

## **Regular Meeting of the Vestal Town Board April 22, 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 April 22, 2015.

### **TOWN BOARD PRESENT:**

**Supervisor John Schaffer  
Councilman Majewski  
Councilwoman Fitzgerald  
Councilwoman Messina  
Councilwoman Agneshwar**

**ALSO ATTENDING:** Town Attorney David Berger, Town Clerk Emil Bielecki, 1<sup>st</sup> Deputy Town Clerk Kathie Young and 9 members of the general public.

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 Agneshwar, the following resolution was

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

Resolved the Minutes of the Regular Meeting on April 8, 2015 are approved.

### **BID OPENINGS**

#### **Bid Results for Water Department Dump Body**

The bids requested by the Water Department for a **Dump Body** were received and opened at 2:00 pm on Monday April 13, 2015 by the Town Clerk with the results forwarded to the Water Superintendent for review and recommendation.

<b>BURR Truck</b>	Vestal, NY	<b>\$19,876.00</b>	Price without PTO
<b>Wayne's Welding Inc.</b>	Yorkville, NY	<b>\$21,264.00</b>	Price with PTO
		<b>\$19,500.00</b>	Price without PTO

#### **Bid Results for Highway Department Truck Equipment**

The bids requested by the Highway Department for **truck equipment** (plow frame hitch, patrol wing system, hydraulic system, hook lift system, dump body, salt spreader, flat bed and related accessories) were received and the sole bid was

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opened at 2:00 pm on Tuesday April 21, 2015 in the Town Clerk's Office with the results forwarded to the Highway Superintendent for review and recommendation:

**Henderson Truck Equipment Watertown, NY     \$263,244.00**

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

A speaker asked for more detail about some of the expenditures being authorized. Also, he asked about the cost of the lawsuits which involve the Town. Supervisor Schaffer explained the reasons for some of the expenditures and suggested that the speaker contact the Comptroller concerning the legal expenses.

**RESOLUTIONS & MOTIONS**

**Award the Bid for a Dump Body**

**R099-15**     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 **award the bid for a Dump Body** for the Water Department to the low bidder, **Wayne's Welding**, 66 Calder Avenue, Yorkville, NY in the amount of **\$21,264.00**. The price listed is with optional PTO included. If the PTO option is not used the price will be reduced to \$19,500.00.

**Scanning Contract-Dataflow Inc.**

**R100-15**     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 authorize the Town Clerk to enter into and the Supervisor to sign a professional services contract with **Dataflow Inc.** of Binghamton NY to scan and index selected Fire Department records at a cost **not to exceed \$3,950**. All of the records to be scanned and indexed have long retention periods and most are permanent. This project is a budgeted item and will be paid from the Records Management Contractual and Professional Services line A1460-4000.

**NYS Route 26/Sheedy Road Intersection Improvement**

**R101-15**     On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the following resolution was

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

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Resolved to authorize NYSDOT to work on the relocation of a water line as part of the NYS Rt. 26/Sheedy Rd. Intersection Reconstruction and Improvement-PIN 9042.56, and for the Supervisor to sign the **utility agreement with NYSDOT**.

**Purchase Sewer Pump**

**R102-15** On a motion of Councilwoman Fitzgerald, seconded by Councilman Majewski, the following resolution was

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

Resolved to retroactively authorize the Water Superintendent to make an emergency purchase of a sewer pump for the Imperial Woods Sewer Lift Station. The purchase was in the amount \$6,017.50 under budget line S8120-4325.

**Award the Bid for Truck Equipment**

**R103-15** On a motion of Councilwoman Agneshwar, seconded by Councilwoman Messina, the following resolution was

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

Resolved to **award the bid for truck equipment** for two Highway Department trucks (plow frame hitch, patrol wing system, hydraulic system, hook lift system, dump body, salt spreader, flat bed and related accessories) to the sole bidder, **Henderson Truck Equipment** of Watertown, NY at a price of \$131,622 each for a total amount of **\$263,244.00**.

**CONSENT AGENDA**

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

**FINANCE: Agneshwar/Messina**

**Receive and File:**

**Warrant Reports:** 2015-15, 2015-15E, 2015-16, 2015-16E

**Precision Reporters**

**R104-15** Authorization for the Business Office to pay **Precision Reporters**, **PC** \$385.75 for the *Hicks vs. Town of Vestal* deposition.

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**PERSONNEL: Fitzgerald/Majewski**

**Parks Department Seasonal Labor**

**R105-15** Authorization for Parks Superintendent Jim Bukowski to hire the following individuals as **seasonal labor in the Parks Department** at the rate of \$8.75 per hour for a maximum of 15 weeks:

Jacob Deane (new hire)  
Devin Mullins (returning)  
Chris Dutkowsky (returning)

**PUBLIC SAFETY: Majewski/Agneshwar**

**Approve Norton and Hansen as Fire Company #3 Members**

**R106-15** Authorization from the Board of Fire Commissioners to approve **James Norton** and **Devin Hansen** as members of Vestal Fire Department, Company # 3.

**ADMINISTRATION: Messina/Agneshwar**

**Hire Summer Employees**

**R107-15** Authorization for Recreation Planner Sue Jastran to hire the following employees at the pay rates budgeted in the 2015 budget. The background checks have been completed.

**A7310.1021 Labor – Playground Instructors**

Courtney Cummings – Vestal as Summer Office Assistant at Pay rate \$10.25/hr.

**A7180.1010 Labor – Swimming Pool Directors**

Dan MacQuarrie - Vestal as Outdoor Pool Director at Pay rate \$11.25/hr.

Chris Hoskins - Vestal as Instructional Pool Director at Pay rate 11.25/hr.

Samuel Schwartz - Vestal as Assistant Outdoor Pool Director at Pay rate \$10.75/hr.

**A7180.1020 Labor – Labor Lifeguards**

*Note – there are five Lifeguards who are working as Part Time Lifeguards and they are also certified in WSI and may substitute in the swimming Instruction program, so they have two pay rates.*

Cassandra Canino - Vestal as Full Time Lifeguard at Pay rate \$9.75/hr.

Jenny Comency - Vestal as Full Time Lifeguard at Pay rate \$9.75/hr.

Emily Fox - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr. & \$9.75/hr.

Morgan Gaylord - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr.

Joanna Gaynes - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr.

Alexandra Kiser - Apalachin as Part Time Lifeguard at Pay rate \$8.75/hr.

Ben Krauss - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr.

Samantha Lee - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr. & \$9.75/hr.

Jana Loso - Vestal as Full Time Lifeguard at Pay Rate \$9.75/hr.

Sarah Mieczkowski - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr.

Emma Milligan - Vestal as Full Time Lifeguard at Pay rate \$9.75/hr.

Logan Murdock - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr. & \$9.75/hr.

Shane Murdock - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr.

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Chris Newins - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr.  
Peggy Pan –Vestal as Part Time Lifeguard at Pay rate \$8.75/hr. & \$9.75/hr.  
Danielle Pittari - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr.  
Jaclyn Ruhl - Vestal as Full Time Lifeguard at Pay rate \$9.75/hr.  
Catherine Spivak - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr.  
Michael Spivak - Vestal as Full Time Lifeguard at Pay rate \$9.75/hr.  
Andi Marie Stack - Vestal as Full Time Lifeguard at Pay rate \$9.75/hr.  
Derek Wang - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr.  
Sara Wendell - Vestal as Full Time Lifeguard at Pay rate \$9.75/hr.  
Steven Wendell - Vestal as Full Time Lifeguard at Pay rate \$9.75/hr.  
Ariana Wilkie - Apalachin as Part Time Lifeguard at Pay rate \$8.75/hr. & \$9.75/hr.  
Jeffery Zhou - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr. & \$9.75/hr.

### **Maintenance of Abandoned Cemeteries**

**R108-15** Authorization to approve the following people to provide maintenance for the **abandoned cemeteries** in the Town of Vestal for the year 2015, and for the Town Attorney to prepare the contracts:

#### **Phillip Walter**

220 Alice St.	Rounds Cemetery	\$ 325.00
Vestal, NY 13850	Crumm Rd. Cemetery	\$ 425.00
	Vestal Rd. Cemetery	<u>\$ 325.00</u>
		<b>\$1,075.00</b>

#### **Chuck Lane**

400 Elmhaven Drive	Jensen Rd. Cemetery	\$ 475.00
Vestal, NY 13850	Vestal Center Cemetery	<u>\$1,125.00</u>
		<b>\$1,600.00</b>

### **RECEIVE AND FILE:**

- Fire Advisory Board Meeting Minutes of February 16, 2015 and March 30 2015.
- CAC Minutes March 23, 2015 – re: Meeting with Vestal Town Board Regarding Conservation Management Plan for Vestal Town Parks.

## **END OF CONSENT AGENDA**

### **CHAIR COMMENTS AND UPDATES**

The Supervisor noted that he had a very constructive meeting with the Fire Dept.

### **SUPERVISOR'S ANNOUNCEMENTS**

- The NYS Dept. of Environmental Conservation has an **open burning ban** policy in place until May 14th. Burn permits will not be issued during this time.
- Recruit NY (for volunteer fire departments) is April 25, 2015 at all Vestal Fire Stations from noon to 3 pm. The Fire Department needs your skills.

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- **Town of Vestal Highway Dept. Brush Pick Up: 3<sup>rd</sup> Friday of the Month**
  - ✚ Branches must be piled neatly at curb/roadside all in one direction facing the road - NOT in the street.
  - ✚ Leave branches as long as possible - better to feed into the machine.
  - ✚ Branch diameter is up to 6 inches. "Acceptable if cut ABOVE ground!"  
(Pine needles are ok)

*Residents may bring in branches to dump in our brush pile (1801 Glenwood Road) Monday-Friday 7am to 3pm. Please stop at the Highway Dept. office for instructions on where to dump your branches.*
- American Legion Post 89 (Vestal) will hold a **Memorial Day Ceremony** at the four corners Gazebo-Noon on Monday, May 25<sup>th</sup>. The public is invited.
- The **Environmental Assessment for the Binghamton-Johnson City Joint Sewage Treatment Plant, Comprehensive Flood Protection System Project**, Town of Vestal, Broome County, N.Y. FEMA 4031-DR-NY is available for review and comment. **[Comment@fema.dhs.gov](mailto:Comment@fema.dhs.gov)**. The Environmental Assessment will also be available for download from the FEMA website at **<http://www.fema.gov/resource-document-library>**. A hard copy of the EA will be made available for review at the Town of Vestal Town Hall (Town Clerk's Office), 605 Vestal Pkwy West, Vestal, NY 13850.

### **ADDITIONAL PUBLIC COMMENTS**

A speaker reiterated his ongoing issues with the Town:

- Town needs to investigate two incidents directed at him as hate crimes: a plow truck that deliberately blocked his driveway with snow and ice and his vehicle tires being punctured on two occasions in front of Town Hall.
- The Town Assessor does not function legally and has not followed the NYS guidelines since 2008.
- Board members who miss meetings should not be paid and should resign.
- We should be presented with a yearly financial report.

Supervisor Schaffer noted that all of these items have been addressed on numerous occasions and there is no merit to these repetitive accusations and allegations.

### **ADJOURNMENT**

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

Approved by \_\_\_\_\_

**Emil J. Bielecki, Town Clerk**