

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, FEBRUARY 22, 2016

Board Attendance: Supervisor Schaffer; Board Members: Fitzgerald, Messina, Agneshwar, Majewski

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

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

6: 00 PM – Re-certification of 2015 LOSAP Membership Listing and Past Credit

Fire District Administrative Secretary Sue Bowen and Assistant Fire Chief John Paffie informed the Board that due to recent interpretation from Penflex (the actuarial consultant to LOSAP) of how to administer the LOSAP program, some members will need to be approved for past years' service credit. This list goes back to 2008 when the By-laws were rewritten to separate Active Voting Points from the LOSAP Points. Once approved by the Board of Fire Commissioners, the list will be sent to Penflex to update their records.

Councilman Majewski asked about the cost of these changes. Sue Bowen replied that the cost for the two members who are already collecting is approximately \$990 in retroactive pay.

After a brief discussion, the Board of Fire Commissioners expressed no objection to approving the Re-certification of 2015 Length of Service Awards Membership Listing and Past Credit as presented in a letter to the Board of Fire Commissioners dated February 17, 2016.

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

COMMITTEES

7.1 PUBLIC WORKS (FITZGERALD/Majewski)

1. Request from Highway Superintendent Rocco Turdo to allow Jeff Tomczyk to use a Town vehicle on February 27, 2016 for his Class A license road test. He and another employee will not be paid for the day.

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

2. Request from Parks Department Mechanic Kevin Hiller to sell through International Auction the items listed on memo dated February 19, 2016.

Supervisor Schaffer noted that the list items for sale will expand as we continue to review our inventory of equipment.

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

7.2 FINANCE (AGNESHWAR/Fitzgerald)

1. Warrants: 2016- 06, 2016-06A, 2016-06E, 2016-07, 2016-07E, 2016-07L

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

2. Request for transfer a 2007 Chevy Impala (asset tag#12151) from the Police Dept. to IT Dept., and a 1983 Snowco Trailer (asset tag#10778) from the Parks Dept. to the Fire District.

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3. Request to pay \$2,800.00 to Ken Frommer for appraisal of UHS Hospital Extension.

Responding to a question from Councilwoman Agneshwar, Town Attorney Berger explained that the appraisal is connected to the ongoing litigation on the land value of this parcel.

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

4. Request to hold a 6 hour Defensive Driving Course on March 16, 2016 at the Town Hall.

Employees will pay \$12.50 each (Town will pay other half); free to volunteer firefighters and \$25.00 for all others, including retirees. Registration is required.

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

5. Request from Water Superintendent Scott Groats to dispose of and remove from the asset record the pumps referenced in a memo dated 12/31/2015. The pumps have been replaced.

Several Board members asked for additional information as to what will be done with the old pumps. Councilwoman Agneshwar will discuss this with Superintendent Groats and report back to the Board.

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

6. Request from Town Comptroller Laura McKane to transfer \$15,398.00 from budget line A3120.1010 to line A1355.1010 (transfer of typist from Police to Assessor effective 2/8/16.)

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

7.3 **PERSONNEL** (MESSINA/Majewski) – no items were brought for consideration.

7.4 **PLANNING & ZONING** (MESSINA/Agneshwar)

1. Request from Community Electronic Informational Signage (CEIS) to install gateway sign at 2401 Vestal Parkway East (Eastbound Sign # 1).

2. Request from Community Electronic Informational Signage (CEIS) to install gateway sign at 2401 Vestal Parkway East (Westbound Sign #2).

According to the memo from the Code Department, this proposal is being submitted as two signs, one of which would face the traffic going east and one facing traffic going west. The two signs are placed to form a “V” and are proposed to be installed on the east boundary of the property.

Councilwoman Agneshwar objected to the placement of the signs at this location because it is not a ‘gateway’. A gateway is an entrance to the Town and this location cannot be described as such.

CEIS representative Marcie Kretzmer defended the choice of the location stating that this is a very visible and heavy traffic area located close to several points of entry for shoppers from surrounding communities. It has been very difficult to find suitable locations that meet the criteria for the placement of these signs. She would very much like to see the signs on Town property so that the Town could gain additional revenue.

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Councilwomen Messina and Fitzgerald stated that they think this could be a good location for these signs, citing the proximity to a neighborhood which is prone to flooding and the visibility of the location for the placement of emergency notices such as amber alerts.

Councilman Majewski stated that he continues to oppose this type of signage because it can present a distraction to drivers in a congested area. This particular location is in the middle of a retail hub and does not need additional advertising.

Town Attorney Berger stated that there may be some issues with these sign applications that may warrant a review by the Planning Board and/or the Zoning Board of Appeals. The Board has the option of asking for such reviews. Also, it may be advisable to wait for the response from the County (l & m review) before taking any further action on this request. The current law does not allow the placement of these signs on Town property.

Supervisor Schaffer stated that the communication during the last flood was poor and these signs could have been helpful in disseminating important information. The proposed location of these signs would be good for some of the smaller businesses trying to gain better visibility. These types of signs are becoming popular in many other communities and it's time for us to get into the modern world. As suggested by the Town Attorney, the **Board will defer taking further action** on these sign requests until the County has submitted its review.

3. Request from Matt Huyck, manager of Harbor Freight, located at 124 Sycamore Road, for a Special Permit to use a "seabox" type of trailer for storage of merchandise until January 31, 2017 to be located as noted in the attached plan.

It was noted that approval of temporary storage containers is handled by the Code Department. However, this request goes beyond the limits of what the Code Department can authorize. Moreover, Harbor Freight is currently in violation of the Code because they have not removed a previously approved container for which the permit expired on June 30, 2015.

After a brief discussion, the **Board decided not to entertain this request** until such time that the applicant resolves the existing violation. If the applicant wishes to renew a permit, they must comply with the existing Code regulations.

4. Request from Vestal Band Aides to use the Vestal Public Library parking lot on May 29, 2016 for their annual Brook's BBQ Fundraiser.

This request is being resubmitted with a new date.

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

5. Request from The Vestal High School 50 PLUS Club to waive the regular \$300.00 fee for rental of Arnold Park on Saturday, August 13, 2016.

Jack McQuiston and several other members of the Vestal High School 50 Plus Club explained that this is their first request for a waiver. The group rents the whole park to safely accommodate the movement of their elderly members. The primary mission of the group is to raise money for scholarships for Vestal High School students and any fee reduction would go directly toward such

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scholarships.

Several Board members praised the members of this group for their community oriented activities and expressed support for waiving of the rental fee.

Councilwoman Agneshwar suggested that perhaps the rental fee should be reduced rather than waived to acknowledge that there is some cost to the Town associated with the cleanup after the event.

Town Attorney Berger noted that the rental fee waiver could set a precedent and the Board should be aware of the potential future ramifications of taking such action.

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

7.5 PUBLIC SAFETY (FITZGERALD/Messina) – no items were brought for consideration.

7.6 ADMINISTRATION (MAJEWSKI/Messina)

1. Request from Museum Director Ramona Kacyvenski to look into upgrading and/or changing the level of security for the Museum.

After a brief discussion, the Board acknowledged that the Museum Director should have better knowledge and control of who has access to the building. Supervisor Schaffer asked Town Engineer Vern Myers to work with the Museum Director to **devise a plan that would improve security in the Museum** yet provide reasonable access to those who need access for emergency purposes.

2. Request from Museum Director Ramona Kacyvenski to be refunded \$29.99 from donation funds (CMO308) for the purchase of a train tent for children in back room.

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

UNFINISHED BUSINESS

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

Town Engineer Vern Myers noted that the EPA is asking us to attenuate the runoff from the washing of vehicles. **Update on 02/22/16:** Town Engineer Vern Myers stated that he is working with the Highway Department on a plan to install a vehicle washing unit in the far bay of the Highway garage.

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 02/22/16: Supervisor Schaffer reviewed the comments that were submitted by several Board members concerning the use of the Library parking lot by outside users for fundraising activity. He also noted that perhaps the alleged opposition to this activity that is being attributed to nearby local food businesses is being exaggerated.

Several Board members stated that they support the current policy of allowing Vestal based organizations to continue using the Library parking lot for staging fundraising events. Two Board members expressed the need to establish a more restrictive policy that reduces the number of events that are permitted and restricts the outside users to primarily student based organizations.

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Supervisor Schaffer stated that he will continue to gather further comments and work toward creating a consistent policy that the majority of the Board can accept.

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

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 2/22/16:** Town Engineer Vern Myers stated that he is working on the project and expects to have an RFP ready for review by the next Work Session.

4. Employee Performance Evaluations

Human Resource Officer Nancy Olmstead will proceed with the preparation and updates of job descriptions and will work with the Board to develop the program. **Update on 2/22/16:** Work in progress.

5. Appointment of Court Clerk - Supervisor Schaffer stated that he spoke with Town Justice Joseph Meagher concerning the start date for the new court clerk and both agreed that March 14th would be acceptable. The following motion will be presented at the Regular Meeting on February 24th:

Authorization for Town Justice Joseph Meagher to appoint Mary Waibel as a full time Clerk to Justice (non-union) at the rate of \$16.00 per hour effective March 14, 2016. Background check and pre-employment drug test have been successfully completed.

SUPERVISOR ANNOUNCEMENTS:

- **Citizens Police Academy:** March 24th-May 26th, on Thursday nights from 6:30 pm-8:30 pm, in the Town Board room. Email skintner@vestalny.com to sign up.
- **Public Hearings scheduled for Wednesday, February 24, 2016 at 6:00 PM:**
 1. **Proposed Local Law A** of the Year 2016, amending the Code of the Town of Vestal by amending the Motor Vehicle and Traffic Section entitled "Penalties and Offenses."
 2. **Proposed Local Law B** of the Year 2016, amending the Code of the Town of Vestal by changing permitted uses in the Transitional Neighborhood District (TN).

EXECUTIVE SESSION

On a motion of Councilwoman Fitzgerald, seconded by Councilwoman Agneshwar, the following was **ADOPTED** Ayes 5 Agneshwar, Fitzgerald, Messina, Majewski, Schaffer
Nays 0

Resolved the Board enter into Executive Session to discuss the following:

- CSEA Library negotiations
- Employee issues in the Water Department and in the Museum

The time was 7:45 PM.

On a motion of Councilman Majewski, seconded by Councilwoman Messina, the following was **ADOPTED** Ayes 5 Agneshwar, Fitzgerald, Messina, Majewski, Schaffer
Nays 0

Resolved the Board leave the Executive Session and **adjourn the Work Session. The time was 8:10 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk