

## Regular Meeting of the Vestal Town Board December 19, 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 December 19, 2018.

### **TOWN BOARD PRESENT:**

**Supervisor John Schaffer**  
**Councilman Fran Majewski**  
**Councilwoman Pam Fitzgerald**  
**Councilwoman Sue Messina**  
**Councilman John Fletcher**

**ALSO ATTENDING:** Town Attorney David Berger, Town Clerk Emil Bielecki, 1<sup>st</sup> Deputy Town Clerk Kathie Young and 4 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 Councilman Fletcher, the following resolution was

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

Resolved the Minutes of the Regular Meeting on December 5, 2018 are approved.

### **PUBLIC HEARINGS**

Supervisor Schaffer offered *Proof of Posting* and *Affidavit of Publication* regarding the Public Hearing for the establishment of **Consolidated Sewer District No. 1, Ext. No. 162** at 325 Costley Road and opened the public hearing. Seeing or hearing no one wishing to speak, Supervisor Schaffer closed the public hearing.

### **Establishment of Consolidated Sewer District No. 1, Extension No. 162**

**R272-18**      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 the establishment of **Consolidated Sewer District No. 1, Extension No. 162** at 325 Costley Road.

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Supervisor Schaffer offered *Proof of Posting* and *Affidavit of Publication* regarding the Public Hearing for the **establishment of Consolidated Water District No. 1, Extension No. 200** at 325 Costley Road and opened the public hearing. Seeing or hearing no one wishing to speak, Supervisor Schaffer closed the public hearing.

**Establishment of Consolidated Water District No. 1, Extension No. 200**

**R273-18** 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 authorize the **establishment of Consolidated Water District No. 1, Extension No. 200** at 325 Costley Road.

**PRIVILEGE OF THE FLOOR**

A speaker wished everyone Happy Holidays and stated that he had hoped to bring CD's of his holiday music called *Holiday Card* as gifts to the Town Board, but they did not arrive on time. The music can be heard at Daveelder.com.

**RESOLUTIONS & MOTIONS**

**Cancer Protection Insurance for Volunteer Firefighters**

**R274-18** 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 following Resolution:

WHEREAS the Vestal Fire District is required purchase cancer protection for volunteer firefighters under the *New York State Volunteer Firefighter Cancer Benefit Program*, and WHEREAS plans were evaluated for price and coverage, RESOLVED to purchase such protection from **The Hartford** selecting their enhanced plan at a cost of \$199 per firefighter.

**Settlement of Article 7 Tax Certiorari Case**

**R275-18** 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 sign a Stipulation of Settlement for the following **Article 7 Tax Certiorari** cases filed in Broome County entitled: **Vestal Parkway Plaza, LLC vs. The Assessor** of the Town of Vestal, New York and the Town of Vestal, Broome County, New York, Index Nos. 2014-1765, 2015-1869, 2016-1497, 2017-1544, 2018-1860 as follows:

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### 3132 Vestal Parkway East

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2014-15	\$4,514,000	\$4,514,000	\$4,187,720	-\$335,280	\$102,628.61	\$59,369.06	\$1,521.79
2015-16	\$4,514,000	\$4,514,000	\$4,187,720	-\$335,280	\$102,294.07	\$59,070.83	\$1,513.64
2016-17	\$4,514,000	\$4,514,000	\$4,187,720	-\$335,280	\$102,110.08	\$59,453.66	\$1,471.59
2017-18	\$4,514,000	\$4,514,000	\$4,187,720	-\$335,280	\$103,805.04	\$60,026.39	\$1,481.17
2018-19	\$4,514,000	\$4,514,000	\$4,178,720	-\$335,280	\$104,000.00	n/a	0

**TOTALS \$5,988.19**

### 3156 Vestal Parkway East

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2014-15	\$2,962,000	\$2,962,000	\$2,843,375	-\$118,625	\$67,342.92	\$39,719.37	\$538.42
2015-16	\$2,962,000	\$2,962,000	\$2,843,375	-\$118,625	\$67,123.40	\$39,518.99	\$535.54
2016-17	\$2,962,000	\$2,962,000	\$2,843,375	-\$118,625	\$67,002.67	\$39,798.20	\$520.66
2017-18	\$2,962,000	\$2,962,000	\$2,843,375	-\$118,625	\$68,114.87	\$40,176.21	\$524.06
2018-19	\$2,962,000	\$2,962,000	\$2,843,375	-\$118,625	\$68,242.79	n/a	0

**TOTALS \$2,118.67**

### 3120 Vestal Parkway East

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2014-15	\$3,933,000	\$3,933,000	\$3,854,300	-\$78,700	\$89,419.21	\$51,485.75	\$357.20
2015-16	\$3,933,000	\$3,933,000	\$3,854,300	-\$78,700	\$89,127.73	\$51,227.42	\$355.29
2016-17	\$3,933,000	\$3,933,000	\$3,854,300	-\$78,700	\$88,967.42	\$51,551.81	\$345.43
2017-18	\$3,933,000	\$3,933,000	\$3,854,300	-\$78,700	\$90,444.22	\$52,050.27	\$347.67
2018-19	\$3,933,000	\$3,933,000	\$3,854,300	-\$78,700	\$90,614.07	n/a	0

**TOTALS \$1,405.60**

### 3124 Vestal Parkway East

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2014-15	\$3,933,000	\$3,933,000	\$3,854,300	-\$78,700	\$89,419.21	\$51,485.75	\$357.20
2015-16	\$3,933,000	\$3,933,000	\$3,854,300	-\$78,700	\$89,127.73	\$51,227.42	\$355.29
2016-17	\$3,933,000	\$3,933,000	\$3,854,300	-\$78,700	\$88,967.42	\$51,551.81	\$345.43
2017-18	\$3,933,000	\$3,933,000	\$3,854,300	-\$78,700	\$90,444.22	\$52,050.27	\$347.67
2018-19	\$3,933,000	\$3,933,000	\$3,854,300	-\$78,700	\$90,614.07	n/a	0

**TOTALS \$2,570.92**

### 3208 Vestal Parkway East

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2014-15	\$9,290,595	\$9,290,595	\$9,104,800	-\$185,795	\$211,227.48	\$122,697.43	\$843.29
2015-16	\$9,290,595	\$9,290,595	\$9,104,800	-\$185,795	\$210,538.94	\$122,080.50	\$838.78
2016-17	\$9,290,595	\$9,290,595	\$9,104,800	-\$185,795	\$210,160.26	\$122,886.33	\$815.48
2017-18	\$9,290,595	\$9,290,595	\$9,104,800	-\$185,795	\$213,648.79	\$124,067.17	\$820.79
2018-19	\$9,290,595	\$9,290,595	\$9,104,800	-\$185,795	\$214,050.01	n/a	0

\* Town = General and Highway  
**\$3,318.34**

**TOTALS**

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

**Settlement of Article 7 Tax Certiorari Case**

**R276-18** 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 authorize the Town Attorney to sign a **Stipulation of Settlement** for the following Article 7 Tax Certiorari cases filed in Broome County entitled:

**Vestal Property, LLC vs. The Assessor** of the Town of Vestal, New York and the Town of Vestal, Broome County, New York, Index Nos. 2016-1483, 2017-1508, 2018-0884 as follows:

**100 Vestal Parkway**

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2016-17	\$6,057,100	\$6,057,100	\$5,189,000	-\$868,100	\$137,016.16	\$79,865.36	\$3,810.21
2017-18	\$6,057,100	\$6,057,100	\$5,189,000	-\$868,100	\$139,290.55	\$80,629.20	\$3,835.00
2018-19	\$6,057,100	\$6,057,100	\$5,089,000	-\$986,100	\$139,552.13	\$ n/a	\$0
<b>TOTALS</b>							<b>\$7,645.21</b>

**109 North Main Street**

Roll Year	Assessment	FMV	STIP AV	Change in AV From Prior Year	School Tax	Town / County Tax	Town Refund
2016-17	\$76,400	\$76,400	\$76,400	0	\$1,728.22	\$1,052.22	\$0
2017-18	\$76,400	\$76,400	\$76,400	0	\$1,756.92	\$1,061.83	\$0
2018-19	\$76,400	\$76,400	\$76,400	0	\$1,760.22	\$ n/a	\$0
<b>TOTALS</b>							<b>\$0</b>

\* Town = General and Highway

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

**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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**FINANCE: Messina/Fletcher**

**Receive and File**

**Warrant Reports:** 2018-48, 2018-48E, 2018-49, 2018-49E, 2018-50, 2018-50C, 2018-50E

**Budget Amendments - FEMA Reimbursable Expenditures**

**R277-18** Authorization for the Town Comptroller to make **budget amendments** necessary to set up the funding for FEMA reimbursable expenditures as follows:

Increase expenditure line D5110.4590 - FEMA Disaster Aug 2018 \$169,000

Increase revenue line D4589.4590 - FEMA Disaster \$169,000

**Payment for Greater Binghamton Chamber of Commerce Membership**

**R278-18** Authorization for the Business Office to pay \$390.00 to the **Greater Binghamton Chamber of Commerce** for the 2019 membership.

**Payment to Newspaper Publishers, LLC for Vestal Town Crier Subscription**

**R279-18** Authorization for the Business Office to pay \$35.00 to **Newspaper Publishers, LLC** for the 2019 subscription to the Vestal Town Crier.

**Budget Transfers: November 13, 2018 – December 13, 2018**

**R280-18** Authorization for the Deputy Comptroller to make **budget transfers** dated November 13, 2018 – December 13, 2018 as attached to his memo to the Town Board dated 12/13/18.

**Payment to Town Attorney for Billable Hours**

**R281-18** Authorization for the Business Office to pay \$487.50 to **Town Attorney David Berger** for November 2018 billable hours.

**PUBLIC SAFETY: Messina/Majewski**

**Reimburse for Damage to Vehicle in Police Impound**

**R282-18** Authorization to pay \$201.96 to **Saleeby & Son Plate Glass, LLC** to replace a damaged window in a car while in Police Department custody.

**Allocation of Funds for Police and Fire Services at Binghamton University**

**R283-18** Authorization to adopt the following Resolution:

WHEREAS the State of New York allocated and paid \$150,000 to the Town of Vestal for expenses related to police and fire services associated with Binghamton University, and

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WHEREAS this is expected to be a nonrecurring funding source, be it

RESOLVED that \$75,000 be added to the Vestal Fire District capital equipment reserve fund and \$75,000 be allocated to the Vestal Police Department for 2018 uniform costs incurred with hiring a new officer and purchases of equipment or special programs anticipated in early 2019.

**Anthony Pascarella Accepted as Vestal Fire Dept. Member, Company No. 4**

**R284-18** Authorization from the Board of Fire Commissioners to approve **Anthony Pascarella** as a new member of the Vestal Fire Department at Company No. 4.

**ADMINISTRATION: Majewski/Messina**

**Recreation Department to Accept Credit Card Payments**

**R285-18** Authorization for the Recreation Department to accept payments by credit card with any associated fees to be paid by the customers.

**Addendum for Verizon NASPO Value Point Wireless Services**

**R286-18** Authorization for the IT Director to sign an addendum for **Verizon NASPO Value Point wireless services**. Verizon is requiring the addendum to be signed in addition to the previous agreement which was approved on 11/7/18 (R254-18).

**Matching Funds for Cornell Internship re: Front Street Revitalization**

**R287-18** Approval to expend \$1,875 to match **Cornell's Internship Program** to fund a student intern to draw up a plan to revitalize Vestal's Front Street, as requested by Vestal Museum Director Cherese Weisner-Rosales. The intern's design work could be used to apply for grant funding.

**Transfer Phone Line to Broome County**

**R288-18** Authorization for the **IT Director** to transfer/port one phone number (607-754-2111), used within the Town of Vestal for contacting Vestal Police (non-emergency line), to Broome County.

**END OF CONSENT AGENDA**

**SUPERVISOR'S ANNOUNCEMENTS**

- **Christmas Tree Pick Up Schedule 2019** - January 2, 2019 - March 1, 2019  
No plastic tree bags - No tinsel - No tree stands - No ornaments

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- The **Organizational Meeting** of the Vestal Town Board will be on Wednesday, January 9, 2019 at 6:00 PM. A calendar of scheduled meetings for 2019 will be adopted at that time.
- On behalf of the Town Board, wishing all Town residents and employees a **Merry Christmas and a Happy Holiday Season!**

**EXECUTIVE SESSION**

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

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

Resolved the Board enter into Executive Session to discuss an issue involving specific employees of the Town. The time was 6:11 PM.

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

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

Resolved the Board **leave the Executive Session and Adjourn the Regular Meeting.** The time was 6:29 PM.

Approved by \_\_\_\_\_

**Emil J. Bielecki, Town Clerk**