

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, MAY 6, 2013

In Attendance: Supervisor Schaffer and Board Members Marnicki, Fitzgerald, Milkovich and Majewski

Also Attending: Town Comptroller Laura McKane, Town Attorney David Berger, Human Resource Director Nancy Olmstead, Town Clerk Emil Bielecki, Fire Chief Pat McPherson and several members of the community.

WORK SESSION Supervisor Schaffer convened the meeting at 6:04 PM.

Councilman Marnicki – discuss a site for potential relocation of Town offices.

Councilman Marnicki gave a brief outline of his exploratory investigation into the feasibility of purchasing the Our Lady of Sorrows Church complex on Clayton Avenue to relocate various Town offices. He has been working with the Town Engineer and Code Department to do an initial assessment of the property. In his opinion, there is considerable merit to continue gathering additional information. He is asking the Board to consider doing additional due diligence work to determine whether this site is feasible for Town use.

Councilman Milkovich stated that he favors the consolidation of all Town Hall functions in one location.

After a brief discussion, the Board agreed to pursue a double strategy of gathering additional information about the church complex and to also reexamine the studies that have been done to expand at the current Town Hall location.

UPCOMING PUBLIC HEARINGS:

May 8, 2013 Local Law C – Rezoning of 2100 Owego Road

May 8, 2013 Local Law D – Additions to Chapter 18, Bing/JC Sewage Treatment

May 22, 2013 Water/Sewer Extension for 1405 Campus Drive

COMMITTEES

7.1 PUBLIC WORKS

1. Request from Scott Groats, Water Department Superintendent to list a 1999 Ford E-350 water department truck with Auction International (VIN # 1FDW37FXXHB12190)

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

2. Request from Scott Groats, Water Department Superintendent to list a 2003 Sterling L7501 sewer department truck with Auction International (VIN # 2FZAATAK73AL90884)

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

3. Request to award African Road Bridge over Willow Creek to Gorick Construction Company, per the low bid which was opened April 11, 2013.

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

7.2 FINANCE

1. **Warrants** - 2013 17, 17E

OK - This item will be placed on the Agenda as a Receive and File item at the next Regular Meeting.

2. Request to pay Town Attorney \$1050.00, for the billable hours in April 2013

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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. Request to authorize Town Comptroller to make the 2013 contribution to the LOSAP of \$50,202.51 (or the higher number, if desired) and to transfer to the Fire District Capital Reserve Fund the difference between the actual 2013 contribution and the amount budgeted.

Comptroller McKane, referencing the Length of Service Awards Program (LOSAP) annual actuarial report for the year ending on 12/31/12, noted that the investment program has done well and the actuaries have again lowered the amount of the minimum required contribution to the plan. She is recommending that the Board of Fire Commissioners reduce the contribution from the budgeted amount of \$118,000 to \$50,202.51 for 2013 and to transfer to the Fire District Capital Reserve Fund the difference between the 2013 contribution amounts budgeted and the actual contribution.

Several Board member expressed support for the Comptroller's recommendation.

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

4. Request approval of a resolution supplementing the bond resolution dated December 12, 2012 authorizing, subject to permissive referendum, the issuance of an additional \$150,000 bonds of the Town of Vestal, Broome County, New York, to pay a portion of the cost of the purchase of equipment for construction and maintenance purposes, in and for said Town.

Comptroller McKane stated that this supplement to the bond resolution will allow us to finance the purchase of the loader and roller that the Board approved for the Highway Department.

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

7.3 PERSONNEL

1. Discuss vacancies on the Board of Assessment Review

Human Resource Director Nancy Olmstead stated that the Board of Assessment Review (BAR) currently has two vacancies. Although the Town Board can move to fill these vacancies, there is a question of whether the new appointments could receive the required training in time to participate in this year's grievance day hearings. The BAR currently has 3 regular members and 3 alternate members. It is possible that these members can be mixed and matched to provide adequate coverage for this year's grievance hearings (a minimum of 3 is required for a quorum). Since the terms of 4 current members expire on 9/31/13, it may be most reasonable to get by with the status quo for this grievance hearing cycle and initiate, at a later date, a more formal interview and selection process to fill the current and the upcoming openings on the BAR. At this time, two new people have submitted applications expressing interest in serving on the assessment review board.

Supervisor Schaffer reiterated his ongoing concern that some alternate members on the BAR routinely working more hours than regular members. He wants this issue addressed during the processes of appointing new members. However, given the current time constraints, he favors staying with the status quo to get through the upcoming grievance hearings. He will check with the Assessor to determine whether the current BAR members can adequately handle the upcoming hearings.

2. Request from Scott Groats, Water Department Superintendent, to pay Robert Flint \$445.04 for out of title work, from January 1 – April 22, 2013

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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.

7.4 PLANNING & ZONING

1. Request to from League of Woman Voters of Broome and Tioga Counties on September 14, 2013 for a Gance's Catering fundraiser to use the library parking lot

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

2. Change R105-13 from April 10, 2013 meeting to reflect advertising date as May 8, 2013 with the bid opening on May 28, 2013

Responding to a question from Councilman Majewski, Town Clerk Bielecki explained that the advertisement seeking bids for the FEMA Buy-out Program demolitions was not published on the date approved in the resolution. The changed dates for publication and bid openings should not have any negative impact on the time schedule of the project.

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

3. Request to approve Town Supervisor John Schaffer to sign temporary easement with Roma & Roma LLC.

Town Attorney Berger explained that a portion of a private property owner's paved parking lot is encroaching on Town property. This has been in existence for many years ago and probably would have gone unnoticed except that the property will now abut the Rail Trail Section 2 expansion project. To resolve this issue, the Town can grant an easement to the property owner. The terms and conditions of the easement can be negotiated.

The Board decided to hold this item for additional discussion and deliberation.

7.5 PUBLIC SAFETY

1. Request to approve the following leases for the Fred Singer Training Site: Prospect Terrace Fire Department, and Apalachin Fire District

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

2. Request from police department to list a 1994 Ford E-350 truck with Auction International (VIN # 1FDJE30M5RHB01961)

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

3. Request from Police Department to allocate \$2,812 for the purchase of training simmunitions from Atlantic Tactical Co. The funds will be used from the asset forfeiture budget line A3120-2626R

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

4. Request for the Board of Fire Commissioners to approve the following: Midi 32-2 to go to the EVOC Training on May 4th and May 11th, 2013 at the Town of Binghamton Fire Department with FF Dusty McCartney, Paul Goon, Phil R. Walter and Sacha Sigleman Schwartz.

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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7.6 ADMINISTRATION

1. Please accept the amount of \$4,359.93 from the Friends of the Vestal Public Library to purchase 7 computers in the library, to be installed by the IT Department.

Several Board member expressed appreciation to the Friends of the Vestal Library for their generous donation to the Vestal community.

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

2. Request from Power of One and The PRIDE Program to utilize two pavilions at Arnold Park to run a camp from June 25 – July 3, 2013

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

3. Request from Americans for Restoring the Constitution (AFRTC) to have the rental fee waived for Arnold Park Pavilion on June 17, 2013 for their annual picnic.

Town Attorney David Berger noted that the **evidence of insurance should still be required and be included in the language of the motion.** Councilman Majewski stated that he would contact the Recreation Planner to inform her of this requirement.

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

NEW BUSINESS

1. Supervisor Schaffer stated that he was approached by an individual representing Community Electronic Informational Signage (CEIS). They are asking the Town to consider authoring the placement of digital information signs that could be used to alert and inform citizens when needed. These signs would be subsidized by advertising and would be at no cost to the Town. Several Board members expressed an interest in hearing more about this project and Supervisor Schaffer indicated that he would schedule a meeting to hear the presentation.
2. Supervisor Schaffer announced that he has issued a directive to the department heads that in an effort to reduce spending, no overtime is to be allowed. If there is a life/safety issue that cannot be addressed during regular work hours and overtime is necessary, it must be approved by him. Flex-time should be used instead of overtime whenever possible.
3. Supervisor Schaffer noted that the Parks Department is likely to need some summer part-time help. Councilman Milkovich indicated that he is still waiting for the Parks Superintendent to provide the justification for the request.
4. Comptroller McKane noted that to date, the sales tax revenue has come in a bit better than expected but that we still have a shortfall of \$60,000 in the forestry (logging) revenue line.
5. Town Attorney Berger stated that the Board members were given summary information concerning the recent Court decision in the Candlehouse lawsuit. He asked that it be carefully reviewed. Also, he noted that the recent court ruling concerning gas hydro-fracking should be reviewed in anticipation of questions from the public.
6. Human Resource Director Nancy Olmstead announced that PERMA, our workmen's comp carrier, has given the Town a risk management award allowing someone from the Town to attend, free of charge, a training conference on May 22- May 24. The Board agreed that the Human Resource Director should attend this conference and asked her to prepare the authorization request for the next Regular Meeting.

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UNFINISHED BUSINESS

1. **Procurement Policy** – no new discussion
2. **Cold Storage Facility** – no further action is anticipated. This item is to be removed from unfinished business.
3. **Hazard Mitigation Plan** – Supervisor Schaffer announced that some funding from the Community Development Block Grant program will be made available that could be used for the flood buy-out program. He is working with other Town Supervisors to secure some funding for Vestal.
4. **Highway Reorganization** – no new discussion
5. **Review changes to Scrap Metal Policy** – no new discussion
6. **Tabled on April 24, 2013 – A motion to authorize the closing of the Town Offices on Friday, July 5, 2013.** All employees impacted by this closing will be required to use vacation time, other available paid time off, make up time or go without pay on this day. In no way should this closing be construed as the granting of additional paid time off to employees or of the granting of additional holiday time.

Human Resource Director Olmstead stated that there is precedent for taking such action when a major holiday falls near a weekend.

Councilman Majewski stated that he still has reservations about the Town Hall being closed for 4 straight days.

By a 3-2 vote, the Board authorized to have this item placed on the agenda for the next Regular Meeting.

EXECUTIVE SESSION

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

ADOPTED Ayes 5 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer
Nays 0

Resolved the Board enter into Executive Session for the purpose of discussing several union contract issues, 2 employee performance issues and two legal issues (property damage case and tax case). The time was 7:45 PM.

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

ADOPTED Ayes 5 Majewski, Fitzgerald, Milkovich, Marnicki, Schaffer
Nays 0

Resolved the Board leave the Executive Session and adjourn the Work Session. The time was 8:30 PM.

Respectfully submitted,
Emil Bielecki, Town Clerk