

VESTAL TOWNBOARD WORK SESSION MINUTES

MONDAY, AUGUST 26, 2019

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

Also Attending: Town Attorney David Berger, Town Engineer Vern Myers, Director of Human Resources Nancy Olmstead, Town Comptroller Laura McKane, Town Clerk Emil Bielecki and 4 people from the general public.

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

UPCOMING PUBLIC HEARINGS

August 26, 2019 @ 6:00 PM

- Local Law C – Rezoning 113 Brooks Ave
- Local Law D – Rezoning 136 Vestal Parkway East
- Local Law E – Abolish Tax Receiver as an Elected Office

COMMITTEES

7.1 PUBLIC WORKS (FITZGERALD/Fletcher)

1. Request from Water/Wastewater Superintendent Scott Groats for the Town Supervisor to sign the *Administrative Compliance Order* letter received from the US Environmental Protection Agency.

Councilman Majewski asked for additional information about the Order and whether we will be facing the large fines specified in the order. Town Engineer Vern Myers explained the Compliance Order came out of an inspection that the EPA does every 5 years. Most of our citations have to do with the pump stations that have been grandfathered in to permit some overflow. The report is not as bad as it sounds. It has more to do with following best practices. It is unlikely that we will be fined the maximum amounts cited in the order.

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

7.2 FINANCE (MESSINA /Majewski)

1. Warrants: 2019-33, 2019-33A, 2019-33E, 2019-34, 2019-34E

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

2. Request to pay Town Attorney David Berger in the amount of \$687.50 for the June-July 2019 billable hours.

Councilman Majewski asked for an explanation of the charges assessed for emails sent from Emil Bielecki. Town Attorney David Berger stated that the Town Clerk is served with all Article 7 tax certiorari filings which are then submitted to him.

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

3. Request for approval from the Board of Fire Commissioners to accept the recommendation of the Vestal Fire District LOSAP Advisory Committee to migrate the LOSAP Investment Account to a

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professional money management platform with Excel Securities and retain Emil Bielecki as the Investment Advisor.

Emil Bielecki stated that he has been providing investment advisory services to the LOSAP Advisory Committee for about 12 years. He wishes to continue in that role as the investment account is moved from mutual funds to a professionally managed platform. The LOSAP investment account has done well and he thanked the Board for their confidence in his investment services to the Fire District.

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

4. Discuss a draft of the Town's Procurement Policy as amended to comply with the policies and procedures with respect to Federal awards.

Town Comptroller Laura McKane stated that she recently attended a training session for finance officers. In a presentation on accounting standards, it was stressed that certain OMB procedures needed to be adopted when federal funds are being spent supporting a local project. The draft Procurement Policy, as amended, and the addition of a new policy, *Policies and Procedures with Respect to Federal Awards*, incorporates these requirements. The Town's auditor has reviewed these proposed changes and additions and finds them acceptable.

Supervisor Schaffer asked the Board members if they needed additional time to review the proposed changes to the Procurement Policy. No one expressed a need for additional time to review the amendments and new policy.

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

7.3 **PERSONNEL** (MAJEWSKI/Fitzgerald) – no items were brought for consideration.

7.4.1 **PLANNING & ZONING** (FLETCHER/Fitzgerald)

- 1.** Discuss rezoning of the following parcels with possible advertising date of September 11, 2019 for a Public Hearing on September 25, 2019.
 - 2500 Vestal Parkway East Residential Office (RO) to Community Business (C2)
 - 2508 Vestal Parkway East Transitional Neighborhood (TN) to Community Business (C2)
 - 2512 Vestal Parkway East Multiple Residence (RC) to Community Business (C2)
 - 2520 Vestal Parkway East Transitional Neighborhood (TN) to Community Business (C2)

Town Engineer Vern Myers stated that this rezoning request stems from a request from the Beck Group. They want to combine these parcels for a proposed development which would not be permissible under the existing transitional zoning categories.

A representative from the Beck Group spoke briefly about their plans. They want to combine the property on the corner of Evergreen and the Parkway and the adjoining small vacant lot with the existing Metro Mattress development which they already own to do a new project. The rezoning would enable them to develop 2 pieces of property which are now not marketable. The proposed project would not be disruptive to the nearby residential area and the setback requirements for C-2 zoning is comparable to the requirements under the transitional zoning categories.

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Several Board members expressed concern about rezoning these parcels to C-2. It was noted that this stretch of the Parkway was previously changed to transitional zoning so as to protect the abutting residential neighborhood from high intensity commercial development. After a brief discussion of the proposed development, all Board members agreed to proceed with the scheduling of a public hearing on the rezoning to better gauge the sentiment of the neighboring property owners and residents.

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** (MESSINA/Fletcher) – no items were brought for consideration.

7.6 **ADMINISTRATION** (FITZGERALD/Messina)

1. Request to waive the 30 day notice period for a liquor license application for the Quality Inn & Suites.

Supervisor Schaffer noted that the Police Department has reviewed this request and has no objection to granting this waiver.

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

NEW BUSINESS

1. Town Attorney David Berger notified the Board that some changes had to be made to the School Resource Officer (SRO) agreement with the Vestal School District. The changes do not impact the agreement terms between the Town and the School District but are primarily dealing with the District's relationship with BOCES. He asked the Board to authorize the Town Supervisor to sign the amended SRO agreement.

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

2. Town Engineer Vern Myers asked the Board to award the Library Roof Improvement project to the low bidder, John Stilloe Construction of 2502 North St., Endicott, NY 13850 for a lump sum base bid of \$92,500.00. He noted that the price came in under budget and the selected contractor is the certified applicator of the material that we wanted.

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

3. Supervisor Schaffer advised the Board that a company called Senior Living Help, an organization that provides senior living assistance to the elderly, requested that a link to their website be added to the Town's website. Town Clerk Emil Bielecki noted that we try to avoid featuring outside organizations on our website to avoid showing favoritism to any specific group or organization. We have limited space on the main pages of the website and reserve that space for Town government information and links to other relevant government services. After a brief discussion, The Board agreed not to grant this request.
4. Town Attorney David Berger distributed copies of proposed Local Law "F", a local law amending the sections of the Town Code regulating signs. This local law would remove sections of the Code which deal with political signs and substitute viewpoint neutral regulations of all temporary signs. He asked the Board to review the proposed local law and provide input for additional review at a later date.

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5. Supervisor Schaffer stated that he received a letter from a company named Renewable Properties, LLC expressing an interest in a multiple acre property on Powderhouse Road to construct a small-scale solar development project. No other specifics were provided. Several Board members noted that this appears to be a standard form letter which has been sent to many local governments. After a brief discussion, the consensus opinion of the Board was to notify the company that the Town is not interested in pursuing this development at this time.

EXECUTIVE SESSION

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

ADOPTED Ayes 4 Messina, Fitzgerald, Majewski, Schaffer
 Nays 0 Absent 1 Fletcher

Resolved the Board enter into Executive Session to discuss possible disciplinary action against a Town employee. The time was 6:47 PM.

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

ADOPTED Ayes 4 Messina, Fitzgerald, Majewski, Schaffer
 Nays 0 Absent 1 Fletcher

Resolved the Board leave the Executive Session and **adjourn the meeting. The time was 7:32 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk