

Regular Meeting of the Vestal Town Board March 9, 2016

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 March 9, 2016.

TOWN BOARD PRESENT:

Supervisor Schaffer
Councilwoman Fitzgerald
Councilwoman Messina
Councilwoman Agneshwar

ABSENT: Councilman Majewski

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and 12 members of the general public.

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

Supervisor Schaffer asked for a moment of silence in memory of **Jeffery P. Kraham**, who died several days ago. Jeff was a successful businessman and a lifelong public servant. He served as Chairman of the Broome County Legislature and as the Broome County Executive. In 2005, Jeff was appointed as State and Counties Liaison by Governor George Pataki. Most recently he served on the Fenton Town Board. In recognition of Jeff's public service, the county library has been renamed the *Jeffrey P. Kraham Broome County Public Library*.

APPROVAL OF MINUTES

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

ADOPTED Ayes 4 Fitzgerald, Agneshwar, Messina, Schaffer
 Nays 0 Absent 1 Majewski,

Resolved the Minutes of the Regular Meeting on February 24, 2016 are approved.

BID OPENINGS

Supervisor Schaffer offered *Proof of Posting* and *Affidavit of Publication* regarding the bids received for the **Campus Generator and Electric Installation** and opened on Wednesday, March 2, 2016 in the Clerk's office with the following results:

**Regular Meeting of the Vestal Town Board
March 9, 2016**

NAME	ADDRESS	\$ BID
Turnkey Control Solutions	101-109 East Main St.	#1 \$28,830.00
	Endicott, NY 13760	#2 \$ 8,232.40
		#3 \$19,866.69
Matco Electric	3913 Gates Road	#1 \$27,900.00
	Vestal, NY 13850	#2 \$ 8,415.00
		#3 \$28,380.00
Wade Electric	175 Mason Road	#1 \$ 31,845.00
	Vestal, NY 13850	#2 \$ 7,260.00
		#3 \$22,299.00

PRIVILEGE OF THE FLOOR (Agenda Items Only)

Seeing or hearing no one wishing to speak, Supervisor Schaffer closed the Privilege of the Floor.

RESOLUTIONS & MOTIONS

CSEA Library Union Agreement Approved

R069-16 On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the following resolution was

ADOPTED Ayes 4 Fitzgerald, Agneshwar, Messina, Schaffer
Nays 0 Absent 1 Majewski,

Resolved that the Town Board approves the tentative agreement, dated January 26, 2016 between the **Town of Vestal** and the **CSEA Library Union** reached on January 26, 2016, and authorizes the Town Supervisor to sign the resulting collective bargaining agreement. A highlight of the changes is as follows:

- Term 1/1/16 – 12/31/16
- Index Update as appropriate
- Art 2 Update & correct list of represented titles
- Art 7 §3 Update death benefit language to reflect practice
- Art 14 §6 Add language to require Library Board approval for additional vacation carryover (previously only needed Library Director approval)
- Art 14 §8 Correct typo
- Art 15 Add language to better reflect pay practices at holiday time
- Art 16 New language providing for sick time (eliminates unlimited sick time for full time employees)
- Art 18 Correct typo
- Art 20 §1 2% increase in pay

Regular Meeting of the Vestal Town Board
March 9, 2016

- Art 20 §6 Language added to reflect overtime/comp time practice
Art 30 Change dates to reflect term (1-1-16—12-31-16)
Ex A Salary schedule updated to reflect 2% increase
Ex C Replace old Workers Comp PPO agreement with new one

Employee Appointments in Water/Wastewater Department

R070-16 On a motion of Councilwoman Agneshwar, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 4 Fitzgerald, Agneshwar, Messina, Schaffer
 Nays 0 Absent 1 Majewski

Resolved to authorize Water & Wastewater Superintendent Scott Groats to appoint current employee **Robert Foster** to the position of *Water Meter Reader & Repair Person* at the Operating Engineer rate of \$22.89 per hour and to appoint current employee **Robert Flint** to the position of *Water/Wastewater Maintainer* at the Operating Engineer rate of \$22.65. Both appointments are to be effective March 19, 2016.

Emily Whitaker Hired as Clerk Part-Time at Museum

R071-16 On a motion of Councilwoman Agneshwar, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 4 Fitzgerald, Agneshwar, Messina, Schaffer
 Nays 0 Absent 1 Majewski,

Resolved to authorize Museum Director Ramona Kacyvenski to fill a vacancy by hiring **Emily Whitaker as a Clerk Part-Time** to work an average of 8 hours per week in the Museum, effective March 12, 2016 at a rate of \$9.00 per hour. This position is non-union.

Vestal Fire Department Tanker Truck Bid

Councilwoman Agneshwar stated that she was initially apprehensive about the need for this new vehicle. Yesterday, she and Councilwoman Fitzgerald went to the Fire Station to learn more about the current tanker. After a physical inspection and a ride in the tanker, she is convinced that it needs to be replaced. She considers this action as a necessary improvement to our infrastructure. We have an obligation to ensure that our equipment meets our needs and the current safety standards.

R072-16 On a motion of Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 4 Fitzgerald, Agneshwar, Messina, Schaffer
 Nays 0 Absent 1 Majewski,

**Regular Meeting of the Vestal Town Board
March 9, 2016**

Resolved to authorize the Vestal Fire Department to prepare the specifications for a tanker truck and for the Town Attorney to advertise for the bids.

Budget Transfers

R073-16 On a motion of Councilwoman Agneshwar, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 4 Fitzgerald, Agneshwar, Messina, Schaffer
Nays 0 Absent 1 Majewski,

Resolved to authorize Deputy Comptroller Nick Angeline to perform the **budget transfers dated 10/28/15-1/14/16**, as attached to his memo to the Town Board on March 7, 2016.

CONSENT AGENDA

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

ADOPTED Ayes 4 Fitzgerald, Agneshwar, Messina, Schaffer
Nays 0 Absent 1 Majewski,

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

Campus Booster Pump Package

R074-16 Authorization for the Town Attorney to advertise on March 16, 2016 for bids for **Campus Booster Pump Package** to be received until 2:00 PM on Wednesday **March 29, 2016**. All sealed proposals thus received will be publicly opened and read at the Town Clerk's Office at 2:00 PM.

Bid Awarded for Campus Generator and Electrical Installation

R075-16 Authorization for the Town Attorney to draw the appropriate paperwork to award the bid for the **Campus Generator and Electrical Installation** as follows:

Option #1

\$27,900.00 Generator to low bidder:

Matco Electric

3913 Gates Road, Vestal NY 13850

Options #2 & #3 (Combined)

\$28,099.090 to low bidder:

Turnkey Control Solutions

101-109 East Main Street, Endicott, NY 13760

Budget Transfer

R076-16 Authorization for the Business Office to perform a **Budget Transfer** in the amount of \$8,600.00 from Water & Wastewater line W8310-2220 (Computer Hardware) to line W8310-2230 (Vehicles).

**Regular Meeting of the Vestal Town Board
March 9, 2016**

FINANCE: Agneshwar/Fitzgerald

Receive and File:

- **Warrant Reports:** 2016- 08, 2016-08E, 2016-09, 2016-09A, 2016-09E
- **Town Clerk Monthly Report:** Total Local Share Remitted: \$7,137.94

Town Attorney - Billable Hours

R077-16 Authorization for the Business Office to submit payment to **Town Attorney David Berger** in the amount of **\$587.50 for billable hours** for February, 2016.

Invoice - Law Office of Alfred Paniccia

R078-16 Authorization for the Business Office to submit payment in the amount of \$1,887.50 (final invoice) to **The Law Office of Alfred Paniccia** for all services for the period September 2015 to date regarding the Tyrell v. Town of Vestal litigation. This case has been settled and this invoice is the last expense.

Invoice - U.S. Legal Support - Chicago

R079-16 Authorization for the Business Office to submit payment in the amount of \$559.50 to **U.S. Legal Support - Chicago** for legal work on the Hicks vs. Town of Vestal litigation.

Budget Transfer - Modems for Police Department

R080-16 Authorization for the Comptroller to perform a **Budget Transfer** in the amount of \$8,720.00 from line A9040-8404 (Workmen Comp. Exp.) to line A3120-2220 (Computer Hardware/Software) to purchase modems in the Police Department.

RECEIVE AND FILE:

- **January 25, 2016** – Department of Taxation and Finance – Real Property Tax Law re: Solar Energy Systems.
- **February 18, 2016** – Letter from Jack Burkhard (Jack's Auto Detailing) stating that he is providing auto detailing services to the Vestal Police Dept.
- **February 23, 2016** - NYS DOT (PIN 980441) I-86 BINGHAMTON URBAN AREA SIGN STRUCTURE REPLACEMENT PROJECT: Towns of Kirkwood, Union & Vestal, City of Binghamton & Village of Johnson City.
- **February 23, 2016** – David Goon: Letter of resignation from the Board of Assessment Review.

END OF CONSENT AGENDA

Regular Meeting of the Vestal Town Board March 9, 2016

COMMITTEE CHAIR COMMENTS AND UPDATES

Councilwoman Messina asked that the following announcement also be included in the minutes:

- **2016 CITIZENS POLICE ACADEMY (CPA)** The CPA program is free of charge and will take place over the course of 10 weeks. Those interested can contact Sgt. Stace Kintner via email at skintner@vestalny.com. Please include name, address, phone number, and email address so you may be contacted with further details. Contact: Sgt. Stace L. Kintner Communications (607) 754-2111
Phone: (607) 754-2387 x441.

SUPERVISOR'S ANNOUNCEMENTS

- **6 Hour Defensive Driving Course** - March 16, 2016 at the Town Hall - Employees will pay \$12.50 each (Town will pay other half); free to volunteer firefighters and \$25.00 for all others, including retirees. Registration is required. [For sign up information click here.](#)
- Department of Environmental Conservation has an **OPEN BURNING BAN** policy in place from March 16th to May 14th. Burn Permits will not be issued during this time.
- **Free Easter Egg Hunt** - *Co-sponsored by the Vestal Elks* - Saturday, March 19 11:00 AM Arnold Park, Andrews Road - Enjoy hunting for eggs by age group and visiting the Easter Bunny. Bags are provided. In case of bad weather - www.vestalny.com (go to Department - pull down menu, Recreation, Special Events) or call the Vestal Recreation Dept. at 754-3368.
- **Brush Pick Up for 2016**
Monthly Brush Pickup for 2016 will occur on the following dates: April 4th, May 2nd, June 6th, July 5th, August 1st & September 6th. We will have two teams: One team will start in the west working east. The second team will start in the east working west.
 - ❖ Branches must be piled neatly at curb/roadside all in one direction facing the road, not in the street.
 - ❖ Leave branches as long as possible
 - ❖ Branch diameter limit is 6"
 - ❖ NOT ACCEPTABLE: Tree trunks, vines (they plug our chippers), lot clearings, or work done from a contractor.
 - ❖ ABSOLUTELY NO LAWN CLIPPINGS OR THORNY BRUSH
 - ❖ Please - No vines - No thorns - We recycle our wood chips for residents of Vestal who often use them in play areas for children.

**Regular Meeting of the Vestal Town Board
March 9, 2016**

ADDITIONAL PUBLIC COMMENTS

A speaker referenced the received and filed document from the NYS Department of Taxation and Finance regarding tax treatment of solar energy systems. He hopes that the Board will devote some time to study this issue. Unless the Town takes specific action to opt out, solar system projects will be tax exempt. We need to protect our tax base. Supervisor Schaffer stated that the Board will be discussing this issue at a future Work Session.

A speaker commented on the following:

- In 2008, the Board increased the income limit for senior citizen partial property tax reductions, but it did not increase it to the State limit. It should do so. Supervisor Schaffer said he would look into it. Town Clerk Bielecki noted that the higher state income limits are set to accommodate wealthier downstate areas that tend to have higher incomes and higher cost of living.
- Town property assessments continue to be a problem. They are over assessed.
- Board member absences from meetings should be penalized. Councilman Majewski should resign due to his absences. The Town should implement term limits.

A speaker noted that property values in his area of Vestal have gone up. People need to look at comparable sales before asking for lower assessments.

ADJOURNMENT

On a motion of Councilwoman Messina, seconded by Councilwoman Fitzgerald, the **meeting was adjourned at 6:17 PM**. Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk