

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, OCTOBER 24, 2016

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

Also Attending: Town Attorney David Berger, Town Engineer Vern Myers, Town Comptroller Laura McKane, Human Resource Officer Nancy Olmstead, Fire Chief David Harrington, Assistant Fire Chief Doug Rose, Town Clerk Emil Bielecki and 4 people from the general public.

Supervisor Schaffer **convened the Work Session at 6:03 PM.**

Supervisor Schaffer reminded the Board that it operates through a committee system and asked the Board members to be respectful of that system. If a Board member is asking a department head who is not under their committee jurisdiction to take some action, that Board member should first discuss the issue with the chairman of the committee which is responsible for the oversight of that department.

COMMITTEES

7.1 PUBLIC WORKS (FITZGERALD/Majewski)

1. Request from Todd Keister to be reimbursed \$221.61 for damage to his 2016 Honda Civic during a resurfacing of Earl Road.

Supervisor Schaffer stated that due to potential litigation, this item should be discussed in Executive Session.

7.2 FINANCE (AGNESHWAR/Fitzgerald)

1. **Warrants:** 2016- 41, 2016-41E, 2016-42, 2016-42E

Councilman Majewski questioned why petty cash for a specific department came out of the general fund. Comptroller Laura McKane explained that we initially pay out of the general fund and the specific funds reimburse the general fund.

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

2. Request to pay \$286.40 to Czerenda Court Reporting for depositions for the Mooney vs. Town of Vestal case.

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 \$7,768.50 to Kenneth Frommer for services in the NYSEG vs. Town of Vestal case.

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

4. Request to pay \$73.25 to Avalon Document Services for services in the Hicks vs. Town of Vestal case.

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

5. Request to pay \$4,004.08 to Pappas, Cox, Kimpel, Dodd & Levine for legal services for the Hicks vs. Town of Vestal case.

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

6. Request to pay a total of \$565.24 to D&M Litigation Services for subpoena services 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.

7. Request from Town Comptroller Laura McKane to approve the Vestal Fire District 5 year Capital Plan.

Comptroller McKane asked the Board to approve the Fire District 5 Year Capital Plan as follows:

Vestal Fire District 5 Year Capital Plan

Whereas the Vestal Fire District needs a plan for the future replacement of vehicles and apparatus and,

Whereas the Board of Fire Commissions of the Vestal Fire District has the financial goal to increase capital reserves in order to finance, in part, the replacement of vehicles and apparatus and to reduce the dependency on issuing debt and

Whereas the Vestal Fire District has developed a plan to achieve this goal with planned annual increases in the tax levy, and

Whereas the provisions of this plan were discussed at the public hearing on the district’s 2017 budget,

Now therefore be it resolved that the following be adopted to represent the district’s 5 year capital plan and that material modifications to this plan may only be made by the affirmative vote of two-thirds of the Board of Fire Commissioners:

VESTAL FIRE DISTRICT 5 YEAR CAPITAL PLAN

<i>Vehicle ID</i>	<i>Refurb / Purchase Date</i>	<i>Current Age</i>	<i>Replacement Yr Planned</i>	<i>Replacement Age</i>	<i>Method of Financing</i>	<i>Est Cost to Replace</i>
<i>Tanker 2</i>	1988	28	2017	29	<i>Reserve</i>	\$375,000
<i>Station 4</i>			2017		<i>Bond</i>	\$4,500,000
<i>Ladder</i>	1985	31	2017	32	<i>Bond</i>	\$1,400,000
<i>Tanker 3</i>	1989	27	2018	29	<i>Reserve</i>	\$375,000
<i>Engine 4</i>	1998	18	2018	20	<i>Bond</i>	\$700,000
<i>Engine 1</i>	1998	18	2018	20	<i>Bond</i>	\$700,000
<i>New BC Radio System</i>			2019		<i>Reserve</i>	\$150,000
<i>Training Van</i>	1996	20	2019	23	<i>Reserve</i>	\$35,000
<i>Engine 2</i>	1998	18	2020	22	<i>Bond</i>	\$775,000
<i>Engine 3</i>	1998	18	2020	22	<i>Bond</i>	\$775,000
<i>Traffic Trailer</i>	1990	26	2021	31	<i>Reserve</i>	\$15,000
<i>Chief 4</i>	2008	8	2021	13	<i>Reserve</i>	\$60,000
<i>Chief 2</i>	2008	8	2021	13	<i>Reserve</i>	\$60,000

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Nothing in this plan shall be construed to authorize the Vestal Fire District to incur indebtedness for which obligations may be issued except as provided by local finance law.

8. Request to adopt Vestal Fire District's Budget for 2017.

After a brief discussion, the Board agreed to accept the Proposed 2017 Vestal Fire District Budget as the Final 2017 Vestal Fire District Budget with total appropriations (including Foam District) of \$1,202,064.

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

9. Request from Deputy Comptroller Nick Angeline to make budget transfers as attached to his memo to the Town Board dated 10/20/16 for dates 9/24/16-10/20/16.

10. Request from Police Chief John Butler to transfer \$5,095 from budget line A3120.4190 (Fuel) to line A3120.4060 (Operating Expense) to cover the cost of maintenance to the shooting range.

This request is included as part of the budget transfers under the above item 7.2-9 and need not be considered separately.

11. Discuss 2017 Town Budget.

Comptroller McKane distributed the list of updates to the 2017 Tentative Budget. Most of the updates are ones that the Board agreed to at the previous Work Session. The additional new changes are adjustments to line items to reflect new estimates (flood insurance, health insurance). The changes to appropriations as of 10/24/16 and the summary of their impact on the overall budget are as follows:

10/24/2016 12:07 TOWN OF VESTAL		Imckane NEXT YEAR BUDGET LEVELS REPORT		IP 1	
PROJECTION: 20171 2017 BUDGET		FOR PERIOD 99		bgnyrpts	
CHANGES TO APPROPRIATIONS AS OF 10-24-2016					
General Fund		2017	2017	2017	
		TENTATIVE	PRELIM	DIFFERENCE	
A1010	1010	Salaries	\$ 41,490.00	\$ 40,676.00	\$ (814.00)
A1110	1010	Salaries	\$ 146,503.00	\$ 145,139.00	\$ (1,364.00)
A1410	4440	Machine Maint. & Leases	\$ 2,000.00	\$ 1,900.00	\$ (100.00)
A1440	4051	Cellular Telephone Expense	\$ 660.00	\$ 480.00	\$ (180.00)
A1620	4030	Education & Travel	\$ -	\$ 45.00	\$ 45.00
A1620	4010	Electric	\$ 23,000.00	\$ 22,500.00	\$ (500.00)
A1620	4111	Heat Expense	\$ 12,500.00	\$ 12,700.00	\$ 200.00
A1680	4051	Cellular Telephone Expense	\$ 1,000.00	\$ 900.00	\$ (100.00)
A1680	4441	Software Maintenance	\$ 44,525.00	\$ 44,770.00	\$ 245.00
A1910	4070	Insurance	\$ 70,000.00	\$ 77,000.00	\$ 7,000.00
A3120	4190	Gasoline	\$ 80,000.00	\$ 75,000.00	\$ (5,000.00)
A3120	4180	Uniform & Clothing Allow.	\$ 11,875.00	\$ 9,650.00	\$ (2,225.00)
A3120	1031	School Guards	\$ 18,527.00	\$ 18,169.00	\$ (358.00)
A3120	4182	Police Uniforms-Initial Issue	\$ 6,000.00	\$ 8,600.00	\$ 2,600.00
A3120	1010	Salaries	\$ 2,636,010.00	\$ 2,640,000.00	\$ 3,990.00
A3310	4200	Signs & Signals	\$ 10,800.00	\$ 7,800.00	\$ (3,000.00)
A5132	4010	Electric	\$ 17,500.00	\$ 17,000.00	\$ (500.00)
A5132	4111	Heat Expense	\$ 17,000.00	\$ 18,000.00	\$ 1,000.00
A5182	4010	Electric	\$ 162,000.00	\$ 163,000.00	\$ 1,000.00
A6410	4060	Operating Exp. & Supplies	\$ 375.00	\$ 370.00	\$ (5.00)
A7140	1000	Wages - New Emp.& Increases	\$ 67,643.00	\$ 30,618.00	\$ (37,025.00)
A7140	2050	Parks & Playground-Sundry	\$ 10,000.00	\$ -	\$ (10,000.00)
A7140	4010	Office Exp. & Supplies	\$ 1,600.00	\$ 1,000.00	\$ (600.00)
A7140	4051	Cellular Telephone Expense	\$ 1,600.00	\$ 1,200.00	\$ (400.00)
A7140	4355	Equipment Rental	\$ -	\$ 1.00	\$ 1.00
A7140	4180	Uniform & Clothing Allow.	\$ 1,080.00	\$ 1,225.00	\$ 145.00
A7140	4080	Bldg./Grounds Maint.& Repairs	\$ 15,000.00	\$ 25,000.00	\$ 10,000.00
A9010	8402	NYS Retirement-Police	\$ 605,714.00	\$ 602,000.00	\$ (3,714.00)
A9030	8403	FICA/Medicare	\$ 394,000.00	\$ 397,700.00	\$ 3,700.00
A9901	9002	Transfer to Health Ins. Fund	\$ 2,253,420.00	\$ 2,210,000.00	\$ (43,420.00)
TOTAL General Fund Changes to date					\$ (79,379.00)
D5110	4190	Gas & Diesel Fuel	\$ 140,000.00	\$ 130,000.00	\$ (10,000.00)
D5110	4030	Education & Travel	\$ 550.00	\$ 2,000.00	\$ 1,450.00
D9030	8403	FICA/Medicare	\$ 115,000.00	\$ 119,000.00	\$ 4,000.00
D9901	9002	Transfer to Health Ins Fund	\$ 753,500.00	\$ 765,000.00	\$ 11,500.00
TOTAL Highway Fund Changes to date					\$ 6,950.00

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TOWN OF VESTAL - TAX RATE WORKSHEET
 2017 BUDGET AT 10-24-2016

FUND	2016 Taxes Raised	2016 Rates @ Full Value	2016 Adopted Budget	2017 10/24/2016 Appropriations	Non-RPT Rev. Excluding Approp FB	Appropriated Fund Balance & Reserves	Real Property Taxes to be Raised	2017 Projected Tax Rates	% Change 2016 Final Tax Rate to 2017 at 10-24-16	Increase per \$1,000 of Assessment
General Fund	\$5,221,080	\$2.8756	\$10,821,223	\$11,119,324	\$5,667,138	\$54,350	\$5,397,836	\$2.9521	2.66%	\$0.0764
Library Fund	\$564,248	\$0.3108	\$687,108					\$0.000	-100.00%	-\$0.3108
Highway Fund	\$2,411,552	\$1.3282	\$5,426,294	\$5,609,544	\$2,892,415	\$46,523	\$2,670,606	\$1.4605	9.96%	\$0.1323
TOTALS	\$8,196,880	\$4.5145	\$16,934,625	\$16,728,868	\$8,559,553	\$100,873	\$8,068,442	\$4.4126	-2.26%	-\$0.1020
				% Decrease in Spending -1.2%					% Change in Levy -1.6%	

Tax Change for Home with \$100,000 AV -\$10.20

Full Value 2014 = \$1,813,682,142
 Full Value 2015 = \$1,809,900,108
 Full Value 2016 = \$1,815,627,111 FINAL
 2017 AV = \$1,828,500,000 estimate

7.3 PERSONNEL (MESSINA/Majewski)

1. Request from Police John Butler to hire Daniel Burch as a Police Officer, starting salary \$65,504, and to hire Patrick Giblin as a Police Officer, starting salary \$68,527. The starting date for both officers would be December 1, 2016.

Human Resource Officer Nancy Olmstead stated that she would provide the full language for the Board's approval of the hiring of these two police officers.

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 Town Engineer Vern Myers to issue a Special Permit to Scorpion Security Products to locate a light manufacturing business in a Community Business District at 330 Jensen Road.

Town Attorney David Berger stated that prior to approval of the Special Permit the applicant needs to submit a completed SEQRA form. Eric Webb, representing the owner of the property, stated that the completed form would be provided by tomorrow.

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

2. Authorization for Town Supervisor John Schaffer to sign an agreement with TuWay Communications for Antenna Installation Services at the Andrews and Kopernik Tower sites.

Supervisor Schaffer stated that TuWay Communications has the contract with Broome County for all County towers. We are selecting this company as part of the original agreement with Broome County to use their contractors on the Andrews and Kopernik projects.

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

7.6 ADMINISTRATION (MAJEWSKI/Messina) – no items were brought for consideration.

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UNFINISHED BUSINESS

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

Town Engineer Vern Myers and Town Comptroller Laura McKane are evaluating service plans from the Mirabito Group as well as the WEX program, which provides payment processing and information management services for vehicle fleets. WEX has the state contract and can be implemented rapidly.

Update on 10/24/16: Town Engineer Myers stated that it is difficult to do a direct comparison between the plans and is looking to the Board for direction as to whether this needs to go out to bid. After some discussion, it was decided that the RFP should be finalized and go out to bid.

2. Discussion Concerning a Proposed Ban on Smoking in Town Parks

Several Board members indicated that the proposal was a good idea but that additional research needed to be done to clearly identify what products would be banned and how a ban would be enforced. Additional information will be provided to the Town Attorney.

Update on 10/24/16: A decision was made by consensus of the Board to have the Town Attorney prepare a local law for review at the next regular Work Session on November 7th.

NEW BUSINESS

1. Supervisor Schaffer distributed to the Board a proposed schedule for Board meetings in 2017 and asked that they review it for discussion at a later date.

2. Town Engineer Vern Myers stated that the contract for the purchase of natural gas from Constellation Energy is expiring at the end of October and the electricity contract with NYSEG is expiring at the end of the year. He is looking for direction from the Board on how to proceed. After some discussion, the Town Engineer was advised to gather additional information about the commodity delivery services available to our area and consult with the Board in making a selection.

3. Councilwoman Messina stated that the Town of Vestal has properties that involve a high number of police call for issues that are a public nuisance or a health hazard to others in the community. She asked the Board to review the following web site below that contains legislation developed by the City of Binghamton to address this issue.

<http://www.binghamton-ny.gov/ordinance/property-and-building-nuisance-reform>

She would like the Board to consider implementing similar legislation to be proactive in keeping our community safe.

EXECUTIVE SESSION

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

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

Nays 0

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

- Item 7.1-1 on this agenda
- Several tax certiorari cases
- A property damage claim
- A personal injury claim
- Hicks vs. Town of Vestal litigation
- Performance reviews of non-union employees

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On a motion of Councilwoman Agneshwar, 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 8:38 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk