

Regular Meeting of the Vestal Town Board November 6, 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, New York on November 6, 2013.

TOWN BOARD PRESENT:

**Deputy Supervisor Fran Majewski
Councilwoman Patty Fitzgerald
Councilman David Marnicki**

**ABSENT: Supervisor John Schaffer
Councilman Steve Milkovich**

ALSO ATTENDING: Town Attorney David Berger, Comptroller Laura McKane, Library Board Vice-President Gordon Allen, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and approximately 10 members of the community.

Deputy Supervisor Majewski 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 Marnicki, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 3 Majewski, Fitzgerald, Marnicki
 Nays 0 Absent 2 Schaffer, Milkovich

Resolved the Minutes of the Regular Meeting on October 23, 2013 are approved.

PUBLIC HEARINGS

1. Vehicle Service Station Permit

Deputy Supervisor Majewski offered Proof of Posting and Affidavit of Publication regarding the **Public Hearing** for the request from Michael Mastro of *New Holland Equipment*, for a **Vehicle Service Station Permit** to move the business from 3104 Vestal Road to 2807 Vestal Road (Airgas Building).

We are also are in possession of the 239 l&m from Broome County Department of Planning and Economic Development as well as the Affidavit of Mailing and the Special Use Permit Petition.

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The applicant, Michael Mastro, explained that the business will not be servicing vehicles, just the equipment. There will be no change to the scope of this business.

Town Attorney David Berger asked Mr. Mastro if he had reviewed the conditions and requirements that need to be met for the issuance of this special permit. Mr. Mastro replied that all requirements and conditions have been met.

Seeing or hearing no one else wishing to speak, Deputy Supervisor Majewski closed the public hearing.

Adopt SEQR Resolution

R302-13 On a motion of Councilman Marnicki, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 3 Majewski, Fitzgerald, Marnicki
Nays 0 Absent 2 Schaffer, Milkovich

Resolved to adopt the SEQR as follows:

Concerning the request for a **Special Permit** from Michael Mastro of *New Holland Equipment*, situated at 3104 Vestal Road in the Town of Vestal, New York, for a **Vehicle Service Station Permit**, allowing the business to move to 2807 Vestal Road (Airgas Building) for use of premises being designated as Broome County Tax Map No. 158.10-1-1.

The Town Board of the Town of Vestal hereby finds and determines that:

- (a) it has considered the action, reviewed the environmental assessment form, reviewed the criteria set forth in 6 NYCRR section 617.7(c), thoroughly analyzed the relevant areas of potential environmental concern, and has duly considered all of the potential environmental impacts and their magnitude in connection with the proposed project
- (b) This project will not result in any large and important environmental impacts, and, therefore, is one, which will not have a significant impact on the environment, and, therefore, a negative declaration is hereby adopted.

Vehicle Service Station Permit Approved

R302-13 On a motion of Councilman Marnicki, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 3 Majewski, Fitzgerald, Marnicki
Nays 0 Absent 2 Schaffer, Milkovich

Resolved to grant the issuance of a **Vehicle Service Station Permit** as requested by **Michael Mastro** of *New Holland Equipment*, situated at 3104 Vestal Road in the Town of Vestal, New York, for a **Vehicle Service Station Permit**, allowing the business to move

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to 2807 Vestal Road (Airgas Building) for use of premises being designated as Broome County Tax Map No. 158.10-1-1.

2. 2014 Preliminary Town Budget

Deputy Supervisor Majewski offered Proof of Posting and Affidavit of Publication regarding the Public Hearing on the 2014 Preliminary Budget. He then introduced Comptroller Laura McKane to narrate a power point presentation highlighting the significant items of the budget. The presentation follows:

TAX LEVY CAP SUMMARY

- The tax levy cap is determined by a complex formula
- Tax Cap limits total levy set by local government, not tax rate
- Local governments may not adopt a budget that requires a tax levy that exceeds the cap unless the governing board first adopts a local law (or resolution) to override the tax levy limit
- However, the formula can result in a levy that exceeds the prior years levy by more than 2 percent

Town of Vestal Tax Cap

Tax Levy Limit	\$10,206,669
Special District & DS Fund Proposed Tax Levy 2014	<u>\$ 2,321,718</u>
Balance of Levy Limited Available for General, Library & Highway Funds	\$ 7,884,983
Levy Per 2014 Preliminary Budget	<u>\$ 7,776,476</u>
Difference between Levy Limit & Proposed Levy	\$ 108,507

Tax Levy per Preliminary Budget is well under the levy limit.

2014 ENVIRONMENT

Slow Growing or Declining Funding Sources

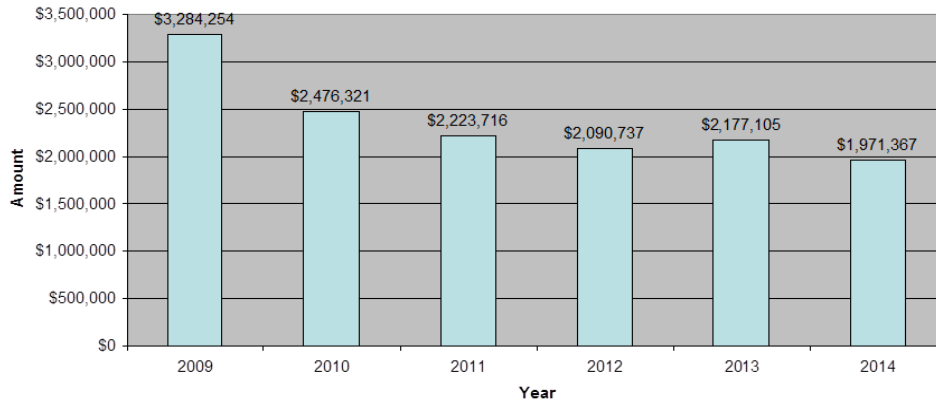
Limited availability of Fund Balances and Reserves to use to reduce levy
Loss of Assessments
Sales Tax Capped by Broome County but sharing was increased
No State Aid growth
Low Interest Rates
Mandated Pension Contributions – stabilized
Contractual Obligations – modest increases
Debt Service – payments declining

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Fuel & Heating Costs – stabilized or declined
 Health Insurance – up 6.5% in total

Fund Balance History (2013 and 2014 Estimated)

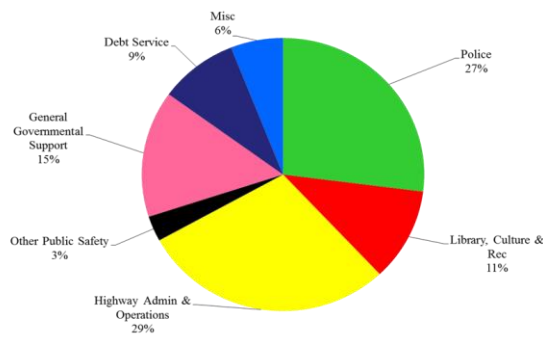


Balances have stabilized at low range of Best Practices

What Actions Did the Board Take?

- Added flood insurance policy
- Restored some funding for library books
- Added summer help to supplement workforce
- Included more training funds for officials
- Worked with unions to reduce overtime & health insurance costs
- Consolidating cell phone plans
- Refinanced bond and paid down debt
- Used modest amount of Fund Balance and Reserves

SUMMARY OF SPENDING



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**TOWN WIDE FUNDS
(GENERAL, LIBRARY, HIGHWAY) COMPARISON**

	2013	2014	DIFF	% Change
Total Spending	\$16,200,476	\$16,488,696	\$288,220	1.8%
Revenue other than property taxes	\$8,395,890	\$8,439,105	\$43,215	.5%
Fund Balance & Reserves	\$173,956	\$273,115	\$ 99,159	57%
Real Property Taxes	\$7,630,630	\$7,776,476	\$145,846	1.9%
Tax Rate Per \$1,000	\$4.1664	\$4.2872	\$.1208	2.9%

SUMMARY OF BUDGET

Revenue other than property taxes (Sales Tax, fees, etc.)	\$ 43,215
Fund Balance and Reserves Available	<u>\$ 99,159</u>
Total Change in Funding	\$142,374
	Costs are up <u>(\$288,220)</u>
Shortfall = Tax Increase	<u>(\$145,846)</u>

PRELIMINARY BUDGET TAX RATE

Change per \$1,000 of Assessment

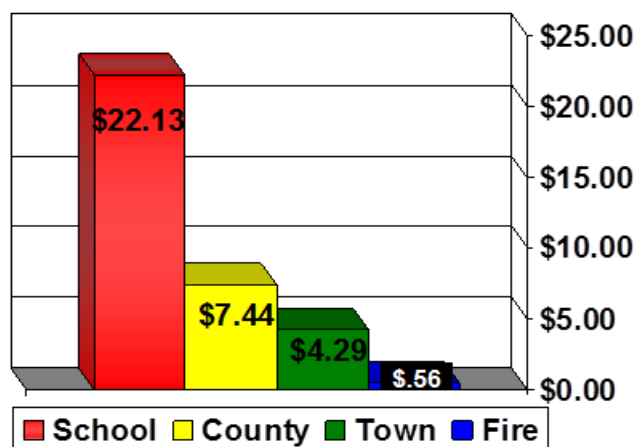
General Fund	\$.0855
Library Fund	\$ (.0126)
Highway Fund	<u>\$.0479</u>
	\$.1208

Tax increase with an assessment of \$100,000 would be: \$12.08 annually or \$.23 per week.

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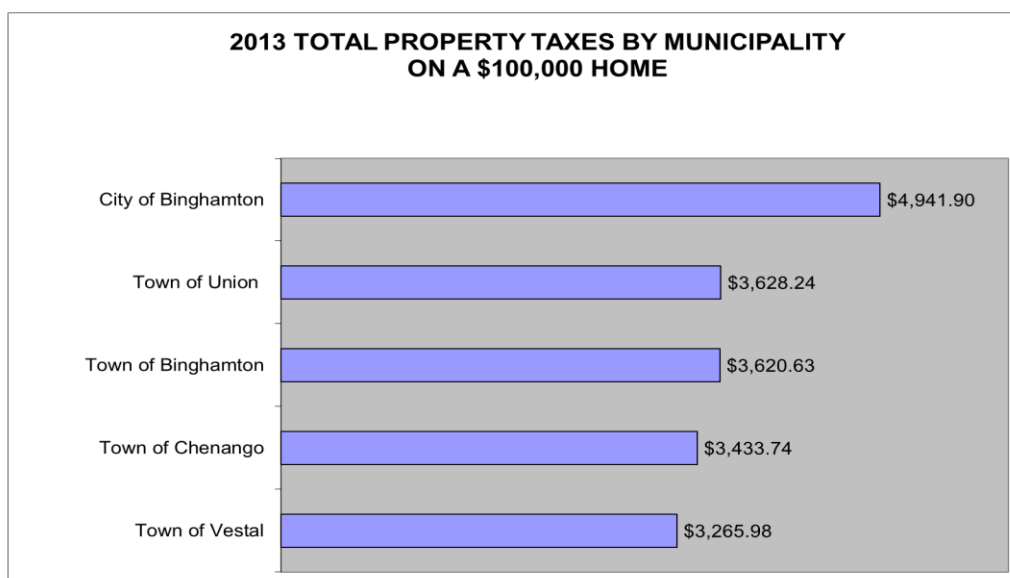
Summary of Your Tax Bills Per Thousand of Assessment



YOUR TAX DOLLAR BREAKDOWN

- Vestal School \$.64
- Broome County \$.22
- Town of Vestal \$.12
- Vestal Fire Department \$.02
- Total \$1.00

Consistent ratio for last three years or more



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Library Board Vice-President Gordon Allen stated that he appreciates the funding given to the Library by the Town and the County. In addition, he hopes that the Museum funding is adequate to address some of the building maintenance issues.

A summary of the other comments is as follows:

- The budget line for the Vestal Senior Citizens Club is \$8,880 dollars of which \$7,600 is designated for traveling expenses. Speaker feels that this subsidizes some unnecessary trips and for people who may not even be Vestal residents. This funding should be cut from the budget and should be used to buy books and computers for the Library.
- The Town should create a two tier rate structure for those paying the flat sewer fee to provide a lower rate for homes with only one or two residents.
- A speaker feels that this is a good budget considering the fiscal pressures.
- A speaker expressed concern about the Town's level of indebtedness. The Comptroller explained that this is a part of doing business. Most of borrowing is for new water tanks and development of new wells. The rest is for purchasing large pieces of equipment and infrastructure maintenance. She keeps all the records of our debts, but the Town Board makes all the decisions about borrowing.

Deputy Supervisor closed the public hearing and noted that the Board is expected to vote on the final budget at the Regular Meeting on November 20, 2013.

RESOLUTIONS & MOTIONS:

Museum Awarded Grant

R303-13 On a motion of Councilman Marnicki, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 3 Majewski, Fitzgerald, Marnicki
Nays 0 Absent 2 Schaffer, Milkovich

Resolved to authorize the **Museum Director Virginia Wood** to accept a grant applied for and received in the amount of **\$3,000** from the *Museum Association of New York*. The grant is to be used to pay a consultant for a Strategic Planning for Financial Sustainability project. The consultant, Christopher Clark of Rochester, NY has been selected by the museum from a list provided by the Association of approved consultants.

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CONSENT AGENDA

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

ADOPTED Ayes 3 Majewski, Fitzgerald, Marnicki
 Nays 0 Absent 2 Schaffer, Milkovich

Resolved to **adopt the Consent Agenda** as follows:

PUBLIC WORKS: Milkovich/Majewski

Town to Accept Roads

R304-13 Authorization for the Town to accept the following roads for Town maintenance:

- **North Stage Road** - from Vestal Road to dead end, a distance of 0.04 miles
- **Service Road** - from Plaza Drive to dead end, a distance of 0.09 miles
- **Stiles Road** - from State Line Road to dead end, a distance of 0.06 miles

These roads have been maintained by the Town for years, but are missing on the NYSDOT inventory spreadsheet. The inventory mileage determines the amount of funding we receive from CHIP's.

Advertise for Public Hearing for CWD No. 1, Ext. 195

R305-13 Authorization for the **Town Attorney to advertise** on November 27, 2013 for a Public Hearing on December 11, 2013 for the Petition for the Establishment of Consolidated Water District No. 1 Extension No. 195.

Petitioner: Stephen & Brenda Wayman

B.C.T.M.P.: 205.02-1-10

Address: 2108 Glenwood Road

Out of Title Wages for Highway Employees

R306-13 Authorization for the Highway Superintendent to pay **Out of Title Pay** to **Eric Van Fossen** for the period September 25 to October 10, 2013 in the amount of \$156.16 and **Clayton Roosa** for the period August 14 to October 14, 2013 in the amount of \$319.64.

Line Item Transfer for Highway – Purchase Planer

R307-13 Authorization for Brock Leonard, Highway Superintendent to transfer \$7550.00 from D5130.4230 Repair Machinery Line to the D5130.2200

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Machinery & Equipment Line to purchase a 12" FFC LA F5412 Asphalt Cold Planer.

FINANCE: Marnicki/Fitzgerald

Receive and File:

- **Warrant Reports – 2013 - 43, 43E, 44, 44E**
- **Town Clerk Monthly Report – October 2013 – Local Shares Remitted \$5,227.84**
- **Comptroller's Monthly Report – October 2013**

Contract with Vestal Veterinary Hospital

R308-13 Authorization for the Supervisor to sign a contract with **Vestal Veterinary Hospital** for boarding and veterinary care for the Town of Vestal from January 1, 2014 - December 31, 2014. This agreement is in the amount of \$12,000 per year and has no changes from 2013.

- a. \$12,000.00 per year, payable monthly installments of \$1000.00
- b. For each dog boarding day in excess of seventy-five (75) dog boarding days during any calendar month: \$12.00
- c. For each dog in excess of one hundred fifty (150) dogs during the term of this agreement vaccinated with DHLPP/CPV: \$12.00
- d. For each dog vaccinated against rabies during the term of this agreement: \$15.00;
- e. For each dog in excess of forty (40) dogs during the term of this agreement upon which euthanasia is performed: \$10.00
- f. For each disposal of carcass in excess of forty (40) during the term of this agreement: \$25.00

Legal Fees to Town Attorney

R309-13 Authorization to pay and invoice for **Legal Fees to David Berger**, Town Attorney in the amount of **\$7,150.00** for billable hours for the month of October 2013.

PERSONNEL: Majewski/Marnicki

Re-Appointments to Conservation Advisory Commission (CAC)

R310-13 Authorization to re-appoint Shep Bennett, Cynthia Westerman, Victor Lamoureux and Curt Pueschel to the CAC as members effective January 1, 2014. These terms are to expire December 31, 2015.

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PLANNING & ZONING: Fitzgerald/ Milkovich
Boy Scouts to Use Library Parking Lot

R311-13 Authorization for Boy Scout Troop 225 to use the front part of the Library parking lot from November 23 – December 31, 2013 for their annual tree sale. Councilman Milkovich and Indemnification Agreement is to be signed.

PUBLIC SAFETY: Marnicki/Fitzgerald
Fire Training

R312-13 Authorization from the Board of Fire Commissioners to approve the following requests:

- 1) **Captain Andrew H. Nazak** to attend NYS Fire Fighters weekend at the National Fire Academy in Emmittsburg, MD March 8-9, 2014 at a cost of \$190 for meals and Lodging at the Academy. This is Budgeted for 2014 under line F3410 4030.
- 2) **FF Jason Stupski** to attend Fire Officer II at the NYS Fire Academy on November 15-17 or in 2014 when the course is available as there is currently a waiting list to get into this class. The cost of this class is \$49 for registration fees and meals. Mileage reimbursement if a fire department vehicle is unavailable.

Accept Grant for Child Passenger Safety Program

R313-13 Authorization for the **Vestal Police to accept a grant** in the amount of **\$1000.00** to participate in the statewide *Child Passenger Safety Program* as submitted by Police Officer Brian Thorick.

RECEIVE AND FILE:

- Letter submitted from Vestal Police Chief John Butler informing the Board that Corey Shirley has replaced Sergeant Stace Kintner as the new School Resource Officer.

END OF CONSENT AGENDA

SUPERVISOR'S ANNOUNCEMENTS:

- **The Wheel Spins Round Exhibit** thru November 22, 2013: Museum open Wed - Sat 10am - 3pm Free Admission
- **Fire Rescue Vehicle Presentation**
November 7 – Vestal Middle School Auditorium 7:00pm
November 12 – Vestal Hills Elementary 7:00pm
November 14 – Vestal High School 7:00pm
*The vote is November 19 12:00- 9:00 Town Hall Board Room

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- **New York Southern Tier Regional Resiliency Summit - Monday, November 18th From 1:00 to 6:30 PM - Binghamton University Innovative Technologies Complex, Room 2008 - 85 Murray Hill Road, Vestal, NY.**

Learn about storm preparedness, recovery, and resiliency from leading experts in regional mitigation and floodplain management.

Join the Broome, Tioga, and Sidney communities and the NY Rising Communities Reconstruction Program team for a day of information sharing.

Find out about New York's storm recovery initiatives, and how you can prepare for changing weather patterns.

ADJOURNMENT

On a motion of Councilman Marnicki, seconded by Councilwoman Fitzgerald, the meeting was adjourned at 6:39 PM. Carried unanimously.

Approved by _____

Emil J. Bielecki, Town Clerk