

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JANUARY 4, 2016

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 Engineer Vernon Myers, Fire Chief David Harrington, Assistant Fire Chiefs Doug Rose and John Paffie, Fire Dept. Emergency Mgmt. Coordinator Tom McCartney, Town Clerk Emil Bielecki and 3 members of the general public.

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

6:00 PM - Fire Chief Harrington and Emergency Management Coordinator McCartney present update on the Joint Sewage Treatment Plant foam suppression system.

Fire Chief Harrington stated that the Fire Department has been working with the Binghamton-Johnson City Joint Sewage Treatment Plant (JSTP) since 2007 to implement a foam suppression system. They are here today to provide the Board with a timeline of risk notifications to the JSTP and to seek support for the completion of a JSTP fixed fire protection system that meets the Fire Department's specifications. The highlights of the presentation are as follows:

- The JSTP will be using a substantially larger amount of methanol in the treatment process. Methanol creates a substantial fire risk. It is super flammable and toxic and its handling requires proper safeguards.
- The JSTP is currently exceeding our capacity to fight this fire risk.
- The Fire Department was initially asking for the purchase of a foam trailer to supplement our foam truck. The level of cooperation from the JSTP has been inconsistent and seemed to have collapsed after the damage caused by the flood of 2011.
- The Fire Department continues to be heavily engaged in the massive reconstruction project that the JSTP is undergoing. It appears that the JSTP has finally agreed to install a fixed fire protection system as part of the upgrade project.
- It is important that that the Fire Department is allowed to get a 3rd party review of the design and that the Town does not approve any permits without the Fire Department signing off on the fire protection system. We are trying to protect the Town and the first responders against a major risk.
- Assistant Fire Chief John Paffie noted that he is in the process of creating a contact list for weekly notifications of activities that will be provided by the project manager of the JSTP upgrade project.

The Board expressed unanimous support for the Fire Department in its dealings with the JSTP concerning the design and installation of the fixed fire protection system. Supervisor Schaffer stated that he would make the Code Department aware of the Fire Department's work on this issue and the Board's position of support.

6:30 PM - Town Engineer Vernon Myers re: appraisal of 1020 Vestal Parkway E.

Town Engineer Vern Myers stated that the appraised value of the building is within the range of expectations for a 25 year old structure with no upgrades. However, he cautioned that if the Town is going to consider acquiring the building, there may be additional issues to consider. We would need to take a closer look at such things as the roof, the HVAC system and the foundation. On the other hand, the building design can accommodate various office configurations.

Supervisor Schaffer stated that it was his understanding that if the Town tries to buy the building, NY Rising would ask for and pay for a full engineering study. He noted that there may be another

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interested buyer of the building. Several Board members cautioned about getting into a bidding war and Town Attorney Berger advised the Board not to discuss potential negotiations in an open meeting. The Board will continue to review its options.

Comptroller Laura McKane noted that a voucher has been submitted for the payment of the appraisal and it is not clear where the money should come from. After the brief discussion the Board agreed to authorize a budget transfer from an unexpended line that the Comptroller will identify.

ORGANIZATIONAL AGENDA

Comptroller McKane reviewed her recommended changes to the Procurement Policy concerning public work contracts. Department heads find it cumbersome to solicit quotes for small service jobs and it also creates unproductive work in the business office. She recommends that placing a threshold that gives department heads some discretion in seeking quotes for some smaller jobs. In the absence of any changes she will need to bring more of these things back for approval by the Board.

Supervisor Schaffer noted that a more strict policy was put in place because there were some abuses. After a brief discussion, the consensus of the Board was not to change the existing Procurement Policy.

Comptroller McKane stated that she is in the process of completing the 2016 salary schedule and will have it on file with the Clerk's office shortly. She distributed a preliminary salary schedule to the Board members but noted that some additional changes still need to be made to reflect the adopted budget and the contractual obligations.

Review for approval of the **2016 Organizational Appointments, Authorizations and Calendar of Town Board Meetings** as follows:

A. Town Board Committees:

PUBLIC WORKS: (Utility, Highway, Water, Parks, Building Maintenance)	FITZGERALD /Majewski
FINANCE:	AGNESHWAR/Fitzgerald
PERSONNEL:	MESSINA/Majewski
PLANNING & ZONING: (Code Department, Planning and Zoning, Engineering)	MESSINA/Agneshwar
PUBLIC SAFETY: (Fire, Police, Emergency Services, Courts)	FITZGERALD/ Messina
ADMINISTRATION: (Assessment, Tax Collector Clerk, Library, IT, Recreation, Historian, Museum)	MAJEWSKI/Messina

B. Appointment of Town Attorney: David Berger (a one year appointment from January 1, 2016 – December 31, 2016)

C. Appointment of Comptroller/Director of Finance: Laura McKane (a two year appointment from January 1, 2016 – December 31, 2017)

D. Appointment of Town Engineer: Vernon Myers (a two year appointment from January 1, 2016 – December 31, 2017)

E. Town Board Meeting Schedule

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2016 WORK SESSIONS	2016 BOARD MEETINGS
Meetings at 6:00 p.m. <i>unless otherwise indicated</i>	Meetings at 6:00 p.m. <i>unless otherwise indicated</i>
1/4/16	1/6/16
1/25/16	1/27/16
2/8/16	2/10/16
2/22/16	2/24/16
3/7/16	3/9/16
3/21/16	3/23/16
4/11/16	4/13/16
4/25/16	4/27/16
5/9/16	5/11/16
5/23/16	5/25/16
6/6/16	6/8/16
6/20/16	6/22/16
7/11/16	7/13/16
7/25/16	7/27/16
8/8/16	8/10/16
8/22/16	8/24/16
9/12/16	9/14/16
9/26/16	9/28/16
10/3/16	
10/10/16	10/12/16
10/17/16	10/18/16 FIRE BUDGET HEARING
10/24/16	10/26/16
10/31/16	
11/7/16	11/9/16 TOWN BUDGET HEARING
11/14/16	11/16/16
12/5/16	12/7/16
12/19/16	12/21/16

TOV Holidays for 2016:

New Year's – TOV CLOSED 1/1/16 (Fri)	
Good Friday – TOV CLOSED 3/25/16 (Fri)	Veteran's Day – TOV CLOSED 11/11/16 (Fri)
Memorial Day – TOV CLOSED 5/30/16 (Mon)	Thanksgiving – TOV CLOSED 11/24/16 (Thur)
Independence Day – TOV CLOSED 7/4/16 (Mon)	Day After Thanksgiving – TOV CLOSED 11/25/16 (Fri)
Labor Day – TOV CLOSED 9/5/16 (Mon)	Christmas – TOV CLOSED 12/26/16 (Mon)

Library, Parks, Highway & Water holidays vary. Police Department open 24/7

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F. Establish salary and wage rates for Town employees as stated in the 2016 salary schedule filed with the Town Clerk.

G. Approval of the form, manner and sufficiency of the Employee Surety Bond.

H. \$100 for clothing and boot allowance for:

Water Superintendent – Scott Groats
Parks Superintendent – Jim Bukowski
Highway Superintendent – Rocco Turdo
Deputy Highway Superintendent – Craig Hiller
Town Engineer – Vernon Myers
Deputy Water Superintendent – Bill Peltz
Code Officer – Mark Dedrick

I. Attendance to budgeted association meetings as follows:

Monthly:

Broome County Association of Municipal Court Clerks
Broome County Association of Towns and Villages
Broome County Municipal Clerks Association
Association of Assessors

Quarterly:

Broome County Association of Receivers and Tax Collector's
Building Officials

Annual:

NYS GFOA Annual Conference
PERMA Conference
NYS Town Clerks Association Annual Conference
NYS PELRA Conference

Other Training:

NYS GFOA meetings and seminars
PERMA

Education Seminars for Building and Code

Winter/Spring STBOA Seminar
Northern Adirondack BOA
NY Planning Federation
Finger Lakes BOA
Central Chapter BOA
NY Firefighters Association
Fall ICC Conference
STBOA Seminars Fall/Early Winter
Fire Marshall's & Inspectors Seminar
Spring or Fall NYS Fire Academy Misc. Workshops

J. Under Section 77-b of General Municipal Law, the Board delegates department heads to authorize training within the limits of the department budget.

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K. Appointment of Fire Marshall: Carl Truman
Deputy Fire Marshall: Christopher S. Lupold

L. Authorization from the Board of Fire Commissioners for Assistant Fire Chief Douglas Rose and Assistant Fire Chief John Paffie to sign vouchers in the 2016 fiscal year.

M. Authorization from the Board of Fire Commissioners to send one piece of fire apparatus and personnel to parades in 2016 as follows:

Parade	Location	Month	Station Apparatus
<i>St. Patrick's</i>	<i>Binghamton</i>	<i>March</i>	<i>Station 4</i>
<i>Memorial Day</i>	<i>Endicott</i>	<i>May</i>	<i>Station 1</i>
<i>Apalachin Firemen's Field Day</i>	<i>Apalachin</i>	<i>June</i>	<i>Station 3</i>
<i>Owego Strawberry Festival</i>	<i>Owego</i>	<i>June</i>	<i>Station 3</i>
<i>Veteran's Day</i>	<i>Endicott</i>	<i>November</i>	<i>Station 1</i>
<i>Johnson City Holiday</i>	<i>Johnson City</i>	<i>December</i>	<i>Station 4</i>
<i>Endicott Holiday</i>	<i>Endicott</i>	<i>December</i>	<i>Station 1</i>

N. Acknowledgement and acceptance by the Board of Fire Commissioners of the following station representatives to the LOSAP committee:

Station 1 - Eugene Wagner *Station 3 – Chris E. Lupold*
Station 2 – Vincent Colling *Station 4 – Richard Devine*
Station 4 – Joseph Gallagher (Dept. at large member)

O. Acknowledgement and acceptance by the Board of Fire Commissioners of the 2016 Station Chiefs as elected by the members of the Fire Department on December 21, 2015:

Station 1 Chief: Douglas Rose
Station 2 Chief: William Stout
Station 3 Chief: Ronald Birdsall
Station 4 Chief: John Paffie

P. Appointment of Marriage Officer: Emil J. Bielecki

Q. Adopt Procurement Policy (unchanged) and list of authorized purchasers, as amended.

R. Adopt Scrap Metal Policy

S. Mileage Reimbursement for the use of a personal vehicle on Town Business will be based on the Federal Government guidelines

T. Designate Depositories for Town Funds:

M & T	\$15,000,000
J. P. Morgan Chase	\$20,000,000
Tioga State Bank	\$15,000,000

U. Designate the Delegate for the NYS Association of Towns Meeting as John Schaffer with the alternative being Fran Majewski

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V. Designate the official Town newspaper as the “Vestal Town Crier”

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

COMMITTEES

7.1 PUBLIC WORKS (FITZGERALD/Majewski)

1. Request from Taylor Garbage for a special permit to use part of the building at 3100 Vestal Road (BCTMP# 158.07-2-12) as office space. The parcel is zoned Industrial (I). They plan to use about ½ the main building for office and the remaining area for storage. The applicant has filed a SEQR short form.

No Board member expressed any objection to the granting of this special permit. The Town Attorney will review the submitted application and prepare the resolution for the special permit.

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: 2015-51, 2015-51L, 2015-51E, 2015-52, 2015E

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

2. Request from Town Engineer Gary Campo for the Town Supervisor to sign the revised municipal agreement with regards to the Two Rivers Greenway Signage Project (PIN 9753.89). The bid price came in higher than the estimate.

It was noted that the additional cost to the Town will be approximately \$3,000. When all of the participating municipalities sign off on the change, the Town, as the managing entity, can move to award the bid for the signage.

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

3. Authorization to pay Town Attorney David Berger \$1,045.00 for December 2015 billable hours (6 hours and 58 min.).

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

4. Request to publish a notice on January 13, 2016 with a public hearing at 6:00 PM on January 27, 2016 on the question of the increase and improvement of facilities of the Consolidated Sewer District at a maximum estimated cost of \$500,000.

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

5. Request to publish a notice on January 13, 2016 with a public hearing at 6:00 PM on January 27, 2016 on the question of the increase and improvement of facilities of the Consolidated Water District at a maximum estimated cost of \$1,100,000.

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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6. Request to pay \$1,650.00 for the annual membership dues to the Association of Towns of the State of New York.

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

7. **Tabled on 12/16/15:** Request from Comptroller McKane to make a budget transfer of \$9,500 for the Water Department from budget line W8330 3009 to budget line W8330 4303 (chlorine and chemicals) to cover additional cost of chemicals.

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

8. Request from Comptroller Laura McKane to adopt a Resolution acknowledging that the CPA firm of Ciaschi, Dietershagen, Little, Michelson & Co., LLP has audited the books and records of the Town of Vestal Justice Courts for the calendar year of 2014.

Several Board members noted that the audit identified some issues that will need to be addressed.

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

7.3 PERSONNEL (MESSINA/Majewski)

1. Request authorization for IT Director Daniel Williams to appoint Francesco Pizzuti as a Network Specialist (CSEA grade 5) at the rate of \$19.66 per hour effective January 25, 2016. Background check and pre-employment drug test were completed.

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/Agneshwar) – no items were brought for consideration.

7.5 PUBLIC SAFETY (FITZGERALD/Messina)

1. Request for the Board of Fire Commissioners to accept Francis Lamphere as a member of the Vestal Fire Department at Company # 3.

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

2. Request for the Board of Fire Commissioners to approve the Vestal Fire District Length of Service Awards Program (LOSAP) 2015 Membership Certification List, as submitted on January 4, 2016.

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

7.6 ADMINISTRATION (MAJEWSKI/Messina)

1. Request from Museum Director Ramona Kacyvenski to use donated funds (CM0308) for the reimbursement of purchased items for the Christmas at the Museum event in the amount of \$132.57 and for an application fee of \$100.00 for a grant received to have a Public Scholar event in June on “War Writing”.

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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2. Request authorization for the Town Supervisor to sign a Letter of Agreement from Deputy County Executive John Bernardo, dated 12/21/15, concerning the renewal of contract for the Broome County Office for Aging lease of space for Meals on Wheels (CA292-145) for the term of 1/1/16-12/31/16.

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

RECEIVE AND FILE

- Appraisal Report for 1020 Vestal Parkway E (former Lourdes Bldg.) from Kenneth G. Frommer.

UNFINISHED BUSINESS

1. Wash Bay at the Highway Department (in response to the EPA field audit)

The Board is waiting for additional information from the new Town Engineer. **Update on 01/04/16:** Town Engineer Vern Myers noted that the EPA is asking us to attenuate the runoff, not to build a wash bay. He will discuss the matter with the Highway Superintendent to explore other less costly alternatives. We need to prepare for the possibility of a future directive.

2. Community Use of Municipal Facilities Policy

The purpose of this proposed policy is to establish the rules and regulations governing the use of Town facilities by outside users. **Update 01/04/16:** Among the submitted changes, Councilwoman Messina would not allow third party food vendors to use Town property for fundraisers. Councilwoman Agneshwar suggested that perhaps the best solution would be to eliminate all use of Town facilities for fundraising activities by outside users. Councilman Majewski noted that a private business is now permitted to use a portion of a Town parking lot at no cost. Whatever policy is adopted, it is important that we treat everyone equally. The Board will continue its review of the policy at the next Work Session.

3. Gas Card System for the Purchase of Fuel for Town Vehicles

As per the discussion with the representatives from the Mirabito Fuel Group, the Town will prepare the bid specifications for a contract to purchase fuel from an outside vendor through the use of a gas card system. **Update on 01/04/16:** Town Comptroller Laura McKane is reviewing other contracts and is working to prepare our own bid specifications

4. Sale of Town Property at 310 Rayelene Drive

Request was made by James Warneck to purchase this parcel of Town owned property for \$500.00. Several residents of the area also expressed an interest in acquiring this parcel and submitted a proposal to purchase and divide this parcel among the adjoining property owners.

Update on 12/14/15: After a brief discussion, the Board agreed to allow the residents whose properties adjoin the Town owned parcel to submit a bid to purchase the parcel along with a plan to divide it among the 4 property owners. All expenses connected with this proposed transaction are to be paid by the property owners. Town Attorney Berger added that the Town will need 4 individual bid offers and a surveyed map of each parcel. **Update on 01/04/16:** Nothing new has been submitted.

NEW BUSSINESS

1. Supervisor Schaffer asked the Board for authorization to send a letter to Governor Cuomo requesting the restoration of funding for the installation of a pump station in the Castle Gardens area. The Board expressed its approval. The following officials will be copied on this letter: State Senator Akshar, State Assemblywoman Lupardo, Congressman Hanna and the NY DEC Commissioner.

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2. Supervisor Schaffer stated that he wants the Board to act on increasing the fines for various parking violations. He asked Board members to review his list of recommended changes and to provide their input. The Town Attorney was asked to prepare a draft local law for the Board's review at the next Work Session.

EXECUTIVE SESSION

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

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

Nays 0

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

- Contract negotiations: CSEA Library bargaining unit and a PBA matter
- A personnel issue in the Town Court
- Litigation: Tyrell vs. Town of Vestal and a NYSEG tax case

The time was 8:08 PM.

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

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

Nays 0

Resolved the Board leave the Executive Session. The time was 8:36 PM.

At the conclusion of the Executive Session, the Board, by consensus, instructed the Town Clerk to change the appointment of the Town Attorney to a term of 1 year (Organizational Agenda-Part B).

The Work Session was adjourned at 8:39 PM.

Respectfully submitted,
Emil Bielecki, Town Clerk