

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, MAY 09, 2016

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

Also Attending: Town Attorney David Berger, Town Engineer Vern Myers, Human Resource Officer Nancy Olmstead, Fire Chief David Harrington, Assistant Fire Chiefs Rose, Birdsall and Paffie, Town Clerk Emil Bielecki and 2 people from the general public.

Supervisor Schaffer convened the Work Session at 5:30 PM.

5:30 PM Discussion with the newly elected Board of Trustees of the Vestal Public Library, operating as a school district public library.

Cathie Schaeve and Gordon Allen, the respective President and Vice President of the current Vestal Library Board of Trustees introduced the newly elected Library Board of Trustees for the Vestal Public Library which will operate as school district public library. **The library will continue to be called the Vestal Public Library.** The new members of the Library Board of Trustees are as follows: Dannielle Swart (President), Marianne Taylor (Vice President), Susan Nunes, Peter Ziolkowski and Margaret Hadsell.

Pete Ziolkowski noted that the first order of business is to smoothly transition the operations to the new entity and to organize the financial aspects of the new library.

Cathy Schaeve noted that she will be working with the Town Attorney to complete the paperwork that needs to be reviewed and signed in connection with the conversion of the library.

Supervisor Schaffer congratulated the existing and the new library boards for a job well done in successfully converting the Vestal Library into a school district public library. There is still a lot of work to be done, but we are all committed to the success of the new entity. Councilman Fran Majewski and Councilwoman Sue Messina (Administration Committee) will serve as the liaisons to the Library Board and will keep the Town Board informed concerning any actions that may be required during the transition phase.

COMMITTEES

7.1 PUBLIC WORKS (FITZGERALD/Majewski)

1. Request to award the following bids for highway materials:

- a. Barney & Dickinson - Transit Mix**
- b. F.S. Lopke - Bank Run Gravel, Type #4 NYSDOT approved, Coarse & Fine Aggregates & Road Sanding Material, Crusher Run Sub-base Type #2 & Item #304, Light and Medium Stone Fill.**
- c. Chemung Supply and Northern Supply and Crossroad Highway – Plow Blades, Grader Cutting Edges, Tire Chain Material & Steel and Cast Iron Plow Shoes with the understanding that we buy from the lowest bidder when possible**

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

2. Request from Andrew Strouthes, the owner of 1104 Hillside Drive, to reduce his increased sewer bill resulting from a water pipe burst in late January, 2016.

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Supervisor Schaffer noted that the Town no longer accepts request from property owners for sewer bill reductions because the Joint Sewage Treatment Plant no longer provides waivers to the Town. Councilman Majewski stated that he recently met with two officials at the Treatment Plant and they confirmed that they will not waive the fees to the Town. Without a change in policy from the Joint Sewage Treatment Plant, the Town will continue to deny all requests for sewer bill reductions from individual water and sewer customers.

3. Request from Town Engineer Vern Myers to award the contract for the Two Rivers Greenway Sign Project to Procon Contracting, LLC of Vestal. Procon was the low bidder who met all of the specifications of the bid with a bid amount of \$388,000.00.

Responding to questions from Councilwoman Agneshwar, Town Engineer Vern Myers explained that Vestal and nine other participating municipalities are responsible for 20% of the project cost. Vestal's portion is approximately \$12,500 plus a relatively small addition for inspection services. The funds for this project have been escrowed.

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

4. Request from Town Engineer Vern Myers to discuss the selection of a consultant to provide construction inspection services for the Two Rivers Greenway Sign Project.

Town Engineer Vern Myers stated that he has narrowed the selection of a consultant for the construction inspection services to either McFarland Engineering or Delta Engineering and has asked the Town Board, as the selection committee, to complete the review and scoring process that will determine the final choice. He asked that the Board members who have not yet completed the review and scoring form to get it to him quickly so that the full Board can approve the winning firm at the Regular Meeting on Wednesday, May 11th.

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: 2016-17, 2016-17E, 2016-18, 2016-18E

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

2. Discuss contract with Verizon Wireless for a small cell site at 540-600 Benita Boulevard.

Town Attorney Berger stated that the location for the cell tower has been reviewed and approved. The tower will be a 40' high wooden utility pole. This lease will allow the Town to collect some revenue from an unused piece of property. The lease is for an initial term of 5 years at an annual rental of \$3,600/year. It can be renewed after 5 years with a 10% increase in the rental fee. He will prepare the language for the motion to approve this lease.

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

3. Request to pay \$279.00 to Precision Reporters for a deposition in the Hicks vs. Town of Vestal case.

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

4. Request authorization for the Supervisor to sign a contract renewal with Broome County for the Dept. of Health Opioid Overdose Prevention Program (CA 10-1043-6).

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

5. Request from Comptroller McKane to discuss the overage on the cost to pave Angelo Field. The project cost \$1,879.96 more than the approved amount due to the use of additional material. If the Board agrees with Town Engineer Myers that the overage is reasonable, the Board needs to authorize the additional expenditure and the source of funding.

Town Engineer Myers stated that the overage amount is within a reasonable range for a job of this kind. There is no sign of padding.

Supervisor Schaffer noted that he previously advised the Board that the amount budgeted for this job was inadequate. The additional cost will have to be paid out of the contingency account.

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

6. Request to authorize the renewal of the expired Fire District Provident Accident Insurance Policy with enhanced coverage identified as Plan 5 on the quote dated May 1, 2016 at a two-year rate guarantee of \$3,579 per year. The savings of \$255 per year over the one year rate saved 6.65% which was deemed significant and justified staying with the vendor the additional year.

Councilwoman Agneshwar stated that these types of policies have to be reviewed more frequently and we need to look at other companies to compare rates and seek to lock in premiums for longer periods of time. Assistant Fire Chief Doug Rose noted that most companies are reluctant to lock in rates for a longer period of time. We are using an insurance advisor who is knowledgeable in the field.

Fire Chief Harrington acknowledged that this policy has not been reviewed in a long time and thanked the Board for doing the review and supporting the process to get caught up.

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

7. Request from Deputy Comptroller Nick Angeline to make budget transfers dated 3/16/16 – 3/31/16 as attached to the memo to the Town Board dated May 4, 2016.

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)

1. Request from Human Resource Officer Nancy Olmstead to approve the time keeping records for the NY State Retirement System as indicated in her memo dated May 5, 2016, and adopt the Standard Work Day and Reporting Resolution for Elected and Appointed Officials.

Human Resource Officer Nancy Olmstead stated that everyone who was required to complete the time keeping records for this cycle did so. After the Board adopts the Standard Work Day Resolution, the Clerk and the Comptroller will complete the process with the required postings and filings.

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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/Agneshwar)

1. Request from Harbor Freight to use two "sea box" type and one tractor trailer type storage containers for 18 months (until December 2017). This request is beyond the limits of the Code Department to authorize without Town Board approval.

Several Board members noted that this company has not been in full compliance with the code and were reluctant to accommodate this request. The use of these storage containers is intended for temporary periods, not as a permanent solution for space shortage.

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

2. Discuss the zoning change for the property that Vestal Veterinary Hospital is purchasing from the Town (portion of African Road Park) Residential Single Family (RA-1) to Community Business District (C-2).

After a brief discussion, the Board agreed to initiate the rezoning process recognizing that it has previously agreed to sell this parcel of land to the Vestal Veterinary Hospital.

The Board will authorize the Town Attorney to draft a local law to rezone this parcel from RR to C-2 and to advertise for a Public Hearing in May 25, 2016 with the Public Hearing to be held on June 8, 2016 at 6:00 PM.

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)

1. Request from Fire Chief David Harrington to approve a lease agreement with the Chenango Bridge Fire Dept. for the use of the Fred Singer Training Site at a cost of \$100 per 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 Fire Chief David Harrington to advertise for bids for Tanker 32-2 Project on May 25, 2016 with opening of the bids on June 14, 2016.

Fire Chief Harrington stated that the money for the new tanker will come out of cash reserves. We will know more about the final cost once the bids come back. At this time we are waiting for parts to repair Tanker 3. Although Tanker 3 is old, it was determined that repairing it was the most cost effective solution. When all the information is available, the Fire Department will re-assess the 5 year plan.

The Fire Department is in the midst of some major projects, including the replacement of Station 4 and a ladder truck, requiring a careful assessment of spending priorities.

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

3 Request from Fire Chief David Harrington to accept Sean Fitzpatrick as a new member of Fire Company No. 1.

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

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4. Request from Fire Chief David Harrington to approve the payment of \$600 and Annual Lease Agreement with the West Corner Fire Dept. for use of the Fred Singer Training Site.

Councilwoman Agneshwar suggested that perhaps the rental rates should be increased for the use of this facility. Fire Chief Harrington responded that the Department is looking at incremental increases starting next year after some improvements to the site are completed.

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

7.6 ADMINISTRATION (MAJEWSKI/Messina)

1. Request from Town Clerk Emil Bielecki to authorize the following people to provide maintenance for the abandoned cemeteries in the Town of Vestal for the year 2016:

John Donlin

412 Delano Ave.	Rounds Cemetery	\$325.00
Vestal, NY 13850	Crumm Rd. Cemetery	\$425.00
	Vestal Rd. Cemetery	<u>\$325.00</u>
	Total	\$1,075.00

Richard Chase

413 Torrance Ave.	Jensen Rd. Cemetery	\$475.00
Vestal, NY 13850	Vestal Center Cemetery	<u>\$1,125.00</u>
	Total	\$1,600.00

The proposed amounts are unchanged from last year. The maintenance of abandoned cemeteries is a statutory obligation of the Town and this is a budgeted item under line A8810-4060.

Councilwoman Fitzgerald asked when the Town last increased the payments for these jobs. Town Clerk Bielecki stated that it was 2 years ago. The maintenance of the Vestal Cemetery is a particularly difficult job, but this far we have been able to hire reliable individuals at the current pay levels.

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

2. Request from Recreation Planner Sue Jastran to hire Playground Instructors, Swimming Pool Directors, Lifeguards and Swimming Instructors as indicated in her memo dated May 5, 2016.

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

3. Town Clerk Emil Bielecki to discuss dog control services.

Town Clerk Bielecki stated that he has interviewed about a dozen people for the soon to be vacant Dog Control Officer position and has had difficulty finding anyone who is willing to provide the level of commitment that the position requires. The most promising candidate is a person who is currently working as a part time Dog Control Officer for the Town of Conklin. This person is a proven professional who is interested in providing dog control services for both Conklin and Vestal. Such an arrangement could be done under an Inter-municipal Agreement. The Town of Conklin Supervisor has expressed a strong interest in such an agreement and we are in advanced talks about the terms of an agreement. Under the agreement, the Dog Control Officer would remain as an employee of the Town of Conklin and the Town of Vestal would contract for that employee to provide specifically defined dog control services. The primary objective of entering into an Inter-municipal Agreement is to enable

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the Town of Vestal to provide dog control services at a level comparable to what is currently being provided. Another incentive is the potential savings that could accrue to both Towns. Town Clerk Bielecki expects to complete the negotiations with the Town of Conklin within a week and to have a contract prepared for the Board's review and consideration at the Work Session on May 23rd.

NEW BUSINESS

Councilman Majewski expressed concern that some members of the Town's lay boards and commissions will not be able to complete the required training for 2016. He is suggesting that the Board waive the requirements. Several Board members and the Town Attorney noted that there are still training opportunities that may become available throughout the rest of the year that could be applied toward the required training credits. We should not be providing waivers this early in the year. If necessary, the Board should take up this issue closer to year end.

UNFINISHED BUSINESS

1. Wash Bay at the Highway Department (in response to the EPA field audit). Town Engineer Vern Myers is working with the Highway Department on a plan to install a vehicle washing unit in the far bay of the Highway garage and is asking a few engineers about pricing. **Update on 5/9/16:** This is work in progress

2. Community Use of Municipal Facilities Policy

Supervisor Schaffer is reviewing the comments from the Board and expects to have a draft policy in the near future. **Update on 05/9/16:** Supervisor Schaffer expects that a draft of new policy should be ready by the end of May.

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

Supervisor Schaffer directed the Town Engineer to prepare a cost benefit analysis of upgrading our system vs. going with an outside fuel vendor. Town Engineer Vern Myers is waiting for an evaluation from Hunt Engineering. He is concerned about maneuvering of large vehicles at gas stations. **Update on 5/9/16:** The Town is continuing to review various options.

4. Discuss Solar Panel Tax Benefits

Supervisor Schaffer and Councilwoman Messina indicated that they share a number of concerns about solar panel farms and favor opting out of providing the tax breaks for such projects. Town Attorney Berger noted that opting out would require the passage of a local law. If we do not opt out, the Town would still have the ability to compel a developer to negotiate a PILOT agreement. **Update on 5/9/16:** A recent seminar held by Broome County highlighted the need for developing code requirements to address this growing industry. Three Board members expressed support for opting out of providing tax breaks for solar panel farms. Supervisor Schaffer stated that he would hold off on a vote to opt out until the next meeting so as to give the Board additional time to see what some other municipalities in our region are doing.

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.
- Department of Environmental Conservation (DEC) has an OPEN BURNING BAN policy in place from March 16th to May 14th. Burn Permits will not be issued during this time.

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EXECUTIVE SESSION

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

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

Resolved the Board enter into Executive Session to discuss the performance of a specific labor class employee.

The time was 7:42 PM.

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

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

Resolved the Board leave the Executive Session and **adjourn the Work Session. The time was 8:13 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk