

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, MAY 23, 2016

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

Also Attending: Town Attorney David Berger, Town Engineer Vern Myers, Human Resource Officer Nancy Olmstead, Town Clerk Emil Bielecki and 18 people from the general public.

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

6:00 PM Town Assessor Mark Minoia – discuss taxation of Solar Panels.

Town Assessor Mark Minoia stated that a lot of attention has recently been focused on the tax exemption of solar energy systems under Section 487 of the Real Property Tax Law (RPTL). Most tax exemptions require a municipality to opt in. The solar energy system tax exemption is somewhat unique in that it is automatically available unless a municipality chooses to opt out. Starting out with the premise that in the assessment world, cost does not equate to value, he does not see any evidence that the installation of solar panels adds any value to a property. It is possible that solar farms and other large installations could prove to be different, but until the market recognizes the need to do otherwise, he recommends that the Town opts out of the tax exemption provision.

Councilwoman Agneshwar asked Mr. Minoia if he was aware of what other municipalities are doing and he responded that to his knowledge, most in our area are opting out.

Councilwoman Fitzgerald noted that she spoke to one resident who installed solar panels and they expect a payback period of 7 to 8 years. Mr. Minoia stated that everyone's experience is different but that he has also heard of situations where the added expense of roof maintenance became an issue. The value of solar energy systems is not quantifiable at this point.

6:15 PM Town Historian Margaret Hadsell – 75th Anniversary of the Parkway Committee.

Town Historian Margaret Hadsell stated that she is part of a committee of 8 people organizing the 75th Anniversary of the Parkway Celebration. They are trying to engage businesses along the Vestal Parkway to participate with various promotions. Participating businesses will be listed on a map which will be distributed to the public. Also, the Committee is working on a souvenir booklet which will be paid for by selling ads. The Parkway Anniversary Celebration activities are being sponsored by the Vestal Historical Society.

The Parkway Celebration Committee is asking the Town for the following: allowing the Police Department and the Fire Department to participate in some of the planned activities and permission to hold an antique car show in the parking lot adjacent to the Vestal Museum on Saturday, July 2, 2016 from 11 AM until 4:00 PM. The show will feature 20 to 30 cars from the 1930's, 40's and 50's.

By consensus, the Board agreed to allow Fire and Police to participate in the events and to vote on a motion to approve the staging of the antique car show as requested. Town Attorney Berger requested that the Historical Society sign the Town's Indemnification Agreement.

COMMITTEES

7.1 PUBLIC WORKS (FITZGERALD/Majewski)

1. Request from Water and Wastewater Superintendent Scott Groats to award Carnegie and West Hill Storage Tank Rehabilitation to World Wide Industries of Butler, PA for \$359,900.00.

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Councilwoman Fitzgerald noted that this award is only for the painting of the tank interiors. The Water Superintendent is planning on doing the painting of the exteriors in-house.

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 and Wastewater Superintendent Scott Groats to award the 2016 Sanitary Sewer Replacement to Chicago Construction of Endicott as the lowest bidder:

Charleston Ave. - \$121,000	Glenwood Rd. - \$30,800	Harvard St. - 78,650
Maplecrest Dr. - \$134,145	Mirador Dr. - \$52,800	

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: 2016-19, 2016-19B, 2016-19E, 2016-20, 2016-20E, 2016-20L

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

2. Request to pay \$825.00 Town Attorney David Berger for billable hours for April 2016.

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 BOND RESOLUTION DATED MAY 25, 2016 (Andrews Rd. Tower). A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A NEW COMMUNICATIONS TOWER, IN and for THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$450,000, AND AUTHORIZING THE ISSUANCE OF not exceeding \$450,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

Town Attorney Berger noted that none of the contracts with the County have yet been signed and that no payments should be made until such contracts are in place. Town Engineer Myers stated that the work and the corresponding payments will be in stages.

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. Discuss the Municipal Fire Code Inspector vacancy in Code Department.

Human Resource Officer Nancy Olmstead stated that a Fire Code Inspector position has opened up due to a resignation. There is a Civil Service list with only one person and is therefore not enforceable. If we hire a replacement, it will be a provisional hire. She is seeking Board approval for the Code Department to begin the search for a new employee. After a brief discussion, the Board, by consensus, gave approval for Code and Human Resources to advertise the Fire Code Inspector position and to work with the Personnel Committee in finding a qualified candidate.

2. Discuss Museum Director vacancy.

Human Resource Officer Nancy Olmstead stated that the Personnel Committee has scheduled 4 interviews this Wednesday for the positions of Museum Director. The current Museum Director’s last day is June 4th so there is a sense of urgency to fill this position.

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Museum Director Ramona Kacyvenski noted that many positive changes have occurred at the Museum and urged the Board to select her replacement with a person who exhibits a high level of competence and is committed to building on the positive changes. Although she has taken a full time job, she is willing to provide some assistance to the new person. She will also continue to stay engaged through the Vestal Historical Society.

Nancy Olmstead stated that a part-time clerk position is also open at the Museum and the Board needs to decide on filling that position. Ramona Kacyvenski has recommended a person to fill that position.

Councilwoman Messina promised that the Board will make every effort fill the Director's position with a highly qualified person. She would prefer that the part-time clerk position be filled by a new Director. We should know on Wednesday where we stand. If the Personnel Committee has a final recommendation for the Director position after the interviews on Wednesday, that person will be recommended for approval by the Town Board at the Regular Meeting on Wednesday evening.

Supervisor Schaffer and several Board members thanked Ramona Kacyvenski for her hard work and dedication to the Museum and wished her well in her new endeavors.

3. Town Clerk Emil Bielecki to discuss Inter-municipal Agreement for Dog Control Services.

Town Clerk Bielecki stated that the agreement is in the final stages of negotiations and requested that the discussion of the details occur in an Executive Session after completion of the regular business.

4. Request authorization for Parks Superintendent Jim Bukowski, to hire Michael Tomcho, Cody James Carey, Justin Perez and Chris Dutkowsky as a Summer Laborers at the rate of \$9.00 per hour effective May 26, 2016. Background checks have been completed.

It was noted that not all of the individuals would be hired immediately.

Supervisor Schaffer stated that the Parks Department is also in need to an experienced employee to do various repair projects. If a qualified person can be found, he recommends that the Board consider adding one more seasonal employee.

5. Request authorization for Water/Wastewater Superintendent Scott Groats to hire Nicholas Bartholomew as a Summer Laborer at the rate of \$9.00 per hour effective June 20, 2016.

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) – no items were brought for consideration.

7.6 ADMINISTRATION (MAJEWSKI/Messina)

1. Request from Museum Director Ramona Kacyvenski to use \$150 from Donation Funds (CMO308) to advertise for museum events in the Town Crier.

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 from Recreation Planner Sue Jastran to hire Rebecka Hartman as a part-time lifeguard at the 2016 budgeted rate. Background check has been completed.

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

3. Request from Recreation Planner Sue Jastran to accept a donation from Calvary Baptist Tabernacle Church, Main Street, Vestal of three picnic tables for the Vestal Memorial Pool at the value of \$2,878.90.

Councilman Majewski suggested that a thank you letter signed by the full Board be sent to the Church. The Board agreed.

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

4. Request from Library Director Carol Boyce to authorize volunteers from Vestal United Methodist Church to do various cleanup projects at the library on June 12, 2016 from 9 AM to 2 PM.

Town Attorney Berger stated that approval should be contingent upon signing of the Town's waiver forms by all of the participating volunteers.

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

UNFINISHED BUSINESS

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

Update on 5/23/16: Town Engineer Vern Myers has asked that this item be removed from the Unfinished Business agenda. We have moved the washing of vehicles indoors and have made some other minor modifications. For the time being, the EPA appears to have dropped its focus on the issue.

2. Community Use of Municipal Facilities Policy

Supervisor Schaffer has reviewed the comments from the Board and has incorporated them into a draft policy document. **Update on 05/23/16:** The Board is reviewing the policy with the submitted amendments.

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

Supervisor Schaffer directed the Town Engineer to prepare a cost benefit analysis of upgrading our system vs. going with an outside fuel vendor. **Update on 5/23/16:** Town Engineer Vern Myers stated that he has explored various options and now supports contracting with an outside vendor to implement a gas card system. He is working with vendors and the Comptroller to prepare a Request for Proposal (RFP). He expects to phase in the various town departments.

4. Discuss Solar Panel Tax Benefits

Supervisor Schaffer and Councilwoman Messina indicated that they share a number of concerns about solar panel farms and favor opting out of providing the property tax exemptions for such projects. Town Attorney Berger noted that opting out would require the passage of a local law.

Update on 5/23/16: Supervisor Schaffer stated that he would hold off on a vote to opt out so as to give the Board additional time to attend several upcoming presentations on the topic and to learn more about what other municipalities in our region are doing.

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5. Request to sell fermented vegetables and Kombucha Tea at Vestal Farm Market

This request is from John & Doreen Tillman. **Update on 5/23/16:** Town Attorney Berger noted that the applicants provided additional information about the products and there are no issues or concerns.

SUPERVISOR ANNOUNCEMENTS:

1. The Vestal Museum Presents: "Vestal Goes to War" - An exhibit of the Vestal Historical Society's Military collection items from local families and the families of the Vestal Historical Society.
 - ♦ **Open House Saturday June 4th, 2016** With "American War Writing" a Presentation from Wendy Galgan, sponsored by New York Council for the Humanities Public Scholar Program. 12 PM.
 - ♦ **June 18** – Sons of the Revolution Binghamton Chapter on "The American Revolution and Broome County" on Saturday, June 18 from 10:30 AM - 12 PM.
 - ♦ **July 16** – George Cummings presentation depicting one of General Clinton's Soldiers from the 1779 Sullivan Clinton Campaign 1PM.
 - ♦ Traveling exhibit "Civil War" from The Gilder Lehrman Institute of American History June 4 – July 6.
 - ♦ Traveling exhibit "War and Disability" from The Museum of DisABILITY History July 6 - July 30.
2. There will be a Memorial Day Ceremony at the Gazebo at Noon on Monday, May 30, 2016 held by the Vestal American Legion Post 89.

EXECUTIVE SESSION

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

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

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

1. Inter-municipal Agreement for Dog Control Services
2. Tax certiorari case
3. Tax collection issue in a bankruptcy case

The time was 7:42 PM.

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

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

Resolved the Board leave the Executive Session and **adjourn the Work Session. The time was 7:51 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk