

Regular Meeting of the Vestal Town Board October 10, 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, New York on October 10, 2018.

TOWN BOARD PRESENT:

Supervisor Schaffer
Councilman Majewski
Councilwoman Fitzgerald
Councilwoman Messina
Councilman Fletcher

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and approximately 10 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.

Supervisor Schaffer introduced **Broome County Director of Public Health Rebecca Kaufman** who is appearing on behalf of Broome County Executive Jason Garner to present the highlights of the Executive's 2019 County Budget.

- The proposed budget is \$385 million which is \$10 million more than last year. The focus to rebuild finances has resulted in a \$4 million fund balance.
- The proposed budget reduces the property tax rate by 1/2%. This would be the first tax cut in 14 years.
- The themes of the budget are: tax cut, investment in public safety and job creation.
- A new position of Emergency Management Coordinator has been created to deal with the recent string of flooding events.
- Create 15 new jobs which would meet the state-required *Raise the Age* legislation passed last year. We can't put 16 and 17 year olds in our Broome County jail anymore. We have to provide other services. Probation, Social Services, Sheriff, District Attorney and Law costs would be reimbursed by New York State.
- No change is proposed to the sales tax sharing formula with municipalities.
- \$150,000 for his Small Communities Grant Fund providing grant money to municipalities for economic development projects
- Increase in funding for programs like *Welcome Wagon* through the Chamber, and *Clean Sweep* with the District Attorney's office. These programs help to get those unemployed back in the workforce. We have over 4,000 job openings in the

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County but many go unfilled due to a lack of qualified workers. We have an office of employment and training to assist people with the education and training they need to get to work.

- Our initiatives to reduce drug overdoses are working. Heroin overdoses in the first half of the years are down by 2/3.

A speaker stated that the spending is the biggest concern with the County. The reductions thus far have been negligible. Rebecca Kaufman responded that the County Executive is committed to reducing spending and will continue to work on improving the finances of the County.

Councilman Majewski asked how many patients in the Opioid Addiction Center are from Broome County and whether we have any statistics about crimes committed by those who are released from the program. Rebecca Kaufman replied that 100 % of the admissions are from upstate New York but doubts that we have information about his second part of the question but would check and get back with him.

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 26, 2018 are approved.

PRIVILEGE OF THE FLOOR

A speaker reiterated a number of issues that he has brought up at many previous meetings and wants the Board to address. Supervisor Schaffer replied that has already responded to the speaker regarding his issues and will not keep repeating the same answers at every meeting. As to the speaker's questions about the current budget, Supervisor Schaffer noted that there are several upcoming public hearings about the budget and encouraged the speaker to attend. In response to the speaker's accusation concerning absenteeism at Board meetings, Councilman Fletcher asked for specific proof because he is not aware of it being a problem.

A speaker who lives on Richards Avenue stated that his neighborhood had recently gone through several episodes of flooding by the Choconut Creek. He spoke with Chip McElwee of the Broome County Soil & Water Conservation District, who stated that they will pay for a survey if the Town applies for it. He would like support from the Town to mitigate the flooding problem. If he can get the authorization to

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go into the creek to do some dredging work, he has private people who can do this work. Supervisor Schaffer stated that he would talk to Mr. McElwee tomorrow and advised the speaker to talk to the Town Engineer. He cautioned the speaker that there are no easy solutions to this problem and gave him copies of a letter from DEC which states that removing materials from streams as a stand-alone activity often does not reduce flooding damage and can result in unintended negative consequences.

In response to an earlier question posed by Councilman Majewski concerning the new Opioid Treatment Center, a speaker, who is a candidate for the County Legislature, provided the following information: 385 people have been treated for opioid abuse. Approximately 2/3 of those who have been treated are from Broome County.

RESOLUTIONS & MOTIONS

Town of Vestal Sexual Harassment Policy

R221-18 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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

Resolved to adopt the **Town of Vestal Sexual Harassment Policy** as presented to the Town Board on October 8, 2018.

Advertise Public Hearing re: Local Law to Rezone 119 Earl Road

R222-18 On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

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

Resolved to authorize the Town Attorney to draw a Local Law and advertise on October 24, 2018 for a Public Hearing on November 7, 2018 regarding the **rezoning of 119 Earl Road** (requested by the DiFrancesco Development Group Jensen Road LLC) from RA-1 (Single Family Residential) to CD (Commercial Development).

CONSENT AGENDA

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

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PUBLIC WORKS: Fitzgerald/Majewski

Refund for Utility Bill Overpayment

R223-19 Authorization to issue a \$44.08 refund to the **Estate of Ginny Rober** due to a credit on the final utility bill at 1640 Glenwood Road.

Hire Jason Katsares Parks Laborer

R224-18 Authorization for the Parks Superintendent to hire **Jason Katsares** as a laborer effective October 22, 2018 at the rate of pay of \$15.09 per hour.

FINANCE: Messina/Fletcher

Receive and File:

- **Warrant Reports:** 2018-39, 2018-39E, 2018-40, 2-18-40E
- **Town clerk Monthly Report:** September 2018 – Total Local Share Remitted \$4,629.50

Renewal of Penflex Service Fee Agreement

R225-18 Authorization for the Town Comptroller to renew the **Penflex Service Fee Agreement** for administering the Fire District Length of Service Award Program (LOSAP). The agreement is effective from November 1, 2018 to October 31, 2019. The total estimated standard and distribution services fee is \$7,100.

PERSONNEL: Majewski/Fitzgerald

Adopt Amendments to the Employee Handbook

R226-18 Approval to adopt amendments to the **Employee Handbook** as submitted to the Town Board on October 8, 2018 and summarized as follows:

- Section 701** – Update future non-union longevity to be consistent with other employees
- Section 703** – Clarify and amend language for non-union employee call-ins
- Section 705** – Amend language to be consistent with union contracts
- Section 805** – Amend Premium Contributions to be consistent with union contracts; Address impact of employee death on surviving dependents
- Section 807** – Address premiums for Deputy Highway Superintendent and Assistant Water /Wastewater Superintendent; Address impact of employee death on surviving dependents
- Section 812** – Include language about previously adopted Section 41-j of the NYS Retirement and Social Security Law and impact upon retirement; Union Employees paragraph correct title of the Section
- Section 816** – Include language about previously adopted Section 41-j of the NYS Retirement and Social Security Law
- Section 1002** – Amend because Material Safety Data Sheets are now called *Safety Data Sheets*

PUBLIC SAFETY: Messina/Majewski

Ann-Marie Fitzpatrick – Member of the Vestal Fire Department

R227-18 Approval from the Board of Fire Commissioner to accept **Ann-Marie Fitzpatrick** as a member of the Vestal Fire Department at Company No. 1.


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ADMINISTRATION: Majewski/Messina

R228-18 Authorization for Town Justices Meagher and Sherwood to submit for a grant from the **Justice Court Assistance Program** for up to \$30,000 for a Court Room renovation project.

END OF CONSENT AGENDA

SUPERVISOR'S ANNOUNCEMENTS

- The Vestal Fire Expo last Saturday was well attended and successful.
- **MONSTER MASH HALLOWEEN PARTY**  **Saturday, October 20, 2018 - 1:00 PM - 3:00 PM - Arnold Park -**
Free inflatable rides and much more! Rain date: Sunday, Oct. 21 1:00 PM to 3:00 PM. In case of bad weather, go to vestalny.com look under Recreation or call 754-3368.

OTHER NEW BUSINESS

2015 Chevrolet City Express Mini-Van for Dog Control

Supervisor Schaffer thanked the Town Clerk for his hard negotiation to get a good price on the dog control vehicle. This vehicle is in good shape and will serve us well.

R229-18 On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

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

Resolved to authorize the use of fund balance to purchase a **2015 Chevrolet City Express** mini-van (VIN # 3N63MOYNOFK710497) in the amount of \$11,000.00 for use as a Dog Control vehicle. This vehicle has 48,000 miles and has two more years of warranty on the drivetrain.

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Messina, the meeting was adjourned at **6:33 PM**. Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk