

## Regular Meeting of the Vestal Town Board July 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 July 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 14 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 Councilman Majewski, 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 July 8<sup>th</sup>, 2015 are approved.

### **PUBLIC HEARINGS**

Supervisor Schaffer offered *Proof of Posting* and *Affidavit of Publication* and then opened the Public Hearing regarding the **Petition for the Establishment of Consolidated Sewer District No. 1, Extension No.157**, described as 1021 Main Street, Vestal, New York, BCTMP #173.15-1-44, property of Rodney D. Imler.

Hearing or seeing no one wishing to speak, Supervisor Schaffer closed the public hearing and asked the Board if they wished to vote on the petition.

### **Establishment of Consolidated Sewer District No. 1, Extension No.157**

**R176-15**      On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following resolution was

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

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Resolved to authorize the Town Attorney to file the necessary paperwork for the **Establishment of Consolidated Sewer District No. 1, Extension No.157**, described as 1021 Main Street, Vestal, New York, BCTMP #173.15-1-44, property of Rodney D. Imler.

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

A speaker stated that Keystone Engineering should not be paid for the floodwall plans because they made too many errors. He also feels that the cost of the Robert Street pump station is excessive. Additionally, he hopes that the person hired as a deputy comptroller is qualified. Supervisor Schaffer noted that the person selected to fill the deputy comptroller position was the most qualified applicant.

### **RESOLUTIONS & MOTIONS**

#### **Change Orders – Town Hall Flood Wall**

**R177-15** 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 to authorize payment from the FEMA flood line to cover change orders required in building of the flood wall in the amount of \$52,771.28. The Town Engineer shall withhold the final payment to **Keystone Engineering** to negotiate a possible price adjustment to account for the errors made in the design work.

#### **Robert Street Storm Water Pump Station Upgrade Application for Funding**

**R178-15** 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 the Town Supervisor to sign the application for funding of the **Robert Street Storm Water Pump Station Upgrade** and to retroactively approve **advertising on July 22, 2015**, the public notice of the NY State CDBG-DR Application Available Review.

#### **Hire Barton & Loguidice for Robert St. Storm Water Pump Station Design**

Supervisor Schaffer thanked Councilman Majewski for participating on the negotiating committee that selected the firm for this project.

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**R179-15** 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 grant authorization for the Town Supervisor to sign an agreement with **Barton & Loguidice** to provide design and construction services for the conversion of the Robert Street Sanitary Sewer Pump Station to a Storm Water Pump Station. Design fees for Phase 1 and 2 are at a lump sum price of \$114,099 with construction inspection being Phase 3 at a not to exceed price of \$68,584. NY Rising has submitted their authorization letter.

**Endorsement of Kopernik Science Park**

Supervisor Schaffer noted that this science park will be a great thing for Vestal.

**R180-15** 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 to adopt the following Resolution of Support endorsing the plan for the **Kopernik Science Park** at the Kopernik Observatory & Science Center in Vestal and authorize the Town Supervisor to sign a letter of support for the project:

WHEREAS, officials of THE TOWN OF VESTAL consider the **Kopernik Observatory & Science Center (KOSC)**, located at 698 UNDERWOOD ROAD, VESTAL, NY to be of utmost importance to the region by providing the region with STEM Education programs and classes for K-12 students, public and private community groups, and the region's aging population; and

WHEREAS, KOSC is honored as the best equipped publically owned observatory in the Northeast, serving as a popular destination for tourists, families and academics; and

WHEREAS, KOSC in partnership with THE JUNIOR LEAGUE OF BINGHAMTON (JLB) plans to design and implement the KOPERNIK SCIENCE PARK, a SCIENCE AND TECHNOLOGY THEMED OUTDOOR EDUCATIONAL AND RECREATIONAL PLAYGROUND AND PARK to be located on the grounds of KOSC; and

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WHEREAS, the KOPERNIK SCIENCE PARK will provide students and the public a destination for informal STEM Education through self-guided play and formal STEM Education through KOSC programming; and

WHEREAS, officials of the TOWN OF VESTAL feel that it is in the best interest of the citizens of VESTAL and the local region to endorse the continued efforts of KOSC and the JLB to complete said project;

NOW, THEREFORE, BE IT RESOLVED that the TOWN OF VESTAL hereby endorses the KOPERNIK SCIENCE PARK PROJECT.

### **Appoint Nicholas Angeline as Deputy Comptroller**

**R181-15** 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 Comptroller Laura McKane to appoint **Nicholas Angeline** to the non-union position of **Deputy Comptroller**, effective August 10, 2015, on a full-time basis at an annual salary of \$45,000 increasing to \$48,000 following successful completion of a 6 month probationary period. This appointment is conditioned on the satisfactory results of the background check and pre-employment drug test.

### **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:** 2015-28, 2015-28E, 2015-29, 2015-29E

### **ADMINISTRATION: Messina/Agneshwar**

#### **Museum to Use Donation Funds for Advertisement**

**R182-15** Authorization for Museum Director Ramona Kacyvenski to use donation funds from line CM308 to pay *Vestal Town Crier* **\$115.50 for summer event advertisement.**

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### **Hire Summer Labor**

**R183-15** Authorization for Recreation Planner Sue Jastran to **hire labor for the basketball camp, girl's lacrosse camp, soccer camp and lifeguards** (as listed in her memo dated July 14, 2015) as follows:

All employee pay rates are budgeted items in the 2015 budget and the background checks have been completed.

### **7310.1123 - Basketball Camp Labor**

Rob Carr - Apalachin as Basketball Camp Director at \$650.00 Salary

Matthew Carr - Apalachin as Basketball Camp Instructor at pay rate \$275.00 Salary

Peyton Alig - Vestal as Basketball Camp Instructor at pay rate \$275.00 Salary

Joe D'Esti - Vestal as Basketball Camp Instructor at pay rate \$200.00 Salary

James Moyer - Vestal as Basketball Camp Instructor at pay rate \$275.00 Salary

Conor Harding - Vestal as Basketball Camp Instructor at pay rate \$275.00 Salary

Elijah Mushalla - Vestal as Basketball Camp Instructor at pay rate \$275.00 Salary

Nicholas Mushalla - Vestal as Basketball Camp Instructor at pay rate \$275.00 Salary

### **7310.1130 - Basketball Shooting and Conditioning Labor**

Rob Carr - Apalachin as Basketball Camp Director at \$650.00 Salary

### **7310.1128 - Girls Lacrosse Camp Labor**

Heidi Lott - Apalachin as Girl's Lacrosse Camp Director at pay rate \$500.00/  
Salary/camp

Chloe Kurst - Vestal as Girl's Lacrosse Camp Instructor at pay rate \$150.00/Salary

### **7180.1020 Labor - Labor Lifeguards**

Michelle Chisdak - Vestal as Part Time Lifeguard at Pay rate \$8.75/hr.

### **7310.1121 - Soccer Camp Labor**

Adam Blackwell - Owego as Soccer Camp Instructor at pay rate \$90.00 salary

Jaisen Clark - Vestal as Soccer Camp Instructor at pay rate \$150.00 salary

David Pirc - Vestal as Soccer Camp Instructor at pay rate \$150.00 salary

Michael Spellane - Vestal as Soccer Camp Instructor at pay rate \$150.00 salary

Melanie Patterson - Vestal as Soccer Camp Instructor at pay rate \$120.00 salary

Nicholas Pittari - Vestal as Soccer Camp Instructor at pay rate \$150.00 salary

Emma St. Pierre - Vestal as Soccer Camp Instructor at pay rate \$150.00 salary

Heidi Stahl- Vestal as Soccer Camp Instructor at pay rate \$150.00 salary

Rachel Terry - Vestal as Soccer Camp Instructor at pay rate \$150.00 salary

Matthew Wood - Endicott as Soccer Camp Director at pay rate \$650.00 salary

### **\$50 Gift Card Donation from Sam's Club**

**R184-15** Authorization for Recreation Planner Sue Jastran to accept the **\$50 gift card donation from Sam's Club** as solicited privately by Vilma Byrne for food purchases for the Town Picnic.

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**RECEIVE AND FILE**

- Liquor License Application – **TGI Fridays**, 2445 Vestal Parkway East
- **Highway Superintendent Brock Leonard** - Notice of Retirement effective July 31th, 2015.

**END OF CONSENT AGENDA**

**ADDITIONAL PUBLIC COMMENTS**

A speaker thanked Vilma Byrne for her seeking donations for the Vestal Picnic.

A speaker asked for an explanation of the errors done on the flood wall. Supervisor Schaffer explained that we needed a check valve, catch basin repair as well as additional shoring due to the inability of the soil to hold a vertical slope.

A speaker noted that the Highway Supervisor Brock Leonard is retiring and wished him well. Supervisor Schaffer also thanked Brock for his service and noted that he would be missed.

A speaker noted that a Buffalo business review has ranked the Vestal School District as # 1 in the region for the 5<sup>th</sup> year in a row. As a past graduate himself, he would like the schools to teach more about what local government does.

A speaker reiterated his request for a police investigation into several alleged incidents concerning his car and his property. He feels that he is being discriminated against. Also, he claims that he is being treated unfairly in his effort to reduce the assessment on his property. Supervisor Schaffer again stated that all of these issues have been addressed previously and need no additional action from the Board.

**ADJOURNMENT**

On a motion of Councilman Majewski, seconded by Councilwoman Agneshwar, the **meeting was adjourned at 6:19PM**. Carried unanimously.

Approved by \_\_\_\_\_  
**Emil J. Bielecki, Town Clerk**