

## VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, FEBRUARY 12, 2018

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

Also Attending: Town Attorney David Berger, Town Comptroller Laura McKane, Director of Human Resources Nancy Olmstead, Town Clerk Emil Bielecki and 5 people from the general public.

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

### **UPCOMING PUBLIC HEARING:**

February 14, 2018 at 6:00 PM – Local Law Rezoning 2521 Vestal Parkway West and 2608 Old Owego Road, Vestal, New York (BCTMP # 172.70-1-17 & 172.70-1-16) from Residential Single Family (RA-2) to Community Business District (C-2).

### **COMMITTEES**

7.1 **PUBLIC WORKS** (FITZGERALD/Majewski) – no items were brought for consideration.

7.2 **FINANCE** (MESSINA/Fletcher)

1. Warrants: 2018-04, 2018-04A, 2018-04M, 2018-05, 2018-05A, 2018-05E

Councilman Majewski noted that the Highway budget line for road salt is getting low on money and may and may need to be addressed by the Board.

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

2. Request for Town Supervisor to sign agreement with Broome County Office for Aging to use 201 Main Street for the Vestal Senior Center.

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

3. Request to pay Town Attorney David Berger \$650.00 for January 2018 billable hours.

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

4. Request from Town Comptroller Laura McKane to award the contract for Other Post-Employment Benefits (OPEB) actuarial service to Armory and Associates.

Comptroller Laura McKane noted that the Town is required under GAAP to have an actuarial evaluation of the liability of post-employment benefits other than pension costs. A request for proposals was sent out to 8 vendors and 4 responses were received. The proposals were reviewed by the Finance Committee and it was determined that only 2 companies met all of the specs. The recommendation is to award the contract to Armory & Associates. They were the low bidder of the two vendors who met all of the proposal requirements. Comptroller McKane noted that Armory & Associates have an excellent reputation within the accounting community.

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

7.3 **PERSONNEL** (MAJEWSKI/Fitzgerald)

1. Request to authorize Police Chief John Butler to fill vacancies as follows:

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- By promoting Sgt. Stace Kintner to Lieutenant effective February 26, 2018. As per the VPSA collective bargaining agreement Lt. Kintner's rate of pay will be \$91,320.
- By promoting Officer Vincent Stavola to Sergeant effective February 26, 2018. As per the VPSA collective bargaining agreement Sgt. Stavola's rate of pay will be \$79,526.

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

2. Town Clerk Emil Bielecki to discuss the Dog Control Officer position.

Town Clerk Bielecki informed the Board that the current Dog Control Officer, Tarah Tripp, is resigning at the end of this month. Tarah has done an excellent job for us and we want to continue to offer that same level of service. This job is unique and demanding because in addition to requiring regular office hours, we also require 24/7 coverage for call outs. Fortunately, our current backup to the Dog Control Officer, Andrea Husband, is interested in the Dog Control Officer position. Andrea is already familiar with our operations and has extensive experience in dog control. I am recommending that we appoint Andrea Husband as a part-time Dog Control Officer effective February 26, 2018 at an annual rate of \$26,000.00. This will be a provisional appointment.

**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 (FLETCHER/Fitzgerald)**

1. Request from Town Engineer Vern Myers to grant a Special Use Permit to JMAG Associates, LLC to operate the Planet 3 Extreme Air Park at 161 North Jensen Road, Parcel Tax Map: 158.11-1-7, 158.11-1-8, 158.11-1-9.

Speaking on behalf of the property owners, Matt Napierala, P.E, gave a short presentation on the Planet 3 Extreme Air Park. This is an entertainment facility focused primarily on the 17-25 year old group, although a separate area will also be available for children under 6 years old. The facility is largely a trampoline park and a dodge ball gaming area. It is designed with various safety features and is carefully supervised by well trained 'lifeguards'. This is being presented to the Board because the property is zoned industrial and allowing a recreational facility requires a Special Permit from the Town Board.

Town Attorney Berger and several Board members expressed concerns about fire safety provisions. Mr. Napierala responded that the building is already protected by a sprinkler system. As to the other concerns, he stated that they would meet with the Fire Department to address any issues that were identified and have them resolved by the time of the public hearing.

After a brief discussion, the Board agreed to move forward with this request to grant a Special Permit by publishing a notice for a public hearing to be held on Wednesday, March 14, 2018.

**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 event organizers to hold "The Pink Elk 5k Run/Walk" on April 29, 2018 at 10:00 am starting on Owego Road.

It was noted that this event has been held successfully for a number of years.

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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 Davie Dudinyak, Boy Scout Troop 225, to hold a Christmas Tree Sale in the Vestal Library Parking lot November 17, 2018 to December 24, 2018.

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

**4.** Request from Anthony Folk to hold the “Southern Tier Enduro” bicycle race at Jones Park on a yet to be determined date in 2018.

Anthony Folk, the organizer of this event, stated that this race was held at Jones Park last year and proved to be extremely successful. The plan for this year is essentially the same. He expects about 100 participants. All of the details of the race have been provided to the Board. The likely date of the event is mid to late June.

Upon the request from Town Attorney Dave Berger, Mr. Folk agreed to provide the Board with a completed SEQR short form. In addition, Mr. Folk will be required to provide a certificate of insurance naming the Town as an insured party and to 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 (MESSINA/Majewski)**

**1.** Request authorization for the Chairman of the Board of Fire Commissioners John Schaffer to sign and move forward with the contract to purchase the American Legion Post #89 property at 118 Jensen Road in the amount of \$607,000.00.

It was noted by the Town Attorney Berger that this offering price represents a small increase from the originally discussed amount due to some unforeseen difficulties experience by the seller in finalizing the agreement. However, the Board has determined that the transaction is still a good value. The purchase of this property is contingent upon voter approval in a mandatory referendum.

**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 for authorization to sign an agreement and proposal from TelecomDataService (TDS) for negotiations of backup internet and telecom communication service costs.

IT Director Dan William apologized for some of the confusion that this request has created. This agreement should have been done before the telecommunications agreement was signed. Mr. Williams also noted that the funds are budgeted to pay the fee from the contractor & professional services line.

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

### **UNFINISHED BUSINESS**

**1.** Request from Code Enforcement Officer Lincoln Ellis to amend Chapter 24 of the Code of Town of Vestal regarding container storage. A local law will be required. **Update on 2/12/18:** Supervisor Schaffer stated that Code Enforcement Officer Lincoln Ellis is continuing to work on the proposed

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changes and encouraged Board members to contact Mr. Ellis with any specific concerns or proposals.

**NEW BUSINESS**

1. Comptroller Laura McKane asked the Board to renew the insurance contract for the Fire District with Emergency Services Insurance Program (ESIP) for one year effective March 1, 2018 at a premium of \$35,779.41. Although they are not the low cost carrier, the fire department gets a significant added value from the use of the carrier's online training. The carrier has recognized the department's use of this training for loss prevention by significantly lowering the insurance premium.

Councilman Majewski asked if Partners, our insurance broker, is recommending that we go with ESIP. Comptroller McKane replied that the representative from Partners agreed with our recommendation upon learning that the online training is more comprehensive and is used heavily.

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

2. Referencing an issue that arose from the creation of a separate website for the Vestal Museum, Supervisor Schaffer reminded all Town personnel that any Town related presence on the internet needs to be approved by the Board and administered by the IT Department.

**EXECUTIVE SESSION**

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

**ADOPTED** Ayes 5 Fletcher, Fitzgerald, Messina, Majewski, Schaffer  
Nays 0

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

- Labor negotiations with Operating Engineers and CSEA.
- Review of applicants to several volunteer boards.
- Litigation matter-Hick's case
- Damage claim from property owner on Edgewood Road.

**The time was 7:30 PM.**

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

**ADOPTED** Ayes 5 Fletcher, Fitzgerald, Messina, Majewski, Schaffer  
Nays 0

Resolved the Board leave the Executive Session and **adjourn the meeting. The time was 8:36 PM.**

Respectfully submitted,  
Emil Bielecki, Town Clerk