

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, APRIL 10, 2017

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

Also Attending: Town Attorney David Berger, Town Engineer Vern Myers, Human Resource Officer Nancy Olmstead, Town Clerk Emil Bielecki and 6 people from the general public.

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

6:00 PM - County Executive Jason Garnar to discuss the state of the county.

Broome County Executive Jason Garnar stated that since he presented his State of the County message to the County Legislature back in February, he has made an effort to reach out to all of the municipalities to highlight the major topics addressed in that message. He addressed three major topics: County Finances, Greater Binghamton Regional Airport and the Heroin Epidemic. A summary of his comments on these topics is as follows:

County Finances

- The County is in severe financial difficulty. It is one of only nine counties that the State has been classified as “fiscally stressed.
- The fund balance of \$5 million at end of the last fiscal year is down to about \$250 thousand mostly as a result of unrealistic budgeting. A full-fledged audit is being done.
- Various actions have been taken to alleviate the fiscal stress including a hiring freeze, a freeze on unnecessary travel and spending controls. Several department heads are doing multiple jobs and a number of programs are being reviewed.
- The goal is to build more realistic budgets in the future.

Greater Binghamton Airport

- Two of the three major airlines have pulled out of service to the airport. We are down to only a few flights a day. Some of the problem is caused by the unavailability of pilots for regional carriers.
- The airport now costs us about \$2 million a year to operate vs. about \$250 thousand in the past.
- We are working with the Chamber of Commerce to increase airport utilization and to enhance the marketing plan.
- We are looking to attract smaller destinations carriers and exploring other ways to generate revenue from land available at the airport.

Heroin Epidemic

- Heroin has become a drug of choice. It is cheaper than opioids.
- There is a terrible human cost to this epidemic and it is very expensive for the taxpayers in the form of higher social services spending, loss of employment and increased public safety costs.
- We are expanding our treatment programs and are looking at opening a long term treatment center possibly at the old Broome Developmental Center location.

County Executive Garnar also stressed the need for municipalities to work closely with the County on matters of mutual interest citing the ongoing initiative to upgrade Countywide radio communications. There will need to be some cost sharing to complete this critically important project. Also, the new State mandates concerning sharing of services will require the County to work with all of the municipalities to identify and implement new cost reduction initiatives. Sharing of services will only work if it creates a win-win scenario for all involved participants.

Responding to a question from Councilman Majewski concerning the severity of the fiscal stress, County Executive Garnar noted that the County routinely issues short term notes to cover budgetary shortfalls. When asked about the 50/50 sales tax split formula, County Executive Garnar responded that

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he supported restoring the formula but the Legislature restored it earlier than originally planned and made no provisions replace the loss of revenue in the budget. Nonetheless, he is committed to maintaining the current split.

County Executive Garnar stated that he is committed to keeping the lines of communication open with all of the municipalities and encouraged everyone to reach out to him.

COMMITTEES

7.1 PUBLIC WORKS (FITZGERALD/Majewski)

1. Request from Town Engineer Vern Myers to award the Fleet Card Program for fueling services to Mirabito Energy Products of Binghamton, NY.

Councilman Majewski asked if Mirabito provided the promised letter of commitment to keep certain service stations in Vestal available for fueling services on a 24/7 basis. Additionally, the Town should ask Mirabito to also include the service station at Clayton Avenue. Town Engineer responded that he does not have the letter but assured the Board that it can all be worked out.

After a brief discussion, the Board agreed to Award the Fleet Card Program services contract to Mirabito Energy Products contingent upon securing a letter of commitment to provide fueling services at certain agreed upon service stations on a 24/7 basis.

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 advertise for bids for the Jones Road Sanitary Sewer Replacement Project on April 19, 2017 with the bids to be opened on Thursday, May 4, 2017.

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

3. Request from Highway Superintendent Rocco Turdo to replace the truck that was totaled during an ice storm with a fifth wheel truck. An additional \$100,000 is needed to make the purchase.

It was noted that replacing the truck that was totaled during the ice storm with a fifth wheel truck will enable the Highway Department to still be able to plow and sand and continue to transport equipment. Going forward, this will reduce our fleet by one truck which will save on maintenance and fuel.

A brief discussion occurred about the need to clarify the funding sources for this purchase.

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

4. Request from Parks Superintendent Jim Bukowski to purchase a dump box for truck 78, a 2002 F550 dump truck.

Town Attorney Berger noted that the Town's procurement policy should be followed when purchasing this piece of equipment. Supervisor Schaffer stated that funds to pay for this replacement will come out of the surplus equipment sale funds.

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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.

5. Request from Town Engineer Vern Myers to rescind resolution R067-17 and adopt an amended resolution concerning the potential acquisition of NYS Department of Transportation land next to the Vestal Library for the purpose of a new Vestal Emergency Squad Building.

Town Engineer Vern Myers noted that resolution is the same as previously adopted except that it includes additional language authorizing Town Supervisor John Schaffer to execute any agreement or other documents necessary to effectuate the conveyance of the property from the State of New York to Town of Vestal.

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

6. Request from Town Engineer to express support for the Binghamton Metropolitan Transportation Study (BMTS) to develop a conforming American with Disabilities Act (ADA) Transition Plan for the Town of Vestal.

Town Engineer Vern Myers stated that BMTS would prepare a draft transition plan that the Town could amend. We may not necessarily do anything with the plan immediately, but we need to have it in place because the enforcement will eventually come.

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: 2017-12, 2017-12E, 2017-14, 2017-14E

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

2. Request to pay Town Attorney David Berger \$487.50 for February and March 2017 billable hours.

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/Agneshwar)

1. Discuss Memorandum of Agreements for both Vestal Police Supervisors Association (VPSA) and Vestal Police Benevolent Association (PBA) concerning the use of military service time credited by the NYS Retirement System for the purpose of satisfying the years of Town service needed to be eligible for retiree health insurance after retirement.

Supervisor Schaffer stated that this item is subject to collective bargaining and should be discussed in Executive Session.

2. Request from Director of Human Resources Nancy Olmstead to authorize Water & Wastewater Superintendent Scott Groats to hire Margaret Flint as a part-time Account Clerk effective April 17, 2017 at a pay rate of \$12.36.

Human Resource Director Nancy Olmstead stated that the pre-employment background check and drug testing have been successfully completed.

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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 from Director of Human Resources Nancy Olmstead to authorize Police Chief John Butler to hire Daniel Barta as a Police Officer effective May 8, 2017 at the starting salary of \$66,159.00.

Human Resource Officer Nancy Olmstead stated that Officer Barta will be transferring from the City of Binghamton. All necessary pre-employment testing has been successfully completed. Responding to a question concerning residency, Ms. Olmstead noted that the Town cannot require a police officer to reside in the Town.

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 to retroactively approve Town Supervisor John Schaffer to sign a letter drafted by Broome County to FEMA urging them to slow the timeline associated with the Levee Analysis and Mapping Procedure (LAMP) process.

Town Engineer Vern Myers gave the Board a brief history of this mapping initiative. The current plan assumes that there are no levies in place which of course is not the case. There continue to be significant areas of disagreement between the Army Corps of Engineer, DEC and the local governments. DEC has for the most part agreed with us in that the Federal authorities need to take a new approach in evaluating the existing flood control walls.

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

2. Discuss policy guidelines for electronic changeable copy message signs on Town property.

Supervisor Schaffer stated that Fire Station #2 on Route 26 has expressed interest in replacing their aging sign with an electronic sign similar to kind being approved under the Town's Gateway Sign Ordinance. After a brief discussion, the Board decided to put this item on hold to get additional information from the Fire Department.

3. Request from Vestal Historical Society (Jack McQuiston) to use the library parking lot for Doug's Fish Fry Fundraisers on June 9, 2017 and September 1, 2017.

Town Attorney David Berger noted that upon approval of this request, the applicant should sign the Town's Indemnification Agreement.

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/Messina)

1. Request from Police Chief John Butler to purchase photographic equipment from Best Buy in the amount of \$1235.17.

Councilman Majewski noted that this equipment is used by the Police Department's investigative unit. The current equipment is aged and not acceptable for modern evidentiary use. The funds will be taken out of the forfeiture budget line A3120-2626R.

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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.

2. Request from the Vestal Fire District to accept the following fire departments for usage of the Fred Singer Training Site at a cost of \$100 per day:

Five Mile Point Fire Company – April 8th (or makeup day) and May 13th

Chenango Bridge Fire Company – May 6th

North Towanda Fire Department – May 7th

Sayre Fire Department – May 21st

Tioga County, PA Fire – June 11th

Several Board members questioned whether we are charging enough to cover the costs of maintaining this facility. It was noted that these fees were supposed to be reviewed by the Fire Department. Town Engineer Vern Myers suggested that in the least, we should start metering the water being used at the facility.

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

7.6 ADMINISTRATION (MESSINA/Majewski)

1. Request from Recreation Planner Sue Jastran to provide a Town of Vestal Certificate of Self-Insurance for the Town Band to play at the Oakdale Mall on June 15, 2017.

Town Attorney Berger noted that this Band is not a Town entity and questioned if the Board should indemnify a group that is not affiliated with the Town. After a brief discussion, the consensus of the Board was that the Town should not be providing certificates of insurance to non-town entities. The Town Attorney was instructed to inform the applicant of the Board's decision.

2. Request from Recreation Planner Sue Jastran to accept a \$1,000 donation from Vilma Byrne to cover the entrance fees to the Town Picnic on August 2, 2017.

The Board expressed gratitude to the donor for her continuing support of the Town's recreational programs.

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

UNFINISHED BUSINESS

1. Gateway Signs

Supervisor Schaffer informed the Board that a number of applications for gateway signs are on hold and asked the Board to make a decision on how to proceed with these applications. After a lengthy discussion of the topic, the Board agreed to have the Town Attorney work with the Code Department in developing evaluation criteria for reviewing these applications with the intention of approving up to two additional signs.

NEW BUSINESS

1. Supervisor Schaffer stated that the County will provide free of charge up to 64 'no smoking' signs in support of the recently adopted no smoking policy in the Town's Parks. The Board reviewed the available signs and expressed a preference for one of the designs.
2. Supervisor Schaffer announced that the Police Department has completed the Annual Report and asked the Board member to carefully review the contents to better understand the activities of the

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Department.

3. Supervisor Schaffer stated that as a result of water erosion there is an issue with the stability of the concrete slab at the Castle Garden Pumphouse. The Water Superintendent has consulted with and obtained an estimate from a company with specialized expertise in concrete leveling. This repair needs to be done quickly. After a brief review of the issues, the Board gave permission for the Water Superintendent to proceed with the repair at a cost of \$2,430.56.

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:

- Labor negotiations on the PBA, Operating Engineers, VSPA and CSEA contracts.
- Specific employee issue in the Code Department
- Two Article 7 tax cases
- Library lease negotiations
- Issue at the Coal House

The time was 8:25 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 meeting. The time was 9:50 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk