

Regular Meeting of the Vestal Town Board January 23, 2019

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 January 23, 2019.

TOWN BOARD PRESENT:

**Supervisor John Schaffer
Councilwoman Patty Fitzgerald
Councilwoman Sue Messina
Councilman John Fletcher**

ABSENT: Councilman Fran Majewski

ALSO ATTENDING: Town Attorney David Berger, Town Engineer Vern Myers, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and 7 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 4 Fitzgerald, Fletcher, Messina, Schaffer
 Nays 0 Absent Majewski

Resolved the Minutes of the Regular Meeting on January 9, 2019 are approved.

PRIVILEGE OF THE FLOOR

A speaker distributed copies to the Board of an announcement from various State agencies titled *Drinking Water Source Protection Program: Protecting Your Drinking Water*. This initiative provides municipalities with resources and tools to proactively protect drinking water sources. He is asking the appropriate Town officials to look into this program. In addition, the speaker noted that notifications have been issued to neighboring properties and municipalities (including Vestal) that Repsol Oil & Gas has received permission to commence gas well drilling operations in Apolacon Township, PA. One of the laterals is headed due north towards Vestal and it raises the issue of potential water contamination. He has heard nothing from the Board concerning this and wants to know what mechanism we have in place to make sure that these laterals don't go into Vestal and endanger our water supplies. Supervisor Schaffer replied that this activity is not going into Vestal and

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there are regulations that would prohibit the incursion of these laterals. Our water supplies are mostly from an aquifer near Old Vestal Road.

The speaker also made reference to a traffic accident on the corner of Route 26 and Hazel Drive involving a compressed gas truck. This happened near a school and could have posed a serious risk if the accident resulted in an explosion. Supervisor Schaffer responded that the accident was caused by another vehicle and noted that these trucks are equipped with a full suppression system that would prevent a blow up.

The Executive Director of Kopernik Observatory & Science Center in Vestal addressed the Board concerning the Town's intention to sign an agreement with NYSEG to install new LED lighting on most of the poles in the Town. He applauds the Town for taking the initiative to improve energy efficiency; however, he is very concerned about the type of LED lights that are to be installed under this agreement. The primary concern is the implementation of lamps with a Correlated Color Temperature (CCT) of 4,000° K. The blue light of these lamps has been shown to cause discomfort and disability glare and has been measured to increase sky glow light pollution between 2 and 5 times that of high powered sodium lights that we now have. Mr. Deskur noted that he emailed the Board and the Town Engineer an AMA report on the effects of LED community lighting. In one instance, a community has replaced 4000 K lamps with 3000 K lamps at great expense. The Kopernik Observatory is already negatively affected by the orange glow to the north and the additions of these LED lights will further diminish the ability to view objects in the northern sky. He is requesting the Board to delay the approval of the NYSEG agreement until modifications are made to change the lamp CCT to 3000 or lower and confirm that the light fixtures are full cut off.

Town Engineer Vern Myers stated that he would review the reports submitted by Mr. Deskur but cautioned that he is not looking to the AMA for guidance on street lighting. There are opposing arguments about LED lighting. 4,000 K offers more ability to see pedestrians which delivers an immense safety factor since we have no sidewalks. NYSEG has good examples of both 3000 K and 4000 K lights in their parking area. Perhaps a split concept can be achieved. There are several communities that have opted for the 3000 K lights. He will reach out to them to determine why they made that decision before he makes his recommendations to the Board. We can delay the decision until the next meeting but a longer delay could jeopardize the favorable financial terms that are being offered and could put us in back of the line for completing this project. Regardless of what decision we make, we will not make everyone happy.

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A speaker reiterated a number of issues that has brought to the attention of the Board and stated that he has not received satisfactory answers and no action has been taken to address them. The issues noted are as follows: there should be term limits for the Town's elected positions; the Board should disclose what was discussed in executive sessions, the sales of items through Auctions International should be made available; Councilman Majewski should resign due to excessive absences; vacation schedules of Town employees should be made available; we are giving excessive multi-year tax reductions through settlements; the Town should increase the income limits for senior property tax exemptions to levels allowed by the State; the Town should have an annual financial plan; all utility bills should be posted online to expose the accounts that are not being paid; the information on the website taxlookup.net is often inaccurate; what has happened with the money that the Town has saved when the Library separated from the Town budget; Highway truck #32 deliberately plowed snow on his driveway and he wants it investigated.

Supervisor Schaffer noted that these issues have been addressed in the past but the speaker repeats everything because he doesn't like the answers. Councilwoman Fitzgerald noted that if a utility bill is not paid, the full amount is added to the tax bill and we are made whole. Some local municipalities are quick to shut off the water but that requires additional manpower. She offered to meet with the speaker at the Water Department to review the accounts that he alleges are not being paid. Town Engineer Vern Myers stated that *taxlookup.net* is a private site and the Town has no control over its content.

A speaker asked if there is a timeframe when property owners are required to clear their sidewalks of snow and ice. Town Attorney Dave Berger stated that the Town Code requires snow and ice removal from sidewalks within 24 hours. The speaker also noted that the intersection of Route 26 and the Vestal Parkway is very poorly lit. Town Engineer Vern Myers responded that there is an electrical wiring issue at this location and he is working on it with several contractors.

RESOLUTIONS & MOTIONS

Tabled - GOSR funding for Vestal EMS Relocation Project

A motion was made by Councilwoman Messina, seconded by Councilman Fletcher, to authorize the Town Engineer to continue the **Robert Street Pump Station Project** and to discontinue the **Vestal EMS Relocation Project** under the current Governor's Office of Storm Recovery Program (GOSR).

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Supervisor Schaffer asked that action on this motion be delayed so as to allow time for the Board to meet with the Vestal Emergency Squad to discuss this issue.

A subsequent **Motion to Table** was made by Councilwoman Messina, seconded by Councilman Fletcher. The motion was

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

Tabled until February 13, 2019 – Agreement with NYSEG for LED Lights

A motion was made by Councilman Messina, seconded by Councilman Fletcher to authorize the Town Supervisor to sign an **agreement with NYSEG for the conversion of our street lights to LED lights** on poles owned by NYSEG (2572 locations) throughout the Town.

Supervisor Schaffer asked that action on this motion be delayed until the next Board Meeting on February 13th to allow time for the Town Engineer to review information presented by the Kopernik Observatory & Science Center.

A subsequent **Motion to Table Until February 13, 2019** was made by Councilwoman Messina, seconded by Councilman Fletcher. The motion was

TABLED Ayes 4 Fitzgerald, Fletcher, Messina, Schaffer
until 2/13/19 Nays 0 Absent 1 Majewski

CONSENT AGENDA

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

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

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

PUBLIC WORKS: Fitzgerald/Majewski

R011-19 Authorization for Town Supervisor John Schaffer to execute and deliver a permanent easement to Broome County consisting of a parcel of land approximately 3725 square feet near Juneberry Road Bridge. This transfer is subject to permissive referendum to be published on January 30, 2019. This easement is needed for the reconstruction of the Juneberry Bridge and is necessary for the safety and well-being of the Town residents.

FINANCE (MESSINA /Majewski)

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Receive and File

Warrants: 2019- 02, 2019-02A, 2019-2CA, 2019-2EA, 2019-03, 2019-03A

Broome County Association of Towns 2019 Membership Renewal

R012-19 Authorization for the payment of \$50.00 for the 2019 annual membership renewal to the Broome County Association of Towns.

Meals and Travel for Association of Towns Meeting in New York City

R013-19 Authorization for the Business Office to forward payment to the following individuals for transportation and meals while attending the Association of Towns Meeting in New York City on February 17-20, 2019 as per requesting memo:

- John Schaffer (\$481.76); David Berger (\$481.76); Nancy Olmstead (\$266); Fran Majewski (\$266); Joyce Majewski (\$266); Laura McKane (\$266); Joseph Meagher (481.76).

Upstate New York Towns Association 2019 Membership Renewal

R014-19 Authorization for payment in the amount of \$400.00 for the 2019 annual membership renewal to the Upstate New York Towns Association.

Renewal of Lease for Vestal Senior Center

R015-19 Approval for Town Supervisor John Schaffer to sign a contract renewal with the Broome County Office of Aging for lease of space for the Vestal Senior Center for the term 1/1/19-12/31/19.

PLANNING & ZONING (FLETCHER/Fitzgerald)

'The Running of the Bears' Annual 5K Road Race

R016-19 Authorization for Vestal High School Health Teacher and Race Director Sue Darpino to hold "The Running of the Bears" annual 5K road race on March 30, 2019 as detailed in her memo to the Town Supervisor dated November 8, 2018. The Town's Indemnification Agreement shall be signed by the organizer and individual participants must sign waiver forms.

PUBLIC SAFETY (MESSINA/Fletcher)

Advertise Bids for Police Vehicle Accessories Installation and Labor

R017-19 Authorization for the Town Attorney to advertise on February 6, 2019 for Police new vehicle accessories installation and labor with bids to be opened on February 19, 2019.

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Police to Sell Used Vehicles

R018-19 Authorization for the Police Chief John Butler to sell the following vehicles via Auction International:

- 2007 Chevrolet Impala (VIN# 2G1WB58N779158619) - 87,076 miles.
- 2014 Ford Interceptor (VIN# 1FM5K8AR1EGC38400) - 98,376 miles.

Approval of New Fire Department Members

R019-19 Authorization from the Board of Fire Commissioners approving the following as members to the Vestal Fire Department:

- Alexander Eaton as a member of Company No. 1
- Brandon Devine as member of Company No. 4

RECEIVE AND FILE

- January 10 – Notification from the **New York State Department of Transportation (NYSDOT)** of an upcoming pedestrian safety improvement project to install pedestrian traffic signal heads and push buttons along with other site amenities at various intersections on NYS Route 434.

END OF CONSENT AGENDA

COMMITTEE CHAIR COMMENTS AND UPDATES

Councilman Fletcher stated that he stopped at the Vestal Museum to see the *History of Farming in Vestal* display. He congratulated the Museum for a job well done.

SUPERVISOR'S ANNOUNCEMENTS

- A Town Ordinance requires property owners to remove snow and ice from sidewalks in front of their properties. Our Code Department will be citing violators and failure to comply will result in a fine.
- At a recent meeting of local Supervisors and Mayors, there was strong opposition to the Governor's proposal to eliminate AIM funding for most municipalities. To make up for the loss of AIM funds, Vestal would need to raise taxes by as much as 3%. Letters of opposition to the plan are being sent.

ADJOURNMENT

On a motion of Councilman Fletcher, seconded by Councilwoman Fitzgerald, the meeting was adjourned at 6:51 PM. Carried unanimously.

Approved by _____ Emil J. Bielecki, Town Clerk