

Regular Meeting of the Vestal Town Board March 26, 2014

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 March 26, 2014.

TOWN BOARD PRESENT:

**Supervisor John Schaffer
Councilwoman Patty Fitzgerald
Councilwoman Sue Messina**

ABSENT: Councilman Fran Majewski

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st 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 Councilwoman Fitzgerald, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 3 Fitzgerald, Messina, Schaffer
 Nays 0 Absent 1 Majewski

Resolved the Minutes of the Regular Meeting on March 12, 2014 are approved.

BID OPENINGS

The single bid received for **SCADA Hardware from Turnkey Control Solutions** of 101 East Main Street, Endicott, in the amount of \$15,415.08 was opened on March 25, 2014 at 2:00 pm in the Town Clerk's office and was forwarded to the Water Superintendent for review and recommendation. There was no bid received from MG Automation, Inc., North Aurora, IL who also received bidding information.

PRIVILEGE OF THE FLOOR (Agenda Items Only)

A speaker expressed concern about the Town's bidding process. In his opinion, there are too many single bids and most of the awards go to the same companies.

A speaker asked if the Board was able to negotiate a favorable lease renewal for 133 Front Street (Code/Engineering offices). Supervisor Schaffer responded that the

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amount has not changed but the lease is only for one year. He hopes that we are out of that location next year.

RESOLUTIONS & MOTIONS

Town Request for Representation on Joint Sewage Treatment Plant Board

R082-14 On a motion of Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 3 Fitzgerald, Messina, Schaffer
Nays 0 Absent 1 Majewski

Resolved to authorize the Supervisor to sign a letter addressed to the Mayors of the City of Binghamton and the Village of Johnson City requesting the amending of the municipal cooperation agreement so as to allow the outside users of the Joint Sewage Treatment Plant to **appoint a non-voting member to the Joint Sewage Treatment Plant Board**. It is the hope and desire of the governing bodies of these outside users of the facility that the new administrations recently elected in the City of Binghamton and Village of Johnson City will recognize the inequity of such lack of representation on the Board and will, with the consent of their respective legislative bodies in the spirit of inter-municipal cooperation, amend the municipal cooperation agreement of July 14, 1965 to allow one non-voting representative of all the outside users to be chosen by the outside users to fully participate in all future meetings of the Board.

Operating Engineer's Uniforms Bid Awarded to Logowise, LLC

R083-14 On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 3 Fitzgerald, Messina, Schaffer
Nays 0 Absent 1 Majewski

Resolved to authorize the Town Attorney to draw the necessary paperwork awarding the single bid received for Operating Engineer's Uniforms to **Logowise, LLC** of Binghamton, New York.

Pension Waiver to Section 211

R084-14 On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 3 Fitzgerald, Messina, Schaffer
Nays 0 Absent Majewski

Resolved to authorize the Town Supervisor to sign the SECTION 211 APPLICATION, Application for **Pension Waiver to Section 211** of the New

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York State Retirement and Social Security Law (CSC-1 2/13L), as the Appointing Authority to certify the information provided is true and correct to the best of his knowledge.

Award SCADA Hardware Bid to Turnkey Control Solutions, Inc.

R085-14 On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 3 Fitzgerald, Messina, Schaffer
Nays 0 Absent 1 Majewski

Resolved to direct the Town Attorney to draw the necessary paperwork awarding the bid for SCADA Hardware to: Turnkey Control Solutions, Inc., 101-109 East Main Street, Endicott, New York, for the bid price of \$15,415.08.

CONSENT AGENDA

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

ADOPTED Ayes 3 Fitzgerald, Messina, Schaffer
Nays 0 Absent 1 Majewski

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

PUBLIC WORKS: Majewski/Fitzgerald

Town Attorney to Advertise Bids for Highway Materials

R086-14 Authorization for the **Town Attorney to advertise** on Wednesday, April 2, 2014 for bids to be received and opened on April 11, 2014 at 2 pm for the following **Highway Materials**: Transit Mix Concrete, Bank Run Gravel, Type #4 Gravel -NYSDOT approved, Coarse & Fine Aggregates & Road Sanding Materials, Bituminous Concrete – Hot Mix Asphalt, Plow Blades, Grader Cutting Edges and Tire Chain Material, Crusher Run Sub-base Type #2 (Item #304), Light and Medium Stone Fill.

Two Rivers Greenway Signage Project

R087-14 Authorization for the Supervisor to sign the NYSDOT Agreement for the **Two Rivers Greenway Signage Project**, PIN 9753.89. The State will reimburse the Town 80% with each involved municipality reimbursing the Town their 20% share. The cost will be divided between each municipality and their 20% share will be figured as a function of the number of signs being installed within their jurisdiction. The Town of Vestal's design 20 % share will be approximately \$650.00.

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FINANCE: Majewski/Messina

Receive and File:

Warrant Reports – 2014 –11, 11E, 12, 12E, 12L

Billable Hours for Town Attorney

R088-14 Authorization for the Business Office to pay Town Attorney, David Berger \$1075.00 for billable hours for the month of February 2014.

Renew Lease for 133 Front Street

R089-14 Authorization for John Schaffer, Town Supervisor to sign an agreement with Myers Oakwood Properties to renew the lease for 133 Front Street for a one year term to run from April 1, 2014 – March 31, 2015.

PERSONNEL: Fitzgerald/Majewski

Adopt Section 807 of Employee Handbook as Amended

R090-14 Authorization to adopt Section 807 of the Employee Handbook, as amended on March 24, 2014.

Re-Appoint Nina Versaggi

R091-14 Authorization to re-appoint Nina Versaggi to a four (4) year term on the Town of Vestal Historic Preservation Commission. The re-appointment is to take effect immediately and end on December 31, 2017.

PLANNING & ZONING: Messina/Fitzgerald

Use of Library Parking Lot for Fundraisers

R092-14 Authorization for *Wendy's Walk for Kids* to hold a fundraiser on April 25, 2013 at the Vestal Library parking lot. An Indemnification Agreement is to be signed.

R093-14 Authorization for the *Vestal Marching Band "Band Aides"* to hold a fundraiser on May 25, 2014 at the Vestal Library parking lot. An Indemnification Agreement is to be signed.

PUBLIC SAFETY: Majewski/Messina

Samuel Warner Approved as Vestal Police Intern

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R094-14 Authorization **granting an unpaid internship** in the Vestal Police Department for the summer of 2014. **Samuel Warner** of Apalachin New York, currently a student at SUNY Cortland in the Criminology Program, will begin in mid to late May of 2014 and will complete the internship in August 2014. Mr. Warner will be riding with patrols, assisting with records retention, work with detectives, observe K-9 and SWAT training, and learn other aspects of Law Enforcement. The Town's *Volunteer Participation Waiver* is to be signed.

Approved Members of Vestal Fire Department

R095-14 Authorization to approve the following as members of the Vestal Volunteer Fire Department:

**Jason Atkinson - Company Number 3
Jeffrey Arnott - Company Number 4**

Police to Purchase SWAT Handguns

R096-14 Authorization for the Police Department to expend \$749.30 to replace five **SWAT Handguns** using Asset Forfeiture Line 3120-2626R.

ADMINISTRATION: Fitzgerald/Messina

Advertise Bids for Wireless PTP Upgrade Project

R097-14 Authorization for the **Town Attorney to advertise** on April 2, 2014 to receive bids for the IT Department for their **Wireless PTP Upgrade Project** with bids to be opened at 2:00 pm in the Town Clerk's Office on Monday April 21, 2014.

RECEIVE AND FILE

- **Vestal Volunteer Emergency Squad, Inc.** - Financial Statements for the Periods Ended – March 31, 2013 and 2012
- E-mail from **Walt Niehoff**, Thursday, March 13, 2014, concerning Proposed Local Law No. "B" of the Year 2014.
- Letter dated March 21, 2014 from the Vestal Police Supervisors Association concerning a 211 Pension Waivers
- **Vestal Fire Advisory Board Minutes** – February 17, 2014
- Letter dated March 27, 2014 from **Cannon Heyman & Weiss, LLP** concerning a Notice of Claim from 117-121 Rano Boulevard regarding the municipal sewer line.
- **Annual Water Quality Report – 2013**

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- Letters of Resignation from the **Vestal Volunteer Emergency Squad** dated March 21, 2014 received from Robert B. Weiner and Vickie L. Potochniak-Weiner.

END OF CONSENT AGENDA

ADDITIONAL PUBLIC COMMENTS

A speaker asked when the 5 ton weight limit signs will be posted. Supervisor Schaffer replied that they should be up any day. Vestal Police Lt. Golluscio noted that the Police may at some point need to acquire scales to determine violations.

A speaker referenced some studies that show an increase in the occurrence of earthquakes in areas with ongoing hydro-fracking in Oklahoma and Ohio.

A speaker asked the Board to reconsider its decision not to fill the vacancy on the Town Board. Vestal residents need more representation. They voted to have five people on this Board. The absenteeism at the meetings, combined with the vacancy, is creating a problem. The Board should consider appointing someone with experience who would serve for the remainder of the year but would not run for the office in the fall. Supervisor Schaffer responded that we are working on it.

A speaker objected to the town officials attending the Association of Towns training sessions in NYC. It is a waste of money because most of the information is available on-line. He wants to know what was learned and at what cost. Supervisor Schaffer responded that the training consisted of meetings from 8 to 5 and a vast amount of information was presented. You can't put a price on that. For instance, he learned about a new total environmental system to hold back flood waters that may be worth exploring for Vestal. Learning just this information may have justified attending this conference. Councilwoman Messina added that she acquired a lot of beneficial information about numerous Town related topics. In addition, they met with the DEC concerning the emerald ash borer and flood mitigation.

A speaker noted that in his private sector job, training meetings were very valuable. He supports town officials going to training meetings and conferences.

A speaker reiterated his opposition to spending money on the appeal of the Court decision of the UHS property tax case. Supervisor Schaffer stated that the Town was wronged by the decision and appealing it is in the best interest of the Town.

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A member of the Vestal Fire Department invited the Board of Fire Commissioners to come and participate in a classroom presentation about fire safety at the Jewish Community Center at 1:00 PM on Thursday.

SUPERVISOR'S ANNOUNCEMENTS

- On March 12, 2014, the Town Board adopted a resolution **(R069-14)** authorizing the Town Highway Superintendent to designate weight limits on certain Town roads. Accordingly, the Highway Superintendent has given notice that the following Town roads shall be posted prohibiting vehicles in excess of 5 tons, until such time as the roads are no longer posted:

**State Line Road, Hogan Road, Baker Hill Road,
Crumm Road, Collins Hill Road**

- **Winter Parking Hours** ends on **March 31st**. (No parking on Town and County streets and highways between the hours of 2:00 AM and 6:00 AM.)
- There will be a meeting of the **Board of Fire Commissioners** in the Vestal Town Board Room on Monday April 7, 2014 at 5:30 pm – Topic: Presentation on Station 4



- **Free Easter Egg Hunt!**
Co-sponsored by the Vestal Elks
Saturday, April 12, 2014 - 11:00 AM
Arnold Park, Andrews Rd.
Ages 10 and Under

Enjoy hunting for eggs by age group and visiting with the Easter bunny. Bags are provided. In case of inclement weather check the [Town of Vestal Recreation site](#) for any updates or call the Recreation department at 607-754-3368. Be sure to dress warm and wear boots!

ADJOURNMENT

On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Messina, the meeting was adjourned at 6:33 PM. Carried unanimously.

Approved by _____
Emil J. Bielecki, Town Clerk