

Regular Meeting of the Vestal Town Board November 16, 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 November 16, 2016.

TOWN BOARD PRESENT:

Supervisor Schaffer
Councilman Majewski
Councilwoman Fitzgerald
Councilwoman Messina
Councilwoman Agneshwar

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young, Comptroller Laura McKane, Deputy Comptroller Nick Angeline, Assistant Fire Chief Doug Rose and 3 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 Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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

Resolved the Minutes of the Regular Meeting on November 9, 2016 are approved.

PRIVILEGE OF THE FLOOR

A speaker distributed information about a film titled *Catching the Sun*. The film is about clean energy and is being shown locally through the sponsorship of Vestal Residents for Safe Energy (VerSE). He encouraged people to see the movie.

A speaker made numerous comments critical of the 2017 Town Budget and reiterated his dissatisfaction on a variety of issues including:

- With the removal of the library from the Town's budget, we should be seeing a larger savings on our taxes.
- Departments routinely overspend their budget
- We keep losing money in property tax settlements.
- We allow too many cell phones and are adding more credit cards to purchase gas.
- The Supervisor fails to oversee the spending.
- We award too many bids to a select few bidders.
- Our borrowing is excessive.

Regular Meeting of the Vestal Town Board November 16, 2016

- We have too many lawsuits and the Town Attorney encourages them for personal financial gain.
- The Town should post all water bills online and charge only for actual use.
- Absenteeism at Board meetings should be penalized.

Supervisor Schaffer strongly disputed all assertions of the above speaker. A summary of his response is as follows:

- We underwent a very transparent budget process and were able to reduce the Town's tax levy. The Board and the Comptroller worked very hard on this budget.
- We had no control in the separation of the library. It was decided by the voters, but we negotiated the separation with terms and conditions that are favorable to the Town. We still own the building and will be collecting rent.
- The assessment process is working well and the settlements are resolving those few cases that are being contested.
- All employees do not have a cell phone and the gas cards will get us out of the dangerous and costly business of maintaining fuel storage tanks. The new system will allow us to better monitor our gas use.
- The bid process is very transparent and competitive; however, we cannot force people to bid.
- We have no choice but to defend the Town when we are sued. Perhaps the speaker should set an example by not bringing frivolous actions against the Town.
- As a general rule, departments are not going over their budgets. In the extenuating circumstances where it occurs, we are very engaged in managing it.
- As most other municipalities, we have a minimum maintenance charge for utilities, but the vast majority of the charge is based on actual usage. The major reason for the increase in utility costs is the payments to the Binghamton-Johnson City Joint Sewage Treatment Plant.
- The level of absenteeism on the Town Board is very low.

RESOLUTIONS & MOTIONS

Amend the 2017 Preliminary Town of Vestal Budget

R261-16 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 to **amend the 2017 Preliminary Town of Vestal Budget** as per the following updated list of changes submitted by Town Comptroller Laura McKane dated November 15, 2016 which reduce the Preliminary Budget appropriations by \$31,680 and the real property tax levy by \$55,240:

Regular Meeting of the Vestal Town Board

November 16, 2016

Town of Vestal 2017 Changes in Budget Appropriations - Preliminary to Final

			2017 PRELIM	2017 FINAL	CHANGE
A1010	4030	Education & Travel	5,960.00	4,120.00	(1,840.00)
A1110	4030	Education & Travel	3,040.00	3,180.00	140.00
A1220	4030	Education & Travel	1,640.00	300.00	(1,340.00)
A1310	4060	Operating Exp. & Supplies	1,270.00	1,405.00	135.00
A1315	1010	Salaries	135,270.00	136,270.00	1,000.00
A1420	4030	Education & Travel	2,000.00	2,070.00	70.00
A1430	4030	Education & Travel	2,000.00	2,070.00	70.00
A1440	4040	Vehicle Maintenance	1,600.00	1,000.00	(600.00)
A1440	4190	Gasoline	1,800.00	1,500.00	(300.00)
A1440	4440	Machine Maint. & Leases	1,980.00	1,836.00	(144.00)
A1460	4440	Machine Maintenance	735.00	720.00	(15.00)
A1620	4110	Electric Expense	22,500.00	21,500.00	(1,000.00)
A1680	4440	Machine Maint. & Leases	4,238.00	4,200.00	(38.00)
A3120	1010	Salaries	2,640,000.00	2,631,600.00	(8,400.00)
A3120	1060	Taxable Fringe Benefits	23,500.00	16,250.00	(7,250.00)
A3120	4190	Gasoline	75,000.00	70,000.00	(5,000.00)
A3620	1060	Taxable Fringe Benefits	500.00	3,500.00	3,000.00
A3620	4440	Machine Maint. & Leases	1,980.00	1,836.00	(144.00)
A5182	4110	Highway Lighting	163,000.00	158,000.00	(5,000.00)
A6772	4252	Rent Expense	9,370.00	9,500.00	130.00
A7140	1034	Summer Labor	35,100.00	34,920.00	(180.00)
A7140	4012	Small Tools & Equipment	3,500.00	2,000.00	(1,500.00)
A7140	4080	Buildings & Grounds	25,000.00	14,000.00	(11,000.00)
A7140	4110	Electric Expense	9,100.00	8,500.00	(600.00)
A7140	4120	Water & Sewer	1,000.00	1,200.00	200.00
A7140	4310	Topsoil Gravel Stone Etc.	2,500.00	500.00	(2,000.00)
A7450	4050	Telephone Expense	400.00	360.00	(40.00)
A8010	1030	Part-Time Labor	4,288.00	4,204.00	(84.00)
A8010	4030	Education & Travel	1,440.00	1,340.00	(100.00)
A8020	4030	Education & Travel	1,440.00	1,340.00	(100.00)
A9730	6452	BAN Principle	317,379.00	362,379.00	45,000.00
A9730	7452	BAN Interest	12,254.00	15,629.00	<u>3,375.00</u>
Total Changes in General Fund Appropriations					6,445.00
D5110	4190	Gas & Diesel Fuel	130,000.00	125,000.00	(5,000.00)
D5110	4318	Road Oils	90,000.00	85,000.00	(5,000.00)
D5130	1060	Taxable Fringe Benefits	1,175.00	350.00	(825.00)
D5130	4013	Pur.Oil Anti-Freeze etc.	16,000.00	13,000.00	(3,000.00)
D5130	4230	Repair Of Machinery etc.	165,000.00	160,000.00	(5,000.00)
D5130	4231	Tire Supp. & Maintenance	32,000.00	30,000.00	(2,000.00)
D5142	1033	Overtime - Snow & Ice Control	130,000.00	120,000.00	<u>(10,000.00)</u>
Total Changes in Highway Fund Appropriations					(30,825.00)
W8310	4440	Machine Maint. & Leases	4,300.00	3,900.00	(400.00)
W8320	4110	Electric Expense	217,500.00	215,000.00	(2,500.00)
W8320	4111	Heat Expense	29,400.00	27,000.00	<u>(2,400.00)</u>
Total Changes in Water District Appropriations					(5,300.00)
S8120	4110	Electric	35,000.00	33,000.00	<u>(2,000.00)</u>
Total Changes in Sewer District Appropriations					(2,000.00)
TOTAL CHANGES IN APPROPRIATIONS PRELIMINARY TO FINAL BUDGET					(31,680.00)

Regular Meeting of the Vestal Town Board November 16, 2016

Town of Vestal 2017 Changes in Budget Funding Sources - Preliminary to Final

<u>Non-Real Property Tax Revenue:</u>			2017 PRELIM	2017 FINAL	CHANGE
A1592	1592	Police SRO Charge	\$ 50,540	\$ 51,400	\$ 860
A3005	3005	Mortgage Tax	\$300,000	\$330,000	<u>\$30,000</u>
Total Changes in Non-Real Property Tax Revenue from Prelim to Final					\$30,860

<u>Appropriated Fund Balance & Reserves:</u>					
W1011	1011	Appropriated Fund Balance	\$ 32,221	\$ 30,221	(\$2,000)
S1011	1011	Appropriated Fund Balance	\$180,381	\$175,081	<u>(\$5,300)</u>
Total Changes in Appropriated Fund Balance from Prelim to Final					(\$7,300)

<u>Real Property Taxes:</u>					
A1001	1001	Real Property Taxes	\$5,370,456	\$5,346,041	(\$24,415)
D1001	1001	Real Property Taxes	\$2,681,751	\$2,650,926	<u>(\$30,825)</u>
Total Changes in Real Property Taxes from Prelim to Final					<u>(\$55,240)</u>

TOTAL CHANGES IN FUNDING SOURCES PRELIMINARY TO FINAL BUDGET **(\$31,680)**

Adopt the Final 2017 Town of Vestal Budget

R262-16 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 adopt the 2017 Preliminary Town of Vestal Budget, including Special Districts, as amended on November 16, 2016, as the **Final 2017 Town of Vestal Budget** with a tax levy in the amount of \$10,407,075 and appropriations in the amount of \$25,969,453.

TOWN OF VESTAL - BUDGET SUMMARY 2017 FINAL BUDGET

	APPROPRIATIONS	ESTIMATED REVENUES	APPROPRIATED FUND BALANCES & DEBT RESERVES	TAXES TO BE RAISED	TOTAL REVENUES & OTHER SOURCES
General Fund	\$11,133,389	\$5,697,998	\$54,350	\$5,381,041	\$11,133,389
Highway Fund	\$5,589,864	\$2,892,415	\$46,523	\$2,650,926	\$5,589,864
Fire General Fund (incl. Foam Dist.)	\$1,202,064	\$10,400	\$766	\$1,190,898	\$1,202,064
Special District Funds:					
Consolidated Water District #1	\$3,451,286	\$2,891,914	\$232,522	\$326,850	\$3,451,286
Consolidated Sewer District #1	\$3,791,480	\$3,245,297	\$37,443	\$508,740	\$3,791,480
Central Light	\$272,400	\$0	\$26,600	\$245,800	\$272,400
Drainage Districts	\$99,718	\$658		\$99,060	\$99,718
Debt Service Funds:					
Water Districts	\$1,200	\$0		\$1,200	\$1,200
Sewer Districts	\$2,600	\$0	\$40	\$2,560	\$2,600
Internal Service Fund:					
Health Insurance (net of interfund trans.)	\$377,112	\$315,500	\$61,612		\$377,112
Expendable Trust - LOSAP (net of interfund trans.)	\$48,340	\$30	\$48,310		\$48,340
TOTALS	<u>\$25,969,453</u>	<u>\$15,054,212</u>	<u>\$508,166</u>	<u>\$10,407,075</u>	<u>\$25,969,453</u>

2017 Tax Levy Limit = \$10,536,413

2017 TOWN TAX RATE - FINAL	
GENERAL FUND	\$ 2.9406
HIGHWAY FUND	\$ 1.4487
SUB-TOTAL	\$ 4.3893
FIRE GENERAL FUND	\$ 0.6201
TOTAL	\$ 5.0094

**Regular Meeting of the Vestal Town Board
NOVEMBER 16, 2016**

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:

PUBLIC WORKS: Fitzgerald/Majewski

Advertise Bids for Service Body

R263-16 Authorization for the Town Attorney to advertise for bids on a Service Body for the Town of Vestal Highway Department, to be published on November 30, 2016 with the bid opening on Tuesday December 13, 2016 at 2:00 PM.

Tree Clearing Easement

R264-16 Authorization for Town Supervisor John Schaffer to sign **Tree Clearing Easement** at 78 Dodd Road Water Tower (Tax ID 158.20-1-17) with NYSEG.

Parks to Dispose of Items

R265-16 Authorization for the Parks Department to sell the following items on **Auctions International:**

- 1999 Ford F250 Truck 75 –VIN # 1FTNF21S8XEE19565
- 1999 Ford F250 Truck 76 – VIN # 1FTNF21SXXEE19566
- 1985 International Flat Bed – VIN # 1HSLCHYL4GHA23692
- 1991 Toro 322D Mower
- 1983 Snowco Trailer – VIN # 156TLB459DA00432
- 1991 Hudson Trailer
- Cub Cadet Tractor
- Old Gas Grill
- Rototiller
- Gas Furnace
- Wright Sentar Mower
- Wright Standard Mower
- Miscellaneous Items

FINANCE: Agneshwar/Fitzgerald

Receive and File: Warrant Reports 2016-45, 2016-45E, 2016-45B

Legal Fees - Invoices

R266-16 Authorization to pay **Michael Heenan \$312.50** per his invoice dated November 1, 2016 for work on the *Hicks vs. Town of Vestal* litigation.

R267-16 Authorization to pay **\$75.00** to **D&M Litigation Services Inc.**, for work on the *Hicks vs. Town of Vestal* litigation per their invoice dated October 30, 2016.

**Regular Meeting of the Vestal Town Board
NOVEMBER 16, 2016**

RECEIVE AND FILE

- Letter from **Allan Hochberg (11/9/16)** expressing opposition to opting out of the provision of the NYS Real Property Law which allows tax exemptions for solar energy installations.

END OF CONSENT AGENDA

COMMITTEE CHAIR COMMENTS AND UPDATES

Councilwoman Fitzgerald thanked **Lowe's** for their consistent and generous support of the Vestal Fire Department and asked the Supervisor to send a thank you letter from the Town Board.

Councilman Majewski stated that at the next meeting he will be asking the Board to discuss the possibility of bringing an Article 78 against the Zoning Board of Appeals (ZBA).

SUPERVISOR'S ANNOUNCEMENTS

- **WINTER PARKING HOURS:** 2:00 AM to 6:00 AM, December 1-March 31.
- **Leaf pickup** will continue weather permitting. No branches or yard waste.
- **Happy Thanksgiving!**

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Messina, the meeting was adjourned at **6:21 PM**. Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk