

Regular Meeting of the Vestal Town Board March 23, 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 23, 2016.

TOWN BOARD PRESENT:

Supervisor Schaffer
Councilman Majewski
Councilwoman Messina
Councilwoman Agneshwar

ABSENT: Councilwoman Fitzgerald

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and 4 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:

APPROVAL OF MINUTES

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

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

Resolved the Minutes of the Regular Meeting on are approved.

BID OPENINGS

The Supervisor offered Proof of Posting and Affidavit of Publication regarding the bids for **Uniforms for Operating Engineers** which were received and opened in the Town Clerk's Office on March 14, 2016 at 2:00 PM with the results forwarded to the Operating Engineers for review and recommendations.

PRIVILEGE OF THE FLOOR (Agenda Items Only)

A speaker asked if the Hicks vs. the Town of Vestal litigation is still ongoing. Town Attorney Berger replied that it is.

RESOLUTIONS & MOTIONS

Logo Wise Awarded the bid for *Operating Engineers Uniforms*

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R081-16 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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

Resolved to authorize the Town Attorney to draw the appropriate paperwork to award the bid for *Operating Engineers Uniforms* to single bidder **Logo Wise**, 49 Court Street, Binghamton, NY.

Agreement with Vestal Central Schools - Vestal Senior Citizens

R082-16 On a motion of Councilwoman Agneshwar, seconded by Councilwoman Messina, the following resolution was

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

Resolved to authorize the Supervisor to sign an agreement with *Vestal Central Schools* for the space that is occupied by the **Vestal Senior Citizens**. Rent will increase to \$783.00 from \$770.00 per month for the period March 1, 2016 – February 28, 2017. This rent figure is calculated based on 3,517 square feet multiplied by \$2.67 per square foot or a 5% increase.

Accept the Excellus Stop Loss Insurance Contract

R083-16 On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to authorize Town Comptroller Laura McKane to accept the **Excellus Stop Loss Insurance Contract** with a specific deductible of \$150,000 effective 4/1/2016 - 3/31/2017 at a rate of \$84.87 per contract month.

CONSENT AGENDA

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

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

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

PUBLIC WORKS: Fitzgerald/Majewski

Advertise Bids for Highway Materials

R084-16 Authorization for the Town Attorney to advertise in the *Vestal Town*

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Crier for **Highway Materials** on Wednesday, April 6, 2016 for bids to be received and opened on April 20, 2016 at 2:15 PM.

Advertise Bids for West Hill & Carnegie Storage Tank Repainting

R085-16 Authorization for the Town Attorney to advertise for bids on the **West Hill & Carnegie Storage Tank Repainting** on Wednesday March 30, 2016 to be opened on Wednesday April 20, 2016 at 2:00pm in the Town Clerk's office.

FINANCE: Agneshwar/Fitzgerald

• **Receive and File**

Warrant Reports: 2016-10, 2016-10E, 2016-11, 2016-11E, 2016-11L

Legal Fees - Michael J. Heenan

R086-16 Approval for the Business Office to pay **Michael J. Heenan**, Liverpool, New York, as the Town's expert in the *Hicks vs. Town of Vestal* litigation in the amount of \$1,125.00 regarding the review of reports, depositions and court testimony from case file as well as attendance at televised deposition at Visual Technologies. Total hours worked: 9.0 hours x \$125.00 per hour.

Legal Fees - Greene, Hershdorfer & Sharpe

R087-16 Approval for the Business Office pay **Greene, Hershdorfer & Sharpe**, Syracuse, NY in the amount of \$1,420 for legal services rendered and disbursements incurred in the *Hicks vs. Town of Vestal* litigation for the period January 28, 2016 to March 15, 2016. Total hours worked: 7.10 hours x \$200.00 per hour.

Budget Transfers

R088-16 Request from Deputy Comptroller Nick Angeline to approve budget transfers dated 12/31/2015 to cover 2015 year-end budget and budget transfers dated 2/29/16-3/14/16 as attached to his memo dated March 16, 2016.

ADMINISTRATION: Majewski/Messina

Museum Grand Army of the Republic - Commemorative Exercise

R089-16 Authorization for Museum Director Ramona Kacyvenski to hold the following event at the Vestal Museum on April 9, 2016 at High Noon: *Grand Army of the Republic, a Commemorative Exercise* in remembrance of the April 6, 1866 beginning of the national organization for Civil War Veterans at Decatur, Illinois.

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Museum – Use Donation for Honorarium

R090-16 Approval for Museum Director Ramona Kacyvenski to use \$50.00 from the CM0308 donation funds to pay an honorarium to speaker presenter **Allen Mesch** in April.

Intern for Museum

R091-16 Approval to engage **Fangyuan Ji**, a student at Binghamton University, as an unpaid intern at the Vestal Museum starting March 31, 2016.

RECEIVE AND FILE:

- March 16, 2016 – A letter from the Governor’s Office of Storm Recovery concerning the **Determination of Non-Significance** under SEQRA in the Village of Endicott Water Supply Interconnection Project.

END OF CONSENT AGENDA

CHAIR COMMENTS AND UPDATES

Councilwoman Agneshwar asked those who reside within the boundaries of the Vestal School District to vote in support of converting the Vestal Library to a School District Public Library on April 5, 2016, Noon to 9 PM, and to make a pledge of support on the website at <http://savethevestallibrary.com/>.

SUPERVISOR’S ANNOUNCEMENTS

- We are again experiencing problems with people failing to clean up after their dogs on the Rail Trail. If the problem persists, we will have no choice but to prohibit dogs on the Trail.
- **Citizens Police Academy:** March 24th-May 26th, on Thursday nights from 6:30 pm-8:30 pm, in the Town Board room. Email skintner@vestalny.com to sign up.
- Department of Environmental Conservation (DEC) has an **OPEN BURNING BAN** policy in place from March 16th to May 14th. Burn Permits will not be issued during this time.
- The winter parking restrictions end on March 31st.

ADDITIONAL PUBLIC COMMENTS

A speaker asked whether the Board would take any action on the issue of opting out of the property tax exemptions for solar panel projects. Supervisor Schaffer responded that he is scheduling a person to address the Board concerning solar panel projects and the Board will discuss the issue after that presentation. There

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are some environmental concerns with large scale solar panel projects particularly with the disposal of the panels.

A speaker asked about the upcoming vote concerning the Vestal Public Library and noted that the literature sent to the public is somewhat confusing about the funding. Also, he wants to know how many additional parcels will be added with the expansion of the taxable boundary beyond the Town of Vestal.

Councilwoman Agneshwar responded that an additional 1,335 parcels would be added. She also noted that the \$700,000 budget will replace the funding that is now being raised through Town taxes. The budget of a School District Public Library cannot be increased without going back to the voters.

A speaker noted that there is also some ongoing discussion about the Fire District changing to an independent taxing district. He is concerned that taking up this issue at a time when the Fire District is anticipating a number of large expenditures for equipment and a new station could be a negative distraction. The Fire Department should move cautiously when it contemplates breaking away from the Town. Many people don't realize that the Town provides the Fire Department with numerous free services that may have to be paid if they separate from Town government. Do we want to be creating more layers of government with these new taxing districts?

ADJOURNMENT

On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, **the meeting was adjourned at 6:22 PM.** Carried unanimously.

Approved by _____ **Emil J. Bielecki, Town Clerk**