

## **Regular Meeting of the Vestal Town Board December 6, 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 December 6, 2017.

### **TOWN BOARD PRESENT:**

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

**ALSO ATTENDING:** Town Attorney David Berger, Town Clerk Emil Bielecki, 1<sup>st</sup> Deputy Town Clerk Kathie Young, Fire Chiefs Harrington and Rose 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 Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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

Resolved the Minutes of the Regular Meeting on November 15, 2017 are approved.

### **PRIVILEGE OF THE FLOOR**

A speaker commented on several items on the agenda as follows:

- Item 6.1 – It appears that we are replacing some of the fire apparatus too quickly. Assistant Fire Chief Doug Rose noted that the NFPA recommends a 15 year replacement cycle for these types of vehicles. All three of the vehicles that we are replacing are between 28 and 32 years old.
- Item 6.4 – We are settling too many property tax cases proving the need for a new town-wide revaluation. He wants a list of all tax case settlements in 2017.
- Item 6.5 – Why do we always pick the same person to do appraisals for the Town? Supervisor Schaffer replied that we solicited bids for this work and this was the lowest bidder. This appraiser does quality work.
- Item 6.6 – It appears that the same people get reappointed to the volunteer boards and the decisions are made behind closed door. He has applied to serve on the board but is ignored. Supervisor Schaffer replied that the Town

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routinely advertises when openings occur on volunteer boards. When a previous opening on the Planning Board was advertised, the speaker did not apply. This current appointment is a person who has served admirably for many years as an alternate.

A speaker stated that he supports the practice of giving Town employees raises during the budget process. Good employees are should receive reasonable compensation.

### **RESOLUTIONS & MOTIONS**

#### **Tower 32-4 Bid Awarded to Firehouse Apparatus**

**R242-17** 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 for the Board of Fire Commissioners to award, upon the recommendation of the Tower 32-4 Committee, and *subject to mandatory referendum* approval, the bid for the Tower 32-4 to **Firehouse Apparatus**, 13219 State Route 90, Locke, NY 13092 in the amount of \$877,764.00.

#### **Tanker 32-2 to be Sold Subject to Permissive Referendum**

**R243-17** 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 for the Board of Fire to adopt a Resolution Declaring Certain Fire Apparatus Surplus pursuant to Town Law 176(23) and granting approval to sell **Tanker 32-2 1988 Volvo White FMC VIN #1WXBCCJF6JN122642** subject to *permissive referendum* with publication on December 13, 2017. The proceeds from the sale of the Tanker will be directed to the Fire District Capital Reserve.

#### **Tanker 32-3 to be Purchased Subject to Permissive Referendum**

**R244-17** 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 Board of Fire Commissioners to approve a *Permissive Referendum* to use funds from the Fire District Capital Reserve to fund the purchase of **Tanker**

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**32-3** not to exceed the amount of \$399,000.00 and for the Town Attorney to advertise on December 13, 2017.

**Stipulation of Settlement – Pannu vs. Town of Vestal (4501 Vestal Pkway E)**

**R245-17** 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 to authorize the Town Attorney to sign a **Stipulation of Settlement** for the following Article 7 Tax Certiorari cases filed in Broome County entitled:

**Pannu vs. The Assessor of the Town of Vestal**, New York and the Town of Vestal, Broome County, New York, Index Nos. 2017-0939 (TM# 159.10-1-13) as follows:

1. For tax years 2017/2018 the total assessment on 4501 Vestal Parkway shall be reduced from \$647,000 to \$545,000

| Roll Year | Assessment | FMV       | STIP AV   | Change in AV From Prior Year | School Tax  | Town / County Tax | Town Refund |
|-----------|------------|-----------|-----------|------------------------------|-------------|-------------------|-------------|
| 2017-18   | \$647,000  | \$647,000 | \$545,000 | -\$102,000                   | \$14,878.57 | N/A               | N/A         |

\* Town = General and Highway

TOTALS \$0.00

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

**Hire Kenneth G. Frommer for Appraisal Services**

**R246-17** On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

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

Resolved to authorize David Berger, Town Attorney to sign agreement to hire **Kenneth G. Frommer** for appraisal services for 100 Vestal Parkway West, tax map parcel 157.79-1-1 not to exceed **\$6,500.00** not including court or hearing appearances.

**Appoint Madeleine Cotts to Planning Board**

Supervisor Schaffer stated that replacing Delivan “Augie” Gates is a difficult thing to do but Madeleine Cotts is up to the challenge and will do a great job.

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**R247-17** 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 appoint **Madeleine Cotts** to the Town's Planning Board effective December 7, 2017 to fill the vacancy created by the death of long time member Delivan Gates. Ms. Cotts' term will expire July 7, 2018.

**CONSENT AGENDA**

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

**FINANCE: Agneshwar/Fitzgerald**

**Receive and File: Warrant Reports** 2017-46, 2017-46E, 2017-48, 2017-48E

**Pay Kenneth G Frommer for Appraisal Services**

**R248-17** Authorization for the Business Office to pay in the amount of \$2,950.00 to **Kenneth G Frommer** for appraisal services of the property at 112 Clayton Avenue, Vestal, NY, BCTMP #157.18-2-8.

**Budget Transfers Dated October 20 – November 30, 2017**

**R249-17** Authorization for Deputy Comptroller Nick Angeline to perform the **Budget Transfers** dated October 20 – November 30, 2017 as attached to his memo to the Town Board dated November 30, 2017.

**PUBLIC SAFETY: Majewski/Messina**

**R250-17** Authorization from the Board of Fire Commissioners approving **Patrick Morrow** as member of the Vestal Fire Department at Company No.4.

**ADMINISTRATION: Messina/Majewski**

**Heather Webster Appointed as Part-Time Court Clerk**

**R251-17** Authorization for **Heather Webster** to be appointed to the vacant Clerk (part-time) position in the Court effective December 11, 2017 at the hourly rate of \$9.70 per hour.

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**Part-Time Clerks Hired for Tax Collection Season**

**R252-17** Authorization for Receiver of Taxes Debra Wallace to appoint the following:

- **Debra Jennings** as Deputy Receiver of Taxes effective December 20, 2017 through April 17, 2018 at the rate of \$11.00 per hour.
- Authorization for Debra Wallace, Receiver of Taxes to appoint **Thomas Keegan, Sarah Wallace** and **Rachel Wallace** as **Clerk Part Time** effective December 20, 2017 through December 22, 2017 at the rate of \$9.70 per hour.

**RECEIVE AND FILE**

- **Fire Advisory Board Meeting Minutes** – October 16, 2017 and November 20, 2017
- The NYS Department of Transportation (NYSDOT) will host two public information meetings to discuss the NYS Route 434 Greenway Project, a capital improvement project to develop a pedestrian and bicycle path from Pennsylvania Avenue in the City of Binghamton to Murray Hill Road in the Town of Vestal. The public information meetings will be at 7:00 PM on the following dates and locations:
  - December 12, 2017 - MacArthur Elementary School Gymnasium
  - December 13, 2017 – Vestal Hills Elementary School Cafeteria

**END OF CONSENT AGENDA**

**SUPERVISOR'S ANNOUNCEMENTS**

- **WINTER PARKING HOURS:** No parking of vehicles on any Town streets and roads from 2:00 AM to 6:00 AM, December 1 thru March 31.
- Fireman Breakfast with Santa **at Station # 2 in Vestal Center**  
**Sunday, December 10, 2017 from 7:30 am until 11:30 am.**

**ADJOURNMENT**

On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the meeting was adjourned at 6:17PM. Carried unanimously.

Approved by \_\_\_\_\_  
**Emil J. Bielecki, Town Clerk**