

Regular Meeting of the Vestal Town Board December 7, 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 December 7, 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 and 8 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 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer
Nays 0

Resolved the Minutes of the Regular Meeting on November 16, 2016 are approved.

PRIVILEGE OF THE FLOOR

A speaker made asked questions and made comments on agenda items as follows:

- Is the amount paid for Worker's Comp last year more or less than what we will pay this year? Councilwoman Agneshwar responded that it is lower than the \$377,899 we paid in 2015.
- The IT Department is getting rid of too many items that may still have a useful life. It is wasteful. Supervisor Schaffer provided the speaker with a list of what is being taken out of service primarily due to obsolescence.
- Why don't we get a report on things discussed and decided on in Executive Session? We should know what is going on. Supervisor Schaffer responded that Executive Session is for the discussion of very sensitive information.
- What is the Mooney case about that was discussed in Executive Session on Monday? Town Attorney Dave Berger explained that it is a property damage claim brought by a property owner against the Town of Vestal.

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- The carryover of vacation time is being abused. Several other speakers responded that this is a standard practice in the private sector and is a necessary tool in personnel management.
- Is the Court audit accessible to the public? Supervisor Schaffer advised the speaker to contact the Town Clerk to get a copy.

RESOLUTIONS & MOTIONS

Re-Appoint Thomas G. Smallcomb, Jr. to the Zoning Board of Appeals

R268-16 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 re-appoint **Thomas G. Smallcomb, Jr.** to the Zoning Board of Appeals effective January 1, 2017. This term is to expire December 31, 2021.

Renewal of Dog Shelter Services Contract for 2017

R269-16 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 authorize the Supervisor to sign a renewal agreement with the **Vestal Veterinary Hospital** for Dog Shelter services in 2017 under the same terms and conditions as in 2016.

Hire Jeffery Battaglini - Parks

R270-16 On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to authorize the hiring of **Jeffery Battaglini** as a Laborer (Parks Department) effective December 12, 2017 at the Operating Engineer 2016 rate of pay of \$14.43 per hour. A background check and pre-employment drug test have been successfully completed.

Workers' Compensation Insurance Coverage

R271-16 On a motion of Councilwoman Agneshwar, seconded Councilman Majewski the following resolution was

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

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Nays 0

Resolved to authorize Comptroller Laura McKane to enter into a two year contract with **PERMA** to provide **workers' compensation insurance coverage**. In accordance with their proposal, the first year cost will be \$334,913 less a 2% discount if paid in full by January 1, 2017. The second year costs are fixed depending on the loss ratio in year 1.

Acknowledgement of Town Court Audit for 2015

R272-16 On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

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

Resolved to adopt a resolution acknowledging that the firm of **Insero & Co. CPAs, LLP** has audited the books and records of the Town of Vestal Justice Courts for the calendar year of 2015.

CONSENT AGENDA

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

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

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

FINANCE: Agneshwar/Fitzgerald

Receive and File

- **Warrants:** 2016- 46, 2016-6E
- **Town Clerk Monthly Report:** November 2016 – Local Shares Remitted: \$3689.45
- **Comptrollers Monthly Report:** October 2016
- **Town of Vestal Justice Courts Financial Report:** December 31, 2015

Upstate New York Towns Association membership dues for 2017

R273-16 Authorization to pay \$400 for the 2017 membership to the **Upstate New York Towns Association**.

PERSONNEL: Messina/Majewski

Vacation Carryover

R274-16 Authorization to permit:

- **Vinnie Griggs** (non-union) to carry over into 2017 up to 37.5 hours in excess

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of the five days (37.5 hours) he can carry over pursuant to the Employee Handbook. This will result in a total carry over of up to 75 hours.

- **Nick Angeline** (non-union) to carry over into 2017 up to 37.5 hours in excess of the five days (37.5 hours) he can carry over pursuant to the Employee Handbook. This will result in a total carry over of up to 75 hours.
- **Tonya Pinney** (non-union) to carry over into 2017 up to 37.5 hours in excess of the five days (37.5 hours) she can carry over pursuant to the Employee Handbook. This will result in a total carry over of up to 75 hours.

PUBLIC SAFETY: Fitzgerald/Messina

New Fire Members Accepted

R275-16 Authorization by the Board of Fire Commissioners to accept:

- **Ethan Wilenski** to become a member of the Vestal Fire Department at Company No. 4.
- **Russell Kelly** to become a member of the Vestal Fire Department at Company No. 1.

Use of Fred Singer Training Site

R276-16 Authorization from the Board of Fire Commissioners for the **Ulster Fire Company** to use the Fred Singer Training Site on December 4, 2016 at a cost of \$100.

Kopernik Observatory to take Ownership of Pole and Enclosure

R277-16 Approval to retire in place and transfer ownership of a Town owned communications pole and equipment enclosure to the **Kopernik Observatory**, after the Town's communication gear is relocated to the Broome County tower. Transferring the pole and enclosure to the Kopernik Observatory will eliminate the expense to the Town of removing and disposing of these items. These items have no value to the Town.

ADMINISTRATION: Majewski/Messina

Hire Staff for the Tax Office

R278-16 Authorization to **hire staff for the Tax Office** for the period December 22, 2016 through April 17, 2017 as follows:

NAME	TITLE	HOURLY RATE	ANTICIPATED EMPLOYMENT DATES
Debra Jennings	Dep. Receiver/Taxes	\$10.50	12/22/16—4/17/17

It is anticipated she will work 2 days in December (to get bills ready to mail) and then as needed in 2017 through 4/17/17.

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Nicole Jennings Part Time Clerk \$ 9.06 12/23/16—12/31/16
It is anticipated she will work 2 days in December 2016 (to get bills ready to mail).
Rachel Wallace Part Time Clerk \$ 9.06 12/23/16—12/31/16
It is anticipated she will work 2 days in December 2016 (to get bills ready to mail).
Sarah Wallace Part Time Clerk \$ 9.06 12/23/16—12/31/16
It is anticipated she will work 2 days in December 2016 (to get bills ready to mail).

IT to Dispose of Obsolete Items

R279-16 Approval for IT Director Daniel Williams to **dispose of/recycle computer equipment** as itemized in his memo to the Town Board on December 1, 2016. The listed items are no longer in service with the Town and have no value to the Town.

MuniCode to Electronically Post Vestal Town Code

R280-16 Authorization for **MuniCode**, the provider of codification services to the Town, to electronically post the Vestal Town Code and to authorize the transfer of \$550.00 from line A1460-4000 (Contractual & Professional Services) to line A1620-4160 (Code Changes) to cover the cost for the first year.

RECEIVE AND FILE

- **Fire Advisory Board Meeting Minutes:** October 17, 2016
- **Hinman Howard & Kattell:** Communication concerning the placement of gateway signs in the Town of Vestal by Park Outdoor Advertising.
- **Vestal Fire Department:** General Membership Meeting Minutes - September 12, 2016.

END OF CONSENT AGENDA

OTHER NEW BUSINESS

Budget Transfer for Vestal Museum

R281-16 On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to transfer \$1,500.00 from the Museum Salary Line be placed in the Exhibit Preparation line to be used for office supplies and for chairs for the Museum.

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Settlement of Claim with Bivens & Associates Architects

R282-16 On a motion of Fire Commissioner Majewski, seconded by Fire Commissioner Messina, the following resolution was

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

Resolved to approve the settlement of disputed claims by Bivens & Associates Architects of Syracuse, NY for professional services rendered in the sum of \$15,000. Said payment shall be considered to be payment in full of all claims, and that payment is expressly conditional upon the signing of a full general release to the Town, Board of Fire Commissioners and its employees, agents and servants.

SUPERVISOR'S ANNOUNCEMENTS

- **Fireman Breakfast with Santa, Station 2 (Vestal Center):** December 11, 2016, 7:30 AM-11:30 AM.
- **Winter Parking** - The parking of vehicles is prohibited on all town and county streets and highways **between the hours of 2:00 am to 6:00 am** during the period December 1 through March 31. Violation of this parking ban may result in a fine of up to \$50.00.
- The Town Board has determined that Magnolia Park is no longer of use to the Town for park purposes. We will **entertain bids for the sale of the Magnolia Park** property subject to state approval.
- Town of Vestal Supervisor John Schaffer, The Town of Vestal and The Vestal Police Department would like to invite community members to attend the Third annual, 2017 Citizens Police Academy (CPA).

This program will be offered to Town of Vestal residents and non-Vestal residents with children in the Vestal Central School District. The CPA program is free of charge and will take place over the course of 10 weeks.

We will meet once a week in two hour time increments to cover various topics relevant to our community and the approach of Law Enforcement and Emergency Services. Topics will include; Patrol Division, Use of Force, Criminal Investigations, DWI, Role of the Bystander, Drug Recognition, Self Defense, Firearm Safety, SWAT, as well as presentations from Vestal Volunteer Emergency Squad and The Vestal Volunteer Fire Department.

Classes are scheduled to start at the end of January and will be held on Thursday nights from 6:00pm-8:00pm, in the Town Board room. The CPA will

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be sponsored by The Town of Vestal and The Vestal Police Department with donations from Butler & Butler Law Offices.

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.

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ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Messina, the meeting was adjourned at 6:14PM. Carried unanimously.

Approved by _____ Emil J. Bielecki, Town Clerk