

Regular Meeting of the Vestal Town Board April 26, 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 April 26, 2017.

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.

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 Councilwoman Fitzgerald, seconded by Councilwoman Agneshwar the following resolution was

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

Resolved the Minutes of the Regular Meeting on April 26, 2017 are approved.

BID OPENINGS

The Supervisor offered *Proof of Posting* and *Affidavit of Publication* for the bid for **Highway Materials**. The bid results were received and opened at 2:00 PM on April 18, 2017 in the Town Clerk's Office with the results forwarded to the Highway Superintendent for review and recommendations.

PRIVILEGE OF THE FLOOR

Fencing of Sports Fields at Moore Park

Several members of the Senior Softball League addressed the Board to express their concern about the proposed installation of fencing on the softball fields at Moore Park. Senior Softball has been using the park for over 20 years. They were again authorized to use the fields this year. Recently, they were informed that the Girls Softball League received permission to install fences on the fields at the 200 feet mark. This is of great concern to the senior league because the men hit

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consistently over 200 feet. The other major concern is that these fences will pose a greater risk for injuries. If something is not done, they will not be able to play on the fields and it is too late to find another location.

Supervisor Schaffer acknowledged that there has been some confusion as to who authorized the installation of these fences and the categorization of the fences as *temporary* but that he was going to ask the Board to resolve these issues. He personally does not feel that the fences will hurt the men's league but the final decision can be made by the Board.

Councilwoman Fitzgerald stated that she researched the layout of Moore Park fields and the dimension for men's and girls' softball fields. The fences at 200 feet are problem for the men's league and there is no way that these fences can be put up and taken down for each game. They are permanent. She asked the Parks Superintendent about the feasibility of burning in or spraying a line at 200 feet. If the girls know the ball is going over the line, just have them raise their hands. It will solve all the problems. The Parks Superintendent said that it could be done. A burn line would solve the problem and allow the fields to be used by the softball leagues and the soccer leagues. She will engage the Parks Superintendent in additional discussion on the best way to line the fields.

Councilwoman Agneshwar stated that she agrees with Councilwoman Fitzgerald's ideas on resolving this issue.

Councilwoman Messina noted the needs of soccer and baseball leagues are completely different. Fencing should not be set up in the middle. This will generate injuries and will hinder the use of the fields for other sports.

Acknowledging the consensus of the Board, Supervisor Schaffer announced that permission to install the fences on the fields at Moore Park will not be granted.

A speaker noted that the Town's timber permit asks how much a landowner will make on the sale of the harvested trees. This does not seem to be an appropriate or relevant question. Supervisor Schaffer replied that he would discuss this with the Code Department. Councilwoman Messina added that she left the line blank when she filled out an application.

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RESOLUTIONS & MOTIONS

Town to Sponsor Vestal Town Band

R096-17 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 to approve the request of Recreation Planner Sue Jastran for the Town of Vestal to sponsor the **Vestal Town Band's** appearance at Oakdale Mall's Concert to raise money and collect food for our local food pantries and to provide the necessary Certificate of Self-Insurance. The Town will have no costs associated with this approval.

Dick's Greater Binghamton Marathon 2017

R097-17 On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to approve the request from William Safarik, Race Director of Dick's Sporting Goods Greater Binghamton Marathon, to stage the **DICK'S Greater Binghamton Marathon 2017** on **September 24, 2017** partially within the Town of Vestal as set forth in the course map provided in his email of April 12, 2017, and further provided that:

- 1) The Greater Binghamton Marathon will pay for all of the costs of police protection, including salaries and overtime for the Vestal Police Department,
- 2) Satisfactory liability coverage is provided naming the Town of Vestal as an additional insured. (Town Attorney David Berger has reviewed the **Certificate of Insurance** and finds it acceptable.)

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:

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PUBLIC WORKS: Fitzgerald/Majewski

Date Change for Advertising Jones Road Sanitary Sewer Replacement

R098-17 Authorization to amend **R083-17** to advertise Jones Road Sanitary Sewer Replacement on April 26, 2017 and open bids on May 11, 2017.

FINANCE: Agneshwar/Fitzgerald

Receive and File:

- **Warrant Reports:** 2017- 15, 2017-15E, 2017-16, 2017-16E

Excellus Health Insurance Contract

R099-17 Authorization for the Town Comptroller to sign for the renewal of the **Excellus Health Insurance** contract for administrative services (no telemedicine) for the period of May 1, 2017 to March 31, 2018.

Settlement Payment to McGuire

R100-17 Retro-approval to issue a settlement in the amount of \$2500.00 with **Gregory and Gloria McGuire** at 313 Vandervort Ave for damage to a sidewalk.

PUBLIC SAFETY: Majewski/Messina

Nedza and Konen join Fire Department

R101-17 Approval from the Board of Fire Commissioners to accept Kimberly Nedza as a member of Company No. 4 and Gerald Konen as a member of Company No. 3.

ADMINISTRATION: Messina/Majewski

Museum Grant Accepted from Chenango County Council of the Arts

R102-17 Authorization for Museum Director Cherese Wiesner-Rosales to accept a grant for the amount of \$2,000 from The Chenango County Council of the Arts.

RECEIVE AND FILE

- **Fire Advisory Board Minutes – March 20, 2017**

***** END OF CONSENT AGENDA *****

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.

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- **BRUSH PICK UP FOR 2017**

First Monday of Each Month: May 1, June 5, July 5, August 7, Sept. 5.

Brush to be placed at the property curb, not in the road. No yard waste.

- Vestal Little League and Challenger League Parade – Sat., April 29th at 9:00 AM.
- Tracy Creek Memorial Church on Knight Road will hold a benefit dinner for Pastor John Lucas on Saturday, May 20th.
- The Vestal Fire Department will hold an Open House on Saturday, April 29th from Noon to 3:00 PM at all Fire Stations.

ADJOURNMENT

On a motion of Councilwoman Messina, seconded by Councilwoman Agneshwar, the **meeting was adjourned at 6:40 PM.** Carried unanimously.

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