

## **Regular Meeting of the Vestal Town Board July 24, 2013**

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 July 24, 2013.

### **TOWN BOARD PRESENT:**

**Supervisor John Schaffer  
Councilman Fran Majewski  
Councilwoman Patty Fitzgerald  
Councilman David Marnicki**

**ABSENT: Councilman Steve Milkovich**

**ALSO ATTENDING:** Town Attorney David Berger, Fire Captain (Station 1) Jon Weber, Town Clerk Emil Bielecki, 1<sup>st</sup> Deputy Town Clerk Kathie Young and approximately 15 members of the community.

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 Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

**ADOPTED** Ayes 4 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer  
Nays 0 Absent 1: Milkovich

Resolved the Minutes of the Regular Meeting on July 10, 2013 are approved.

### **PRIVILEGE OF THE FLOOR (Agenda Items Only)**

Seeing or hearing no one wishing to speak the Supervisor closed the Privilege of the Floor.

### **RESOLUTIONS & MOTIONS**

#### **Hire Woidt Engineering to Design Creek Projects**

**R201-13** On a motion of Councilman Majewski seconded by Councilwoman Fitzgerald the following resolution was

**ADOPTED** Ayes 4 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer  
Nays 0 Absent: 1 Milkovich

Resolved to authorize the Town Engineer to hire **Woidt Engineering** to design the last three of the five NRCS (Natural Resources Conservation Services) creek

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projects at a cost of \$31,500.00 to be covered under our contract with NRCS in which we are allowed up to \$56,450 for engineering costs.

**Advertise Bids For Section 2a of the Rail Trail**

**R202-13** On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

**ADOPTED** Ayes 4 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer  
Nays 0 Absent: Milkovich

Resolved to authorize the Town Attorney to **advertise for bids on August 7<sup>th</sup>, 2013 for Section 2a of the Rail Trail** for the work originally to be done by Town of Vestal, but now will be done by contractor. Bids to be **received and opened on September 4th, at 2PM** in the Town Clerk's Office. (These dates are subject to change by the Town Engineer if necessary.) There are no additional funding requirements.

**CONSENT AGENDA**

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

**ADOPTED** Ayes 4 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer  
Nays 0 Absent: 1 Milkovich

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

**PUBLIC WORKS: Milkovich/Majewski**

**Payment to Keystone for Flood Wall Feasibility Study**

**R203-13** Retroactive approval authorizing the payment of **\$13,982.35 to Keystone Associates** for a **Flood Wall Feasibility Study** required by SEMO/FEMA as we seek their approval to build a flood wall to protect Town Hall. The study has been done and has been forwarded to SEMO/FEMA for their review.

Should the project move ahead as a mitigation project for Town Hall, then the \$13,982.35 shall be reimbursed by FEMA.

**Award Bid for Campus Drive Storm Pipe Replacement**

**R204-13** Authorization for the Town Attorney to draw the necessary paper work awarding the bid for the replacement of the **storm pipe on Campus Drive**, to the lowest bidder, **ZMK Construction, Inc.**, 3430 SR 434, Apalachin, NY

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13732 at the quoted price of **\$76,956**. This project was identified and funded in the 2010 capital budget (due to a January storm event).

### **FINANCE: Marnicki/Fitzgerald**

**Receive and File: Warrant Reports – 2013 – 29, 29E, 29L**

### **Billable Hours for Town Attorney**

**R205-13** Authorization for the Business Office to pay **\$1485.00** to the **Town Attorney for billable hours** for the month of June 2013.

### **Use of Budget Line for National Night Out**

**R206-13** Authorization for Police Chief John Butler to use \$300 out of budget line CM0301.43120 to pay for various items associated with the yearly Vestal Police sponsored *National Night Out*. This line is funded by Target Company to be used for various programs such as this.

### **PERSONNEL: Majewski/Marnicki**

### **Summer Hires for Recreation Department**

**R207-13** Authorization for Sue Jastran, Recreation Planner to hire the following employees per her memo dated July 15, 2013. The pay rates are budgeted items in the 2013 budget and the background checks has been completed.

#### **A7810.1020 Labor – Lifeguards**

Cassie Canino - Vestal as Part Time Lifeguard at Pay rate \$7.75/hr.

Michelle Chisdak - Vestal as Part Time Lifeguard at Pay rate \$7.75/hr.

Samantha Lee - Vestal as Part Time Lifeguard at Pay rate \$7.75/hr.

Jana Loso - Vestal as Part Time Lifeguard at Pay rate \$7.75/hr.

#### **A7310.1128 Girls Lacrosse Camp Labor**

Heidi Lott - Apalachin as Girl's Lacrosse Camp Director at pay rate \$450.00 Salary

Dave Williams - Vestal as Girl's Lacrosse Camp Director at pay rate \$460.00 Salary

Meghan Taylor - Vestal as Girl's Lacrosse Camp Instructor at pay rate \$140.00 Salary

#### **A7310.1123 - Basketball Camp Labor**

Rob Carr - Apalachin as Basketball Camp Director at \$650.00 Salary

Frank D'Esti - Vestal as Basketball Camp Instructor at pay rate \$150.00 Salary

Joe D'Esti - Vestal as Basketball Camp Instructor at pay rate \$150.00 Salary

Kevin Franz - Vestal as Basketball Camp Instructor at pay rate \$150.00 Salary

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Ryan Franz - Vestal as Basketball Camp Instructor at pay rate \$150.00 Salary  
Ben Kerns - Apalachin as Basketball Camp Instructor at pay rate \$150.00 Salary  
Nick Mushalla - Vestal as Basketball Camp Instructor at pay rate \$150.00 Salary  
Luke Riesbeck - Vestal as Basketball Camp Instructor at pay rate \$150.00 Salary  
Itika Sebuharara - Vestal as Basketball Camp Instructor at pay rate \$150.00 Salary  
Jake Spellane - Vestal as Basketball Camp Instructor at pay rate \$150.00 Salary

**R208-13** Authorization for Sue Jastran, Recreation Planner to hire the following employees per her memo dated July 16, 2013. The pay rates are budgeted items in the 2013 budget and the background checks has been completed.

**A7310.1024 Cheerleading Camp Labor**

Renee Anderson –Vestal as Cheerleading Camp Instructor at a pay rate \$160.00 salary

Lindsay Barrett –Vestal as Cheerleading Camp Instructor at pay rate \$150.00 salary

Katie Donlin –Vestal as Cheerleading Camp Director at pay rate \$600.00 salary

Shanel Ginyard –Vestal as Cheerleading Camp Instructor at pay rate \$160.00 salary

Maggie Sullivan –Vestal as Cheerleading Camp Instructor at pay rate \$160.00 salary

Taylor VanNostrand –Vestal as Cheerleading Camp Instructor at pay rate \$120.00 salary

**Promotion for Scovell – Highway Forman**

**R209-13** Authorization for Highway Superintendent, Brock Leonard, to promote **Bradley Scovell** to the vacant position of **Foreman** effective July 29, 2013 at the 2013 Operating Engineer rate of \$25.37.

**Out of Class Pay for Highway Employees**

**R210-13** Authorization for the Highway Superintendent, Brock Leonard to pay **Out of Class** pay as follows.

Eric Van Fossen	- \$ 448.96	04/26/2013 – 06/11/2013
John Angelo	- \$ 717.36	04/22/2013 – 06/28/2013
Greg Burd	- \$1,096.80	02/11/2013 – 03/28/2013
	- \$ 804.32	04/2013 – 06/2013
Todd Ingersoll	- \$ 300.36	05/07/2013 – 06/06/2013
	- \$ 362.59	06/07/2013 – 07/10/2013
Bill Gary	- \$ 195.20	05/10/2013 – 06/03/2013

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**Adopt Revisions to the Workplace Violence Prevention Program**

**R211-13** Authorization to adopt the revisions to the **Workplace Violence Prevention Program** (originally adopted on July 22, 2009) per the Human Resources memo dated July 18, 2013.

**PLANNING & ZONING: Fitzgerald/ Milkovich**

**Advertise Public Hearing Special Permit for Vehicle Service Station Permit**

**R212-13** Authorization for the **Town Attorney to advertise on July 31, 2013** for a **Public Hearing on August 14<sup>th</sup>, 2013** regarding a Special Permit for a Vehicle Service Station for **Superior Shine Auto Spa**, an auto detailing business, to occupy the basement of 2401 Vestal Parkway East.

**Congressman Hanna's Office to Use Town Board Room**

**R213-13** Authorization for **Congressman Richard Hanna's office** to use the Town Board Room to conduct office hours on August 21, 2013, 1:30-2:30 pm.

**PUBLIC SAFETY: Marnicki/Fitzgerald**

**Training for Fire**

**R214-13** Authorization from the Board of Fire Commissioners to approving the following training requests:

1. Fire Fighters Paul Goon and Jason Stupski to the Town of Binghamton Fire department for NYS Outreach Course Rescue Tech Basic start September 7<sup>th</sup>. No cost for this course.
2. Lieutenant Charles Paffie to attend the NYS Fire Academy 8/22-23 Emergency Response to Ethanol Incidents. The Cost of this course is \$25 and commuter fee of \$16 and will come from Line 3410 4030.

**ADMINISTRATION: Majewski/Milkovich**

**CHOW Festival at Arnold Park**

**R215-13** Authorization for Garet Bleir (Vestal High Senior) to organize a C.H.O.W. Festival at Arnold Park on September 29, 2013 and for the pavilion rental fee to be waived. An Indemnification Agreement is to be signed.

**RECEIVE AND FILE**

- Fire Advisory Board Meeting Minutes – June 17, 2013

**END OF CONSENT AGENDA**

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### ADDITIONAL PUBLIC COMMENTS

A speaker noted that Highway is doing a good job on his road. They are working in severe temperatures and he is seeing great progress. There still needs to be more work on the aprons but he is encouraged. These repairs are long overdue but it is impressive what has been done with a reduced work force.

A speaker advised the Board that the sewer line that runs along the Ford Track (off of Circle Dr.) is exposed again. The bank keeps washing out.

A speaker thinks that there should be additional study of the relationship between earthquakes and gas hydrofracking.

Speaker: There is technology that can separate the minerals found in fracking water rather than injecting the waste water back into the ground.

### SUPERVISOR'S ANNOUNCEMENTS

Museum Events -Kid's summer garden projects planned; Aug 10. Free

### OTHER NEW BUSINESS

#### School Resource Officer (SRO) contract with the Vestal School District

Supervisor Schaffer explained that the SRO contract had been discussed earlier but the Board did not take action. Although he is not totally happy with all the terms he believes this is a great program and is beneficial to the Town.

Councilman Marnicki noted that this contract does not cover the benefits of the SRO officer and is therefore not a fair split of the costs between the Town and the School District. He feels that the proposed cost sharing formula has the Town subsidizing expenses that should be paid by the larger tax base of the School District, which also includes areas outside of the Town of Vestal. The Comptroller has provided him with a detailed breakdown of the costs involved and would like this motion to be tabled.

Councilman Marnicki's **motion to table** the resolution to sign an agreement with the Vestal Central School District for the School Resource Officer (SRO) Program from September 1, 2013 until June 30, 2014 **died for a lack of a second.**

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**R216-13** On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

**ADOPTED** Ayes 3 Majewski, Fitzgerald, Schaffer  
Nays 1 Marnicki Absent: 1 Milkovich

**Resolved** to authorize the Supervisor to sign an **agreement with the Vestal Central School District for the School Resource Officer (SRO) Program** from September 1, 2013 until June 30, 2014.

**ADJOURNMENT**

On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the meeting was adjourned at 6:18 PM. Carried unanimously.

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