

Regular Meeting of the Vestal Town Board February 27, 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 27, 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 Clerk Emil Bielecki and 13 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 welcomed cub scouts from Cub Scout Pack # 43 and thanked them for attending the meeting to observe how a local governing board functions. They boys were permitted to interact with the Board and asked each Board member questions about their roles and responsibilities.

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 February 13, 2019 are approved.

BID OPENINGS

A single sealed bid for Vehicle Parts and Service was received by the Town Clerk from **BUSH Electronics**, 146 Luther Avenue, Liverpool, NY and was publicly opened and read at 2:00 pm on February 19, 2019 with the results forwarded to the Police Chief for review and recommendation.

PRIVILEGE OF THE FLOOR

Drew Deskur, the Executive Director of the Kopernik Observatory & Science Center, again urged the Board to look at the scientific evidence which shows the negative impact of LED lighting with high levels of blue light. He expressed

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frustration with the Town Board and the Town Engineer for their failure to provide him with the technical specifications of the lighting under the NYSEG contract. He also objected to the fact that the Board's last discussion of this issue was done behind closed doors. If not done properly, this project will have an extremely detrimental impact on the Observatory and perhaps on the residents of the Town and the traveling public. Many of the Town officials have stated that their major concern is safety and visibility, but no data has been given to show that 4000K lighting offers significantly better visibility than 3000K. In fact, a 2017 report from a prominent engineering journal indicated that transmittance in foggy weather, which we are not immune from, is better with lower temperature lighting. There are numerous examples of towns that have had to pay to change their LED streetlights from 4000K to 3000K because of complaints about the harsh lighting. Vestal should avoid making that mistake. He concluded with a request for the Board to table the vote on the NYSEG contract until proper due diligence is done to give the entire Town the best long-term solution.

A speaker thanked the Board for looking into the issues surrounding LED lighting and noted that although the data is not definitive, there is enough evidence to suggest that we would be better off with lower temperature lighting.

RESOLUTIONS & MOTIONS

Settlement of a Tax Certiorari with Lowe's Home Center

Councilman Majewski stated that he will vote against this settlement because this store conducts a lot of sales activity in the parking area that is not fully captured in the assessment of the property.

Councilwoman Messina noted that Lowe's allows the use of their parking lot for various community events including our Fire Department's Annual Safety Expo. They have been friendly to the Town.

R029-19 On a motion of Councilman Majewski, seconded by Councilman Fletcher, the following resolution was

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

Resolved to accept the Settlement of a Tax Certiorari with **Lowe's Home Center:**
Whereas Lowe's Home Center (221 Sycamore Road, Vestal, Tax Map No. 158.10-2-13) filed a tax certiorari for the years 2017-2018 and 2018-2019 bearing Index Numbers 1680/2017 and 1962/2018 respectively in Broome County Supreme Court; and

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Whereas, after discussions and review with the Town Assessor it was deemed that reduction in the roll would be appropriate; and

Whereas, it is necessary to review and approve this resolution;

Now Therefore be it Resolved that the Town Attorney be and hereby is authorized to execute a Stipulation of Settlement with respect to the above referenced actions as follows:

2017 and 2018	No change in assessment
2019	11,375,000.00 to 10,133,200.00
2020	11,375,000.00 to 9,870,000.00
2021	11,375,000.00 to 9,870,000.00

Upon approval, all appropriate steps will be taken by the Town officials to effectuate the changes herein.

Agreement with NYSEG to Convert to LED Street Lights

Supervisor Schaffer stated that if we continue to delay the decision on the LED lighting contract, we run the risk of losing grant money. If we later decide to go to lower temperature lighting, we can change the bulbs. The bulbs are not that expensive. The reason that some of the discussion about this topic was done behind closed doors is because it was considered to be a contract negotiation.

All of the Board members made comments stating that they reviewed the literature on LED lighting and concluded that the Town should go with the 4000K lamps primarily for safety reasons. Several Board members also cited the inconclusive nature of the available research. It was also noted that the surrounding municipalities that converted to the 4000K lights have had very few complaints.

R030-19 On a motion of Councilwoman Fitzgerald, seconded by Councilman Majewski, the following resolution was

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

Resolved 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.

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/Fletcher

Advertise for Bids to Purchase a 35 Ton Paver Style Low Boy

R031-19 Authorization for the Highway Department to advertise for bids on March 6, 2019 for a new 35 ton paver style low boy trailer with the bid opening on March 19, 2019.

FINANCE: Messina/Majewski

Receive and File

- **Warrant Reports:** 2019-07, 2019-07A, 2019-07E, 2019-07C, 2019-07M, 2019-08, 2019-08E

Renewal of Stop-loss Insurance and Health Plan Admin. with Excellus

R032-19 Authorization for Town Comptroller Laura McKane to sign the renewal agreements with **Excellus** for stop loss insurance and health plan administration from April 1, 2019 thru March 31, 2020.

Budget Transfers

R033-19 Authorization for Deputy Comptroller Nick Angeline to make **budget transfers** as attached to his memos to the Town Board dated February 7, 2019 and February 25, 2019.

Grant from Broome County to Purchase Law Enforcement Equipment

R034-19 Approval for Police Chief John Butler to accept a \$25,000 grant from Broome County and the Broome County District Attorney's Office to purchase law enforcement equipment that has not been budgeted for.

PERSONNEL: Majewski/Fitzgerald

Scott Russell and Charles Bement Hired as Building & Code Inspectors

R035-19 Authorization for Code Enforcement Officer Lincoln Ellis to fill two vacant Building & Code Inspector positions by hiring **Scott Russell** and **Charles Bement** effective March 11, 2019 at the CSEA rate of \$20.61 per hour.

Ryan Franz Hired as a Police Officer

R036-19 Authorization for Police Chief John Butler to hire **Ryan Franz** as a Police Officer at the PBA annual rate of \$51,558 effective March 25, 2019. Such hiring is contingent on the successful completion of all New York State Civil Service requirements. Moreover, the Business Office is authorized to transfer from the Contingency line an amount necessary to cover the shortfall in the 2019 budget for hiring new police officers.

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PLANNING & ZONING: Fletcher/Fitzgerald

Advertise for Public Hearing on Local Law “A” re: Storage Containers

R037-19 Approval for Town Attorney David Berger to advertise on March 13, 2019, with Public Hearing on March 27, 2019, for proposed **Local Law A**, a local law to repeal and replace sections of the Vestal Town Code regarding storage containers.

Boy Scout Troop # 225 to Sell Christmas Trees in Library Parking Lot

R038-19 Approval for David Dudinyak, Tree Sale Coordinator for Boy Scout Troop #225, to use the Vestal Library parking lot for **2019 Christmas Tree Sales** from November 23, 2019 to December 29, 2019. The applicant is required to sign the Town’s Indemnification Agreement.

PUBLIC SAFETY: Messina/Fletcher

Joseph Becker Approved as Member of Fire Department at Company No. 1

R039-19 Approval from the Board of Fire Commissioners to accept **Joseph Becker** as a member of the Vestal Fire Department at Company No. 1.

Jason Ellis Approved as Station 4 Representative to LOSAP Committee

R040-19 Approval from the Board of Fire Commissioner to accept **Jason Ellis** as the Station 4 representative to the Length of Service Award Program (LOSAP) Committee effective January 7, 2019.

ADMINISTRATION: Fitzgerald/Messina

IT Director to Provide Nakivo Interview for Success Story

R041-19 Approval for IT Director Dan Williams to do an interview with **Nakivo** and provide a success story in return for a discount off the purchase price of their backup software that we are evaluating.

Purchase of Audio-Video Solution from Presentation Concepts

R042-19 Authorization for IT Director Dan Williams to sign a sales quote from **Presentation Concepts** to purchase a turnkey solution and install audio/video presentation equipment in the Boardroom.

Purchase of Security Suite from Sophos

R043-19 Authorization for IT Director Dan Williams to sign an agreement with **Sophos** to purchase a security suite for the Town. The cost of this three year agreement for the endpoint protection, firewall licensing and end user training saves the town approximately \$4,000 compared to what we currently pay for those

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security solutions over a three year period. The items are on state contract, have also been heavily discounted and funding for this has been allocated in the 2019 budget.

Joint Municipal Cooperative Bidding Program for Eastern Suffolk BOCES R044-19 Authorization for IT Director Dan Williams to sign the Joint Municipal Cooperative Bidding Program Agreement for **Eastern Suffolk BOCES** to allow the Town of Vestal to utilize their Xerox copier bid, contingent upon meeting the requirements of Section 109-b of the General Municipal Law. The Eastern Suffolk BOCES bid will give us access to purchase Xerox copiers at a lower cost than leasing. The savings on purchasing the Xerox copiers on this bid instead of leasing like previously done, would save approximately \$10,000 for the 4 copiers combined. There also is a lower cost per page printed which will accumulate more savings throughout the 5 year term as well.

RECEIVE AND FILE

Town of Vestal Justice Court Independent Accountants' Report on Applying Agree-Upon Procedures – December 31, 2018

END OF CONSENT AGENDA

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilman Fletcher, the meeting was adjourned at 6:45 PM. Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk