

## **Regular Meeting of the Vestal Town Board August 12, 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 August 12, 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 Messina, seconded by Councilman Majewski, the following resolution was

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

Resolved the Minutes of the Regular Meeting on July 22, 2015 are approved.

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

A speaker asked for more information on these agenda items: Verizon lease agreement, sale of Parks surplus equipment, Hicks v. Town of Vestal lawsuit and the budget transfers. In response, Supervisor Schaffer commented as follow:

- The Town will receive extra income by leasing space to Verizon Wireless for a cell tower. It will also improve the service to the Town.
- The equipment to be sold from Parks Department is worn, old or in need of costly repairs. Highway did well recently selling equipment at auction.
- The Hicks case is a federal case and we have no choice but to defend the Town.
- The budget transfers are routine budgetary adjustments and he can provide the speaker with access to the details by tomorrow.

A speaker noted that Vilma Byrne has solicited another donation on behalf of the Recreation Department and congratulated her for it.

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**RESOLUTIONS & MOTIONS**

**Binghamton MSA Limited Partnership d/b/a Verizon Wireless Lease**

**R185-15** 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 approve the **Lease Agreement between the Town of Vestal and Binghamton MSA Limited Partnership d/b/a Verizon Wireless** for 48 square feet of space on the Town of Vestal right of way on 101 Plaza Drive at a yearly rental of \$3,600 a year for an initial 5 year term with renewal for 3 additional 5 year terms at an increased rent of 10% for any renewal. The Short form SEQRA has been submitted by applicant and no issues identified.

**Parks to Auction Surplus Equipment**

**R186-15** 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 Parks Superintendent Jim Bukowski to sell through the auction process Parks Department **surplus equipment**, as listed in his memo dated May 29, 2015. The proceeds from the auction will go back into the general fund and any request from the Parks Department to use the proceeds will be treated as a separate item.

**New Fire Members Approved**

**R187-15** 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 by the Fire Commissioners to approve the following new Vestal Fire Department members:

- **Clayton Falzone** as a member of the VFD Company No. 4
- **Andrew Bickford** as a member of the VFD Company No. 2

**5k Walk/Run Fundraiser for the Children's Miracle Network**

**R188-15** On a motion of Councilwoman Messina, seconded by Councilman Majewski, the following resolution was

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

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Resolved to authorize Loves Travel Stops of Kirkwood, NY to hold a **5k walk/run fundraiser for the Children's Miracle Network** on the Rail Trail on Sunday, September 27, 2015. According to Phil Horan, the event organizer, this event will draw 25-30 participants. The Rail Trail will not need to be closed for this event. The event organizer is to provide adequate proof of insurance.

### 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: Agneshwar/Messina

##### Receive and File:

- **Warrant Reports:** 2015-30, 2015-30E, 2015-30L, 2015-31, 2015-31E, 2015-32, 2015-32E
- **Town Clerk Monthly Report** for the Period Ending July 31, 2015 - \$7,052.75 Local Shares Remitted
- **Comptroller's Monthly Report** – July 2015

##### Legal Expenses

**R189-15** Authorization to remit **\$1,125** to **Town Attorney David Berger** for the month of July 2015 for Billable Hours. Total time is 7 hours and 30 minutes.

**R190-15** Authorization to remit **\$6,398.40** to **Greene, Hershdorfer & Sharpe, Syracuse, NY** for services in the Hicks v. Town of Vestal case.

##### Budget Transfers

**R191-15** Approval to make **Budget Transfers** with effective dates **January 1, 2015 through August 5, 2015** as attached to the memo from Deputy Comptroller Pam Fitzgerald dated August 6, 2015.

#### PUBLIC SAFETY: Majewski/Agneshwar

##### Lease for Fred Singer Training Site

**R192-15** Authorization from the Board of Fire Commissioners approving a **lease with the Candor Fire District for the Weltonville and the Candor Fire Departments** for the Fred Singer Training Site. This lease shall be for a period of 6 months in the amount of \$300 for the remainder of 2015.

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### **Fire Station #3 Fundraisers Approved**

**R193-15** Authorization from the Board of Fire Commissioners to approve the Department Membership and Ladies Auxiliary for Vestal Fire Department Station #3, Owego Road in Ross Corners to hold the following events:

- **Spaghetti Dinner** on September 26, 2015 from 4-7 PM at Vestal Fire Department Station #3. Coverage time is from 1 PM to 9 PM.
- **Auxiliary Bake Sale** Tuesday, November 3<sup>rd</sup> from 6 AM to 6 PM at Vestal Fire Dept. Station #3. Coverage time is from 6 AM to 6 PM.

A sign in sheet will be used to track personnel at these events.

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

#### **Town to Accept Donation**

**R194-15** Retroactive authorization for the Recreation Director to accept a **\$25.00 Gift Card** from **Weis** to be used towards the food purchases for this year's Town Picnic. The donation was solicited privately by Vilma Byrne.

### **Hiring of Summer Employees at Recreation Department**

**R195-15** Authorization for the Recreation Planner to hire **Summer Employees** per her memo dated August 5, 2015. All employee pay rates are budgeted in the 2015 budget and the background checks has been completed.

#### **A7310.1122 Labor – Lacrosse Camp Employees**

Corey Choberka - Vestal as Lacrosse Camp Coach at pay rate \$200.00 salary  
Cole Lewis - Vestal as Lacrosse Camp Coach at pay rate \$250.00 salary  
Jared Nelson - Vestal as Lacrosse Camp Coach at pay rate \$200.00 salary  
Gordon Pollard - Vestal as Lacrosse Camp Director at pay rate \$550.00 salary  
Mark Robinson - Johnson City as Lacrosse Camp Coach at pay rate \$300.00 salary

#### **A7310.1131 - Volleyball Camp Employees - (3 camps)**

Erica Barney - Vestal as Volleyball Camp Instructor at pay rate \$375.00 salary  
Alyssa Beck - Apalachin as Volleyball Camp Instructor at pay rate \$125.00 salary  
Rachel Mattson - Apalachin as Volleyball Camp Instructor at pay \$225.00 salary  
Joseph Nemecek - Apalachin as Volleyball Camp Director at pay rate \$500.00 salary/camp  
Monica Wassel - Vestal as Volleyball Camp Instructor at pay rate \$375.00 salary  
Karissa Kohlman - Vestal as Volleyball Camp Instructor at pay rate \$125.00 salary

#### **A7310.1040 Labor – Girl's Advanced Soccer Camp Employees**

Jaisen Clark - Vestal as Soccer Camp Instructor at pay rate \$200.00 salary  
Robert Dickenson - Endicott as Girls Soccer Camp Instructor at pay rate \$200.00 salary  
Edward Hudock - Vestal as Girls Soccer Camp Coach at pay rate \$450.00 salary  
David Kendall - Endicott as Girls Soccer Camp Coach at pay rate \$250.00 salary  
Bill Stepanovsky - Endicott as Girls Soccer Camp Director at pay rate \$650.00 salary

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### **A7310.1129 - Field Hockey Camp Labor**

Kelcy Wickman - Vestal as Field Hockey Camp Director at pay rate \$650.00 Salary

### **A7310.1127 Labor - Baseball Camp Labor**

Nick Anderson - Vestal as Baseball Camp Instructor at pay rate \$200.00 Salary

Jeremy Baltz - Vestal as Baseball Camp Instructor at pay rate \$150.00 Salary

Brendan May - McGraw as Baseball Camp Instructor at pay rate \$150.00 Salary

Shawn May - McGraw as Baseball Camp Director at pay rate \$450.00 Salary

Lawrence Williams - Endwell as Baseball Camp Co-Director at pay rate \$450.00 Salary

### **A7310.1125 - Fall - Field Hockey League Labor**

Kelcy Wickman - Vestal as Field Hockey League Director at pay rate \$650.00 salary.

### **A7310.1022 Labor – Family Swim Employees**

Madison Card - Apalachin as Lifeguard at pay rate \$9.25/hr.

Cameron Cook - Vestal as Lifeguard at pay rate \$9.25/hr.

Chad Economides - Vestal as Lifeguard at pay rate \$9.25/hr.

Chris Gardner - Vestal as Lifeguard at pay rate \$9.25/hr.

Morgan Gaylord - Vestal as Lifeguard at pay rate \$9.25/hr.

Rebeka Hartman - Apalachin as Lifeguard at pay rate \$9.25/hr.

Ben Krauss - Vestal as Lifeguard at pay rate \$9.25/hr.

Samantha Lee - Vestal as Lifeguard at pay rate \$9.25/hr.

Sarah Mieczkowski - Vestal as Lifeguard at pay rate \$9.25/hr.

Emma Milligan - Vestal as Lifeguard at pay rate \$9.25/hr.

Logan Murdock - Vestal as Lifeguard at pay rate \$9.25/hr.

Alex Pinney - Binghamton as Lifeguard at pay rate \$9.25/hr.

Joseph Pirc - Vestal as Lifeguard at pay rate \$9.25/hr.

Danielle Pittari - Vestal as Lifeguard at pay rate \$9.25/hr.

Michael Spivak - Vestal as Lifeguard at pay rate \$9.25/hr.

Andi Marie Stack - Vestal as Lifeguard at pay rate \$9.25/hr.

Katrina Tibensky - Vestal as Lifeguard at pay rate \$9.25/hr.

Stephen Tibensky - Vestal as Lifeguard at pay rate \$9.25/hr.

Jeffrey Washington - Vestal as Lifeguard at pay rate \$9.25/hr.

Sara Wendell - Vestal as Lifeguard at pay rate \$9.25/hr.

Jeffery Zhou - Vestal as Lifeguard at pay rate \$9.25/hr.

## **END OF CONSENT AGENDA**

### **SUPERVISOR'S ANNOUNCEMENTS**

- **Vestal Hometown Heroes Blood Drive** – Vestal Fire Department Station 1, [116 N Main Street, Vestal, NY](http://www.vestalny.com/116-N-Main-Street-Vestal-NY) – Tuesday August 18<sup>th</sup>, 12pm – 6pm. Open to the Public! For an appointment visit [redcrossblood.org](http://redcrossblood.org) or call 1-800-Red Cross.

## **Regular Meeting of the Vestal Town Board August 12, 2015**

### **OLD BUSINESS**

Supervisor Schaffer announced that we received confirmation from the County that the Army Corp of Engineering will be doing work to help stabilize the creek bank behind the homes on Landon Drive. This is a very positive development to help Vestal residents.

Councilman Majewski added that they will be extending rip rap and it will be completed this year.

### **ADDITIONAL PUBLIC COMMENTS**

As he has done at a number of previous meetings, a speaker reiterated his demand for the Town Board to investigate his allegations of criminal acts concerning punctured tires on his vehicle and deliberate dumping of snow and ice on his property by Highway trucks. Additionally, he claims discrimination by the Town Assessor's Office in his efforts to reduce the assessment on his property.

Supervisor Schaffer responded that all of these allegations have been looked into and addressed and that he will no longer respond to the same repetitive questions. Any allegations of criminal activity should be referred to the Police Department.

### **ADJOURNMENT**

On a motion of Councilman Majewski, seconded by Councilwoman Messina, the meeting was adjourned at 6:17PM. Carried unanimously.

Approved by

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**Emil J. Bielecki, Town Clerk**