

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, DECEMBER 05, 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 and Assistant Fire Chiefs Doug Rose (for Executive Session), Town Clerk Emil Bielecki and 2 attendees from the public.

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

6:00 PM Paul Reynolds CMA (Communication Management Services) to discuss small cell leases, options for leasing space on the Andrews Road Tower and other issues in wireless communication.

Paul Reynolds, President of Communication Management Services (CMA Inc.), noted that his company is currently under contract with the Town to provide assistance in wireless communications. Wireless communication is the wave of the future. By 2020, most communication will be wireless. Small cell towers will proliferate and municipalities have an opportunity generate additional revenue by leasing space for small cell towers. He is encouraging the Town to adopt an ordinance that would require carriers to first consider public properties for the placement of small cell towers.

Town Engineer Vern Myers stated that the Town should also consider hiring CMA to help in leasing available space on the new Andrews tower. Several Board members expressed a willingness to work with CMA in finding to additional opportunities to generate revenue through leasing space for small cell towers.

COMMITTEES

7.1 PUBLIC WORKS (FITZGERALD/Majewski) – no items were brought for consideration.

7.2 FINANCE (AGNESHWAR/Fitzgerald)

1. Warrants: 2016- 46, 2016-6E

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

2. Request from Comptroller Laura McKane to adopt a resolution acknowledging that the firm of Insero & Co. CPAs, LLP has audited the books and records of the Town of Vestal Justice Courts for the calendar year of 2015.

Councilman Majewski and Councilwoman Agneshwar expressed concern that some of issues identified in the audit are not being addressed on a timely basis. Comptroller Laura McKane noted that she has worked closely with the two Court Clerks and most of the issues are being addressed. On the issue of bank reconciliation, they will be adopting a routine to reconcile each other’s bank statements.

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

3. Request from Comptroller Laura McKane to enter a two year contract with PERMA to provide workers’ compensation insurance coverage. In accordance with their proposal, the first year cost will be \$334,913 less a 2% discount if paid in full by January 1, 2017. The second year costs are fixed depending on the loss ratio in year 1.

Comptroller Laura McKane stated that she has compared the services and the pricing from PERMA

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and Comp Alliance and finds PERMA to be the superior company on both counts. There are some differences in how these companies calculate their premiums and in the coverage that they provide. However, PERMA consistently comes out on top on most metrics. She recommends going with a 2 year contract to get the upfront discount and to provide some longer term stability. The Board agreed with the selection of PERMA and with going with the 2 year term.

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 \$400 for the 2017 membership to the Upstate New York Towns Association.

Councilman Majewski questioned the value of renewing this membership. Supervisor Schaffer stated that this organization has been very useful to the Town. They tend to address real issues that are relevant to the Town and are non-partisan. He encouraged Councilman Majewski to attend one of their meetings.

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 Laura McKane to discuss Capital Projects.

Comptroller Laura McKane stated that the fund balances in the General, Highway, Water & Sewer funds are healthy and some of the money should be spent on capital projects so as to reduce the expense of servicing new debt. The focus should be on high priority capital projects. The Capital Projects Committee met recently to rank the proposed capital requests for 2017 based on standard evaluation criteria. She asked the Board to review the rankings and decide which projects may be best suited for financing through the use of fund balance.

After a lengthy discussion of each capital request, the Board determined that it needed additional time and information to complete the review of the proposed projects. Supervisor Schaffer asked the Board to complete the review of the capital requests so as to make a final decision on the funding at the next Work Session on December 19th.

7.3 PERSONNEL (MESSINA/Majewski)

1. Request from Parks Superintendent Jim Bukowski to hire Jeffrey Battaglini as a Laborer effective December 12, 2016 at the Operating Engineer 2016 rate of pay of \$14.43 per hour. A background check and pre-employment drug test have been successfully completed.

Human Resource Officer Nancy Olmstead stated that this position was approved in the 2017 budget but it was agreed that the position could be filled earlier if there was money available in 2016. Comptroller McKane confirmed that the funds are available to make this early hire.

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

2. Request from Tax Collector Debra Wallace to hire staff for the Tax Office (as per the provided chart) for the period December 22, 2016 through April 17, 2017.

Human Resource Officer Nancy Olmstead stated that this hiring is routinely approved each year to enable the Tax Collector to prepare the tax bills and assist during the tax collection period.

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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.

3. Human Resource Officer Nancy Olmstead to discuss vacation carryover requests.

Human Resource Officer Nancy Olmstead stated that Department heads were asked to inform her of any vacation carryover requests requiring Town Board approval. Several of the requests just required a review by the Personnel Committee. The requests requiring Town Board approval were as follows:

- Vinnie Griggs (non-union) request to carry over into 2017 up to 37.5 hours in excess of the five days he can carry over pursuant to the Employee Handbook. This will result in a total carryover of up to 75 hours.
- Nick Angeline (non-union) request to carry over into 2017 up to 37.5 hours in excess of the five days he can carry over pursuant to the Employee Handbook. This will result in a total carryover of up to 75 hours.
- Tonya Pinney (non-union) request to carry over into 2017 up to 37.5 hours in excess of the five days she can carry over pursuant to the Employee Handbook. This will result in a total carryover of up to 75 hours.

After some discussion, the consensus of the Board was to approve these requests on the basis of special circumstances. However, several members indicated that the Board would not look favorably on requests for additional carryovers in consecutive years from the same people.

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) – no items were brought for consideration.

7.5 PUBLIC SAFETY (FITZGERALD/Messina)

1. Request from Fire Chief David Harrington to accept Russell Kelly as a new member of Company Number 1 and Ethan Wilenski as a new member of Company Number 4.

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 District Administrative Secretary Susan Bowen for approval to accept \$100 from the Ulster Fire Company for usage of Fred Singer Training Site on December 4, 2016.

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 Human Resource Officer Nancy Olmstead to discuss the Town Board Meeting Schedule for 2017.

Human Resource Officer Olmstead engaged the Board in a discussion concerning the calendar for Town Board Meetings in 2017. The Board agreed to hold Regular Meetings on the 2nd and 4th Wednesday of each month except at times where there was a conflict with holidays or other special events. Work Sessions would be held on the Mondays that precede the Wednesday Regular Meetings. Extra Work Sessions will be scheduled in October to accommodate the budget review process. The Board will continue to review the proposed meeting schedule and will approve the final schedule at the Organizational Meeting on Wednesday, January 4, 2017.

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2. Request from Town Clerk Emil Bielecki for the Supervisor to sign a renewal agreement with the Vestal Veterinary Hospital for Dog Shelter services in 2017.

Town Clerk Bielecki stated that he was pleased that the Vestal Veterinary Hospital has agreed to renew the agreement to provide dog shelter services in 2017 on the same terms as last year. In fact, the price has not been raised in many years. This agreement enables the Town to have quality dog shelter services at a significantly lower cost than what is being charged to the municipalities that use the Broome County Dog Shelter.

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

3. Request from Town Clerk Bielecki to discuss a proposal for MuniCode to publish and update the Vestal Town Code on the Town's website.

Town Clerk Emil Bielecki outlined a proposal from MuniCode, our codification services provider, to post the Town of Vestal Code Book in electronic form online. The Code would be accessed through the Town's website and would be fully searchable. By going with this service, we would be providing the public with professional quality access to all of the Town's laws and ordinances. Having access to the Code electronically will also allow us to provide updates on a more frequent basis for our staff and our citizens. The price to post and maintain the electronic code is \$550.00 per year, which includes the cost of converting our Code to the MuniCode database. If a local law or ordinance is pending codification, there is also a \$35.00 per ordinance fee to have MuniCode post it prior to full codification. Clerk Bielecki stated that if the Board approves this service, he can transfer unused money available in the 2016 records management budget to pay for the first year.

After a brief discussion, the consensus of the Board was to approve the signing of an agreement with MuniCode to electronically post the Vestal Town Code and to authorize the transfer of \$550.00 from line A1460-4000 (Contractual & Professional Services) to line A1620-4160 (Code Changes) to cover the cost for the first year.

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

4. Request from the Kopernik Observatory to retire in place and transfer ownership of a Town owned communications pole and equipment enclosure after the emergency communication system is relocated to the Broome County radio tower next to the Kopernik Observatory. Transferring the pole and enclosure will eliminate the expense to the Town of removing and disposing of these items.

Town Clerk Bielecki stated that he checked with the IT Department and the Town Engineer and both agreed that once the Town's communications gear is moved to the new County tower, that pole and enclosure at the Kopernik Observatory is of no value to the Town.

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

5. Request from IT Director Dan Williams to dispose of various computer equipment that is listed in his memo to the Town Board dated December 1, 2016. The computer equipment on this list is no longer in service with the Town and has no value to the Town.

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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NEW BUSINESS

1. Supervisor Schaffer stated that after discussing the matter with the Board, it was determined that Magnolia Park was no longer of use to the Town for park purposes. At the next Regular Meeting (under the Supervisor’s Announcements) he will announce that the Board will entertain bids for the sale of the Magnolia Park property subject to state approval.

2. Citing a need to review and update our laws and regulations with respect to the placement and construction of telecommunications towers, Supervisor Schaffer asked the Town Attorney to draft a local law imposing a temporary moratorium to prohibit the new construction of telecommunications towers. The advertisement is to be published on January 11, 2017 with a Public Hearing on January 25, 2017.

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

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 12/05/16: Town Engineer Myers stated that he has just completed the preparation of the Request for Quotation (RFQ) and will make it available for the Town Board to review.

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

Town Attorney Berger has drafted a local law and distributed it to the Board for review. The Board requested that a ban on e-cigarettes and vaping should also be included in the proposed law. **Update on 12/05/16:** The draft of the local law is being reviewed by the Board.

EXECUTIVE SESSION

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 enter into Executive Session to discuss the following:

- Review applicants to the Zoning Board of Appeals
- Mooney vs. Town of Vestal litigation
- Claim against the Fire District
- Dispute concerning the Fire Department tanker bid

The time was 9:03 PM.

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 leave the Executive Session and adjourn the meeting. **The time was 9:58 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk