

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, FEBRUARY 8, 2016

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

Also Attending: Town Attorney David Berger, IT Director Dan Williams, Human Resource Officer Nancy Olmstead, Town Engineer Vern Myers, Police Chief John Butler, Fire Dept. Communications Coordinator Tom McCartney, Town Clerk Emil Bielecki and 2 members of the general public.

Supervisor Schaffer convened the Work Session at 5:30 PM.

5:30 - Broome County Director of Emergency Services Jerry Marinich re: Andrews Road Communications Tower Project.

Mr. Marinich, along with Michael Ponticiello and Chuck Rogers from the Office of Emergency Services, answered questions from the Board concerning this project. The trio made the following comments concerning this project:

- The Town of Vestal needs to upgrade the Andrews Road tower to resolve long standing communications issues. If the Town commits to doing the upgrade to County specifications and incorporates the site with the County system, the County will redirect resources to build a new tower near the Kopernik Observatory which would be used by both the Town and the County.
- This buildout is phase 1 of a County communications system which will ultimately cost approximately \$27 million.
- If an agreement cannot be worked out with the Town concerning the Andrews Road tower, the County will not build the Kopernik tower at this time and will redirect the money to another part of the communications network.
- The longer term goal is to build out a County-wide communications system where all communications assets will be owned and operated by the County.
- If the Town agrees to partner with the County, the Andrews Road tower will be included in the County RFP to build 6 towers. The County will be the lead agency for the project and the Town will benefit from the group buying.
- The Andrews Road tower will be owned and controlled by the Town and may provide some opportunity to lease unused space.

Councilwoman Agneshwar asked why the tower has to be 195' in height. It was explained that the higher we go, the better the reception and this is the maximum height to avoid the requirement to light the tower. Also, the more spacing that we can provide between the antennas, the less interference we are likely to encounter.

Councilman Majewski asked if the Town will have a priority in locating its equipment on the towers. It was explained that the Town and the County will benefit from the same equipment and its placement will be determined by an intermodular study and FCC regulations.

Councilwoman Messina stressed the importance of improving our communications network to avoid the kind of problems that we had during the flood of 2006.

Supervisor Schaffer stated that we need to partner with the County on this project so as to address our immediate communications problems and to plan for the future.

The consensus of the Board was to approve a memorandum of understanding with Broome County with the following terms:

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- The County agrees to build and pay for a 195' communications tower near the Kopernik Observatory.
- The Town agrees to build and pay for a 195' communications tower at Andrews Road to County specifications. The tower will be owned by the Town.
- The County will be the lead agency on both projects for all State and Federal environmental regulations.
- The County will manage the design and construction phases of the project.

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 Water & Wastewater Superintendent Scott Groats for approval to advertise for the Campus Generator and Electric Installation on Wednesday, February 17, 2016 with the bids to be opened on Wednesday, March 2, 2016 at 2:00 PM in the Clerk's office.

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

2. Request from Water & Wastewater Superintendent Scott Groats to authorize the Town Supervisor to sign an agreement with Hunt Engineering, as amended on 2/4/16, for Engineering Services for Miscellaneous Water & Wastewater needs. Funding for the work orders would be out of budget line items W8310-4000 and S8110-4000 on a per hourly basis plus and disbursements.

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: 2016- 04, 2016-04A, 2016-04E, 2016-04M, 2016-05, 2016-05A, 2016-05C, 2016-05E

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

2. Request for Town Supervisor John Schaffer to sign an agreement with Broome County Stop DWI. The agreement is modified to provide for a substitution of the sum of \$13,000 for \$12,000 for the term 1/1/16 through 12/31/16.

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

3. Request from Water & Wastewater Superintendent Scott Groats to use Capital Project Fund 5196 "Emergency Power Equipment" which is an open PO#05060048-00 to purchase a standby generator for the new Campus Water Booster Station and Fuller Hollow Lift Station upgrade and to approve the use of water fund balance to reimburse a portion of the purchase of the generator and to complete the Campus Booster Station in the amount not to exceed \$125,000.

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 \$2042.50 for billable hours for January 2016.

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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5. Request to pay \$540.00 to Greene, Hershdorfer & Sharpe for legal services in the Hicks vs Town of Vestal case from November 3, 2015 to January 22, 2016.

Several Board members questioned how much additional money this case is likely to cost. Town Attorney Berger replied that there is probably 1 more deposition to conclude the discovery phase. The case should be ready to go to trial by the end of the year.

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

6. Request to pay Woitd Engineering \$2,398.60 for work on the Mooney Property Sediment Investigation.

Town Attorney Berger explained that this is a payment to an expert we hired to assist in a litigation case against the Town.

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 from Town Justice Joseph Meagher to appoint Mary Waibel as a full-time Clerk to Justice at the rate of \$16.00 per hour effective February 22, 2016.

Councilman Majewski and Supervisor Schaffer questioned why someone who is being hired as fully qualified and trained needs 5-6 weeks of training. It would appear that 2 weeks would be adequate for the person to acclimate to the office. Human Resource Officer Nancy Olmstead noted that the savings accrued from the reduced salary of the new employee will more than cover the additional time being requested. Also, it appears that the retiring clerk may be out for a portion of that time.

After a brief discussion, Supervisor Schaffer stated that he would ask Judge Meager for additional justification and the Board can decide if it wants to adjust the hiring date.

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)

1. Request from Jack McQuiston of the Vestal Historical Society to hold a Doug's Fish Fry Fundraiser on June 10, 2016 and September 9, 2016 in the Library parking lot. The monies from these fundraisers will be used to support the ongoing exhibits at the Vestal Museum.

Jack McQuiston and Gordon Allen from the Vestal Historical Society explained that this would be about the 6th year that they are holding this fundraiser. In the last year, the Historical Society has spent about \$5,000 in support of the Museum. They expect to make a profit to about \$350-\$400 per event. This fundraising benefits the Town.

Several Board members stated that the use of the library/museum parking lot for fundraising activity by outside users is now being reviewed but no policy changes have yet been finalized. Among the comments that were made are as follows:

- Agneshwar – opposes the use of municipal facilities for fundraising activity by outside users because it competes directly with nearby businesses' primary source of income. These groups can go anywhere to hold their events. The established businesses cannot.

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- Messina – The primary concern is the use of professional third party food vendors by the outside groups. However, an exception should be made for events organized directly or sponsored by the Town.
- Fitzgerald, Majewski, Schaffer – generally support allowing Vestal based groups to use the library parking lot for fundraising activity.

Supervisor Schaffer acknowledged that the dramatic increase in the use of professional third party vendors has created some issues that need to be addressed. He is currently compiling comments from the Board members to formulate a policy.

Several Board members acknowledged the fact that the Historical Society is raising money for the Town owned Vestal Museum. This relationship may warrant special consideration.

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 (FITZGERALD/Messina)

1. Request from Vestal Police Sgt. Stace Kintner to hold the Second Annual 2016 Citizens Police Academy (CPA), March 24th - May 26th, on Thursday nights from 6:30 PM - 8:30 PM in the Town Board room.

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 IT Director Dan Williams to scrap list of computer equipment, as noted on memo dated 2/4/16. The items have no value to the Town.

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

NEW BUSINESS

Citing a memo from Comptroller McKane, Supervisor Schaffer stated that the Vestal's SAM grant application did not pass the first review. Some items were not eligible for the grant and other items needed a more detailed description. Given this, the Town needs to amend the grant application and the 2016 operating and capital budgets. She is asking to give prompt attentions to doing the following:

- Approve her revised SAS grant application or revise it as seen fit.
- Approve the resulting revisions to the 2016 operating budget.
- Determine if a bond resolution should be drawn up for the recreation vehicle.
- Determine how the funds for the police cars will be allocated.

Supervisor Schaffer asked the Board to review the Comptroller's memo and provide feedback.

UNFINISHED BUSINESS

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

Town Engineer Vern Myers noted that the EPA is asking us to attenuate the runoff from the washing of vehicles. This can be addressed with various solutions. **Update on 02/8/16:** Town Engineer Vern Myers is working with the Highway Department on various options and will keep the Board updated.

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

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facilities by outside users. **Update 01/25/16:** Supervisor Schaffer is compiling the information submitted by the Board and plans to resume discussion of the topic at the Work Session on Feb. 22.

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 thorough the use of a gas card system. **Update on 2/6/16:** Town Comptroller Laura McKane is working to prepare the bid specifications but other priorities have slowed down her progress. Town Engineer Vern Myers was asked to assist in the preparation of the RFP.

4. Employee Performance Evaluations – Update on 2/6/16: Human Resource Officer Nancy Olmstead has identified 3 action items that need to be addressed:

- Update job descriptions – this is being worked on
- Advise employees of expectations and goals
- Establish a Board evaluation committee - Supervisor Schaffer will name a committee.

The performance evaluations would be done on all department heads, excluding elected officials. The other non-union employees would be evaluated by their managers/department heads. The system that we will implement will allow for feedback from those being evaluated. Eventually, the goal is to also incorporate the evaluation of unionized employees.

5. Sponsorship Signs for Softball League at Moore Park

Update on 2/6/16: Supervisor Schaffer stated that additional inquiry has revealed that most of these signs would be placed on private property. The owner of that property is willing to cooperate with the league and therefore no action by the Town Board is needed.

SUPERVISOR ANNOUNCEMENTS:

- **Citizens Police Academy** March 24th - May 26th, on Thursday nights from 6:30 PM - 8:30 PM, in the Town Board room. E-mail skintner@vestalny.com to sign up.

EXECUTIVE SESSION

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

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

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

- CSEA Library negotiations
- Article 7 tax case; Mooney litigation
- Personnel matter: 207-C case in the Police Department

The time was 7:44 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 **adjourn the Work Session. The time was 8:24 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk