

Regular Meeting of the Vestal Town Board September 26, 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 September 26, 2018.

TOWN BOARD PRESENT:

Supervisor Schaffer
Councilman Majewski
Councilwoman Fitzgerald
Councilwoman Messina
Councilman Fletcher

ALSO ATTENDING: Town Attorney David Berger, Town Engineer Vern Myers, Fire Chief David Harrington, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and approximately 20 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 Councilwoman Fitzgerald the following resolution was

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

Resolved the Minutes of the Regular Meeting on September 12, 2018 are approved.

BID OPENINGS

Supervisor Schaffer offered *Proof of Posting* and *Affidavit of Publication* for the single bid received on one new **2018 Chevy Traverse** all-wheel drive V6 vehicle equivalent to or better for the Police Department. The bid was received in the Town Clerk's Office and opened on September 18, 2018 at 1:00 PM with the following result:

Matthews Auto 3733 Old Vestal Rd, Vestal, NY 13850 **\$27,766.30**

Bid Awarded for Police 2018 Chevy Traverse

R208-18 On a motion of Councilman Majewski, seconded by Councilman Fletcher the following resolution was

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

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Resolved to authorize the Town Attorney to draw the paperwork awarding the bid for one new 2018 Chevy Traverse all-wheel drive V6 vehicle for the Police Dept. to the sole bidder, Matthews Chevrolet, Vestal, NY, in the amount of \$27,766.30.

Bids Received for Tanker 32-3 Project

Supervisor Schaffer offered *Proof of Posting* and *Affidavit of Publication* for the bid request for the Fire Department **Tanker 32-3 Project**. The bids were received in the Town Clerk's Office until 2:00 PM on September 18, 2018 at which time they were opened with the following results:

<u>NAME</u>	<u>ADDRESS</u>	<u>BID \$\$\$</u>
Custom Fab & Body LLC	158 US Hwy 45 Marion, WI 54950	\$399,439.00
Alexis Fire Equipment	Alexis, Illinois 61412	\$378,760.00
Federal Safety Equipment	PO Box 293 Clark Mills, NY 13321	\$389,681.00
Campbell Freightliner of Orange County	2040 Route 208, Suite 2 Montgomery, NY 12549	\$393,532.00
Vander Molen	224 Wellington Road Dewitt NY 13214	\$377,321.00

The bids results were forwarded to the Fire Department for review and recommendation.

PRIVILEGE OF THE FLOOR

Two African Road Elementary School students, Alexandria and Harper, spoke to the Board about the dilapidated conditions at the African Road Park. The problems cited include lack of signage, holes in the fence, overgrown green area, lack of woodchips and poorly maintained playground equipment. They are asking the Board to budget for the repair and renovation of the park and are offering to work with the Parks Department on fixing the fence and designing the signage.

Supervisor Schaffer thanked the young ladies for their willingness to address the Board on this issue. He acknowledged that the Town has fallen behind in maintaining this park. This was due to other more urgent priorities that had to be addressed, primarily in recovering from the damage caused by a number of severe storms and flooding. The money that was allocated to maintain the park had to be moved to do more urgent repairs. He has spoken to the Parks Superintendent about this park and plans are being made to do the necessary work. Also, he is willing to work with the young ladies to help design signs that can be used in all Town parks.

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Several Board members complimented the young ladies for their impressive presentation and promised to work with them to improve the park. Supervisor Schaffer displayed a temporary sign that will be installed at the African Road Park as a show of good faith to the young ladies their issues will be addressed.

Several residents from the Imperial Woods neighborhood presented the Board with a petition (9 signatures) asking for action to clean up the property at **809 Sequoia Lane**. This house has been vacant for over 5 years and the absentee owner has failed to maintain it. The grass and weeds are over 10 inches high and there are trees growing out of the gutters and roof line. The property is causing blight in a well maintained neighborhood and is attracting vandals. Several complaints have been made to the Town with no response. One of the neighbors stated that he has met with the Town Supervisor concerning this property and was promised some action. Code Enforcement is not doing their job and the neighborhood may be forced to go the State Assemblywoman Lupardo and the news media.

Supervisor Schaffer stated that he has spoken to the Code Department about this property but has not followed-up due to more pressing issues that have taken up his time. He is in a part-time position working more than full-time on Town matters. He will again contact the Code Department to see what is being done.

A speaker asked the Supervisor for a response to a number of complaints that he presented at previous Board meetings. Supervisor Schaffer handed the speaker an envelope with written responses noting that this is still not likely to satisfy the speaker because whenever he does not like the answers, he continues to bring up the same issues at every meeting.

A resident of First Avenue commented on an incident that took place in his neighborhood last week. An argument escalated to a dangerous situation where a firearm was displayed. The Police arrived and resolved the situation quickly and effectively. Supervisor Schaffer praised the Police Department for the way this incident was handled and noted that the responding officer will be recognized for his good work.

RESOLUTIONS & MOTIONS

Declaration of an Emergency - Main Street Bridge over Choconut Creek

Town Engineer Vern Myers stated that he has received two quotes from companies that do specialized bridge work. Delta has done the design work. The bridge will be closed for about 4 weeks. The costs are eligible for the CHIPS funding.

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R209-18 On a motion of Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following resolution was

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

Resolved to retroactively declare an emergency requiring immediate engineering and construction contracts to repair damage to the south end of the bridge expansion joint and bridge abutment back wall on the **Main Street Bridge over Choconut Creek** effective September 19, 2018.

NOW THEREFORE, BE IT RESOLVED, by the Town of Vestal, County of Broome, State of New York that there existed on September 19, 2018 a dangerous condition due to damage to the Main Street Bridge which required the immediate provision of services in order to meet the needs of the residents of the Town in promoting health, safety and welfare by repairing the bridge and its supporting structures in order to ensure safe travel; and That actions taken or to be taken by the Town in curing the damage and to provide repair and replacement of parts or sections to the Main Street Bridge be and is hereby ratified in light of the existence of an emergency.

Adopt Proposed 2019 Vestal Fire District Budget

R210-18 On a motion of Councilman Majewski, seconded by Councilman Fletcher, the following resolution was

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

Resolved to adopt the **Proposed 2019 Vestal Fire District Budget** with total appropriations, including the foam district, of **\$1,423,514**.

Advertise Local Law to Rezone 2040 NYS Route 26 – RR to RC

R211-18 On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

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

Resolved to authorize the Town Attorney to advertise on October 10, 2018 for a Public Hearing on October 24, 2018 for a local law to **rezone 2040 NYS Route 26** from RR (rural residence) to RC (multiple residence) BCTMP #206.01-1-32.

CONSENT AGENDA

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

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

Resolved the Consent Agenda is approved as follows:

PUBLIC WORKS: Fitzgerald/Majewski

Hire Michael Osinski as Seasonal Laborer in Parks Department

R212-18 Authorization for the Parks Superintendent to retroactively hire **Michael Osinski** as a seasonal laborer effective September 12, 2018 at the rate of pay of \$10.40 per hour.

FINANCE: Messina/Fletcher

Receive and File:

- **Warrant Reports:** 2018-37, 2018-37C, 2018-37E, 2018-38, 2018-38E
- **Town Clerk Monthly Report - August 2018** – Local Shares Remitted \$4,963.86
- **Comptroller’s Monthly Report** – August 2018

Close Capital Projects

R213-18 Approval for the Deputy Comptroller to close and transfer remaining unexpended funds from Capital Projects as follows:

Town of Vestal Capital Projects to Close @ 9/6/2018				
<u>Project Name - General Fund</u>	<u>Org./Object</u>	<u>Unexpended Funds</u>	<u>Fund to Receive Unexpended \$</u>	<u>Total By Fund</u>
2015 IT Computer/Phone Upgrades	H0215.21600	\$324.97	General Fund Reserves	\$324.97
2016 Parks Equipment	H0216.27100	\$274.44	General Fund Reserves	<u>\$274.44</u>
			Total to General Fund, Res.	\$599.41
<u>Project Name - Highway Fund</u>	<u>Org./Object</u>	<u>Unexpended Funds</u>	<u>Reserve Fund to Receive Unexpended \$</u>	<u>Total Reserves By Fund</u>
2016 Highway Trucks	H0516.25100	\$143.60	Highway Fund Reserves	<u>\$143.60</u>
			Total to Highway Fund, Res.	\$143.60
<u>Project Name - Fire District Fund</u>	<u>Org./Object</u>	<u>Unexpended Funds</u>	<u>Reserve Fund to Receive Unexpended \$</u>	<u>Total Reserves By Fund</u>
2014 Fire Rescue Truck	H0714.23400	\$ 65.45	Fire District Fund Reserves	<u>\$ 65.45</u>
			Total to Highway Fund, Res.	\$ 65.45

PERSONNEL: Majewski/Fitzgerald

Adjust Employee Dates for 2018 Receiver of Taxes Employees

R214-18 Authorization for the Receiver of Taxes to retroactively change the previously approved dates of employment as follows:

- Irene Shea from September 04, 2018 through November 1, 2018
- Brian Jennings from August 29, 2018 through November 1, 2018
- Sarah Wallace from August 30, 2018 through August 31, 2018

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PLANNING & ZONING: Fletcher/Fitzgerald

10 Storage Containers Approved for Wal-Mart

R215-18 Approval for **Wal-Mart**, 2405 Vestal Parkway East, to have 10 storage containers on site from September 5, 2018 to January 3, 2019. The trailers are to be placed as shown in a site plan attached to the memo to the Town Board from Code Officer Lincoln Ellis dated September 7, 2018.

PUBLIC SAFETY: Messina/Majewski

Thomas Briggs II Approved as Member of VFD at Company No. 3

R216-18 Authorization from the Board of Fire Commissioners to approve **Thomas Briggs II** as a new member of the Vestal Fire Department at Company No. 3.

Authorization for Lieutenant Stace Kintner to Sign Official Documents

R217-18 Authorization for **Lieutenant Stace Kintner** to sign vouchers and official documents in the absence of Police Chief John Butler.

ADMINISTRATION: Majewski/Messina

Recreation Planner to Hire Fall 2018 Employees

R218-18 Authorization for the Recreation Planner to hire Fall 2018 employees as listed in her memo dated September 18, 2018. All employee pay rates are budgeted in the 2018 Budget and the background checks have been completed.

Vehicles Sale, Vehicle Transfer and Budget Transfer for Assessor's Office

R219-18 Authorization to execute the following:

- Sell through Auction International the **2005 Chrysler Town and Country Van** (VIN #1C4GP45R95B317599) with 47,076 miles on the odometer.
- Transfer a **2013 Chevy Tahoe** (VIN 1GNSK2E01DR306060) with 175,167 miles from the Police Department to the Town Assessor.
- Transfer an amount not to exceed \$3,000 from budget line A1355.4000 to budget line A1355.4040 to cover the cost of repairs to the 2013 Chevy Tahoe being transferred from the Police Department to the Town Assessor.

RECEIVE AND FILE

- Fire Advisory Board Meeting Minutes – August 20, 2018
- Petition requesting action to compel the owner of 809 Sequoia Lane to maintain the property and address various property maintenance code violations.

END OF CONSENT AGENDA

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SUPERVISOR'S ANNOUNCEMENTS

- **Vestal Fire Safety Expo – Saturday October 6th** at Lowe's Parking lot, 10:00 AM - 2:00 PM. Fire Trucks, Police Cars, and many exhibits. Sparky will be there too!
- The Highway Department is not doing leaf pick-up at this time. We are asking residents not to put out leaves until a time that will be officially announced.

OTHER NEW BUSINESS

Town Engineer to Sign Contracts for Emergency Repair to Main St. Bridge

R220-18 On a motion of Councilwoman Messina, seconded by Councilman Fletcher, the following resolution was

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

Resolved to authorize Town Engineer Vern Myers to sign contracts for emergency work on the **Main Street Bridge** as follows:

- **Delta Engineers** for design plans at a cost of \$3,600.00.
- **R. DeVincentis Construction** for repair work at a cost of \$74,940.00.

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Messina, the meeting was adjourned at **6:38 PM**. Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk