

**VESTAL TOWN BOARD WORK SESSION MINUTES**

**MONDAY, MAY 22, 2017**

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

Also Attending: Town Attorney David Berger, Town Comptroller Laura McKane, Human Resource Director Nancy Olmstead, Health Insurance Consultant Doug Bulman, Town Clerk Emil Bielecki and 2 people from the general public.

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

**EXECUTIVE SESSION**

On a motion of Councilman Majewski, 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 conduct an employee interview. The time was 6:01 PM.

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

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

Resolved the Board leave the Executive Session and **resume the Work Session. The time was 6:29 PM.**

**COMMITTEES**

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

**1.** Request from Water/Wastewater Superintendent Scott Groats to award the Jones Road Sanitary Sewer replacement to the lowest bidder, Vacri Construction of Binghamton, in the amount of \$246,400.00.

Supervisor Schaffer noted that 3 bids were submitted for this project.

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

**2.** Request from Christina Porcari to place a Memorial Bench on the Vestal Rail Trail. This will be at no cost to the Town.

Councilwoman Fitzgerald explained that the bench would be installed in honor of Mrs. Porcari's husband, Fire Captain Mathew Porcari of the Owego Fire Department, who died in the line of duty on January 22, 2013. Mrs. Porcari has been in contact with the Town's Parks and Recreation Departments and has worked out the details of proceeding with this project. Supervisor Schaffer noted that there are 2 spots remaining for possible benches on the new section of the Rail Trail. The installation of the bench would be done by the Parks Department.

**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: 2017- 19, 2017-19B, 2017-19E, 2017-20, 2017-20E

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

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2. Request from Recreation Planner Sue Jastran to accept a \$1,700.00 donation from the Vestal Elks for the Easter Egg Hunt supplies.

**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)**

1. Request to authorize Parks Superintendent Jim Bukowski to retroactively approve the hiring of Mike Tomcho, Justin Perez, Chris Dutkowski, Jacob Dean, and Andy Gleason as Summer Laborers effective May 17, 2017 at the rate of \$9.70 per hour.

Councilwoman Fitzgerald noted that all but one of the summer laborers are returning hires.

Councilwoman Agneshwar stated that she did not receive the memo concerning this request even though she is on the Personnel Committee. Supervisor Schaffer acknowledged that there was some confusion in the distribution of the memo and that he would straighten it out so it does not happen in the future.

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

2. Request authorization for Water/Wastewater Superintendent Scott Groats to hire Nicholas Bartholomew as a Summer Laborer at the rate of \$9.70 per hour, effective May 30, 2017. The budget line for this hire is W8340-1034.

Councilwoman Fitzgerald noted that this is a returning hire.

**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/Fitzgerald)**

1. Discuss the request from Catherine Cornelius of the Beck Group to rezone 2500 Vestal Parkway E from Residential Office (RO) to Transitional Neighborhood (TN).

Councilwoman Messina stated that we would need much more information before acting on this request.

Town Attorney Dave Berger advised the Board to be careful in responding to this request since this person does not currently own this parcel and has not filed a formal application for the rezoning. We can't give her an advisory opinion. The Board should not act on matters not properly presented to it.

After a brief discussion, the Board consensus was not to take additional action on this item at this time.

2. Request from the Coordinator of the Vestal Schools Odyssey of the Mind Scott Smith to display a message congratulating the Odyssey of Mind team for winning the NYS tournament on the electronic sign on the Vestal Parkway during the last week of May.

Supervisor Schaffer stated that he did not think it was appropriate for the Board to get involved with this request. Town Attorney Berget noted that the Town has some rights under the contract with the sign owner to control placement of some information. The question is whether this specific information fits that criterion. After the brief discussion, the Board determined that the coordinators of this School event should take their request directly to the owner of the gateway sign.

3. Request from Code Enforcement Director Mark Detrick to sell the department's 2004 Ford

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Explorer VIN (1FMPU16LB63982) through Auction International.

Councilman Majewski asked several questions about the mileage and condition of this vehicle. Supervisor Schaffer noted that he did not have all the details but would get them prior to the Regular Meeting. He did however note that this vehicle was handed down from the Police Department and is likely a high mileage vehicle with mechanical problems.

**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 Fire Chief David Harrington to approve sending one piece of Station 4 apparatus and members to the Binghamton Memorial Day Parade on May 29, 2017.

Supervisor Schaffer stated that at the first meeting of the year (organizational), the Board routinely approves the Fire Department's list of parades that they plan to participate in throughout the year. Councilwoman Agneshwar noted that this is a new application that the Fire Department was recently asked to consider.

**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 authorize the Monroe Hose Fire Company to use the Fred Singer Training Site at a cost of \$100 on May 28, 2017.

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

### **7.6 ADMINISTRATION (MESSINA/Majewski) – no items were brought for consideration.**

### **UNFINISHED BUSINESS**

#### **1. Gateway Signs**

Town Attorney Dave Berger suggested that the grid he designed should be used to rank each of the pending applications for gateway signs. Supervisor Schaffer asked the Board to bring the completed ranking forms to the next Work Session on June 12<sup>th</sup> so as to assist the Board in determining which applications to accept for final approval.

#### **2. Employee Handbook**

Human Resource Director Nancy Olmstead distributed a list of proposed changes to the Employee Handbook and engaged the Board in a review of each item. She asked the Board to provide any other suggestions as the review process continues. The sections discussed include the following:

- Typo correction to be made in the Code of Ethics. The Board reaffirmed its decision not to create a separate Board of Ethics and use the County Board if necessary.
- Various updates to the Computer Use Policy as proposed by the IT Director.
- Section 701- proposal to raise longevity pay to mirror schedule of CSEA.
- Section 801- proposal to prorate floating holidays for later hires.
- Section 802- proposal to align vacation carryover rules to align with union contracts.
- Section 803-remove references to family illness as term is no longer necessary.
- Section 813-language to reflect previously adopted changes.
- Section 816-adjustments to reflect changes in the NYS Retirement System.

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- Section 817-delete unnecessary language.
- Section 907-update language on smoking policy.

Councilwoman Fitzgerald asked about the policy on call out pay as it relates to certain non-elected and non-union employees. She asked the Human Resource Director to review the policy.

**NEW BUSINESS**

1. Supervisor Schaffer noted that the Vestal School District announced that they plan to change the collection of school taxes from M & T to Broome County. However, it appears that a 1981 contract between the Town and the School District does not allow that action to be taken unilaterally. Town Attorney Berger stated that he has researched this issue and found that in the absence of a new agreement, the school tax collection responsibility reverts back to the Town. To offset the additional costs associated with the school tax collection, the Town can pass a resolution to establish certain fees. We can chose an option to charge a 1% fee for payments made during the first 30 days and up to 5% for payment after 30 days. It is not clear which fees can be kept by the Town.

After a brief discussion, the Board authorized the Town Attorney to send a letter to the Vestal School District notifying them of the Town’s intention to take over the collection of school taxes.

2. Supervisor Schaffer and Councilwoman Agneshwar stated that there needs to be a better procedure on how the Town notifies employees about Town Hall closings during a declared State of Emergency. Town Clerk Emil Bielecki offered to assist the Supervisor in developing an improved procedure.

**EXECUTIVE SESSION**

On a motion of Councilwoman Fitzgerald, 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:

- Library lease agreement
- Employee contract negotiations (PBA, VPSA, Operating Engineers, CSEA).
- Litigation matters concerning the Mooney and the Feinburg (Hayes Manor) cases.

The time was 8:05 PM.

On a motion of Councilman Fitzgerald, 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 meeting. The time was 9:16 PM.**

Respectfully submitted,  
Emil Bielecki, Town Clerk