

## **Regular Meeting of the Vestal Town Board February 13, 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 February 13, 2019.

### **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 Engineer Vern Myers, Town Clerk Emil Bielecki, 1<sup>st</sup> Deputy Town Clerk Kathie Young and 11 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 January 9, 2019 are approved.

### **PRIVILEGE OF THE FLOOR**

Drew Deskur, the Executive Director of the Kopernik Observatory & Science Center in Vestal, reiterated his concerns over the proposed contract with NYSEG to install high temperature LED street lights. The proposed 4K lights (high level blue light) pose greater light pollution issues and numerous studies have connected them to various health issues in humans and wildlife. He noted that the Board delayed the decision on the lighting contract to give the Town Engineer time to do additional research on the documented hazards of high temperature blue spectrum LED lighting. This additional research has not been done and his request for technical specification on the lighting fixtures has been ignored. Show us the data. He requests that the Town Board delay its decision on the contract until we can better understand what is being proposed so that the health and wellbeing of Vestal's residents is taken into consideration and Kopernik's status as an important resource to the community is not damaged.

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Town Engineer Vern Myers stated that he has looked at some of the studies that connect certain LED lighting to health risks and they all have been done in interior settings (such as factories) with long term exposure. As to outdoor lighting, there is a Federal Highway Study showing that it is easier for motorists to see pedestrians and bicycles in the white 4K light than the yellow 3K light. We can delay the decision on the lighting contract but the delay risks putting us in the back of the line for the lighting upgrade and could jeopardize the funding subsidy.

Several other speakers expressed concerns about the 4K lights citing health issues that were identified by Mr. Deskur and agreed that we should proceed cautiously. One speaker noted that in the face of uncertainty, we should opt for the safer option of going with the 3K lights.

A speaker expressed support for the Board's decision to redirect the GOSR funds to the Vestal Emergency Squad Relocation Project.

### **RESOLUTIONS & MOTIONS**

#### **Recreation Commission is Dissolved**

Supervisor Schaffer stated that our Recreation Director contacted everyone on the Recreation Commission and there was only one objection to the dissolution.

**R020-19** 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 adopt the following Resolution:

**Whereas** pursuant to section 243 of the General Municipal Law, the Town Board by resolution may establish or abolish a Town Recreation Commission; and

**Whereas**, the Recreation Commission is to equip, operate and maintain recreation centers, which is currently overseen by the Recreation Director; and

**Whereas**, the Town Board recognizes a lack of participation resulting in a lack of a quorum at the monthly meetings, or that no meetings are held at all; and

**Whereas** the Town Board desires to dissolve the Town of Vestal Recreation Commission; now therefore be it

**Resolved** that the Town Board hereby dissolves the Town of Vestal Recreation Commission effective February 14, 2019 and

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**Resolved** that the Town Board expresses its appreciation and gratitude for the excellent volunteer service and hard work given by all past Recreation commissioners.

**Agreement with NYSEG for LED Lights Tabled until February 27, 2019**

A motion was made by Councilman Majewski, seconded by Councilwoman Messina, 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.

Councilman Fletcher stated that before voting on this agreement, he would like to better understand the difference between 3K and 4K lighting. A short delay is warranted to increase our knowledge base.

A subsequent **Motion to Table until February 27, 2019** was made by Councilman Fletcher, seconded by Councilman Majewski. The motion passed:

**Ayes 5** Fitzgerald, Fletcher, Messina, Majewski, Schaffer

**Nays 0**

**IWG-TLA Telecom 2, LLC – Term Sheets**

**R021-19** 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 Town Supervisor to sign the Term Sheets with **IWG-TLA Telecom 2, LLC** regarding the two existing locations at 100 Plaza Drive, Vestal, NY and 540-600 Benita Blvd, Vestal NY for the sum of \$36,000.00 per location. Said authorization is contingent upon satisfactory terms with **CMA Inc.**, the Town's advisor.

Said assignment of the income in the future to IWG-TLA for the lump sum payments is justified in that the Town Board has been advised that given changes in the industry in the near future that the lump sum payment is a prudent opportunity to ensure the Town's revenue from these sites.

**CONSENT AGENDA**

On a motion of Councilman Fletcher, seconded by Councilman Majewski, 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**

**MOUs with Broome County for Radio Towers**

**R022-19** Authorization for Town Supervisor to sign two Memorandums of Understanding with Broome County for Radio towers CA 20-23A (Ingraham Hill Rd.) and CA 20-23 (Underwood Rd.) to use in monitoring water & sewer systems.

**FINANCE: Messina/Fletcher**

**Receive and File**

- **Warrant Reports:** 2019- 04, 2019-04A, 2019-04E, 2019-04M, 2019-05, 2019-05A, 2019-05E, 2019-06, 2-19-06E
- **Town Clerk Monthly Report:** January 2019 – Total Shares Remitted \$4720.66

**Billable Hours for Town Attorney**

**R023-19** Approval for the Business Office to pay **Town Attorney David Berger** \$412.50 for January 2019 billable hours.

**PERSONNEL: Majewski/Fitzgerald**

**Asif Shaikh Appointed Member of Board of Assessment Review**

**R024-19** Approval to appoint **Asif Shaikh as a member of the Board of Assessment Review (BAR)** effective February 14, 2019 to serve out the remainder of the late Shep Bennett's term which expires September 30, 2019 and to re-appoint Mr. Shaikh as a member of the Board of Assessments Review for the term October 1, 2019 through September 30, 2024.

**Amend Sections 702 & 703 of the Employee Handbook**

**R025-19** Authorization to amend **Sections 702 & 703 of the Employee Handbook**, effective January 1, 2019, as provided to the Town Board on February 11, 2019.

**PUBLIC SAFETY: Messina/Majewski**

**Southern Tier Enduro Bicycle Race**

**R026-19** Authorization for the Vestal Town Supervisor to sign an agreement with Anthony Folk to hold the **Southern Tier Enduro Bicycle Race** at Jones Park on July 21, 2019. The event organizer is to provide the Board with a completed SEQR short form, a certificate of insurance naming the Town as an insured party and a signed Indemnification Agreement.

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**MOU - Opioid Overdose Prevention Program**

**R027-19** Authorization for Town Supervisor to sign *Memorandum of Understanding* with Broome County for the **Opioid Overdose Prevention Program**.

**RECEIVE AND FILE**

- **Fire Advisory Minutes:** November 19, 2018

**END OF CONSENT AGENDA**

**SUPERVISOR'S ANNOUNCEMENTS**

- Section 20-2 of the Vestal Town Code 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.

**OTHER NEW BUSINESS**

**Budget Transfer for Taser Purchase**

**R028-19** 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 transfer \$10,630.00 from the **Miscellaneous Police Grants** (budget line A3120-4389) to **Operational Equipment** (budget line A3120-2100). These funds will be used to purchase five new Tasers and accessories from Axon Company. Currently we have 8 new Tasers utilized by the Patrol Division and 7 more are needed so that each uniformed officer will be utilizing the same type of equipment. The older Tasers will be disseminated to investigators. Budget line A3120-4389 is a portion of the Binghamton University funding secured in 2018. Axon is a sole source provider.

**OLD BUSINESS & ADDITIONAL ANNOUNCEMENTS**

1. Supervisor Schaffer announced that the Board has decided to cancel the Roberts Street Pump Station Project and redirect the GOSR funding to the Vestal EMS Relocation Project. This project will involve the construction of a new EMS facility and construction should start next summer.
2. Councilman Fletcher invited everyone to join UHS and the Vestal Coal House for the **UHS Glow Red Walk!** This event takes place on Wednesday, March 27th, 6:30 pm at the Vestal Coal House. Red Glow supplies are included in registration and you can wear your own Red Glow

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as well! We are lighting up the night in red in support of the **American Heart Association**. This is a fun, family glow walk at the Coal House on the Rail Trail. You can run the 5K as well. Clocks will be out, but no official times. Registration is open at [GlowRed.eventbrite.com](http://GlowRed.eventbrite.com). This is the first Red Glow event to be held in Broome County.

**ADJOURNMENT**

On a motion of Councilwoman Fitzgerald, seconded by Councilman Majewski, the **meeting was adjourned at 6:36 PM**. Carried unanimously.

Approved by \_\_\_\_\_  
Emil J. Bielecki, Town Clerk