

Regular Meeting of the Vestal Town Board April 11, 2018

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 11, 2018.

TOWN BOARD PRESENT:

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

ALSO ATTENDING: Town Attorney David Berger, Assistant Fire Chief Doug Rose, Town Clerk Emil Bielecki and 5 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 Fitzgerald, seconded by Councilwoman Messina, the following resolution was

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

Resolved the Minutes of the Regular Meeting on March 28, 2018 are approved.

BID OPENINGS

Supervisor Schaffer offered the *Proof of Posting* and *Affidavit of Publication* for the bids for **Highway Materials**. The sealed bids for the materials below were opened by the Town Clerk at 2:00 pm on Tuesday, April 3, 2018 and the results were forwarded to the Highway Superintendent for review and recommendations.

Bank Run Gravel - Bituminous Concrete - Hot Mix Asphalt - Coarse & Fine Aggregates & Road Sanding Materials - Crusher Run Sub-base Type #2 (Item#304) - Light and Medium Stone Fill - Manhole Adjustment Rings and Frame Assemblies - NYS DOT Approved - Type #4 Gravel - Snow Plow Blades, Grader Cutting Edges, Carbide Blades, Steel and Cast Iron Plow Shoes, Tire Chain Materials - Street Sweeping Brooms - Tires and Retreading - Transit Mix Concrete

PRIVILEGE OF THE FLOOR

A speaker commented on various topics as follows:

- The Town needs to provide better information about the items that are sold through Auction International.

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- Executive Sessions are being used to discuss items that should be discussed in open meetings.
- The income limits for senior property tax exemptions should be raised. This has not been changed in 10 years when everything else has increased.
- The Town continues to settle property tax cases behind closed doors but refuses to correct assessments for all property owners. He will again grieve his assessment this year.

A speaker noted that the Vestal Museum has received a grant for a theatrical production based on Vestal history and wanted to know the title of that production. Supervisor Schaffer responded that he would find out and get back with the information.

RESOLUTIONS & MOTIONS

Stipulation of Settlement for Article 7 Tax Certiorati Case- 2809 Vestal Rd.

R081-18 On a motion of Councilman Majewski, seconded by Councilman Fletcher, the following resolution was

ADOPTED Ayes 5 Majewski, Fletcher, Messina, Schaffer, Fitzgerald
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:

Irish Twins LLC vs. The Town of Vestal Board of Assessment Review, the Assessor of the Town of Vestal, Broome County, NY, Index Nos., 2016-1072, Tax ID 158.10-1-3

1. For tax years 2016/2017, the total assessment on 2809 Vestal Rd. from \$716,456 to \$600,000
2. For tax years 2017/2018, the total assessment on 2809 Vestal Rd. from \$716,456 to \$600,000

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town/County Tax	Town Refund
2016-17	\$716,456	\$716,456	\$600,000	-\$116,456	\$16,475.80	\$9,496.63	\$514.47
2017-18	\$716,456	\$716,456	\$600,000	-\$116,456	\$16,206.78	\$9,406.25	\$511.14
						TOTALS	\$1,025.61

* Town = General and Highway

TOTALS

\$1,025.61

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

TABLED: Consulting Agreement with Douglas Bulman

On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following item was brought to the floor:

Motion authorizing Town Supervisor John Schaffer to sign a Consulting Agreement and Business Associate Addendum with **Douglas A. Bulman** of the Bulman Agency LLC and Premier Consulting Associates, LLC from April 1, 2018 to March 31, 2019. Under the terms of the agreement the Town of Vestal agrees to pay the Consultant a fee of \$30,000 as compensation for the services listed therein.

Councilman Majewski stated that while Mr. Bulman serves as a paid benefits consultant to the Town, he also provides other services to the Town as a broker for which he earns commissions. This arrangement could pose a conflict of interest. So as to increase the transparency of Mr. Bulman's relationship with the Town, Councilman Majewski proposed that the following sentence be added to the motion adopting the consulting agreement: "On an annual basis, the Consultant shall disclose to the Town any commissions that he receives as compensation for the management of Medicare programs, and/or ancillary benefits or other voluntary benefits sponsored by the Town."

Town Attorney David Berger noted that in the old agreement, commissions were used to offset the consultant fee but you can't do that anymore. This is a new contract and the consultant would keep all of the commissions, but the Board can mandate full disclosure. However, this would be a change to the contract, which may need to be discussed with Mr. Bulman.

Supervisor Schaffer stated that we need additional discussion about this item and recommended that it be pulled from consideration at this meeting.

A **Motion to Table until the Regular Meeting on April 25, 2018** was made by Councilman Majewski and seconded by Councilman Fletcher:

PASSED Ayes 5 Majewski, Fletcher, Messina, Schaffer, Fitzgerald
 Nays 0

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Intermunicipal Agreement to Maintain a “Metro SWAT Team”

R082-18 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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

Resolved to authorize Town Supervisor John Schaffer to sign an **Intermunicipal Agreement** between the Town of Vestal, the City of Binghamton and the Village of Johnson City for Police Tactical Team Cooperation. The main purpose of this agreement is to establish and maintain a Special Weapons and Tactics Team (hereinafter referred to as “Metro SWAT Team”) that will be available to each participating entity in the event of an emergency. This agreement shall terminate on December 31, 2022.

CONSENT AGENDA

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

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

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

FINANCE: Messina/Fletcher

Receive and File:

- **Warrant Reports:** 2018-13, 2018-13A, 2018-13E, 2018-14, 2018-14E
- **Town Clerk Monthly Reports:**
 - January 2018 - Local Shares Remitted: \$4069.69
 - February 2018 - Local Shares Remitted: \$3982.46
 - March 2018 - Local Shares Remitted: \$5,373.14

Payment to Michael Heenan for Expert Testimony in Hicks v Town Vestal

R083-18 Authorization for the Business Office to pay **Michael J. Heenan** \$1,075.00 for expert testimony in the Hicks v Town of Vestal, et al litigation.

PERSONNEL: Majewski/Fitzgerald

Recreation Department Hires Labor for Summer Programs

R084-18 Authorization for Recreation Planner Sue Jastran to hire summer camp directors, summer office assistant and playground instructor as noted in her memo to the Town Board dated April 3, 2018. All employee pay rates are budgeted items in the 2018 budget and background checks have been completed.

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PLANNING & ZONING: Fletcher/Fitzgerald

Vestal Historical Society to Hold Fundraiser in Library Parking Lot

R085-18 Authorization for the **Vestal Historical Society** to hold a Doug's Fish Fry fundraisers in the Library parking lot on June 8, 2018 and August 31, 2018.

The monies from this fundraiser will be used to help with the support of the Vestal Museum's ongoing exhibits.

PUBLIC SAFETY: Messina/Majewski

Fire Department to Send Apparatus to Binghamton Memorial Day Parade

R086-18 Authorization for Fire Chief David Harrington to send one piece of Station 4 apparatus and members to the Binghamton Memorial Day Parade on May 28, 2018.

Approval to Use Fred Singer Training Site

R087-18 Approval from the Board of Fire Commissioners to permit the usage of the Fred Singer Training Site at a cost of \$100 per day as follows:

- 5 Mile Point Fire Company – April 22, 2018
- Nichols Fire Department - May 20, 2018

ADMINISTRATION: Majewski/Messina

Vestal Museum Accepts Grant from Broome County Arts Council

R088-18 Approval for the Vestal Museum Director Cherese Wiesner-Rosales to accept a \$1,000 grant from **Broome County Arts Council** for the upcoming theatrical production based on Vestal history.

RECEIVE AND FILE

- December 31, 2017 **Vestal Justice Court Final Audit Report** on Applying Agreed-Upon Procedures.
- Annual Report of the Vestal Fire District Service Award Program (LOSAP) as of January 1, 2018.

END OF CONSENT AGENDA

SUPERVISOR'S ANNOUNCEMENTS

- REMINDER: The NYS Department of Environmental Conservation (DEC) has issued a **ban on residential brush burning** from March 16 through May 14.

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- All Vestal Fire Department Stations will hold a **Recruitment Day** on Saturday April 28th from Noon to 3 PM. The fire stations will be open for anyone to visit and learn about becoming a volunteer. We always need volunteers.
- The Vestal Police Department has set up a 24/7 **Safe Medication Disposal** unit for unwanted prescription drugs. This prescription drug drop-box, located in the Police Department lobby, was acquired through a partnership between the Vestal Police Department, the KidCents Program and the Rite Aid Foundation.
- The Vestal Police Department will be very active in the **36th Annual Police Memorial Week** organized by the Southern Tier Law Enforcement Memorial Association. One of the events will be a **Silent Procession** of police vehicles from the Endicott Police Department to the Four Corners Vestal Memorial Park on Monday, April 30th at 10:45 AM. The public is welcome to view the procession and to attend the ceremony at the Vestal Memorial Park.

END OF CONSENT AGENDA

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Messina, the **meeting was adjourned at 6:18 PM.** Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk