

Regular Meeting of the Vestal Town Board April 10, 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 April 10, 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 and approximately 50 members of the general public.

The Supervisor 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 March 27, 2019 are approved.

BID OPENINGS

Sealed bids for **Vehicle Parts and Service** were were publicly opened and read by the Town Clerk at 2:00 PM on April 9, 2019 from the following vendors:

- **Bush Electronics** – 146 Luther Avenue, Liverpool, NY 13088
- **Strategic Northeast Inc.** – 2601 Fairview Avenue, Vestal, NY 13850

The results were forwarded to the Police Department for review and recommendation.

PRIVILEGE OF THE FLOOR

13 people spoke in opposition to the proposed plan to establish a Planned Development District on Bunn Hill for the purpose of constructing a cottage style multi-residence development. A summary of their comments is as follows:

- A similar project was abandoned 11 years ago due to strong public opposition. Nothing has changed with this proposal. It is still spot zoning which would

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negatively change the character of the neighborhood. Nobody in this area wants this development.

- We should focus on developing the vacant inside portions of the Town before expanding to the outside (rural) areas. Studies show that this creates urban sprawl and results in increased expenses for costly additional services.
- The area is already suffering from bank erosion along Bunn Hill Creek and this development will exacerbate the problems downstream.
- It is unclear what type of construction these units are and what restrictions would apply to the Planned Development District.
- This development does not appear to offer any benefits to the Town as a whole and will only offer a monetary benefit for the developers.
- Bunn Hill Road is already dangerous to drive on and cannot safely accommodate the additional traffic that this development would bring.
- This project may have a negative impact on the neighboring water wells.
- We already have an oversupply of student housing.
- The Joint Sewage Treatment Plant cannot handle the additional load.

A summary of the comments that Town Engineer Vern Myers made in response to the questions about this proposed housing project is as follows:

- This Planned Development District (PDD) would be an overlay district with all of the restrictions that would be applicable in a RA-2 district. In addition, the Planning Board and the Town Board may impose additional requirements and restrictions.
- This project is very different than what was proposed 11 years ago. This development is not nearly as dense. The developer will bring public water and sewer to the site at their expense.
- The developer must submit a storm drainage plan which will not allow greater runoff than what exists currently. This plan will be carefully reviewed by various agencies. Other studies, including traffic will also be done.
- The development is unlikely to have any impact on nearby water wells since it will access water from the Jensen Road tank. He would look into any specific concerns on neighboring properties.
- There will be no access to the site from Jensen Road.
- The Joint Sewage Treatment Plant can handle the additional load from this project and we are nowhere near our allotted capacity.

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- We have miles of creeks in Vestal. If you own property that adjoins a creek, you are likely experiencing erosion issues that are caused by many factors. It would be erroneous to isolate a specific project and blame all erosion on it.

Supervisor Schaffer disagreed with the assertions that we have plenty of other areas where we can accommodate this type of development. Vestal is a desirable area and we are constantly looking for locations to accommodate future growth. Also, it is inappropriate to categorize this development as ‘student housing’. These will be high end units that will also appeal to young professionals and to families looking for quality housing without the responsibility of home ownership.

RESOLUTIONS & MOTIONS

Mark Minoia Re-appointed as Town Assessor

R057-19 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 re-appoint **Mark Minoia** as Assessor of the Town of Vestal pursuant to RPTL Section 310 for a 6 year term beginning October 1, 2019. The 2019 annual base salary for this position is \$69,652.

Tabled Until June 12, 2019: Advertise for Public Hearing on Bunn Hill PDD

A motion was made by Councilman Fletcher, seconded by Councilwoman Fitzgerald, to authorize the Town Attorney to advertise on April 24, 2019 for a Public Hearing on May 8, 2019 on a request by **LCD Acquisitions, LLC** to enact a local law establishing an overlay Planned Development District (PDD) for 5 properties on Bunn Hill Road and 1 property on Jensen Road currently zoned Rural Residential (RR).

Councilman Majewski stated that the vote on this motion should be delayed so as to give adequate time for the Planning Board to do the preliminary review of the proposed project and submit its findings for further review by the Town Board.

A subsequent **Motion to Table until June 12, 2019** was made by Councilman Majewski, seconded by Councilman Fletcher. The motion passed:

Ayes 3 Majewski, Fletcher, Messina
Nays 2 Fitzgerald, Schaffer

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CONSENT AGENDA

On a motion of Councilwoman Messina, 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:

PUBLIC WORKS: Fitzgerald/Fletcher

Advertise for Highway Materials Bids

R058-19 Authorization for the Town Attorney to advertise for **Highway Materials bids** on April 24, 2019 with bid openings on May 14, 2019.

FINANCE: Messina/Majewski

Receive and File

- **Warrant Reports:** 2019-14, 2019-14E
- **Town Clerk Monthly Report:** March 2019 – Local Share \$4,223.15

PERSONNEL: Majewski/Fitzgerald

PLANNING & ZONING: Fletcher/Fitzgerald

Vestal Historical Society to Hold Fundraiser on Vestal Library Parking Lot

R059-19 Authorization for the **Vestal Historical Society** to use the Vestal Library parking lot (adjacent to the Vestal Museum) on April 26, 2019 for a Doug's Fish Fry fundraiser. Applicant to sign the Town's Indemnification Agreement.

PUBLIC SAFETY: Messina/Fletcher

Adopted Fire and Emergency Evacuation Plans

R60-19 Authorization to adopt the **Fire and Emergency Evacuation Plans** for Town of Vestal facilities as presented to the Board on April 8, 2019.

ADMINISTRATION: Fitzgerald/Messina

Summer Hires for Recreation Department

R61-19 Authorization for the Recreation Planner to hire summer employees as listed in a memo to the Town Board dated April 2, 2019. All pay rates are budgeted items in the 2019 budget and the background checks have been completed.

END OF CONSENT AGENDA

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COMMITTEE CHAIR COMMENTS AND UPDATES

In response to a question posed by Councilman Majewski at the Work Session on April 8th, Councilwoman Fitzgerald clarified that the warrant payment to Action Plumbing and Heating for a sewer problem was in the amount of \$195.00, not the multi-thousand figure that was stated.

SUPERVISOR'S ANNOUNCEMENTS

- **Easter Egg Hunt** – Saturday, April 13, 11:00 AM at Arnold Park.
- **Fire Department Open House (Recruitment Day)** All Stations will be Open on Saturday, April 27th, Noon – 3:00 PM. Come see what we have to offer!

OTHER NEW BUSINESS

Bid for Police Vehicle Parts and Service Awarded to Bush Electronics

Councilwoman Messina stated that the Police Department has evaluated the two submitted bids and recommends awarding the bid to Bush Electronics as the sole responsible bidder. The bid from Strategic Northeast was rejected as incomplete. Councilman Majewski questioned whether adequate time was given to evaluating the bids. Supervisor Schaffer noted that the Police Department did a thorough review of the bids and we need to act on it at because 4 new vehicles need to be put into service as quickly as possible.

R62-19 On a motion of Councilwoman Messina, seconded by Supervisor Schaffer, the following resolution was

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

Resolved to award the bid for Police Vehicle Parts and Service to **Bush Electronics**, 146 Luther Avenue, Liverpool, NY 13088, the most responsible bid, in the total amount of \$38,957.00.

ADJOURNMENT

On a motion of Councilwoman Messina, seconded by Councilman Fletcher, the meeting was adjourned at 7:12 PM. Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk