

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JULY 06, 2015

In Attendance: Supervisor Schaffer, Board Members: Majewski, Fitzgerald, Messina and Agneshwar

Also Attending: Town Attorney David Berger, Comptroller Laura McKane, Human Resource Officer Nancy Olmstead, Town Clerk Emil Bielecki and 1 member of the general public.

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

6:00 Bob Sanders, Fleet FuelCard Sales Rep. – Fueling options from the Mirabito Group

Mr. Sanders distributed an outline of the Cost Plus Fleet Fueling Program using the Mirabito Regional Fleet Card. Some of the features that were highlighted are as follows:

- The Cost Plus program is tied to the costs of Mirabito and floats up and down weekly. Normally, it saves .05 to .20 cents off posted pump prices. Final pricing is generally negotiated with one of the senior executives.
- Going with Mirabito would avoid the risks to the Town associated with having underground tanks.
- Mirabito has 74 fueling locations in the region and more than adequate coverage in Vestal. All Vestal sites have diesel and some have non-ethanol gasoline.
- The fuel cards can be imprinted with various identifying information and come with special card holders.
- Town can choose to require odometer readings for tracking fuel efficiency.
- Mirabito is very security conscious and uses various techniques to monitor for theft and fraud.
- Payment terms are flexible to accommodate municipal accounting.
- Fueling for off-road vehicles can be set up separately.
- The canopy heights at the fueling stations will accommodate all of the Town's vehicles although some locations may have an ingress/egress issue.

Councilwoman Agneshwar asked whether this program would save the Town in fuel costs.

Councilman Majewski stated that going with Mirabito would not achieve immediate savings in fuel costs but would result in significant long term savings by eliminating the high costs associated with maintaining our underground fuel storage tanks and by avoiding state and federal environmental fines.

Comptroller McKane asked for additional information to help determine if the Town would need to go to competitive bidding for this service. It was noted that Mirabito has the state contract for their WEX program. However, additional information would have to be provided and analyzed to determine if competitive bidding was necessary for the Cost Plus or some other program variation. Supervisor Schaffer noted that Broome County has a fueling contract with Mirabito and we can possibly piggyback on their pricing.

Supervisor Schaffer stated that the next step will be to engage Mirabito in a discussion about pricing and to determine if a competitive bidding process will be required. The goal is to do a full changeover within the next few months.

COMMITTEES

7.1 PUBLIC WORKS (MAJEWSKI/Fitzgerald)

1. Discuss Town Engineer Gary Campo's designation of the homes at 2300 Old Owego Rd. and 349 Second Ave. as unsafe as per *Article IV, Unsafe Buildings* section of the Vestal Code.

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Supervisor Schaffer stated that the issues surrounding these two properties were discussed at the Work Session on 4/20/15. It was generally recognized that the Town was not in a position to take additional action on these properties at that time and nothing has changed since then.

7.2 **FINANCE** (AGNESHWAR/Messina)

1. Warrants: 2015-26, 2015-26E, 2015-27, 2015-27E

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

2. Request to pay \$506.52 to Hinman, Howard and Kattell for the costs in conjunction with the Town’s motion for leave to appeal to the Court of Appeals in the UHS vs. Town of Vestal litigation.

Town Attorney Berger noted that this payment should close the books on this case.

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 Comptroller Laura McKane to sign agreement with Ciaschi, Dietershagen, Little, Mickelson & Company, LLP to perform audit services for year ending 2014 and 2015.

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 Town Attorney David Berger \$1080.00 for June 2015 billable hours.

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 Greene, Hershdorfer & Sharpe \$2,139.32 in the Hicks vs. Town of Vestal case from May 26, 2015 to June 26, 2015.

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/Majewski)

1. Discuss Business Office hiring.

Comptroller McKane noted that this discussion will involve the review of an interviewed applicant and should be done in Executive Session.

2. Discuss proposed changes to the Employee Handbook.

Human Resource Officer Nancy Olmstead followed up her previous discussion with the Board concerning proposed changes to the Employee Handbook with 5 amendments, the details of which were provided in a document attached to her memo dated June 30, 2015. The summary of the proposed amendments to the Employee Handbook are as follows:

Section 607 Family and Medical Leave Policy: Change definition of “spouse” to comply with law

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Section 705 Payroll Deductions:	Language regarding employees who are off payroll making payroll deductions not possible
Section 807 Medical Insurance for Retirees:	Language regarding automatic deduction of contributions from retiree's bank account
Section 812 Disability and Sick Leave Benefits:	New language regarding sick leave
Section 813 Workers' Compensation Benefits:	Language regarding length of time employee stays on Town's payroll prior to collecting benefits from the carrier

Councilwoman Agneshwar suggested that the changes to the Employee Handbook should be distributed electronically rather than in a paper format so save money. Human Resource Officer Nancy Olmstead noted that we do make the Employee Handbook available online but not every one of our employees has access to a computer. We tie in our certification of receipt to the distributed paper copies.

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. Request from Jerrie Schutt from the Vestal Field Hockey Booster Club to hold a Smoky Legend BBQ fundraiser in the library parking lot on October 25, 2015.

Councilwoman Messina reiterated her opposition to allowing the use of Town property for private fund raising activity, particularly when outside food vendors are involved. Both she and Councilwoman Agneshwar expressed the need to develop a new policy concerning this issue.

Supervisor Schaffer stated that although he preferred to revisit this issue at the end of the year, the lack of consensus about how to deal with the current applications is causing him to push up the timing of the debate. He will now schedule the discussion concerning this issue for the next Work Session on July 20th. The Board agreed to review current applications on a case by case basis.

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/Agneshwar)

7.6 ADMINISTRATION (MESSINA/Agneshwar)

1. Request from Museum Director Ramona Kacyvenski for the Town Supervisor to sign the Harriet Ford Dickenson Fund Grant application.

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

2. Request from Recreation Planner Sue Jastran to hire labor for the Cheerleading Camp and the Softball Camp as listed in her memo dated July 1, 2015.

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

Citing two memos from Town Engineer Gary Campo, one concerning a NY Rising project on Roberts Street and the other the FEMA Town Hall flood wall project, Councilman Majewski requested that Mr. Campo attend the Work Session on July 20th to discuss with the Board the details of these communications.

UNFINISHED BUSINESS

1. Kopernik Tower

This project was to be part of an overall plan to upgrade the communications facilities in the Town. The County has not provided us with all of the information required to move this project forward.

Update on 6/22/15: Supervisor Schaffer noted that the County's Director of Emergency Services has resigned and his duties are currently being assigned to several other people. The status of this project is now uncertain and he will update the Board as new information becomes available.

2. Communication from the International Union of Operating Engineers re: overtime

Update on 7/6/15: Councilman Majewski stated that he has discussed the contents of this letter with Water & Sewer Superintendent Scott Groats and was told that there has been a policy change implemented to address the overtime issue. Human Resource Officer Nancy Olmstead suggested that Mr. Majewski also talk to the Parks Superintendent (as planned) after which time a letter of response will be drafted for Board approval.

SUPERVISOR'S ANNOUNCEMENTS:

Supervisor Schaffer noted that the problem with dog feces on the Rail Trail has improved considerably. It appears that self-policing is finally showing some positive results.

EXECUTIVE SESSION

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

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

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

- Review the results of an interview of a specific job applicant.
- Review a 207-c application submitted by an employee.
- Review a potential settlement of a tax certiorari case.

The time was 7:45 PM.

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

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

Resolved the Board leave Executive Session and **adjourn the Work Session. The time was 8:20 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk