

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, APRIL 23, 2018

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

Also Attending: Town Attorney David Berger, Town Comptroller Laura McKane, Town Engineer Vern Myers, Director of Human Resources Nancy Olmstead, Town Clerk Emil Bielecki and 1 person from the general public.

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

6:00 PM – Tom McCartney: Vestal School District Radio Project

Town McCartney, a communications expert representing the Vestal Fire Department, briefed the Board about the Vestal Central School District Radio Project. The School District is in the process of upgrading their communication network. The upgrade will include the installation of equipment that will coordinate the communication between the School District and the Town. The enhanced communication system will be beneficial to the whole Town. The full cost of the upgrades will be assumed by the School District. However, for these interphases to work properly, the School District needs to move the communications gear from a Skyline Drive tower (currently being leased from Plexicom) to the Town owned tower on Andrews Road. To make the changeover would require the Town to sign a Memorandum of Understanding Agreement (MOU) with the School District. He is recommending that the Town agree to the MOU because it will significantly improve the overall public safety communication system in the Town.

Several Board members asked if this agreement would result in any additional cost to the Town. Mr. McCartney replied the only cost would be for the power to operate the equipment which he estimates to be a little less than \$10 per month. This would be a reasonable cost to absorb particularly because we now have the Town's police receivers in the schools that are operating on power paid by the School District.

After a brief discussion, the Board gave unanimous approval to proceed with the preparation of the MOU which would allow for the placement of the School District's equipment on the Andrews Road communications tower.

6:15 PM – Benefits Consultant Doug Bulman: Consulting contract with the Town

Mr. Bulman was asked to come to the Work Session to respond to concerns about the transparency of his compensation for various services that he provides to the Town. He explained that he cannot collect both fees and commissions for the same services. The commissions that he collects are for services that are not connected to his fee based consulting services. Those are already being disclosed to the Town on an annual basis. Comptroller McKane noted that Mr. Bulman received approximately \$29,400 in commissions on Town business in 2017. Mr. Bulman offered to insert new language into the agreement stating that his consulting fees for the health self-insurance program would be reduced by any commissions generated on products under that program.

COMMITTEES

7.1 PUBLIC WORKS (FITZGERALD/Majewski)

1. Request from Town Engineer Vern Myers to approve the placement of a premanufactured shed on Town property in the vicinity of the Coal House for the tenant to store additional materials.

Town Attorney David Berger noted that if the shed is to be placed within the existing footprint of the

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area currently being leased to Mr. Mushalla, it should be clearly stated that Mr. Mushalla is paying for the shed and that the cost should not be added to the capital cost calculated to reduce the amount of profit that he is required to share with the Town. Moreover, it is his opinion that the placement of the shed represents an intensification of use which should result in additional payment to the Town.

Town Engineer Vern Myers distributed a drawing showing that the shed would be placed outside of the leased area. Town Attorney Berger noted that if that is the case, the Board needs to consider a separate lease for the placement of the shed.

A lengthy discussion ensued concerning various activities connected with the Coal House and the Rail Trail and it was agreed that the Board needed to meet with Mr. Mushalla to resolve some of these issues. Supervisor Schaffer announced that any action on the placement of the shed will be put on hold until the Board meets with Mr. Mushalla. Mr. Mushalla will be invited to attend the Work Session on Monday, May 7th.

2. Request from Town Engineer Vern Myers for the Town Board to authorize the Supervisor to execute two (2) original copies of the Governor’s Office of Storm Recovery (GOSR) Final Agreement.

Town Engineer Vern Myer stated that this is the formal completion of the agreement (third amendment) which includes the budget already approved for the EMS facility at the October 25th, 2017 Town Board Meeting. He also noted that the higher estimated cost for the other project to be funded through GOSR (Roberts Street pump station) is creating some uncertainty as to the amount of funding that will be available for the EMS facility. Comptroller McKane stated that if some Town funding will be required, we should be preparing a bonding resolution. Vern Myers responded that we can hold off on the bonding discussion until all the costs are finalized.

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

7.2 **FINANCE** (MESSINA/Fletcher)

1. Warrants: 2018-15, 2018-15C, 2018-15E, 2018-16, 2018-16E

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

2. Request to pay \$300 to Town Attorney David Berger for billable hours for the month of March, 2018.

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

3. Request to authorize a Resolution Amending the Bond Resolution Dated May 25, 2016, 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 of Vestal at the cost thereof.

Comptroller Laura McKane stated that this amended resolution is subject to permissive referendum.

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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4. Request from Town Comptroller Laura McKane to approve various budget transfers.

Town Clerk Emil Bielecki noted that there was no memo submitted with these budget transfers making it difficult to properly identify the items that the Board will be asked to approve. Comptroller McKane stated that she would meet with the Town Clerk to clarify the language prior to the Regular Meeting.

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 from Director of Human Resources Nancy Olmstead to discuss NY State Retirement Resolution for elected and appointed positions.

The Director of Human Resources Nancy Olmstead stated that this is a regular requirement to establish the standard work day for elected and appointed officials for the NYS Retirement System. The following officials are subject to the reporting this year: Receiver of Taxes Debra Wallace, Town Justice Michael Sherwood, Councilwoman Suzanne Messina, HR Director Nancy Olmstead Berger, Town Attorney David Berger and Highway Superintendent Rocco Turdo.

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 Code Enforcement Officer Lincoln Ellis to amend sections of the Vestal Town Code regarding Customary Home Occupations with possible publish date of May 9th and a public hearing May 23rd.

The Board agreed to the above noted dates to publish the proposed Local Law D, a local law repealing and replacing Chapter 24, Article IV, Division 1, Section 24-154, "Customary Home Occupations" in its entirety.

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 from Fire Chief David Harrington to approve accepting a \$250 donation from Thomas Reuters to go towards Water Rescue Equipment.

In a memo to the Town Board, Chief Harrington states that this is a matching donation to Kathleen Farrell's donation that was accepted on January 24, 2018 as part of R031-18.

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 dispose of equipment (desktops, printers, etc.) that are no longer in service with the Town and are not needed for Town operations as listed in the attachment of his memo to the Town Board dated April 6, 2018.

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 Museum Director Cherese Wiesner-Rosales to accept a \$1,500 grant from the Chenango County Arts Council.

In a memo to the Town Board, the Museum Director states that this grant will pay for the performers for the Second Saturday Coffee House Series.

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

UNFINISHED BUSINESS

1. **Tabled on April 11, 2018** - Consulting Agreement and Business Associate Addendum with Douglas A. Bulman of the Bulman Agency LLC and Premier Consulting Associates for April 1, 2018 to March 31, 2019

The Agreement will be amended as per the discussion with Mr. Bulman (page 1 of these minutes).

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

NEW BUSINESS

1. Councilman Majewski stated that he emailed to the Board members the proposed language for a proclamation that he would like to request be issued from the Town to a prominent Vestal resident. He asked the Board for authorization to issue the proclamation honoring this resident for his many years of service to the Town and the community. The proclamation would be presented at a private celebratory event. After a brief discussion about whether the correct procedure was being followed in handling this situation, the Board agreed to the issuance of this proclamation.
2. Town Engineer Vern Myers informed the Board that the Juneberry Road bridge replacement project being done by Broome County does not include a sidewalk. He feels that a sidewalk on one side of the bridge is essential for reasons of safety and convenience. He is asking the Board for authorization to write a letter to the County stating that the Town will not support the project without a sidewalk. The Board granted the authorization to write the letter.
3. Emil Bielecki, a member of the Broome County Land Bank Citizens Advisory Committee, gave the Board a brief description of the functions of the Land Bank and reviewed the projects that were being undertaken in the Town of Vestal. The Land Bank is currently working to demolish a flood damaged house on Pearl Street. Since the property is located near the entrance to the Town (off of Route 17 East exit), the Land Bank is considering giving the land to the Town of Vestal for the purpose of erecting some type of sign announcing/promoting the Town of Vestal. Several days ago, Supervisor Schaffer and Emil Bielecki discussed this matter with the Executive Director and the Chairman of the Land Bank and agreed that this proposal could be of interest to the Town. We are now asking the Town Board for input as to whether the Town wants to pursue this proposal.

EXECUTIVE SESSION

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

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

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

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- Labor negotiations with the Operating Engineers and CSEA.
- Contract to purchase the American Legion property on Jensen Road.
- A Notice of Claim filed by Mr. Filip
- Article 78 filed by MidWay Bowling

The time was 7:50 PM.

On a motion of Councilman Majewski, seconded by Councilman Fletcher, 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 8:34 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk