

Regular Meeting of the Vestal Town Board January 7, 2015

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 January 7, 2015.

TOWN BOARD PRESENT:

**Supervisor John Schaffer
Councilman Fran Majewski
Councilwoman Patty Fitzgerald
Councilwoman Suzanne Messina
Councilwoman Shoba Agneshwar**

ALSO ATTENDING: Town Attorney David Berger, Town Clerk Emil Bielecki, 1st Deputy Town Clerk Kathie Young and approximately 12 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 called upon Town Justice Michael Sherwood to **swear-in Shoba Agneshwar as Councilwoman**. The ceremony was greeted with applause.

APPROVAL OF MINUTES

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

ADOPTED Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer
 Nays 0

Resolved the Minutes of the Regular Meeting on December 17, 2014 are approved.

PRIVILEGE OF THE FLOOR (Agenda Items Only)

A speaker questioned why the Town is choosing to renew its membership in the Upstate New York Towns Association when it is already a member of the NYS Association of Towns. The upstate association appears to be heavily influenced by pro gas drilling interests. Is someone from Vestal going to the next meeting? Also, he has heard that one of the topics on the agenda concerns secession of upstate towns from New York State. Supervisor Schaffer responded that while both town associations are good, the upstate association is addressing issues that are more relevant to our Town. In addition, the upstate association is scheduling meetings in more convenient locations and appears to be less political. He does plan to attend the next meeting and expects a number of topics to be discussed. He would not support the association's focus on just the fracking issue.

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Responding to a speaker's question about the need to pay \$400 dues for membership to another town association, Councilman Majewski stated that one of the main reasons for the joining the upstate association is the refusal of NY State Associations of Towns to change the venue for their meetings. The downstate interests run the state. Supervisor Schaffer added that neither the statewide nor the Broome County Association of Towns is totally responsive to our needs.

A speaker would like the Board to report back to the public about the discussions at upstate association meetings. She is particularly concerned about any efforts to change zoning regulations to permit industrial activity in rural residential areas.

A speaker commented as follows on some of the items on the agenda:

- Opposes sending town officials to training sessions in NYC. It is a waste of money.
- Is against hiring more employees. The departments should be able to do this work without more people.
- Opposes spending money for outside counsel to defend us in lawsuits. Town Attorney Berger noted that the item on the agenda concerns the defense of our police officers.
- Feels that the \$2,000 dues for the NYS Association of Towns is excessive.
- We do not seem to get much benefit from participating in the Stop DWI Program. Vestal Police Sgt. Kintner explained that Officer Will had 50 DWI arrests last year because of the Stop DWI program. We consider that *saving lives*. All officers are allowed to sign up for this program.
- Asks that the Board throw away the timer that limits public comments to 3 minutes. It is offensive. There is not a line of people waiting to speak.

RESOLUTIONS & MOTIONS

R001-15 On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

ADOPTED Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer
Nays 0

Resolved to adopt the **2015 Organizational Appointments, Authorizations and Calendar of Board Meetings** as follows:

A. Town Board Committees:

PUBLIC WORKS: (Utility, Highway, Water, Parks, MAJEWSKI /Fitzgerald
Building Maintenance)

PUBLIC SAFETY: (Fire, Police, Emergency MAJEWSKI/ Agneshwar

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Services, Courts)

PERSONNEL: FITZGERALD/Majewski

PLANNING & ZONING: (Code Department, Planning and Zoning, Engineering) MESSINA/Fitzgerald

FINANCE: AGNESHWAR/Messina

ADMINISTRATION: (Assessment, Tax Collector Clerk, Library, IT, Recreation, Historian, Museum) MESSINA/ Agneshwar

B. Town Board Meeting Schedule:

2015 WORK SESSIONS	2015 BOARD MEETINGS
Monday before the 1 st , 2 nd & 4 th Wednesdays of the month at 6:00 p.m. <i>unless otherwise indicated</i>	2 nd & 4 th Wednesdays of the month at 6:00 p.m. <i>unless otherwise indicated</i>
1/5/15	1/7/15 *1 st Wednesday
1/26/15	1/28/15
2/9/15	2/11/15
2/23/15	2/25/15
3/2/15	3/4/15
3/23/15	3/25/15
4/6/15	4/8/15
4/20/15	4/22/15
5/4/15	5/6/15 *1 st Wednesday due to holiday
5/18/15	5/20/15 *3 rd Wednesday due to holiday
6/8/15	6/10/15
6/22/15	6/24/15
7/6/15	7/8/15
7/20/15	7/22/15
8/10/15	8/12/15
8/24/15	8/26/15
9/14/15	9/16/15 *3 rd Wednesday due to holiday
9/28/15	9/30/15 *5 th Wednesday due to holiday
10/5/15	
10/12/15	10/14/15
	10/20/15 FIRE BUDGET HEARING
10/26/15	10/28/15
11/2/15	11/4/14 *1 st Wednesday due to holiday TOWN BUDGET HEARING
11/16/15	11/18/14 *3 rd Wednesday due to holiday
12/7/15	12/9/15
12/14/15	12/16/15 *3 rd Wednesday due to holiday

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C. Establish salary and wage rates for town employees as stated in the 2015 salary schedule.

D. Approval of the form, manner and sufficiency of the Employee Surety Bond.

E. \$100 for clothing and boot allowance for:

- Water Superintendent – Scott Groats
- Parks Superintendent – Jim Bukowski
- Highway Superintendent – Brock Leonard
- Deputy Highway Superintendent – Rocco Turdo
- Town Engineer – Gary Campo
- Deputy Water Superintendent – Bill Peltz
- Code Officer – Mark Dedrick

F. Attendance to budgeted association meetings as follows:

Monthly:

- Broome County Association of Municipal Court Clerks
- Broome County Association of Towns and Villages
- Broome County Municipal Clerks Association
- Association of Assessors

Quarterly:

- Broome County Association of Receivers and Tax Collector's Building Officials
- NYS GFOA Board of Governors

Annual:

- NYS GFOA Annual Conference
- PERMA Conference
- NYS Town Clerks Association Annual Conference

Other Training:

- NYS GFOA meetings and seminars

Education Seminars for Building and Code

- Winter/Spring STBOA One Day Seminar
- Northern Adirondack BOA
- Finger Lakes BOA 4 days

- Summer STBOA One Day Seminar
- NY Firefighters Association

- Fall ICC Conference
- STBOA One Day Seminar
- Fire Inspectors Seminar

- Spring or Fall NYS Fire Academy Sprinkler Workshop

G. Under Section 77-b of General Municipal Law the board delegates department heads to authorize training within the limits of the department budget.

H. Fire Marshall: Carle Truman
Deputy Fire Marshalls: Christopher S. Lupold and Brian Mather

I. Adopt Procurement Policy and list of authorized purchasers.

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J. Mileage Reimbursement for the use of a personal vehicle on Town Business will be based on the Federal Government guidelines.

K. Designate Depositories for Town Funds:

M & T \$20,000,000
J.P. Morgan Chase \$20,000,000
Tioga State Bank \$5,000,000
First Niagara \$1,000,000

L. Designate the Delegate for Association of Towns Meeting as John Schaffer with the alternative being Fran Majewski.

M. Designate the official Town newspaper as the “Vestal Town Crier.”

Attendees for New York State Association of Towns Annual Conference

R002-15 On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

ADOPTED Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer
Nays 0

Resolved to authorize the following Town employees and officials to attend the **New York State Association of Towns Annual Conference** in New York City February 15 through February 18, 2015:

Town Attorney, David Berger	Human Resources Officer Nancy Olmstead
Councilperson, Suzanne Messina	Councilperson, Fran Majewski
Councilperson, Shoba Agneshwar	Planning Board Chair, Joyce Majewski
Town Justice, Joseph Meagher	ZBA Chair, Mark Johnson or ZBA member

Hire H. Vincent Griggs III - Sr. Account Clerk

Supervisor Schaffer noted that this hire is not increasing the work force. This is to replace an employee who is retiring.

R003-15 On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer
Nays 0

Resolved to authorize the Town Comptroller Laura McKane to hire **H. Vincent Griggs III** as a **provisional Sr. Account Clerk** to work in the Business Office effective December 29, 2014 on a part-time basis and effective January 26, 2015 on a full-time basis at a rate of \$13.95 per hour. Upon permanent appointment, Mr. Griggs’s rate of pay will increase to \$16.40 per hour. This position is non-

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union. Such appointment is conditioned on satisfactory results of background check and pre-employment drug test.

Hire Steven Cortright Municipal Fire Code Inspector

Supervisor Schaffer noted that this is not increasing the work force. This is to replace an employee who has left.

R004-15 On a motion of Councilman Majewski, seconded by Councilwoman Fitzgerald, the following resolution was

ADOPTED Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer
Nays 0

Resolved to authorize Code Officer Mark Dedrick to hire **Steven Cortright** as a provisional **Municipal Fire Code Inspector** to work in the Code Department effective January 12, 2015 on a full-time basis at the CSEA rate of \$16.40 per hour. Such appointment is conditioned on satisfactory results of the background check and pre-employment drug test.

Hire Jacob McDaniel - Clerk Part Time

R005-15 On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the following resolution was

ADOPTED Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer
Nays 0

Resolved to authorize Museum Director Ramona Kacyvenski to **hire Jacob McDaniel** as **Clerk Part Time** to work an average of 8 hours per week in the Museum effective immediately at a rate of \$9.32 per hour. This position is non-union.

2015 Membership Dues - Upstate New York Towns Association

R006-15 On a motion of Councilwoman Agneshwar, seconded by Councilman Majewski, the following resolution was

ADOPTED Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer
Nays 0

Resolved to authorize the Business Office to pay \$400.00 for **2015 Membership Dues** to the **Upstate New York Towns Association**.

Supervisor Schaffer pulled the following motion from the agenda stating that no Board action is necessary on this item:

Motion for the Board of Fire Commissioners to authorize the Fire District Office to **invoice the Town of Evans for \$311 in fuel costs with a letter of intent to**

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donate those costs to the Evans Center Fire Department through the Town of Evans.

CONSENT AGENDA

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

ADOPTED Ayes 5 Majewski, Fitzgerald, Agneshwar, Messina, Schaffer
Nays 0

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

FINANCE: Messina/ Majewski

Receive and File:

- **Warrant Reports:** 2014-51, 2014-51E, 2014-51L, 2014-52, 2014-52E, 2014-52EE, 2014-52P, and 2015-01
- **Town Clerk Monthly Report** – December 2014 – Local Share Remitted \$5,814.29
- **Town Clerk Annual Report 2014** – Local Shares Remitted \$69,369.14

Legal Fees - \$4,976.36 to Greene, Hershdorfer & Sharpe

R007-15 Authorization to pay \$4,976.36 to **Greene, Hershdorfer & Sharpe** for Hicks vs. Town of Vestal litigation expenses.

2015 Dues to the NYS Association of Towns

R008-15 Approval to pay \$1650.00 for **2015 Membership Dues** to the NYS Association of Towns.

Billable Hours for Town Attorney

R009-15 Approval to pay \$1625.00 to **Town Attorney David Berger** for December 2014 billable hours.

Renew Lease for Vestal Senior Center

R010-15 Authorization for Town Supervisor to sign a Contract Renewal with **Broome County for Office of Aging** lease of space for Vestal Senior Center for the term of January 1, 2015 – December 31, 2015.

STOP DWI Overtime Patrol

R011-15 Authorization for the Town Supervisor to sign Contract Renewal with **Broome County for the STOP DWI Overtime Patrol** for the term of January 1, 2015 – December 31, 2015, in the total amount of \$12,000.00.

PERSONNEL: Fitzgerald/Majewski

Re-appointment of Gerald Prudhomme to the Library Board of Trustees

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R012-15 Authorization for the re-appointment of **Gerald Prudhomme** to the Library Board of Trustees effective January 1, 2015. This term is to expire December 31, 2019.

PUBLIC SAFETY: Majewski/Messina

Rose and Paffie to Sign Vouchers for the 2015 Fiscal Year

R013-15 Approval from the Board of Fire Commissioners to authorize **Assistant Fire Chief Douglas Rose and Assistant Fire Chief John Paffie** to sign vouchers for the 2015 fiscal year.

2015 LOSAP Membership Certification

R014-15 Authorization from the Board of Fire Commissioners approving the Town of ***Vestal Fire District Length of Service Awards Program (LOSAP) Membership Certification*** list as submitted January 5, 2015.

This list will be posted for 30 days from the date of approval from the Board of Fire Commissioners. During those 30 days, members who failed to achieve their points can only grieve their points based on 1) Line of Duty Injury, 2) Military Leave and 3) Error in Calculation. After the 30 days the LOSAP Committee and the Board of Directors will then approve the final listing and will return to you for final approval prior to sending to Penflex, Inc.

Each Commissioner will need to sign the Blue 2014 Sponsor Approval Form which will be attached to the Green Fire Department Service Certification Form. The original 2014 Data Package will also be available in the Fire District Office to be viewed only.

\$4,000.00 Donation from BAE

R015-15 Authorization for Police Chief John Butler to accept a donation from **BAE** in the amount of **\$4,000.00** to pay for the summer **Vestal High School Youth Academy** run by members of the Vestal Police Department. A thank you letter from the Town Board will be sent to BAE for their generous donation.

ADMINISTRATION: Fitzgerald/Messina

Grant Application to the Chenango Arts Council

R016-15 Authorization for **Museum Director Ramona Kacyvenski** to submit a grant application to the Chenango Arts Council for \$5,000 for the Vestal Museum Summer Bluegrass Series.

END OF CONSENT AGENDA

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ADDITIONAL PUBLIC COMMENTS

A speaker made the following comments:

- Wants to be able to pay his property taxes in two installments. Supervisor Schaffer responded that he would support this but it is not realistic unless the County would allow the Town to delay our payment to them.
- Wants the Board to adopt a 'no work, no pay' policy for Board members who miss meetings.
- Feels that the schedule of Board Meetings is designed for the Board's convenience rather than to accommodate the public. Supervisor Schaffer responded that some meeting dates have to be adjusted to accommodate holidays and other conflicts.
- Questions the qualifications of the people hired by the Town and objects to the high starting salaries.
- Alleges that the Assessor has decreased assessments in select areas of the Town while leaving other areas untouched. This action is discriminatory and does not follow the state guidelines and laws. Supervisor Schaffer noted that if the speaker is still sore about the assessment on his property he must keep his appointments with the Grievance Board so as to present his case.

A speaker, who is a member of the Conservation Advisory Commission (CAC), asked if any Town Board member is assigned to attend CAC meetings. Supervisor Schaffer noted that the CAC falls under the Planning and Zoning Committee. The current members of that committee are Councilwoman Messina and Councilwoman Fitzgerald.

SUPERVISOR'S ANNOUNCEMENTS

- **Winter Parking Reminder** – Parking of vehicles is prohibited on all Town and County roads in Vestal between the hours of 2:00 AM TO 6:00 AM from December 1st through March 31st.

ADJOURNMENT

On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the meeting was adjourned at 6:45PM. Carried unanimously.

Approved by _____ Emil J. Bielecki, Town Clerk