

Regular Meeting of the Vestal Town Board March 22, 2017

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 22, 2017.

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 14 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 Agneshwar, the following resolution was

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

Resolved the Minutes of the Regular Meeting on March 8, 2017 are approved.

PRIVILEGE OF THE FLOOR

A speaker expressed concern about the traffic patterns around the library. Drivers often use the egress as the ingress because the configuration is confusing. This needs to be addressed if the Emergency Squad moves next to the library. Also, she stated that the exit from Route 26 onto the Parkway is poorly lit and spooky.

A speaker commented on various items on the agenda:

- The proposed Museum move would be expensive and is ill-conceived.
- The Town should not be giving the Emergency Squad any additional funding.
- We should not be awarding bids to single bidders.
- We should not be using an out-of-town company to do our audits.
- The Town should raise the income limit for property tax reduction eligibility under Section 467 of the State Real Property Law.
- A Town Highway plow truck intentionally dumped snow in front of his house.

Regular Meeting of the Vestal Town Board March 22, 2017

- Councilman Majewski should resign due to his absences from Board meetings.
- Why are we still paying money on the Hicks case? Supervisor Schaffer: this is a federal lawsuit and we have no choice but to defend the Town.

A speaker would like the Board to revert back to allowing two public comment periods at meetings. Supervisor Schaffer noted that it is under consideration.

RESOLUTIONS & MOTIONS

Washington Drive Over Fuller Hollow Creek Bridge Rehabilitation Project

R064-17 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 to rescind Resolutions **R047-17** and **R048-17** and adopt a new resolution, as revised, authorizing the implementation, and funding in the first instance 100% of the Federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation Federal-aid project and appropriate funds therefore re: a **Washington Drive over Fuller Hollow Creek Bridge Rehabilitation**, Project ID No. 9754.

Be it further resolved that the Vestal Town Supervisor is authorized to sign the revised agreement for the Washington Drive over Fuller Hollow Creek; Bridge Rehabilitation; Town of Vestal, Broome County: Project ID Number: 9754.00: BIN: 2226010; CFDA NUMBER: 20.205; PHASE: Per Schedules A; Federal aid Local Project Agreement - Comptroller’s Contract No. 0035498. This Agreement is by and between: the New York State Department of Transportation (NYSDOT) and the Town of Vestal.

These revisions are required because the State is now asking that a higher amount (\$119,000) be appropriated to cover both the preliminary and the final engineering/design work for the project. The Town will be reimbursed 100% with Federal and State funds.

Support to Move the Vestal Museum to the Rail Trail

Councilwoman Messina noted that this motion is only to show support for the initiative and to explore funding options and does not commit the Town to the actual project.

Councilman Majewski noted that the cost to move will be approximately \$100,000. We have no money for the project and it would be sad to do all this work and not be able to complete the project. We are agreeing only to apply for the grant.

Regular Meeting of the Vestal Town Board March 22, 2017

Supervisor Schaffer stated that the correct cost for the move is \$96,000 plus the cost of the foundation. They are looking at moving the Museum to the north side of the Rail Trail. We hope to create a Historic District which would be beneficial for the area.

Councilwoman Agneshwar explained that the Museum Director needs this motion to meet an application deadline for the Hoyt Foundation grant.

Councilwoman Fitzgerald stated that she also wonders where the money is coming from. If we have to put in money, she is against the move.

R065-17 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 for the Town Board to express support for the initiative to move the **Vestal Museum** to the Rail Trail and to authorize Museum Director Cheresse Wiesner-Rosales to apply for the Hoyt Foundation grant to move the museum to the Rail Trail. This resolution is limited to the application process and does not constitute an acceptance of the Grant, if awarded or to the project itself.

Adopt the Town of Vestal Emergency Plan

R066-17 On a motion of Councilwoman Agneshwar, seconded by Councilman Majewski, the following resolution was

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

Resolved to adopt the **Town of Vestal Emergency Plan** dated December 1, 2016

Possible Transfer of NYS DOT Land to the Town

R067-17 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 adopt the following Resolution:

It is hereby resolved that the Town Board of the Town of Vestal has been advised by the NYS Department of Transportation that the land next to the Vestal Public Library may be made available to the Town of Vestal for the purpose of a new Vestal Emergency Squad Building, subject to the following conditions:

**Regular Meeting of the Vestal Town Board
March 22, 2017**

- No access would be allowed on the Route 26 ramp
- The Right-of-Way fence would need to be moved along the new property boundary line to ensure no encroachments.
- All ingress/egress would only be allowed through the current library driveway. (Right Out Only.)

That the Town Board is interested in pursuing this transfer of the land subject to the conditions noted above.

Nothing in this resolution requires the Town to accept the proposed transfer and reserves the right to alter, change or revoke this resolution at any time prior to the actual transfer of the property.

CONSENT AGENDA

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

PUBLIC WORKS: Fitzgerald/Majewski

Inventory to Auctions International

R068-17 Approval for the Water/Waste Superintendent Scott Groats to advertise and sell department inventory through **Auctions International** as follows:

- Miscellaneous pieces
- 1989 Equipment Trailer
- 5th Wheel from freightliner dump truck
- Winch from freightliner dump truck

Advertise Bid for Highway Materials

R069-17 Authorization for the Town Attorney to advertise on Wednesday, April 5, 2017 for bids for **Highway Materials** to be received and opened on April 18, 2017 at 2:00 PM.

Award King Street Sanitary Sewer Bid

R070-17 Authorization for the Town Attorney to draw the appropriate paperwork awarding the **King Street Sanitary Sewer** project to the low bidder, **ZMK Construction** of Apalachin, NY in the amount of \$194,000.

**Regular Meeting of the Vestal Town Board
March 22, 2017**

Award Truck Accessory Bid

R071-17 Authorization for the Town Attorney to draw the appropriate paperwork awarding the **Truck Accessory** bid to **Henderson Truck Equipment NY**, the sole bidder, in the amount of \$137,100.00.

FINANCE: Agneshwar/Fitzgerald

Receive and File - Warrant Reports: 2017-10, 2017-10E, 2017-11, 2017-11E

Insero & Company to Perform Town and Court Audits

R072-17 Authorization for Town Comptroller Laura McKane to sign a contract for Town and Town Court audits with **Insero & Company CPAs, LLP**. The fee for the services will be at the standard hourly rates plus out of pocket expenses. The gross fee will not exceed \$8,900 for the financial statement audit and \$3,750 for the justice audit.

Broome County Association of Towns & Villages Dues

R073-17 Authorization for the Business Office to pay \$30.00 for the 2017 annual membership dues to the **Broome County Association of Towns & Villages**.

Pappas, Cox, Kimpel, Dodd & Levine – Hicks Litigation

R074-17 Authorization to pay \$740.00 to **Pappas, Cox, Kimpel, Dodd & Levine** for professional services in the *Hicks v Town of Vestal* litigation.

PERSONNEL: Messina/Majewski

Adam Flint as CAC Rep to BCEMC

R075-17 Designation of Conservation Advisory Commission (CAC) member **Adam Flint** as the CAC representative on the Broome County Environmental Management Council.

ADMINISTRATION: Majewski/Messina

Award Operating Engineers Uniforms Bid to Logowise LLC

R076-17 Authorization for the Town Attorney to draw the appropriate paperwork awarding the **Operating Engineers Uniforms** bid to **Logowise LLC** of Binghamton, NY, the sole bidder.

Accept \$1000 Grant from the Broome County Art Council

R077-17 Authorization for the Vestal Museum/Community Space Director to accept a \$1000 grant from the Broome County Art Council to write and produce a

**Regular Meeting of the Vestal Town Board
March 22, 2017**

play entitled “Wildcat: The Vestal Train Wreck of 1901.”

RECEIVE AND FILE

- Vestal Fire Dept. Fire Advisory Board Meeting Minutes – February 20, 2017

END OF CONSENT AGENDA

CHAIR COMMENTS AND UPDATES

The entire Board expressed their deep appreciation for the work done by all the Town Departments and Emergency Services during the fire at the Skylark Motel and during the heavy snow storm last week. We are thankful to have a great volunteer Fire Department, Police and Auxiliary. Everyone worked as a team under terrible conditions. The Highway Department crews were at the fire scene to plow and to tow cars. A water issue at the fire scene was resolved with phone instructions from the Water Superintendent to the Town Supervisor at the fire scene. Some of our employees spent 36 straight hours working.

The business community was also very helpful. Skylark Diner opened up to our fire fighters and Dunkin Donuts donated as well. Thank you letters will be sent.

In response to a question concerning grant writing, Supervisor Schaffer stated that each Department does their own grant writing. We do not have an economic development department, but such a function would be helpful to the Town.

SUPERVISOR’S ANNOUNCEMENTS

- The NY 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.
- **REMINDER** - Parking of vehicles is prohibited on all Vestal Town and County Streets and Highways between the hours of 2:00 AM to 6:00 AM during the period **December 1 thru March 31**.

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the **meeting was adjourned at 6:35PM**. Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk