

Regular Meeting of the Vestal Town Board November 7, 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 November 7, 2018.

TOWN BOARD PRESENT:

Supervisor John Schaffer
Councilman Fran Majewski
Councilwoman Patty Fitzgerald
Councilwoman Sue Messina
Councilman John Fletcher

ALSO ATTENDING: Town Attorney David Berger, Town Comptroller Laura McKane, Deputy Comptroller Nick Angeline, Town Engineer Vern Myers, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young, 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 Messina, seconded by Councilman Fletcher, the following resolution was

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

Resolved the Minutes of the Regular Meeting on October 24, 2018 are approved.

PUBLIC HEARINGS

Public Hearing Regarding Proposed Local Law “F” of the Year 2018

Supervisor Schaffer reopened the Public Hearing for proposed **Local Law “F” of the Year 2018** entitled: “A Local Law Rezoning 2040 New York State Route 26 from RR Rural Residence to RC Multiple Residence.” This public hearing was originally opened on October 24, 2018 and suspended to accommodate anyone who may not have been heard due to a misprint on a notice to property owners within 500 feet of the proposed rezoning.

The following documents were received in reference to this Public Hearing:

- 239 l & m comments from Broome County and NYS DOT.
- Affidavit of Mailing and Short Environmental Assessment Form (SEQR) from the applicant.

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Mark Parker with Keystone Associates, representing the First Ward Action Council, gave a brief recap of the proposed development. The rezoning is to allow the construction of the **Phase II Vestal Pines Housing Development**. He discussed the position of the facility, green space and elevation. Fairly dense woods will act as a buffer. Lights will not reflect into night's sky. In response to a question from a nearby resident, he provided the distance of the parking lot to the residence.

Councilman Majewski asked if design changes could expand the project into the buffer area. Mr. Parker replied that he does not see any significant changes in these plans other than changes that could be requested by the Fire Department to allow better maneuvering of their equipment. Upon approval of this zoning change this project will be presented to the Planning Board, hopefully in the spring.

Supervisor Schaffer noted that in discussions with First Ward Action Council Executive Director Jerry Willard, he indicated there will be no additional expansion of Vestal Pines beyond Phase II but perhaps in other areas in Vestal.

Hearing or seeing no one else wishing to speak, Supervisor Schaffer closed the Public Hearing.

Adopt Proposed Local Law "F" of the Year 2018

R248-18 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 proposed Local Law "F" of the Year 2018 entitled: "A Local Law Rezoning 2040 New York State Route 26 from RR Rural Residence to RC Multiple Residence." The Board has reviewed the Short Environmental Assessment Form under SEQRA as submitted by the applicant and finds it acceptable in that no significant environmental impacts have been identified.

Public Hearing Regarding Proposed Local Law "G" of the Year 2018

Supervisor Schaffer offered the *Proof of Posting* and *Affidavit of Publication* regarding the proposed **Local Law "G" of the Year 2018** entitled: "A Local Law Rezoning 119 Earl Road (BCTMP #158.11-2-37) from RA-1 Single Family Residential to CD Commercial Development." and opened the Public Hearing:

The following documents were received in reference to this Public Hearing:

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- 239 l & m comments from Broome County and NYS DOT.
- Affidavit of Mailing and Short Environmental Assessment Form (SEQR) from the applicant.

Sarah Campbell, Esq. with Hinman, Howard and Kattell, explained that the applicant would like to construct an 8000 sf single story medical office building on this property. Access will be from North Jensen Road. The Earl Rd. access, which is only 19 feet wide, will not be used and will be closed if the Fire Department has no objections. This is a flag lot which would be combined with the lot that currently has a medical building on it. This rezoning would allow the new building to expand to the rear of the existing UHS dialysis medical building on Jensen Road. This rezoning is consistent with the other businesses in the area.

The applicant, Rocky DiFrancesco of the DeFrancesco Development Group, stated that the building would be a pre-engineered non-combustible building that would be used solely for medical purposes.

In response to a question from Councilman Majewski, Town Attorney David Berger stated that the rezoning will stay with the property.

Supervisor Schaffer noted that he had received one phone inquiry about this rezoning. The caller wanted to see the site plan which was provided to him. Also, one letter of support for the rezoning was received.

Hearing or seeing no one else wishing to speak, Supervisor Schaffer closed this Public Hearing.

Adopt Proposed Local Law “G” of the Year 2018

R249-18 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 proposed Local Law “G” of the Year 2018 entitled: “A Local Law rezoning 119 Earl Road (BCTMP # 158.11-2-37) from RA-1 Single Family Residential to CD Commercial Development.” The Board has reviewed the Short Environmental Assessment Form under SEQRA as submitted by the applicant and finds it acceptable in that no significant environmental impacts have been identified.

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Public Hearing Regarding the 2019 Town of Vestal Preliminary Budget

Supervisor Schaffer offered the *Proof of Posting* and *Affidavit of Publication* for the Public Hearing regarding the **2019 Town of Vestal Preliminary Budget** and opened the public hearing with the introduction of Town Comptroller Laura McKane.

Comptroller Laura McKane gave the following *PowerPoint* presentation on the 2019 Town of Vestal Preliminary Budget:

<div style="text-align: center; background-color: #ffffcc; padding: 5px;">2019</div> <div style="text-align: center; background-color: #ffffcc; padding: 5px;">TOWN OF VESTAL</div> <div style="text-align: center; background-color: #ffffcc; padding: 5px;">Budget</div> <div style="text-align: center; margin: 10px 0;">  </div> <div style="display: flex; justify-content: space-between; font-size: small;"> J. Schaffer November 7, 2018 1 </div>	<div style="text-align: center; background-color: #ffffcc; padding: 5px;">Town of Vestal Tax Cap</div> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Tax Levy Limit</td> <td style="text-align: right;">\$10,971,661</td> </tr> <tr> <td>Levy Per 2019 Preliminary Budget</td> <td style="text-align: right;"><u>\$10,953,483</u></td> </tr> <tr> <td>Levy Limit vs Proposed Levy</td> <td style="text-align: right;">\$ 18,178</td> </tr> </table> <p style="text-align: center; font-weight: bold; margin-top: 10px;">Tax Levy per Preliminary Budget is below the levy limit.</p> <div style="text-align: right; font-size: small;">3</div>	Tax Levy Limit	\$10,971,661	Levy Per 2019 Preliminary Budget	<u>\$10,953,483</u>	Levy Limit vs Proposed Levy	\$ 18,178																		
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<div style="text-align: center; background-color: #ffffcc; padding: 5px;"> Focus of Public Hearing General & Highway Funds Budget of \$18,002,628 </div> <div style="text-align: center; background-color: #ffffcc; padding: 5px; margin-top: 10px;">YOUR TAX BILL:</div> <div style="text-align: center; margin-top: 5px;"> Levy ÷ Taxable AV = Tax Rate Tax Levy Up 2.5% Taxable Assessed Value up 1.3% Preliminary Tax Rate Up 1.23% Tax Increase per \$100,000 of AV = \$5.45 </div> <div style="text-align: right; font-size: small;">4</div>	<div style="text-align: center; background-color: #ffffcc; padding: 5px;">General & Highway Funds</div> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 60%;">Anticipated Spending is Up</td> <td style="text-align: right;">\$747,495</td> </tr> <tr> <td>Other Funding Sources are Up</td> <td style="text-align: right;"><u>\$541,861</u></td> </tr> <tr> <td>Shortfall = Tax Levy Increase</td> <td style="text-align: right;">\$205,634</td> </tr> </table> <div style="text-align: right; font-size: small;">5</div>	Anticipated Spending is Up	\$747,495	Other Funding Sources are Up	<u>\$541,861</u>	Shortfall = Tax Levy Increase	\$205,634																		
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<div style="text-align: center; background-color: #ffffcc; padding: 5px;">Spending</div> <div style="text-align: center; margin-top: 5px;">Up 4.3% or \$747,495 :</div> <table style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 40%;">Wage Lines (44% of Budget)</td> <td style="text-align: right;">\$392,659</td> </tr> <tr> <td style="padding-left: 20px;">– Minimum wage increase</td> <td></td> </tr> <tr> <td style="padding-left: 20px;">– Additional Police Officer Position</td> <td></td> </tr> <tr> <td style="padding-left: 20px;">– Contractual and other increases</td> <td></td> </tr> <tr> <td>EE Benefits (27% of Budget)</td> <td style="text-align: right;">\$(22,930)</td> </tr> <tr> <td>Police & Code Capital Items</td> <td style="text-align: right;">\$ 75,411</td> </tr> <tr> <td style="padding-left: 20px;">– Funded from savings</td> <td></td> </tr> <tr> <td>Fuel and Road Salt</td> <td style="text-align: right;">\$ 71,040</td> </tr> <tr> <td>Debt Payments</td> <td style="text-align: right;">\$196,885</td> </tr> <tr> <td style="padding-left: 20px;">– \$65,085 funded by buyers</td> <td></td> </tr> <tr> <td style="padding-left: 20px;">– \$39,698 funded by reserves</td> <td></td> </tr> <tr> <td>Other Lines in Total</td> <td style="text-align: right;">\$ 34,430</td> </tr> </table> <div style="text-align: right; font-size: small;">6</div>	Wage Lines (44% of Budget)	\$392,659	– Minimum wage increase		– Additional Police Officer Position		– Contractual and other increases		EE Benefits (27% of Budget)	\$(22,930)	Police & Code Capital Items	\$ 75,411	– Funded from savings		Fuel and Road Salt	\$ 71,040	Debt Payments	\$196,885	– \$65,085 funded by buyers		– \$39,698 funded by reserves		Other Lines in Total	\$ 34,430	<div style="text-align: center; background-color: #ffffcc; padding: 5px;">2019 Changes in Funding Sources</div> <div style="margin-top: 10px;">Sources Other Than Real Property Taxes up \$541,861</div> <ul style="list-style-type: none"> • Sales Tax (74% of Non-RPT Revenue) \$ 250,000 • Fund Balance and Reserves \$ 122,166 • Interest Earnings \$ 67,200 • SRO Fees \$ 55,070 • Fines and Forfeited Bail \$ 30,000 • Payments in Lieu of Taxes \$ 15,133 • Other Lines in Total \$ 2,292 <div style="text-align: right; font-size: small;">7</div>
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SUMMARY OF GENERAL FUND SPENDING BY FUNCTION

	2018 Adopted	2019 Prelim	Dollar change	% change
General Governmental Support	\$ 2,062,836	\$ 2,145,054	\$ 82,218	3.99%
Public Safety	\$ 3,820,488	\$ 4,150,693	\$ 330,205	8.64%
Health	\$ 1,500	\$ 1,500	\$ -	0.00%
Transportation	\$ 396,819	\$ 402,216	\$ 5,397	1.36%
Economic Opportunity and Development	\$ 18,575	\$ 18,735	\$ 160	0.86%
Culture and Recreation	\$ 1,064,458	\$ 1,105,403	\$ 40,945	3.85%
Home and Community Services	\$ 26,002	\$ 23,186	\$ (2,816)	-10.83%
Unallocated Employee Benefits	\$ 3,710,200	\$ 3,724,800	\$ 14,600	0.39%
Debt Service	\$ 515,933	\$ 506,839	\$ (9,094)	-1.76%
Planned Additions to Reserves	\$ 35,796	\$ 35,796	\$ -	0.00%
Total	\$ 11,652,607	\$ 12,114,222	\$ 461,615	3.96%

GENERAL FUND SPENDING BY CATEGORY

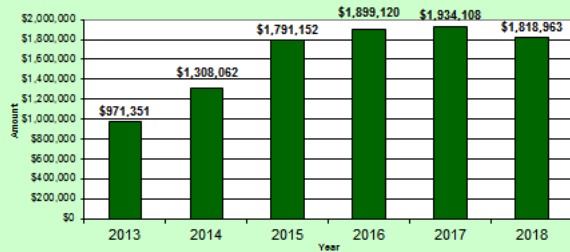
Wages and Benefits	\$9,840,131
Capital Items	\$246,761
Contractual	\$1,484,695
Debt Service	\$506,839
Additions to Reserves	\$35,796

\$12,114,222

Town is largely a service industry.

9

Stable Financial Position Unassigned General Fund Balance (2018 Estimated)



Balances are under review given capital needs.

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SUMMARY OF HIGHWAY FUND SPENDING

	2018 Adopted	2019 Prelim	Dollar change	% change
Refund-Real Property Taxes	\$ 500	\$ 700	\$ 200	40.00%
General Repairs	\$ 1,713,664	\$ 1,788,923	\$ 75,259	4.39%
Improvements	\$ 458,090	\$ 458,090	\$ -	0.00%
Bridge Repairs & Maint.	\$ 500	\$ 500	\$ -	0.00%
Machinery & Equipment	\$ 462,887	\$ 484,104	\$ 21,217	4.58%
Weeds & Brush	\$ 1,700	\$ 1,700	\$ -	0.00%
Snow & Ice Control	\$ 379,310	\$ 404,250	\$ 24,940	6.58%
Employee Benefits	\$ 1,240,315	\$ 1,198,600	\$ (41,715)	-3.36%
Debt Service	\$ 1,345,560	\$ 1,551,539	\$ 205,979	15.31%
	\$ 5,602,526	\$ 5,888,406	\$ 285,880	5.10%

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HIGHWAY FUND SPENDING BY CATEGORY

Wages & Benefits	\$ 2,925,577
Capital Items	\$ 463,590
Contractual	\$ 947,700
Debt Service	<u>\$ 1,551,539</u>
	\$ 5,888,406

The Town Board has committed to funding road improvements.

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PRELIMINARY BUDGET TAX RATE

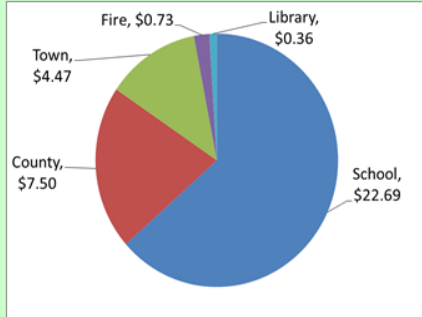
	Change per \$1,000 of Assessment
General Fund	(\$.0042)
Highway Fund	<u>\$.0503</u>
	(\$.0545)

Tax increase with an assessment of \$100,000 would be:
\$5.45 annually or about \$.65 per month.

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Summary of Your Tax Bills Per Thousand of Assessment



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YOUR TAX DOLLAR BREAKDOWN

• Vestal School	\$.63
• Broome County	\$.21
• Town of Vestal	\$.13
• Vestal Fire District	\$.02
• Vestal Public Library	\$.01
Total	\$1.00

Consistent ratio over time

15

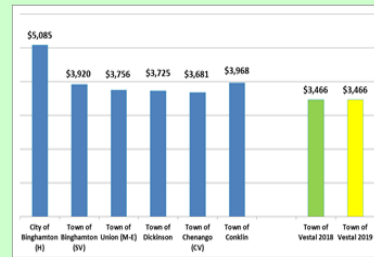
2019 Budget Overview Including Special Districts

T. Spending Plan (Net of Interfund Activity) **\$28,278,341**

Amount Funded by Property Taxes **\$10,953,483**
or 39% of the Budget

2

2018 Tax Comparisons on a Home with a \$100,000 FMV Town*, County and School Taxes



* General & Highway Funds Only

(Comparison data provided by Assessor)

16

Public Comments on the 2019 Town of Vestal Preliminary Budget

A speaker asked how we budget for road salt. Comptroller McKane responded that we estimate the amount needed based upon average usage and price. There was a \$10.00 a ton increase in the price of salt this year. Councilman Majewski noted that we had a situation a few years ago where we ran out of salt and the price for additional purchases went up by 27%.

Hearing or seeing no one else wishing to speak, Supervisor Schaffer closed this Public Hearing.

Public Hearing Regarding 2019 Town of Vestal Special District Budget

Supervisor Schaffer offered the *Proof of Posting* and *Affidavit of Publication* for the Public Hearing regarding the **2019 Town of Vestal Special District Budget** to hear and consider any objections which might be made related thereto: (1) Drainage Districts

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No. 1 thru No. 18, (2) Consolidated Water District No. 1., (3) Consolidated Sewer District No. 1., (4) Central Light District.

Town Comptroller Laura McKane gave the following *PowerPoint* presentation on the 2019 Town of Vestal Special District Budget:



2019 Special District Budgets



**WATER, SEWER,
LIGHTS & DRAINAGE**

J. Schaffer November 7, 2018

WATER DISTRICT TOTAL SPENDING PLAN

\$3,461,160
3.1% INCREASE

TOTAL SPENDING AND YEAR	OVER YEAR	CHANGE
Administration and Operating Overhead	\$666,372	down 1.1%
Source Supply, Power and Pumping	\$251,000	unchanged
Water Purification	\$214,000	unchanged
Water Transmission and Distribution	\$1,116,291	up 2.9%
Debt Principal and Interest	\$622,496	up 22.6%
- 63% of increase offset by buyer's premium		
Retirement, Health and Other EE Benefits	\$557,728	up .1%
Liability Insurance Contributions	\$33,000	unchanged

No Water Rate Increase Needed
Minor reduction to bond assessment rates on tax bill.

2

INFRASTRUCTURE IMPROVEMENTS

Current and Future Projects:

Refurbish Tanks at Carnegie and West Hill	\$400,000 (2017 - 2018)
Well 4-5 Treatment Facility for Water Supply	\$2,300,000 (2017- 2020)
Replace Rano Blvd. Tank	\$1,000,000 (2021)
Replace Dodd Road Tank	\$2,400,000 (2021)
Replace Powderhouse Tank	\$2,000,000 (2021)

Replace 4" Water Mains --- \$125,000 in 2019 operating budget
Well Improvements --- \$100,000 in 2019 operating budget

3

SEWER DISTRICT OVERVIEW

- Sewer Rate is comprised of costs associated with collection and treatment.
- Treatment costs are set by either the Binghamton - Johnson City Joint Sewer Board or the Village of Endicott and comprise 70% of the Sewer District spending.

Sewer District Budget - \$4,413,296

Charges from Outside Sewer Plants	\$3,088,000	up 11.1%
Vestal's Collection System	\$828,634	up 29.4%
- Increase for vehicles funded by appropriated fund balance.		
Administration	\$254,206	down 1.9%
Debt Service (Replace Sewer Lines)	\$68,456	up 12.3%
- 80% of increase offset by buyer's premium		
Planned Additions to Capital Reserve	\$173,600	same

4

Binghamton –Johnson City Joint Treatment Plant

- Bing-JC Plant project estimated to cost \$272 million.
- Charges for 2019 will increase 9.3% or \$308,000.

In 2016, plant consulting engineers estimated a 54% increase per household for the Town of Vestal by the time the project is complete.

5

Village of Endicott Treatment Plant

- 2018 cost is trending at \$667,000 vs. \$600,000 budgeted.
- The 2019 cost is projected to increase to \$705,000.
- Cost is greatly effected by Inflow and Infiltration.
- Plant will be operating under a DEC consent order requiring plant upgrades and plans to reduce inflow and infiltration.

6

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Additional Significant Factors

- Flow Management Plan for all Joint Plant Users continues to impact both operating and capital costs.
- Chesapeake Bay Watershed requirements are also effect the Endicott plant budget.
- Town is under a DEC Consent Order to
 - Remove I & I (Inflow & Infiltration)

7

Financial Impact on Users

- This budget must propose a significant increase in revenue needed from sewer rents.
- Rates will be the subject of a public hearing later this year.
- Expect continued rate increases to fund compliance with Flow Management requirements and sewer plant upgrades.

8

INFRASTRUCTURE IMPROVEMENTS

Complete or in Progress:

Sewer System Hydraulic Model
Engineering complete
Video and Repair Sewer Trunk Lines – on going
Emergency Power Equipment
Replacing Sanitary Sewer Lines
Flow Study Complete
Point Repairing

9

LIGHTING DISTRICT

Total Budget = \$280,400
\$10,000 Increase in the Tax Levy
Tax Increase of \$1.48 per \$100,000 AV

DRAINAGE DISTRICTS

18 Districts
Total Budget = \$99,886
\$353 Increased in Tax Levy for all 18
Negligible change in rate per unit per district.

10

On behalf of the Town Board, Supervisor Schaffer thanked Comptroller Laura McKane and her staff for the hard work on the 2019 Town Budget.

Hearing or seeing no one wishing to speak, the Supervisor closed this Public Hearing.

RESOLUTIONS & MOTIONS

Accept Medicare Advantage Plan with United Healthcare

R250-18 On a motion of Councilwoman Messina, seconded by Councilman Fletcher, the following resolution was

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

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Resolved to accept a Medicare Advantage Plan with **United Healthcare** effective January 1, 2019 and authorize the Town Comptroller to sign all relevant plan documents.

CONSENT AGENDA

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

FINANCE: Messina/Fletcher

Receive and File:

- **Warrant Reports-Warrants:** 2018- 43, 2018-43B, 2018-43E, 2018-44, 2018-44E
- **Town Clerk Monthly Report:** October 2018 – Total Local Shares Remitted: \$5959.95

Billable Hours for Town Attorney

R251-18 Approval to pay \$587.50 **Town Attorney Dave Berger** for October, 2018 billable hours.

PERSONNEL: Majewski/Fitzgerald

Amend Wages for Weight Room Employees

R252-18 Approval to amend pay amounts for Weight Room employees, Rob Zetsche and Cheyne Teed effective October 9, 2018, to \$11.75 an hour. The original request gave an incorrect amount.

PUBLIC SAFETY: Messina/Majewski

Fund Raiser for Station #2

R253-18 Retroactive approval for the Vestal Fire Department Membership and **Station #2 Ladies Auxiliary Bake Sale** held on Tuesday November 6, 2018 from 6 am to 6 pm at Fire Station #2 on Route 26S. A sign-in sheet was used to track personnel at this event.

ADMINISTRATION: Majewski/Messina

Approve Verizon NASPO Value Point Agreement

R254-18 Authorization for IT Director Dan Williams to sign an agreement with **Verizon NASPO Value Point** as approved by the Town Attorney. This will provide the Town with different service levels with higher priority for public safety

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members along with Police Mobile WiFi units and remove any speed cap limitations along with the ability to provide service in emergency situations when circuits may be busy due to heavy area usage.

END OF CONSENT AGENDA

SUPERVISOR'S ANNOUNCEMENTS

- **Town of Vestal Offices will be Closed Monday November 12, 2018 in Observance of VETERANS DAY**



OLD BUSINESS

Amendments to the 2019 Tentative Budget

At the Town Board Work Session on October 29, 2018, the following resolution was adopted:

R247-18 On a motion of Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 4 Fitzgerald, Fletcher, Messina, Schaffer
Nays 0 Absent 1 Majewski

Resolved to authorize the Town Comptroller to make changes in revenues and appropriations from the 2019 Tentative Town Budget to the 2019 Preliminary Town Budget (as submitted and filed with the Town Clerk).

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilman Fletcher, the **meeting was adjourned at 6:52 PM.** Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk