

## **Regular Meeting of the Vestal Town Board November 4, 2015**

The Regular Meeting of the Town Board of the Town of Vestal, County of Broome and the State of New York was held at the Town Hall, 605 Vestal Parkway West, Vestal, NY on November 4, 2015.

### **TOWN BOARD PRESENT:**

**Supervisor John Schaffer  
Councilman Majewski  
Councilwoman Fitzgerald  
Councilwoman Messina  
Councilwoman Agneshwar**

**ALSO ATTENDING:** Town Attorney David Berger, Comptroller Laura McKane, Town Clerk Emil Bielecki, 1<sup>st</sup> Deputy Town Clerk Kathie Young and approximately 12 members of the general public.

The Supervisor called the Regular Meeting to order at **6:00 PM**, welcomed everyone and asked that all present join in the PLEDGE OF ALLEGIANCE:

### **APPROVAL OF MINUTES**

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

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

Resolved the Minutes of the Regular Meeting on October 28, 2015 are approved.

### **BID OPENINGS**

Supervisor Schaffer provided the *Affidavit of Publication* and *Proof of Posting* for the bid requests for **Water Meters**. A single bid received from Ti-Sales was opened in the Town Clerk's office at 2:00 pm on Monday November 2, 2015 with the results forwarded to the Water Superintendent for his review and recommendation.

### **PUBLIC HEARINGS**

#### **Public Hearing on the 2016 Preliminary Town Budget**

Supervisor Schaffer opened the Public Hearing on the 2016 Preliminary Town Budget and asked Comptroller Laura McKane to review the highlights of the budget. Her *PowerPoint* presentation is as follows:

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**TAX LEVY CAP SUMMARY**

- The tax levy cap is determined by a complex formula
- Tax Cap limits total levy set by local government, not tax rate
- Local governments may not adopt a budget that requires a tax levy that exceeds the cap unless the governing board first adopts a local law (or resolution) to override the tax levy limit
- Considers PILOT (payments in lieu of tax) agreements as a type of tax levy.
- Since PILOT revenue will increase \$101,658 in 2016, the resulting levy limit, or cap, is lower than the 2015 tax levy.

➤ 2015 tax levy	\$10,480,653
➤ 2016 levy limit	\$10,458,155

Levy Reduction for Cap	\$22,498	
Tax Levy Limit		\$10,458,155
Special District, Fire & DS Fund Proposed Tax Levy 2016		<u>\$ 2,287,212</u>

Balance of Levy Limited Available for General, Library & Highway Funds	\$ 8,170,943
Levy Per 2016 Preliminary Budget	<u>\$ 8,301,848</u>
Difference between Levy Limit & Proposed Levy	\$ (130,905)
Tax Levy per Preliminary Budget is over the levy limit	

**2016 BUDGET SUMMARY**

Approx.	
Spending Up 1.0%	\$162,500
Smaller Balances & Reserves	\$ 14,500
But Revenue is up 1.1%	\$ -90,000
Shortfall in Funding	\$ 87,000
Translates to a 1.1% Increase in Tax Levy	

**2016 SPENDING OVERVIEW**

• Total Spending Plan	\$16,933,993
Increase of about \$162,500 or 1.0%	
Departmental Budgets	\$179,132 = 1.8%
Debt Service	\$145,682 = 9.5%
Funding for Health Ins.	\$8,572 = .3%
Other Employee Benefits	-\$170,905 = -7.7%

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### DEPARMENTAL BUDGETS

- Wages (contracts & new hire)      \$231,400
- Salt – Increased usage                \$ 30,000
- Capital Items                              \$ (9,000)
- Fuel    \$(81,800)

### SUMMARY OF GENERAL FUND SPENDING

	2015 Adopted	2016 Preliminary	Dollar Change	% Change
General Governmental Support	\$1,883,396	\$1,913,254	\$29,858	1.6%
Public Safety	\$3,369,764	\$3,470,266	\$100,502	3.0%
Health	\$1,500	\$1,500	\$0	0.0%
Transportation	\$391,986	\$396,756	\$4,770	1.2%
Economic Opportunity and Development	\$17,528	\$17,995	\$467	2.7%
Culture and Recreation	\$915,104	\$916,793	\$1,689	0.2%
Home and Community Services	\$11,997	\$11,395	-\$602	-0.5%
Unallocated Employee Benefits	\$3,666,663	\$3,573,980	-\$92,683	-0.5%
Debt Service	\$438,322	\$486,034	\$47,712	10.9%
Planned Additions to Reserves	\$35,796	\$35,796	\$0	0.0%
	\$10,732,056	\$10,823,769	\$91,713	0.9%

### POLICE DEPARTMENT\* 28% of GENERAL FUND

- Police budget is up 3.3%
- Staffing had declined due to attrition and budget cuts from 38 officers in 2009 to 33 in 2015.
- 34th officer position is funded for 2016

\* before benefits

### SUMMARY OF LIBRARY FUND SPENDING

	2015 Adopted	2016 Preliminary	Change	% Change
Refund-Real Property Taxes	\$1,000	\$500	-\$500	-50.0%
General Repairs	\$1,682,608	\$1,700,029	\$16,921	1.03%
Improvements	\$481,590	\$475,590	-\$6,000	-1.25%
Bridge Repairs & Maint	\$500	\$500	\$0	0.00%
Machinery & Equipment	\$439,430	\$429,156	\$10,274	-2.34%
Weeds & Brush	\$1,000	\$1,000	\$0	0.00%
Snow & Ice Control	\$368,750	\$399,250	\$30,500	8.27%
Employee Benefits	\$1,297,385	\$1,232,600	-\$64,785	-4.99%
Debt Service	\$1,088,117	\$1,186,087	\$97,970	9.0%
<b>TOTAL</b>	<b>\$5,360,380</b>	<b>\$5,447,812</b>	<b>\$87,432</b>	<b>1.63%</b>

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**SUMMARY OF HIGHWAY FUND SPENDING**

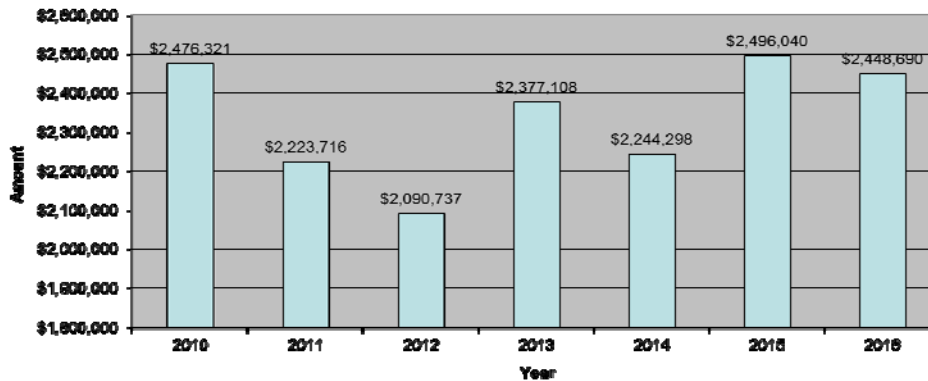
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**2016 ESTIMATED REVENUE**

**Total Before Property Taxes up \$90,000**

- Mortgage Taxes (\$100,000)
- Sales Tax \$119,000
- PILOTs \$101,500
- Fines and Forfeited Bail (\$4,000)
- Chargebacks (special districts) (\$7,295)
- Picnic Permits (\$1,500)
- Unclassified (NYMIR rebate) ( \$ 7,500)

**Stable Financial Position  
Fund Balance History (Gen, Lib and Hwy Funds)  
(2015 and 2016 Estimated)**



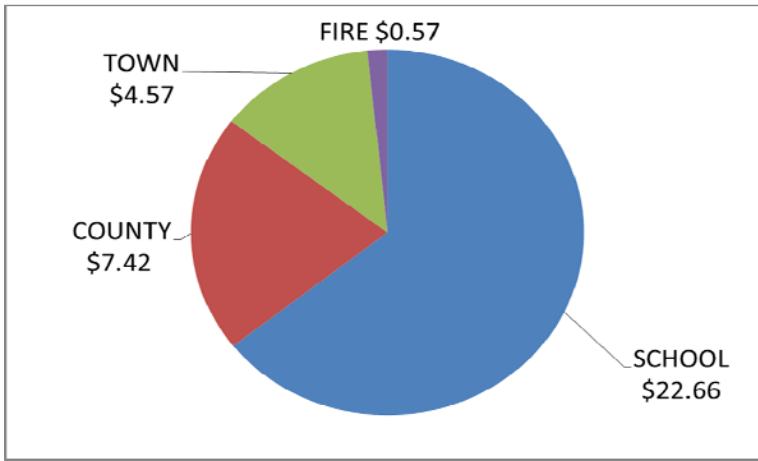
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**PRELIMINARY BUDGET TAX RATE**

	<i><u>Change per \$1,000 of Assessment</u></i>
General Fund	\$ .0261
Library Fund	\$ .0211
Highway Fund	<u>(\$ .0140)</u>
	\$ .0333

Tax increase with an assessment of \$100,000 would be:  
\$3.33 annually or \$.06 per week

**Summary of Your Tax Bills Per Thousand of Assessment**



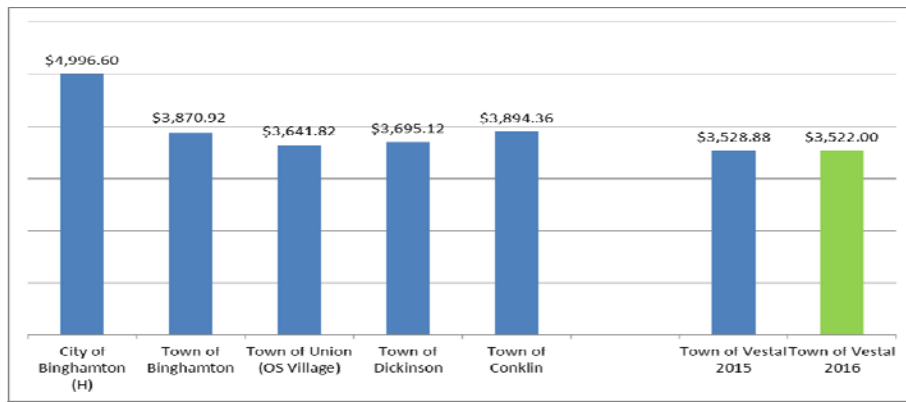
**YOUR TAX DOLLAR BREAKDOWN**

- Vestal School \$ .64
- Broome County \$ .21
- Town of Vestal \$ .13
- Vestal Fire Department \$ .02
- Total \$1.00

Consistent ratio for last four years or more

**2016 Tax Comparisons on a Home with a \$100,000 FMV  
Town, County and School Taxes**

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### **Public Comments:**

A speaker referenced the recently announced State & Municipal Grant (SAM) and asked if some of the money would be used to purchase books for the Library. She also wonders why some of the surplus was not applied to the Library operating budget. Comptroller McKane responded that none of the money from the SAM grant is incorporated into the Preliminary Budget but the Board is discussing ways apply the funds in the final 2016 Town Budget. There was no surplus applied to the Library operating budget because the Library surplus is currently very low.

A speaker stressed the importance of maintaining adequate funding for public safety and asked about the staffing of the Police Department. Supervisor Schaffer replied that the 2016 budget funds one additional police officer, bringing the total to 34 officers.

A speaker took exceptions to the claim that the Town is in a stable financial position. We have too much debt and continue to spend beyond our means. We need to change the way we do things, like eliminating the Highway Department and contracting out for the needed services.

A speaker expressed general satisfaction with the budget and feels that we compare favorably to other Towns.

A speaker cautioned against comparing us to other municipalities since there is a wide divergence in the level of services. You can't put a value on public safety.

### **Public Hearing on the 2016 Special District Budgets**

Supervisor Schaffer presented the *Proof of Posting* and the *Affidavit of Publication* for the Public Hearing on the 2016 Special District Budgets and asked Comptroller

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Laura McKane to review the highlights of the 2016 Special District Budgets. Her *PowerPoint* presentation is as follows:

### WATER DISTRICT TOTAL SPENDING (2.6% INCREASE)

#### Total Spending in % and Year over Year Change

Administration and Operating Overhead	22%	-1.2%
Source Supply, Power and Pumping	8%	1.4%
Water Purification	5%	-3.7%
Water Transmission and Distribution*	31%	10.6%
Debt Principal and Interest	17%	4.4%
Retirement, Health and Other EE Benefits	16%	-5.7%
Liability and Workers Comp Insurance Contributions	2%	-3.7%

No Rate Increase Needed

\* Spending Increase due to Preparation for Well Improvement Project

### INFRASTRUCTURE IMPROVEMENTS

*Completed From 2005 - 2009: Improvements costing over \$7 million*

Replaced Cherry Lane, Doris Ave., Foster Road and Ross Hill Tanks  
Purchased and Install Emergency Power Equipment  
Locate Additional Water Supply – 3 Wells

#### For Completion in Future:

Refurbish Tanks at Carnegie and West Hill	\$ 600,000 (2016)
Well 4-5 Treatment Facility for Water Supply	\$2,350,000 (2016-2017)
Replace Rano Blvd. Tank	\$1,250,000 (2017?)
Replace Dodd Road Tank	\$1,250,000 (2018?)
Replace 4" Water Mains & Improve System	\$ 75,000 annually

### LIGHTING DISTRICT

No Change in Appropriations; No Change in the Tax Levy

### DRAINAGE DISTRICTS

Appropriations and Tax Levy Decreased by \$72 over 18 Districts

### SEWER DISTRICT OVERVIEW

- Sewer Rate is comprised of costs associated with collection and treatment

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- Treatment costs are set by either the Binghamton - Johnson City Joint Sewer Board or the Village of Endicott

### Sewer District Costs

Charges from Outside Sewer Plants	72% up 1.5%
Vestal's Collection System	17% up 24.5%
Administration	7% down 1.5%
Debit Service	1% no % Change
Planned Additions to Capital Reserve	3% New 2015

### FINANCIAL UPDATE

- Finished 2014 with a cash deficit
- 2015 Received \$611,000 in refunds of overpayments from prior years.
- Reinvesting in infrastructure
- Continue to have concerns about volatility in costs as the B/JC Joint Sewage Treatment Plant improvements progress

### SIGNIFICANT FACTORS

- Flow Management Plan for all Joint Plant Users will continue impacting costs
- DEC Consent Order Received in 2011
  - Remove I & I (Inflow & Infiltration)
  - Gives timeline for compliance

### VESTAL'S COLLECTION SYSTEM

Plans to:

- Replace sewer pipe to actively reduce I & I per the Flow Management Plan; this allows for future residential / commercial development

### RATE PERSPECTIVE

- A rate study, completed by Hunt Engineers, Architects & Surveyors, PC found an average rate for several upstate communities to be \$374.
- The Town of Vestal rate for a similar single family dwelling is \$336 per year.
- A typical Town of Vestal residential user pays \$276 annually (13,000 gal. user).

Proposed Rate Increase: None currently proposed for 2016



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### OUTLOOK

- Expect continued rate increases to fund compliance with Flow Management requirements.
- Failure to fund improvements and compliance matters will:
  - restrict development potential,
  - minimize future funding opportunities
  - allow infrastructure to age to a point that requiring replacement in lieu of repair.

### INFRASTRUCTURE IMPROVEMENTS

#### *Complete or in Progress:*

Sewer System Hydraulic Model: Engineering complete

Video and Repair Sewer Trunk Lines – on going

Emergency Power Equipment

Replacing Sanitary Sewer Lines

Flow Study Complete

Point Repairing

Comptroller McKane noted that some the \$611,000 that was returned to us from the overpayments to the Joint Sewage Treatment Plant from prior years is being reinvested in the sewer infrastructure.

#### Public Comments

A speaker stated that some of our sewer lines are not large enough to handle the load during extreme conditions. Supervisor Schaffer replied that we maintain an ongoing program to refurbish and replace our lines.

Hearing or seeing no one else wishing to speak, Supervisor Schaffer closed the Public Hearing on the 2016 Special District Budgets.

#### PRIVILEGE OF THE FLOOR (Agenda Items Only)

A speaker asked how we can justify paying a seasonal hire in the Parks Department \$30 per hour. Councilman Majewki responded that this person is an experienced bricklayer and the prevailing wage is \$46 per hour. We are getting a bargain and this person will also help to train Parks employees.

A speaker questioned the need for purchasing the Highway equipment as identified in resolution 6.2 on this agenda). Supervisor Schaffer responded that this patch truck is a state-of-the-art way to keep asphalt warm to do road patching during cold

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weather. It will improve the quality of our patching and save us money in the long run. The money for the purchase came out of the sale of scrap equipment.

### RESOLUTIONS & MOTIONS

#### 2016 Proposed Fire District Budget Adopted

**R242-15** On a motion of Councilwoman Agneshwar, seconded by Councilwoman Messina, the following resolution was

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

Resolved to approve the **2016 Proposed Fire District Budget** with the following amendments for total appropriations of \$1,210,932:

- Increase appropriation for software F3410.4499 by \$8,985
- Increase appropriation for software maintenance F3410.4441 by \$1,060
- Increase revenue from State sources F3388.3388 by \$36,000
- Decrease revenue from property taxes F1001.1001 by \$25,955

#### Highway to Purchase an Asphalt Hot Box Reclaimer

**R243-15** On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Messina, the following resolution was

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

Resolved to appropriate \$37,900 from the sales of Highway equipment (increasing revenue D2665.2665) for purposes of purchasing an **Asphalt Hot Box Reclaimer** for the Highway Department (increasing appropriation D5130.2200).

#### Herald of Victory Marathon

Councilman Majewski stated that plans should be made to notify the residents of the neighborhoods through which the marathon will be staged.

**R244-15** On a motion Councilwoman Fitzgerald, seconded by Councilwoman Messina, the following resolution was

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

Resolved to approve the request from Confluence Running/USA Track & Field, Inc. to stage the **Herald of Victory Marathon** partially within the Town of Vestal as set forth in the course map provided and revised on 10/21/15, and further provided that:

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- 1) Confluence Running will pay for, in advance, all of the costs of police protection, including salaries and overtime for the Vestal Police Department,
- 2) Satisfactory liability coverage is provided naming the Town of Vestal as an additional insured.

**CONSENT AGENDA**

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

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

Resolved the **Consent Agenda** is approved as follows:

**FINANCE: Agneshwar/Messina**

**Receive and File:**

- **Warrant Reports:** 2015- 44, 2015-44E
- **Comptroller's Monthly Report:** October 2015
- **Town Clerk Monthly Report:** October 31, 2015 – Total Local Shares Remitted: \$4,816.91.

**Close the Completed Capital Project**

**R245-15**      Authorization for Deputy Comptroller Pam Fitzgerald (per memo and attachment dated 10/27/15) to close the completed Capital Project effective November 2, 2015 and direct the transfer of the unexpended fund balance to General Fund Cash. In addition, approval is given for the Budget Transfers necessary to transfer unexpended funds into the Interfund Expense line.

**PERSONNEL: Fitzgerald/Majewski**

**Hire Harold Farr**

**R246-15**      Authorization for Park Superintendent Jim Bukowski to **hire Harold Farr** as a seasonal employee in the Parks Department at a rate of \$30 per hour effective 11/5/2015. Money to cover this hiring (not to exceed \$5000) will be transferred from a capital project revenue line A2831-2831 to budget line A7140-1034.

**END OF CONSENT AGENDA**

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**SUPERVISOR'S ANNOUNCEMENTS**

- **Winter Parking Notice:** Parking of vehicles is prohibited on all town and county roads in the Town of Vestal between the hours of 2:00 AM to 6:00 AM from December 1<sup>st</sup> through March 31<sup>st</sup>.

**ADDITIONAL PUBLIC COMMENTS**

A speaker asked for a detailed accounting of the grants and donations that the Town has received in the last year. Comptroller McKane responded that we have received considerably less than what the speaker claims. We are required to maintain detailed accounting on all grants and that information is available for review. Supervisor Schaffer added that if the speaker wants detailed information about specific grants, he should file a FOIL request.

**EXECUTIVE SESSION**

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

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

Resolved the Board enter into Executive Session to interview an applicant for the Town Engineer position. The time was 7:07 PM.

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

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

Resolved the Board leave the Executive Session and adjourn the meeting.

**The meeting was adjourned at 8:15 PM.**

Approved by \_\_\_\_\_  
**Emil J. Bielecki, Town Clerk**