

Regular Meeting of the Vestal Town Board June 26, 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 June 26, 2019.

TOWN BOARD PRESENT:

Supervisor John Schaffer
Councilman Fran Majewski
Councilwoman Patty Fitzgerald
Councilwoman Sue Messina

ABSENT: Councilman John Fletcher

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki and 14 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 Majewski, the following resolution was

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

Resolved the Minutes of the Regular Meeting on June 12, 2019 are approved.

PRIVILEGE OF THE FLOOR

A resident on Underwood Road stated that he came to the Board two years ago to express concern about the emerald ash borer infestation. He recently counted 100 dead ash trees within a mile of his home. Also, the drainage ditches on Underwood Road have not been cleaned and are frequently overflowing. Supervisor Schaffer responded that the Highway Department is doing maintenance on the drainage areas and should be coming soon to the Underwood area.

Another resident on Underwood Road reiterated the same concerns expressed by the previous speaker and added that the Town should remove the dead ash trees. Supervisor Schaffer responded that he would have the Highway Department look into this but noted that the Town can only remove trees that are on Town property or in the right of way. The Town is doing some spraying this year on Town owned forest areas.

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A resident on Stateline Road submitted documents to the Board from DEC and the US Army Corps of Engineers confirming that the Stateline Creek is an unprotected creek and can be accessed to be restored to pre-flood conditions. This creek has seen a lot of erosion and movement of materials that should be addressed. He also wants to know if the Town has a policy for storm runoff. Town Attorney David Berger responded that any new development that disturbs more than 1 acre requires the submission of a storm water mitigation plan. Supervisor Schaffer noted that there is no demand for the type of materials that are dredged from these creek beds.

A speaker asked if mowing a lawn for 7 years entitles a person with any rights to that property. Town Attorney David Berger responded that mowing the lawn would not meet the conditions for adverse possession.

RESOLUTIONS & MOTIONS

Joyce Majewski Re-appointed as Planning Board Chair

Councilman Majewski stated that he will recuse himself from voting on this motion because the re-appointment is for his spouse.

R111-19 On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 3 Fitzgerald, Messina, Schaffer

Nays 0 Absent 1 Fletcher Recusal: Majewski

Resolved to re-appoint Joyce Majewski to the Planning Board as the Chair effective July 8, 2019 for a term expiring July 7, 2024.

Pulled from Agenda - Bid Award for Rano Tank Rehab./Repainting

The following motion was pulled from the agenda by Supervisor Schaffer to get additional information and to further discuss at the Work Session on July 8th:

Motion to **award the bid for Rano Tank Rehabilitation/Repainting to *Amstar of Western New York*** for a total price of \$445,000.00. The two bids received and opened were reviewed by Hunt Engineering which determined that the low bidder did not meet the bid specifications.

Amended License Agreement with VISTA748, LLC

R112-19 On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

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

Resolved to authorize the Town Supervisor to sign an amended License Agreement with **VISTA748, LLC** concerning the uses of the property at 121 Front Street, Vestal. The original agreement was reached in 2018 and is now being amended to include one additional paragraph concerning the parking of a boat and signage for Rossi's Pizza.

CONSENT AGENDA

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

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

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

PUBLIC WORKS: Fitzgerald/Fletcher

Advertise Bids for Laboratory Services

R113-19 Authorization for the Town Attorney to **advertise for bids for Laboratory Services** with the bids to be opened on July 17, 2019 at 2:00 PM.

FINANCE: Messina/Majewski

Receive and File

Warrant Reports: 2019-24, 2019-24C, 2019-24E, 2019-25, 2019-25E

Billable Hours for Town Attorney

R114-19 Approval to pay \$75.00 to **Town Attorney David Berger** for March - May 2019 billable hours.

PUBLIC SAFETY: Messina/Fletcher

Smith and Norton Approved as New Members of Fire Department

R115-19 Approval from the Board of Fire Commissioners of the following as new members of the Vestal Fire Department:

- **Seth Smith** to become a member at Company No. 3
- **Andrew Norton** to become a member at Company No. 4

ADMINISTRATION: Fitzgerald/Messina

Approved Hiring of Summer Camp Staff

R116-19 Approval for the Recreation Planner to hire cheerleading, lacrosse,

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baseball and softball **summer camps staff** as indicated her memo to the Town Board dated June 20, 2019.

RECEIVE AND FILE:

- **Fire Advisory Board Meeting Minutes – May 20, 2019**

END OF CONSENT AGENDA

ADDITIONAL PUBLIC COMMENTS

A speaker noted that she first attended a Board Meeting 10 years ago to protest a car wash on the Parkway and has been coming ever since.

COMMITTEE CHAIR COMMENTS AND UPDATES

- Councilman Majewski asked if there was a plan to waive the training requirements for volunteer boards. Supervisor Schaffer responded that the training for compliance with the new Sexual Harassment Policy will not be waived. This training can be done online. It may be necessary to waive the other training requirements.
- Councilman Majewski noted that he recently attended an event at the BC Forum honoring Al Hamme, a renowned local musician and Vestal resident. Al was a dedicated music teacher and mentor. He also played the saxophone with some of the best jazz groups in the country. It would be appropriate for the Town to issue a proclamation honoring Al Hamme. Supervisor Schaffer agreed, stating that one will be prepared.
- Councilwoman Messina congratulated Vestal Police Sergeant Scott Bryant for a job well done. Sgt. Bryant recently attended a very involved and difficult training for dealing with veterans with mental health issues including PTSD. During the course, he learned that of local organization known as the Vet Center that assists veterans in coping with such disorders, and immediately wanted to help. Upon conclusion of the training, Sgt. Bryant secured donations to present the organization with a customized set of golf clubs and bag to be used by the veterans. We are proud to have Sgt. Bryant as an employee of the Town.

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SUPERVISOR'S ANNOUNCEMENTS

- A reminder to the public to place brush and branches for pick-up at the curb, not in the street. We continue to have problems with the debris on the roads.

- A **thank you** to the Recreation Department and other involved departments for a successful *Summer Festivus* event at the Four Corners Park. Also, a thank you to Tom Lanza for allowing the Town to use the parking lot across the street for the event.

ADJOURNMENT

On a motion of Councilwoman Messina, seconded by Councilman Majewski, the **meeting was adjourned at 6:28 PM.** Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk