

Regular Meeting of the Vestal Town Board October 22, 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 October 20, 2014.

TOWN BOARD PRESENT:

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

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and 15 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.

Supervisor Schaffer congratulated Robert Nasiatka (former Town Supervisor and Fire Chief) for receiving an award in recognition of his 50 years of service as a fire fighter. We are grateful for his 50 and still going years of service to the Town.

APPROVAL OF MINUTES

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

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
 Nays 0

Resolved the Minutes of the Regular Meeting on October 8, 2014 are approved.

PRIVILEGE OF THE FLOOR (Agenda Items Only)

A speaker made the following comments on several items on the agenda:

- More details should have been provided on the audit of the Town Court.
- There seemed to be little competition on the bids for the generators.
- Once again, we are allowing change orders for work that should have been completed within the submitted bid price.
- It is amazing that there are so few people here to talk about the budget

Supervisor Schaffer noted that there were 2 bids received on the generators. The additional money was for problems that developed that were out of the contractor's control (sunken road and incorrect fuse of a main). The public will have an opportunity to talk about the budget at an upcoming public hearing.

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RESOLUTIONS & MOTIONS

Town Court Audit acknowledged

R251-14 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
Nays 0

Resolved to adopt a Resolution acknowledging that the CPA firm of **Ciaschi, Dietershagen, Little, Michelson & Co., LLC** has audited the books and records of the **Town of Vestal Justice Courts** for the calendar year of 2013.

Award Bid for Standby Generators to Matco Electric

R252-14 On a motion of Councilwoman Fitzgerald, seconded by Councilman Majewski, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
Nays 0

Resolved to award **Matco Electric**, 3913 Gates Road, Vestal, N.Y, the bids for Standby Generators for **Murray Hill Road** at the low bid price of **\$56,000.00** and for **Lyndale Drive** at the low bid price of **\$39,149.00**. The installation of these generators will negate the vulnerability of two additional water district areas, leaving the Consolidated Water District with just three remaining vulnerable areas needing future installations.

Change Order for the High Avenue Sewer Project

R253-14 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
Nays 0

Resolved to approve a change order for the **High Avenue Sewer Project** in the amount of **\$1,485.26**, as per the invoice from **ZMK Construction, Inc.** Additional work was needed to complete the project as a result of a sunken road (from the paving last year) and of a fusion to the main that did not fuse correctly.

Wal-Mart Super Center Special Permit

R255-14 On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
Nays 0

Resolved to grant a **Special Permit**, as required by Chapter 24, Article V, Division 3, Section 24-287, to **Wal-Mart Super Center**, located at **2405 Vestal Parkway**

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East, allowing them to place up to 8 ‘sea box’ type trailers on the west side of the building per their application for temporary storage of merchandise beginning in October and to be removed no later than mid-January 2015. One hand held 2½ pound fire extinguisher is to be mounted in each box. The Board has reviewed the submitted Short Environmental Assessment Form under SEQRA and finds it acceptable.

Occupational Health Services - Our Lady of Lourdes Memorial Hospital

R256-14 On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
Nays 0

Resolved for the Town of Vestal to receive services from ***Our Lady of Lourdes Memorial Hospital*** (Occupational Health Services) on an as needed basis in 2015 as described in Exhibit A to be attached as a part of this resolution. These services do not cover a Workers Comp PPO.

Accept \$400.00 Wellness Grant from PERMA

R257-14 On a motion of Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
Nays 0

Resolved to authorize the Town Comptroller to accept a **\$400.00 Wellness Grant** from **PERMA** to be used for the Blue4U wellness program with Excellus.

Advertise Local Law “F” of the Year 2014

R258-14 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
Nays 0

Resolved to authorize Town Attorney to advertise on Oct. 29, 2014 for a Public Hearing on Nov. 5, 2014 regarding **Local Law “F” of the Year 2014** entitled “*A Local Law to override the tax levy limit established in General Municipal Law 3-C.*”

Amend the 2015 Town Picnic Fees

R259-14 On a motion of Councilwoman Fitzgerald, seconded by Councilman Majewski, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
Nays 0

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Resolved to **establish the 2015 Town Picnic fees** for shelters at Arnold Park as follows:

- \$30.00 – Resident fee Monday – Thursday
- \$50.00 – Non Resident fee Monday – Thursday
- \$75.00 – Resident fee Friday – Sunday
- \$95.00 – Non Resident fee Friday – Sunday
- \$50.00 – Alcohol – Any day

Workers Comp PPO Services from United Health Services

R260-14 On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
Nays 0

Resolved for the Town of Vestal to receive **Workers Comp PPO** services from **United Health Services**, Occupational Medicine in 2015 for the cost of \$10,000.00 for the year.

Adopt Final 2015 Vestal Fire District Budget

R261-14 On a motion of Fire Commissioner Messina, seconded by Fire Commissioner Majewski, the following resolution was

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
Nays 0

Resolved to adopt the **Final 2015 Vestal Fire District Budget** with total appropriations of **\$1,181,018.00**.

CONSENT AGENDA

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

ADOPTED Ayes 4 Majewski, Fitzgerald, Messina, Schaffer
Nays 0

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

FINANCE: Messina/ Majewski

Receive and File: Warrant Reports: 2014-42, 2014-42E, 2014-42S

Billable Hours for Town Attorney

R262-14 Authorization for the Business Office to pay **\$437.50 to Town Attorney David Berger for billable hours** for September. 2014.

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PERSONNEL: Fitzgerald/Majewski

Kasia A. Kieca to Intern at Vestal Museum

R263-14 Authorization for Museum Director Ramona Kacyvenski to grant an **unpaid internship to Kasia A. Kieca**. Ms. Kieca is a graduate student at Binghamton University and will work on a project of organizing the museum collection. She will begin immediately and it is anticipated that she will continue through the end of May 2015.

PLANNING & ZONING: Messina/Fitzgerald

Library Parking Lot for Fundraisers

R264-14 Authorization for **Boy Scout Troop 225** to use the library parking lot for the Troop's annual tree sale from November 22, 2014 – December 31, 2014. The Town's Indemnification Agreement is to be signed.

R265-14 Authorization for the **Alpha Phi Alpha Fraternity** to use the library parking lot on May 16, 2015 for a chicken barbeque fundraiser. The Town's Indemnification Agreement is to be signed. This organization has members from Vestal and Vestal students are eligible for the scholarships.

PUBLIC SAFETY: Majewski/Messina

Joint Police Tactical Team (SWAT) Agreement

R266-14 Approval for the Town Supervisor to sign *Joint Police Tactical Team (SWAT) Agreement* between the City of Binghamton, the Village of Johnson City and the Town of Vestal.

RECEIVE AND FILE:

- Executed Copy of the *Memorandum of Understanding Agreement* with the Broome County Health Department – **Opioid Overdose Prevention Program** – CA 10-1043-6.
- Vestal Fire Advisory Board Minutes – September 15, 2014.

END OF CONSENT AGENDA

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CHAIR COMMENTS AND UPDATES

Councilman Majewski thanked Broome County Legislator Daniel J. Reynolds for his work in helping to restore the County library aid to last year's level.

ADDITIONAL PUBLIC COMMENTS

A speaker made comments on the following topics:

- Thanked Bob Nasiatka for his years of service to the Town's Fire Department.
- Thanked the Board for the detailed explanation of the reason why new generators are being purchased.
- Various studies show that subsurface manipulation causes earthquakes and that 'fracking produces larger earthquakes.

SUPERVISOR'S ANNOUNCEMENTS

- Leaf Pick Up – until snow falls. Place leaves along the curb but AWAY FROM STORM DRAINS! No yard waste or branches. For more information contact Highway Department 607-785-4616.

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Messina, the meeting was adjourned at 6:15PM. Carried unanimously.

Approved by _____

Emil J. Bielecki, Town Clerk