

## VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, DECEMBER 14, 2015

In Attendance: Supervisor Schaffer and Board Members Majewski, Fitzgerald and Agneshwar  
Absent: Messina

Also Attending: Town Attorney David Berger, Comptroller Laura McKane, Human Resource Officer Nancy Olmstead, Town Engineer Vernon Myers, Town Clerk Emil Bielecki and 7 members of the general public.

Supervisor Schaffer **convened the Work Session at 6:00 PM.**

### **UPCOMING PUBLIC HEARINGS**

**December 16, 2015** – Local Law D of the Year 2015, a local law to rezone 4109 Vestal Road, Vestal NY, BCTM#159.09-1-17, from Transitional Office (TO) to Multiple Residence (RC).

### **COMMITTEES**

#### 7.1 **PUBLIC WORKS** (MAJEWSKI/Fitzgerald)

1. Request from Highway Superintendent Rocco Turdo to transfer \$25,000 from budget line D5110-4190 (fuel) to budget line D5142-4006 (snow & ice control) to purchase 600 tons of salt.

Supervisor Schaffer noted that earlier this year, the Board approved additional purchase of salt and asked if that money was expended. Comptroller McKane checked the budget line and confirmed that the entire \$37,000 that was authorized previously has been spent.

**OK-**This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

2. Discuss memo from Town Engineer Gary Campo, dated 12/9/15, regarding recommendations concerning traffic control signage at the Main St./Meeker Rd. intersection.

Town Attorney Berger stated that the Board took a course of action by installing the STOP signs to make this intersection into a 4-way stop. However, now that the intersection has been studied by the Town Engineer and the Binghamton Metropolitan Transportation Study (BMTS), we should follow the recommendations from these experts. There is potential liability if the recommendations of the experts are ignored.

Supervisor Schaffer and Councilwoman Agneshwar noted that they do not agree with all of the BMTS recommendations and would prefer that the 4-way stop be left in place until a meeting can be scheduled with the Town Engineer, BMTS and the Police Department to discuss the recommendations in detail. The Board agreed with that course of action.

3. Discuss memo from Town Engineer Gary Campo, dated 12/8/15, regarding the loss of funding for the construction of a DEC Storm Pump Station at Pumphouse Road.

The Board agreed with Town Engineer Campo's assessment that this Pump Station would serve an important function to help control flooding in the Main Street/Stage Rd. area and instructed Town Attorney Berger to draft a letter to the Governor and other State officials asking that the funding for this project be restored.

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7.2 **FINANCE** (AGNESHWAR/Messina)

**1.** Warrants: 2015- 50, 2015-50E

**OK** – This item will be placed as a ‘Receive and File’ on the Agenda for the next Regular Meeting.

**2.** Request to pay \$3,706.40 to The Law Office of Alfred Paniccia for legal services on the Tyrrell vs. Town of Vestal litigation through August 31, 2015.

**OK**-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

**3.** Comptroller McKane to discuss Budget Transfers and the 2016 Capital Projects.

Comptroller Laura McKane stated that a number of requests for budget transfers that have been made by some departments are for dollar amounts that are large enough that they should be reviewed by the Town Board. Some of the money has already been spent without approval. The Comptroller distributed information on the following budget transfer requests and relayed the justifications that were provided to her by the department heads:

<u>From Line Item</u>	<u>To Line Item</u>	<u>Amount Requested</u>
F3410 4034R	F3410 2034R	\$ 450.00
F3410 4010	F3410 4308	\$ 15.00
F3410 4190	F3410 4499	\$ 5,900.00
F3410 4190	F34104611R	\$ 225.00
F3410 4190	F3410 4612	\$ 350.00
F3410 4190	F3410 4615	\$ 1,000.00
F3410 4040	F3410 2220	\$ 3,000.00
F3410 4040	F3410 2230	\$ 752.00
F3410 4040	F3410 4210	\$ 12,000.00
F3410 4040	F3410 4060	\$ 20,000.00
F3410 4010	F3410 4490	\$ 100.00
A1620 4000	A1620 4080	\$ 3,600.00
A1620 4110	A1620 4080	\$ 2,000.00
A1680 1030	A1680 4064	\$ 9,600.00
A1680 1030	A1680 4051	\$ 150.00
A1680 1030	A1680 4060	\$ 2,900.00
W8330 3009	W8310 2240	\$ 20,000.00
W8330 3009	W8330 4303	\$ 15,000.00
A3120 4190	A3020 4210	\$ 4,472.00

Several Board members indicated that they would check with the department heads to get additional information concerning some of these budget transfer requests.

**OK**-This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

**Capital Projects**

Comptroller Laura McKane stated that Bond Counsel has prepared Bonding Resolutions for funding of the capital projects that the Board has reviewed and ranked during previous meetings. She noted that the Bond Resolutions were written such that if grants are used, the borrowing will be reduced. This will allow us the flexibility to apply the SAM grant funding toward various projects.

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After some discussion, the Board made several adjustments to the capital projects that will be funded in 2016. These changes will be reflected in the final Bond Resolutions that Comptroller McKane will present to the Board for approval at the next Regular Meeting.

**7.3 PERSONNEL (FITZGERALD/Majewski)**

1. Request to allow Deputy Highway Superintendent Craig Hiller to carryover an additional 30 hours of vacation into 2016.

Human Resource Officer Nancy Olmstead explained that all employees covered by the Employee Handbook can carry over 40 hours of vacation. Additional carryover hours must be approved by the Town Board. In this instance, the employee moved into a managerial position later in the year and found it difficult to use all of his vacation time this year. The request appears to be justified.

Councilman Majewski noted that is an unusual circumstance and we should allow it once.

**OK-**This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

**7.4 PLANNING & ZONING (MESSINA/Fitzgerald) – this Committee had no items to consider.**

**7.5 PUBLIC SAFETY (MAJEWSKI/Agneshwar)**

1. Request from Fire Chief David Harrington to approve the purchase of **RedNMX Systems through Alpine Software** for a total cost of \$20,095.00 and a down payment of \$5,023.75 from budget line F3410-4499. This software system was approved in the 2016 Fire District Budget.

**OK-**This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

2. Request from Fire Chief David Harrington for the Board of Fire Commissioners to award the paving project for the parking lots of Stations 1, 2 and 3 to Broome Bituminous Products, the lowest bidder, in the amount of \$184,740 and to authorize the transfer of \$9,740.00 from budget line F3410 8404 to budget line F3410 2255 to cover the shortfall between the bid amount and the \$175,000 estimated in the permissive referendum.

Comptroller McKane noted that the Fire Department has also requested to transfer additional funds for line painting. Since this project will not be done until 2016, she advises that the additional transfer of funds be addressed next year.

**OK-**This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

**ADMINISTRATION (MESSINA/Agneshwar)**

1. Discuss the proposed schedule of Town Board meetings for 2016.

Human Resource Officer Nancy Olmstead presented the Board with a proposed new schedule of Town Board Meetings and holiday closings for 2016, as amended by the Board at the previous Work Session. The Board made no other changes and expects to formally approve the schedule at the Organizational Meeting on Wednesday, January 6, 2016 as follows:

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2016 WORK SESSIONS	2016 BOARD MEETINGS
Meetings at 6:00 p.m. unless otherwise indicated	Meetings at 6:00 p.m. unless otherwise indicated
1/4/16	1/6/15
1/25/16	1/27/16
2/8/16	2/10/16
2/22/16	2/24/16
3/7/16	3/9/16
3/21/16	3/23/16
4/11/16	4/13/16
4/25/16	4/27/16
5/9/16	5/11/16
5/23/16	5/25/16
6/6/16	6/8/16
6/20/16	6/22/16
7/11/16	7/13/16
7/25/16	7/27/16
8/8/16	8/10/16
8/22/16	8/24/16
9/12/16	9/14/16
9/26/16	9/28/16
10/3/16	
10/10/16	10/12/16
10/17/15	10/18/16 FIRE BUDGET HEARING
10/24/16	10/26/16
10/31/16	
11/7/15	11/9/16 TOWN BUDGET HEARING
11/14/16	11/16/16
12/5/16	12/7/16
12/19/16	12/21/16

**TOV Holidays for 2016:**

New Year's – TOV CLOSED 1/1/16 (Fri)	Veteran's Day – TOV CLOSED 11/11/16 (Fri)
Good Friday – TOV CLOSED 3/25/16 (Fri)	Thanksgiving – TOV CLOSED 11/24/16 (Thur)
Memorial Day – TOV CLOSED 5/30/16 (Mon)	Day After Thanksgiving – TOV CLOSED 11/25/16 (Fri)
Independence Day – TOV CLOSED 7/4/16 (Mon)	Christmas – TOV CLOSED 12/26/15 (Mon)
Labor Day – TOV CLOSED 9/5/16 (Mon)	

Library, Parks, Highway & Water holidays vary. Police Department open 24/7

2. Discuss adopting a resolution endorsing the formation of a School District Public Library.

Town Attorney Berger presented the Board with a draft resolution, stating that the content was reviewed and accepted by the President of the Library Board of Directors. No Board member recommended any changes to the resolution.

**OK-**This item will be placed on the Agenda for a vote at the next Regular Meeting of the Town Board.

**NEW BUSINESS**

1. Town of Orchard Park Supervisor Dr. Patrick Keem has initiated a letter writing campaign to Governor Cuomo requesting that the current tax cap legislation be revisited and amended in such way as to alleviate the unforeseen negative consequences. He is asking Town Supervisors and Board Members throughout the State to sign individual letters which will be aggregated and delivered to Governor Cuomo.

All Board members indicated that they will sign the letter addressed to Governor Cuomo as requested by Town of Orchard Supervisor Patrick Keem.

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2. Supervisor Schaffer stated that the Board needs to proceed with updating the fines and penalties for parking violations. What is currently on the books is out of date and inadequate. He asked Town Attorney Berger to complete his review of the existing laws and submit his recommended changes as soon as possible so that the Board can address this issue. The changes will need to be made by local law.

### UNFINISHED BUSINESS

#### **1. Wash Bay at the Highway Department (in response to the EPA field audit)**

The proposal is still under review and the Board is waiting for additional information from the Town Engineer about how other municipalities are handling this situation and about a revised cost estimate. **Update on 12/14/15:** The Town is continuing to explore its options and has asked the new Town Engineer Vernon Myers to review the matter.

#### **2. Community Use of Municipal Facilities Policy**

The purpose of this proposed policy is to establish the rules and regulations governing the use of Town facilities by outside users. **Update 12/14/15:** Supervisor Schaffer stated that he has received recommendations from some of the Board members and wants to address this issue early next year.

#### **3. Gas Card System for the Purchase of Fuel for Town Vehicles**

As per the discussion with the representatives from the Mirabito Fuel Group, the Town will prepare the bid specifications for a contract to purchase fuel from an outside vendor through the use of a gas card system. **Update on 12/14/15:** Town Comptroller Laura McKane is reviewing other contracts and is working to prepare our own bid specifications

#### **4. Sale of Town Property at 310 Rayelene Drive**

Request was made by James Warneck to purchase this parcel of Town owned property for \$500.00. Several residents of the area also expressed an interest in acquiring this parcel and submitted a proposal to purchase and divide this parcel among the adjoining property owners.

**Update on 12/14/15:** After a brief discussion, the Board agreed to allow the residents whose properties adjoin the Town owned parcel to submit a bid to purchase the parcel along with a plan to divide it among the 4 property owners. All expenses connected with this proposed transaction are to be paid by the property owners. Town Attorney Berger added that the Town will need 4 individual bid offers and a surveyed map of each parcel.

### EXECUTIVE SESSION

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

**ADOPTED** Ayes 4           Majewski, Agneshwar, Fitzgerald, Schaffer  
              Nays 0           Absent 1       Messina

Resolved the Board enter into Executive Session to discuss contract negotiations with the CSEA Library bargaining unit. The time was 7:51 PM.

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

**ADOPTED** Ayes 4           Majewski, Agneshwar, Fitzgerald, Schaffer  
              Nays 0           Absent 1       Messina

Resolved the Board leave the Executive Session and **adjourn the meeting. The time was 8:06 PM.**

Respectfully submitted,  
Emil Bielecki, Town Clerk