

## VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, APRIL 24, 2017

### WORK SESSION

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

Also Attending: Town Attorney David Berger, Town Engineer Vern Myers, Human Resource Officer Nancy Olmstead, 1<sup>st</sup> Deputy Town Clerk Kathie Young, Recreation Director Sue Jastran, Code Enforcement – Mark Dedrick, Lincoln Ellis, Resident Vilma Byrne and 6 people from the general public.

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

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**6:00pm – Recreation Planner Sue Jastran came to request that the Town Board approve a sponsorship and to provide a Town of Vestal Certificate of Self-Insurance for the Town Band to play at the Oakdale Mall on June 15, 2017.**

Town Band Director, Jerry Natoli, explained this request for the program sponsorship to the Board. He had previously spoken to the Town Attorney. A request by the Town Recreation Department was turned down at the last meeting. They have been the Town Band for 27 years. This was approved years ago and a certificate was kept on file at the Oakdale Mall and the mall would like to have a new certificate on file. The thing that makes this request different is that they wanted to do something special by raising money for our local food pantries and have invited every female vocalist who has ever sang with this band in hopes of attracting more people to attend. They would like the Town to be one of the sponsors. The band has a low chance of being sued. It has very little exposure.

Town Attorney Dave Berger said that if the Town wants to sponsor this and send the band it would be appropriate to provide this Certificate of Insurance.

It is the Boards consensus that this be put on the next agenda.

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**6:15pm- Vilma Byrne – Sue Jastran**

Vilma Byrne was invited to attend this evening so that the Town could personally acknowledge **her donation of \$1000** to cover the gate cost for the Vestal Recreation Department's Town Picnic, on Wednesday, August 2, 2017, allowing countless people to enjoy this event free of charge. The Supervisor read a proclamation in her honor.

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**6:30pm – Mark Dedrick – Departmental Discussion – with Lincoln Ellis and Nancy Olmstead**

Mark Dedrick: The quality of the candidates has not been that great. The Building and Code Department needs to hire the caliber of people to get the proper job done.

## VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, APRIL 24, 2017

They would like to hire a Building & Code Inspector. The Municipal Fire Code Inspector duties are actually included in the duties of the Building and Code Inspector positions (Lincoln Ellis & Anthony Crosby are classified this way). The Building & Code Inspector job title is trained and competent for providing fire inspections, (just like the fire code inspector) as well as being able to perform building construction plan reviews, inspections and all of those related duties.

The starting salary for the Municipal Fire Code Inspector position is low and a detriment is evident. We really only attracted 3 "fair" candidates for this recent interview and hire.

In addition to the above change, the Town needs a part-time electrical inspector. This position would be 20 hours per week to begin. The Town is responsible for electrical inspections just as we are required to perform all of the other building construction and maintenance inspections. Currently electrical inspections are performed by 3 designated individuals from 2 different private companies. The current inspectors that are recognized are aging. Major advantages to having an "in-house" electrical inspector include training other inspectors for those specialized installations, better more competent inspections, more timely inspections and additional fees which would be collected. The Town of Vestal is required to do these inspections. The collected fees would pay for the electrical inspector. The current Code inspectors can join in these inspections to learn more about doing minor inspections. We do some small home inspections now. Mark Dedrick has asked around to see if people would be interested and there seems to be a great deal of interest. A municipality has umbrella insurance. There are some inspectors out there but they are not certified and clearly are not qualified. Broome County has job description for hiring someone.

The Board needs to approve this. He would like a full time building and code inspector and a part time Electrical Code inspector.

Nancy Olmstead noted that we have a vacant fire code inspector position. He wants four Building Code Inspectors and zero Fire Code Inspectors. It gives the Code Department more flexibility. She discussed this with the Comptroller and because there was been a vacancy since February, there is money available and there will not be a problem to hire a Building Code Inspector. There is no money to hire an Electrical Code inspector at this time. A person must be hired provisionally until there is a test available. The Town will use the job description provided by Mark Dedrick for an Electrical Inspector and the County is ready to use this as well.

Supervisor Schaffer suggests we promote Art Robinson to Building Code Inspector and go from there. We will work on the electrical inspector position. Performing these inspections will add to revenues.

Mark Dedrick - We will need additional funds to add the Electrical Code Inspector position. The salary would be offset by the cost of the inspections. Even if we advertise now for a Building and Code Inspector it will be a long while before we find suitable candidates and go through our hiring process. A higher wage will allow us to acquire a more qualified person.

Nancy Olmstead stated that if we allow Mark to advertise for this position it doesn't commit the board to hiring a person. It may take quite a while to acquire a qualified person. When we hire someone we can then advance Art Robinson.

**VESTAL TOWN BOARD WORK SESSION MINUTES**  
**MONDAY, APRIL 24, 2017**

Councilwoman Agneshwar – page 2 (B) – She wondered why they need time to get certification within eighteen months after date of hire. She wonders if this is putting the Town in jeopardy.

Mark Dedrick – If they meet requirements they will have no trouble meeting the certification. It is the Department Head who deems them competent and oversees their work.

Supervisor Schaffer doesn't seem to think there are any issues.

Councilwoman Agneshwar asked how much is charged for a commercial inspection.

Mark Dedrick thought perhaps \$200/\$250. A home can be \$50/\$100.

Nancy Olmstead - The Electrical Inspector position will most likely go into the 2018 budget.

The consensus of the Board is to advertise for a Building Code Inspector and the board will discuss the future Electrical Code Inspector position.

**UPCOMING PUBLIC HEARINGS:** None

**COMMITTEES**

**7.1 PUBLIC WORKS (FITZGERALD/Majewski)**

1. Request from Scott Groats, Water & Wastewater Superintendent to amend R083-17 to advertise **Jones Road Sanitary Sewer Replacement** on April 26, 2017 and open bids on May 11, 2017 at 2:00 pm.

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

2. Request to retro-approve settlement in the amount of \$2500.00 with Gregory McGuire at 313 Vandervort Avenue for damage to a sidewalk. – This is \$400 less than what he asked for. This will resolve the issue. This sidewalk is in the right of way. After this a letter will be sent asking that in the future nothing be put in the right of way.

Town Engineer Vern Myers feels the Town has allowed people to put things in our right of way. They could ask them to remove this but for now, he feels we should settle this.

**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)**

**Supervisor Schaffer asked Councilwoman Messina to read a letter he received:**

Councilwoman Messina read a letter from someone who spoke with the Water Department concerning our *minimum usage* charge. He received his water/wastewater bill. This reading showed that they had zero usage yet he was billed \$89.00 - the Town's *minimum usage* charge. He did not use an ounce of water. If he had disconnected and reconnected it, it would not have

## VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, APRIL 24, 2017

cost him a cent. He would like the policy amended. A homeowner turning off their own water does not cost the tax payers a cent.

Town Engineer Vern Myers explained that the \$89.00 is the cost for *having* water available. There is a cost to the Town to allow you the access and the right to fresh clean water. The Town must still produce water. You don't get to choose when you use it.

Vern Myers will respond to the letter.

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### 1. **Warrants:** 2017- 15, 15E, 16, 16E

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

2. Request from Laura McKane, Town Comptroller to authorize renewal of Excellus Health Insurance contract for administrative services (no telemedicine) from May 1, 2017 to March 31, 2018.

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

3. Request from Cherese Wiesner-Rosales, Museum Director to accept a grant for the amount of \$2000 from The Chenango County Council of the Arts. Councilwoman Agneshwar has emailed her asking how this money will be used.

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

### 7.3 **PERSONNEL (FITZGERALD/Agneshwar)**

#### 7.4 **PLANNING & ZONING (MESSINA/Fitzgerald)**

1. William Safarik, spoke with the Board concerning holding the **DICK'S Greater Binghamton Marathon 2017 Greater Binghamton Marathon** to hold race on September 24, 2017.

- Parking- Will be held in the Matthews field which is already approved
- Crowd control will be managed by barricades and cones and by our volunteers.

They have supplied the following information and documents

- GBM Operational & Safety plan 2017
- Event day signage
- Supporting Documents pertaining to the course
- Insurance naming Town of Vestal

\$6000 was raised last year.

Town Attorney David Berger has reviewed the **Certificate of Insurance** and finds it acceptable.

**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 (MAJEWSKI/Messina)**

1. Request from David Harrington, Fire Chief to accept **Kimberly Nedza** as a member of Company No. 4 and **Gerald Konen** as a member of Company No. 3

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

**VESTAL TOWN BOARD WORK SESSION MINUTES**  
**MONDAY, APRIL 24, 2017**

Board.

**7.6 ADMINISTRATION (MESSINA/Majewski)**

1. Request from Sue Jastran, Recreation Planner to sponsor a band to play at the Oakdale Mall on June 15, 2017 by providing a certificate of insurance

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

2. **Discuss Governor Cuomo Consolidation legislation** - Our governor has passed into legislation an order that our County Executive put together a consolidation plan for Broome County Local towns, cities and Villages.

Supervisor Schaffer – All department heads have been notified that we are looking for ideas for a consolidation plan. The policy states that we can't count things that we have used in the past. He is unhappy with the committee that was selected to represent the Towns because there were no elected officials on it to represent us. There has since been a revision and elected town officials have been included.

Laura McKane is attending a shared insurance consortium and he has a list of things that the Town is already sharing - some are with other Towns. He is waiting for ideas and lists from Department Heads.

It looks like we will probably have to vote no as a group because of the time constraints and try to put this together for next year. The governor has given a grace period. He feels that the Governor merely wants to do away with all lower levels of government and have it County run. We need more contact with our County representatives.

Although some of us are not interested in non-funded mandates, we will compile a list of items we all might want to consider or review, noting that none of these will be set in stone, only for discussion.

Dave Berger says this all flows from the County and we can opt in if we choose. They have also adopted less onerous procedures.

Councilwoman Agneshwar stated the school didn't know about the meetings with the County. Other school districts attended the County meeting. She will do what she can to advise them of the information. Shoba would also like to see everything we share with the Library and the School Districts to be put in writing.

**UNFINISHED BUSINESS**

1. **Magnolia Park** – BCTMP 173.07-1-7 - 5.42 acres - March 20, 2017 David Berger, Town Attorney had asked for time to research whether federal or state money was used for the park.

Dave Berger – He called the office of Parks and there were no federal or state monies used to purchase Magnolia Park. So we are not bound by that problem. If we discuss negotiating a price we do it in Executive Session.

Supervisor Schaffer is not negotiating a price right now he just wants permission to start the paperwork to get it to the representatives.

**VESTAL TOWN BOARD WORK SESSION MINUTES**  
**MONDAY, APRIL 24, 2017**

Dave Berger – You can't do that until you have a contract and an understanding of what we are doing and why we don't need this park, etc.

This will be held for Executive Session.

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2. **Gateway Signs** – Discuss Local Law - Town Attorney work with the Code Department in developing evaluation criteria for reviewing these applications, with the intention of approving up to two additional signs.

The Attorney is currently working with Code Enforcement on the criteria needed for evaluation. **HOLD**

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**Executive Session**

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

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

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

Negotiations with PBA, VPSA, Operating Engineers and CSEA and Magnolia Park and Library Lease, Issue at Coal House, Article 78 Served on Town and Zoning Board of Appeals –  
Petitioner: Feinberg-Smith Associates dba Hayes Student Living Community.

The time was 7:16 PM.

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**ADJOURNMENT**

No motions or action we taken by the Board.

Resolved the Board leave the Executive Session and **adjourn the meeting**. The time was **7:40 PM**.

Respectfully submitted - Kathie S. Young 1<sup>st</sup> Deputy Town Clerk