

**Regular Meeting of the Vestal Town Board
August 23, 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 August 23, 2017.

TOWN BOARD PRESENT:

**Supervisor Schaffer
Councilwoman Fitzgerald
Councilwoman Messina
Councilwoman Agneshwar
Councilman Majewski**

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young, Town Engineer Vern Myers 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 August 9, 2017 are approved.

BID OPENINGS

The following bids were received and opened on Tuesday, August 15, 2017 in the Town Clerk's Office:

2017 - Water - Fluoride Equipment Project

JC Smith, Inc.	416 Commerce Road Vestal, NY 13850	\$30,346.20
BVS Metal Finishers	750 St. Paul Street Rochester, NY 14605	\$30,604.52

2017 - Water - Liquid Polymeric Phosphate Bid

Water Solutions	P.O. Box 208 Mattapoisett, MA 02739	\$9.38/Gal
Shannon Chemical Corporation	PO Box 376 Malvern, PA 19355	\$7.47/Gal

Regular Meeting of the Vestal Town Board

August 23, 2017

PRIVILEGE OF THE FLOOR

A speaker asked whether the bids for water equipment and materials were in any way connected to a specific water issue. Supervisor Schaffer replied that it was not.

A speaker posed several questions and made comments as follows:

- Who should be held accountable for the EPA fine? Supervisor Schaffer stated that he inherited this issue. It has now been resolved at a cost that was much lower than it could have been.
- Will the new credit cards be monitored to prevent abuse? Supervisor Schaffer responded that we have used Town issued credit cards for a long time and have never had any abuse. The charges are monitored on a regular basis. We are changing to cash back cards to earn cash back credits.
- Before the last assessment roll, there was supposed to be a town-wide adjustment and it was not done. Supervisor Schaffer replied that there was no plan for a town-wide reassessment. We are keeping current with the market and continue to be at 100% of value.
- Why does the Town refuse to offer a lower income limit for property tax reduction as allowed by the State? Supervisor Schaffer responded that the income level is consistent with the average for this area.
- How did we decide who to hire to appraise 112 Clayton Avenue? Supervisor Schaffer replied that we try to get the most qualified people at a competitive cost. We have to do these appraisals in response to Article 7 challenges.
- Why is the Town not doing something about his neighbor dumping pool water into his yard? Supervisor Schaffer responded that the Code Department looked into this complaint and found no issue.
- The Assessor's Office appears to have a high rate of absenteeism and refuses to return his calls.
- Vacation carryovers are being abused. Supervisor Schaffer noted that vacation carryovers are carefully monitored and we have no abuse.
- The Town should do a better job in controlling absenteeism and should consider term limits for the Board.

RESOLUTIONS & MOTIONS

Consent Order – EPA Civil Penalty

R180-17 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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

Regular Meeting of the Vestal Town Board August 23, 2017

Resolved to authorize the Town Supervisor to sign a **Consent Order** with the United States Environmental Protection Agency (**EPA**) in Docket # CWA-02-2017-3310 in connection with a complaint filed under the Clean Water Act, and directing the Business Office to pay the civil penalty of \$18,500.00 assessed against the Town for these alleged violations.

M & T Bank Commercial Credit Cards – Cash Back

Councilwoman Agneshwar noted that this change is being made so that we can use a credit card for our accounts payable which will enable us to receive cash back.

R181-17 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 authorize the following actions connected with the changeover to credit cards offering cash back:

- Approve the list of credit card holders and card limits, as submitted by Town Comptroller on 8/23/17, and authorize the Town Comptroller to adjust credit limit for individual card holders on that list on a temporary basis if circumstances warrant.
- Adopt the *Policy for Assignment and Use of a Town of Vestal Credit Card*.
- Authorize the Town Comptroller and Town Supervisor to execute the necessary documents with M & T Bank for commercial credit cards offering cash back.

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:

FINANCE: Agneshwar/Fitzgerald

- **Receive and File: Warrants** 2017-32, 2017-32E, 2017-33, 2017-33E

ADMINISTRATION: Messina/Majewski

Part-time Clerk in the Museum

R182-17 Authorization for Museum Director Cheresse Rosales to hire Grace Palumbo as a part-time Clerk in the Museum effective September 5, 2017. Ms.

**Regular Meeting of the Vestal Town Board
August 23, 2017**

Palumbo's rate of pay will be \$9.70 per hour and it is anticipated she will work 5 hours per week.

END OF CONSENT AGENDA

CHAIR COMMENTS AND UPDATES

Councilwoman Messina distributed a copy of Public Officers Law, Article 7 §105 regarding Executive Sessions as a reminder to the Board that items to be addressed in Executive Session must first be identified in the open meeting.

OTHER NEW BUSINESS

R183-17 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 appointment of **Corey J. Shirley to Police Sergeant** effective Monday, August 28, 2017. As per the current Police Supervisor's contract, his starting salary will be \$77,586.00. Corey was first on the Sergeant's Civil Service testing list and successfully completed the interview process.

OLD BUSINESS

The following resolution was adopted at the August 21, 2017 Town Board Work Session:

Settlement Agreement with the Vestal Central School District Board

R179-17 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 authorize the Town Supervisor to sign a ***Settlement Agreement*** with the Vestal Central School District Board regarding the collection of School District taxes.

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Messina, the **meeting was adjourned at 6:20PM**. Carried unanimously.

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