

Regular Meeting of the Vestal Town Board May 10, 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 May 10, 2017.

TOWN BOARD PRESENT:

Supervisor Schaffer
Councilman Majewski
Councilwoman Fitzgerald
Councilwoman Messina
Councilwoman Agneshwar

ALSO ATTENDING: Town Attorney David Berger, 1st Deputy Town Clerk Kathie Young and 9 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:

Supervisor Schaffer stated that over 70,000 people were without power during the recent wind and rain storms that hit this area on May 1st through May 3rd. Emergency Services were in place. We are thankful for the assistance we received from our Police, Fire, Highway, Parks and Engineering Departments as well as from the Village of Endicott and Broome County Emergency Services.

APPROVAL OF MINUTES

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

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

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

PRIVILEGE OF THE FLOOR

A speaker would like to see better signage denoting Jones Park. Several other people have mentioned the same thing. A large sign would be nice to have there. She added that she is pleased that there is no smoking in our parks. Supervisor Schaffer stated that he will advise the Parks Superintendent of a need for better signage. He also noted that the County has provided us with 62 *No Smoking* signs that will need to be erected at our parks.

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A speaker inquired as to the timetable for tearing down the Skylark Motel that burned down a while ago. Supervisor Schaffer replied that he thinks it will be torn down next week.

Raj Rai, a representative from the **Vestal Girls' Softball (VGS) Board** noted that there was a discussion at the April 26, 2017 Town Board Meeting concerning fences to be erected on two softball fields at Moore Park. Members of the Senior League were at the meeting. No one from VGS was notified of this meeting at which the Town Board decided not to grant permission to install the fences on the fields at Moore Park. There have been many inaccurate statements made and these issues could have been avoided.

- These are temporary fences and should be allowed.
- There were concerns that fences pose a greater risk for injuries. He doesn't feel that this is true. These fences can be put up and taken down in no more than 10 minutes. They are not permanent fences.
- The seniors will not consistently hit over 200 feet. This fencing should not have any effect on them.
- The VGS league runs from April 24th until June 3rd -- about 5 more weeks. The fences will be completely removed and stored until June 14th – June 18th which is when all-star games take place.
- It was noted that soccer needs are different than softball. This is true, but the softball season at Moore Park does not interfere with soccer season.
- On 4/17, a verbal agreement to install the fencing was given to the VGS league by a Town Board member. They would never have ordered the fencing on 4/19 at a cost of \$1890.46 had they not had that approval.
- They do a lot of maintenance on those fields and 4/20 was clean-up day. He is not sure if the senior league helps but the church league does and additionally has offered to take down the fences when they use the field.
- At the meeting on 4/26, with the Senior League present, the Town Board voted not to allow the fences, just 2 days after the fences were received.
- Every other park where VGS plays has fences.
- The Senior League has always used the supplies that the VGS League has paid for. They do not contribute.
- The VGS is happy to take these fences down before the seniors play. He gave them his cell phone if they wanted him to come and take them down.

Supervisor Schaffer stated that there was a loss in the dialogue somewhere. The Board thought that the fences were permanent.

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Councilwoman Agneshwar noted that on the day of the last meeting, the Board received an email stating that both sides would be here to discuss the fencing but only one side showed up. She asked Mr. Rai to identify which Board member authorized the verbal agreement for the fence installation to VGS --- Mr. Rai was unwilling to identify the Board member. She commented that it was a single Town Board member's inappropriate verbal authorization of fence installation on town property that led to all of this.

Councilwoman Messina stated that she is glad to have this cleared up. The Board now knows that the fencing is not permanent and that the VGS league will take it down after playing. People use Moore Park for reasons other than softball.

Councilman Majewski asked if VSL will take the fences down after each game. Mr. Rai responded that they will leave them up and not take them down daily. The seniors need to tell them they are going to play and they will take them down.

Councilman Majewski also asked who is going to be coordinating this with the three leagues. Mr. Rai replied that he assumed the Town has a calendar for all the games and would reach out to the league. They were told that the Senior League uses field one and practices on field two. The Owego League plays on field two. He will not take the fence down for them. Supervisor Schaffer stated that he is glad the lines of communication have been opened.

Councilwoman Fitzgerald stated that she was under the impression that the fences were permanent. She had recently looked at the fencing and now understands how it is erected. A Senior League rep spoke with her and was concerned that the stakes were too high and would like them lowered a little more. She thinks that the fences make the park look nice.

Supervisor Schaffer stated that the Senior League was supposed to contribute for some of the field supplies. This has all been straightened out and should work smoothly. Mr. Rai added that their league is cutting around their fence with their own mower to help the Parks Department from having to worry about cutting too close to the fence. He will contact Recreation about the game schedule.

Councilman Majewski stated that in the future, all such requests need to be brought to the entire Board.

RESOLUTIONS & MOTIONS

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CAT Skid Steer287D as Upgrade for Parks

Supervisor Schaffer noted that this upgrade is a \$6000 value and was offered to the Town because they were having trouble filling the original order and have this model in stock.

R104-17 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 authorize Park Superintendent Jim Bukowski to purchase a **CAT Skid Steer287D** for an additional \$1,500.00 over the originally budgeted amount. This upgrade is for a better machine with improved hydraulics and more lifting power. The \$1,500 will be transferred from the Contingency Account.

Stipulation of Settlement Muench Realty Company LLC

R105-17 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 authorization for the Town Attorney to sign a **Stipulation of Settlement** for the following Article 7 Tax Certiorari cases filed in Broome County entitled:

Muench Realty Company LLC vs. The Town of Vestal Board of Assessment Review, the Assessor of the Town of Vestal, Broome County, New York, Index Nos., 2014-1848, 2015-1906, 2016-1643 as follows:

Tax ID 158.18-1-1 and 158.18-1-2

1. For tax years 2014/2015, the total assessment on 301 N Main Street from \$325,000 to \$222,000
2. For tax years 2015/2016, the total assessment on 301 N Main Street from \$325,000 to \$222,000
3. For tax years 2016/2017, the total assessment on 301 N Main Street from \$325,000 to \$222,000

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town/County Tax	Town Refund
2014-15	\$325,000	\$325,000	\$222,000	-\$103,000	\$7,389.08	\$4,226.13	\$ 467.51
2015-16	\$325,000	\$325,000	\$222,000	-\$103,000	\$7,364.99	\$4,191.92	\$ 464.99
2016-17	\$325,000	\$325,000	\$222,000	-\$103,000	\$7,351.74	\$4,218.95	\$ 452.08
						TOTALS	\$1,384.58

* Town = General and Highway

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The Town Attorney and Business Office are authorized and directed to take all necessary steps to implement this resolution.

Maintenance of Abandoned Cemeteries

R106-17 On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the following resolution was

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

Resolved to authorize Town Supervisor John Schaffer to sign contracts for the maintenance of abandoned cemeteries as follows and to transfer \$275 from the contingency account to line A8810-4060 (cemeteries) to cover the budget shortfall for the maintenance of the Vestal Center Cemetery:

John Donlin

412 Delano Ave.	Rounds Cemetery	\$ 325.00
Vestal, NY 13850	Crumm Road Cemetery	\$ 425.00
	Vestal Road Cemetery	<u>\$ 325.00</u>
		\$1,075.00

Richard Chase

413 Torrance Ave.	Jensen Road Cemetery	\$ 475.00
Vestal, NY 13850	Vestal Center Cemetery	<u>\$1,525.00**</u>
		\$2,000.00

CONSENT AGENDA

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 **Consent Agenda** is approved as follows:

PUBLIC WORKS: Fitzgerald/Majewski

R107-17 Authorization for the Highway Superintendent to award the bids for **Highway Materials** to the following vendors with the understanding that we buy from the lowest bidder when possible:

BITUMINOUS CONCRETE –

HOT MIX ASPHALT

Broome Bituminous – Vestal, NY
Barrett Paving Materials, Inc. – Binghamton, NY

TRANSIT CONCRETE

C&C Ready Mix Corp – Vestal, NY
Barney & Dickenson – Vestal, NY

BANK RUN GRAVEL

F.S. Lopke Contracting – Apalachin, NY

TYPE #4 – NYSDOT Approved

F.S. Lopke Contracting – Apalachin, NY

**COARSE & FINE AGGREGATES &
ROAD SANDING MATERIALS**

F.S. Lopke Contracting – Apalachin, NY

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**CRUSHER RUN SUB-BASE TYPE #2
(ITEM#304)**

F.S. Lopke Contracting – Apalachin, NY

Chemung Supply – Elmira, NY
Northern Supply

**PLOW BLADES & GRADER CUTTING
EDGES & TIRE CHAIN MATERIAL**

STREET SWEEPING BROOMS

Northern Supply, Inc.,
Joe Johnson Equipment

FINANCE: Agneshwar/Fitzgerald

Receive and File:

Warrant Reports: 2017-17, 2017-17B, 2017-17E, 2017-18, 2017-18E

Billable Hours for Town Attorney

R108-17 Authorization for the Business Office to pay **\$575.00** to **Town Attorney David Berger** for April 2017 billable hours.

PUBLIC SAFETY: Majewski/Messina

Course Reimbursement for Sgt. Hettinger

R109-17 Authorization to reimburse \$485.00 from line A3120-4033 to **Sgt. Ben Hettinger** for a course in School Resource Officer training. This is a contractual payment pursuant to the Police Supervisor's Union Contractual agreement Page 9, §G (Education).

2014 Ford Police SUV Transferred to IT

R110-17 Approval for the transfer of a **2014 Ford Police SUV** (VIN# 1FM5K8AR5EGC38402) from the Police Department to the IT department. The estimated current mileage on the vehicle is 81,000. It has already been replaced in the patrol fleet and the maintenance history of this vehicle has been costly

ADMINISTRATION: Messina/Majewski

Recreation to Hire Summer Employees

R111-17 Authorization for Recreation Planner Sue Jastran to hire pool directors, lifeguards, swim instructors, playground instructors and sports camp directors as noted in her memo dated May 4, 2017.

Vestal United Methodist Church to Perform Library Cleanup Projects

R112-17 Authorization for Library Director Carol Boyce to permit volunteers from the ***Vestal United Methodist Church*** to do various cleanup projects at the library on June 11, 2017 from 9 AM to Noon. Approval is contingent upon the signing of the Town's waiver forms by all of the participating volunteers.

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END OF CONSENT AGENDA

CHAIR COMMENTS AND UPDATES

Councilwoman Agneshwar reminded eligible voters to remember to vote on the [Annual School Budget](#) for the fiscal year 2017-2018 on Tuesday, May 16, 2017 between the hours of 12:00 p.m. and 9:00 PM. Qualified voters of the Vestal Central School District, Broome and Tioga Counties, may vote at African Road, Clayton Avenue, Glenwood, Tioga Hills and Vestal Hills Elementary schools. If you are unsure of your voting location go to the school website and click on [StreetFinder](#).

SUPERVISOR'S ANNOUNCEMENTS

- **OPEN BURNING BAN**, March 16th to May 14th: New York 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.
- Saturday, May 13, 2017, 8:00-10:00 PM: Come listen to local jazz musician **Taze Yanick** in the Vestal Museum while enjoying a cup of coffee or tea and other refreshments! Come early to find a good seat and stay late! The event is free, but a donation of \$10.00 is suggested plus tipping the musician is encouraged.

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the meeting was adjourned at 6:49PM. Carried unanimously.

Approved by _____
Kathie S. Young, 1st Deputy Town Clerk