West BCTMP # 173.21-1-3 (across from Town Hall) to operate a fitness center within an ID Zone.**

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

4. **Appointment of George Gerner to the vacancy on the ZBA (Zoning Board of Appeals) and an alternate** – Human Resource Officer Nancy Olmstead informed the Board that she has received a few indications of interest in the positions. She advised the Board to review the new applicants and take up the both appointments at the next Work Session.

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5. Appointing a CAC representative to the Broome Environmental Management Council

Human Resource Officer Nancy Olmstead stated that she spoke with the CAC Chairman and he indicated that the only person interested in being the EMC representative is the newest CAC member. Supervisor Schaffer feels that the representative should have more experience and recommended that the Board not appoint anyone at this time. The Board concurred.

6. Placement of permanent signs at all the properties that the Town is purchasing under the

flood buyout program – Supervisor Schaffer stated that the Highway Department can make these signs for less than one thousand dollars but it wants to be reimbursed for the expense. The Board will explore whether this cost can be passed on as a project cost under FEMA.

NEW BUSINESS

1. Supervisor Schaffer has asked the Board to consider purchasing the property next the Assessor/Recreation Building on Front Street to use for needed off-street parking.
2. Supervisor Schaffer stated that he would like the Board to move on the appointment to fill the vacancy on the Town Board. He asked each Board member to review the 16 submitted applications and select their top 5 choices. These selections will be discussed at the next Work Session on February 24th to determine if the Board can reach a consensus on making an appointment to fill the vacancy.

SUPERVISOR'S ANNOUNCEMENTS:

- **Winter Parking Hours** – December 1st - March 31st. No parking on Town and County streets and highways between the hours of 2:00 AM and 6:00 AM.
- The Town has an ordinance requiring property owners to remove snow and ice from sidewalks adjacent to their properties. Compliance continues to be a problem in some areas of the Town. If this problem persists, the Town will issue appearance tickets for these violations.

EXECUTIVE SESSION

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

ADOPTED Ayes 4 Fitzgerald, Majewski, Messina, Schaffer

Nays 0

Resolved the Board enter into Executive Session for the purpose of discussing the following: labor negotiations with the Operating Engineers and PBA; an Article 7 litigation case, and a personnel issue. The time was 7:00 PM.

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

ADOPTED Ayes 4 Fitzgerald, Majewski, Messina, Schaffer

Nays 0

Resolved the Board leave the Executive Session and adjourn the Work Session. The time was 7:49 PM.

Respectfully submitted,
Emil Bielecki, Town Clerk