

VESTAL TOWN BOARD WORK SESSION MINUTES

Monday, April 22, 2024

Board Attendance: Supervisor Sexton; Board Members: Messina, Donnelly, Miller and Greene

Also Attending: Town Clerk Debra Wallace and 14 members of the public.

UPCOMING PUBLIC HEARINGS

SUPERVISOR UPDATES

COMMITTEES

8. PUBLIC WORKS (DONNELLY/ Greene)

1. Salt Usage

Supervisor Sexton stated that due to the salt brining that was used this year it has saved the town quite a bit of money and wanted to use the savings generated this year for more brining equipment.

9. FINANCE (MESSINA/ Donnelly)

1. Warrants: 2024: 15,16

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

2. Request from Jessica Farley, Deputy Comptroller, for approval of a budget amendment to transfer \$1,200 from Education & Travel line A-1110-4030 to Printer Contract w/Supplies line A1110-4308 to cover a new copier lease to replace old broken copier.

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

3. Request from Daniel Reynolds, Town Attorney, for approval to have Congdon

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Appraisal LLC appraise the property located at 408 Commerce Road, Vestal, New York 13850 (Tax Map # 158.08-1-1), for a fee of \$3,800.

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

4. Request from Nicholas Angeline, Town Comptroller, for Town Board approval of 2024 budget transfers to cover 2024 bond and interest payments over budget estimates. Memo attached in addendum.

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

5. Request from Nicholas Angeline, Town Comptroller, for Town Board approval of 2023 year end budget transfers to cover overdrawn budget lines. Memo attached in addendum.

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

10. PERSONNEL (DONNELLY/Miller)

1. Approve the NYS Retirement System timekeeping resolution as it appears in the addendum.

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

2. Resolved to adopt the contract with the Town Attorney for outside services to be effective retroactively to January 1, 2024 and to authorize the Town Supervisor to sign such contract.

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

11. PLANNING & ZONING (MILLER/Greene)

1. Discuss Solar Moratorium

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Supervisor Sexton stated that she needs to educate herself on Solar Laws and to look at other towns.

Councilman Miller suggested that we have a solar team and they will start doing the leg work to help get the Solar Projects to move more quickly and not to hold up the Solar moratorium.

Supervisor Sexton stated that maybe at the next meeting we can have more information and discuss what direction we want to go in for the moratorium. Sexton feels that it needs to be very specific as to how long the moratorium should be, 9 months or 12 months and specific about what will be done during that time frame.

2. Discuss Comprehensive Plan Committee

Supervisor Sexton stated that we are applying for a Comprehensive Plan grant that is due on July 29th, 2024 and the decision will be made in January 2025 if we are awarded the grant. Sexton states that once we get the word that we are being awarded the grant we will take money out of the funds in the bank and hire the consulting company. Then pay ourselves back once we receive the actual grant money. Sextons states that we do have money to play with in the bank.

Solar will be the Comprehensive Plan Committees priority.

There will be 13 active members of the Comprehensive Plan Committee. Two new members were added and Kay Holly has requested to not be an active member of the committee leaving 10 alternate committee members.

3. Comprehensive Plan Committee note taker

Sexton stated that the Comprehensive Plan Committee will be meeting on the 3rd Weds of the month at 6pm at the Town Hall. A chairperson and the secretary have not been selected yet who will keep the minutes and submitting them to the Town Clerk to post on the Town website.

4. Discuss Clean Energy Program

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Councilman Greene stated that he attended a meeting on clean energy that is starting. Greene will be attending more meetings in the future and will report to the Town Board how this may benefit the Town and its residents.

5. Discuss Pro- Housing Program

Supervisor Sexton stated that she attended the Association of Towns meeting and there has been a big push for housing because there is such a shortage of houses in New York State. There is a need for housing in Vestal all levels of housing are needed. Sexton stated that if you want to attract businesses you have to have houses. The state is looking for Towns to make a resolution stating that they are committing to a Pro-Housing Program which would require the Town to have a goal of housing increase of 1% every year. This program does not state what kind of housing you must take nor does it require you to take a specific housing development project. The project would give money to the Towns to help with the program. Most of this funding is for low income housing. Sexton stated that she has heard from the public that they are looking for smaller starter, downsizing and affordable houses. Comprehensive Plan Committee will be looking at housing that is appropriate for our area.

6. Bunn Hill Housing Development

Supervisor Sexton stated that the survey results are in and she has emailed it to each of the Town Board Members. Sexton will give an exact count at the Town Board Meeting on Weds night. Majority of the surveys came back that they were not in favor of the Bunn Hill Project and if possible to reverse the PDD. Sexton stated that there were however, a large number of surveys that felt they did not like the project but do not feel that we should reserve the PDD at this point. And others stated that they felt the development was good and that property owners have the right to do what they want on their property.

Supervisor Sexton stated that the facts are that we did a survey and Dan Reynolds Town Attorney has given us the Towns legal position. The

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Town would need a super majority to repeal the PDD and that it is a liability to the Town. Our insurance company will not be covering the Town if we proceed in the reversal of Bunn Hill Project. The Town has defended themselves for five years for the project and for us to turn around now to reverse it would be a willful act of the Town and the Retreat at Bunn Hill will be successful in winning.

Councilman Miller stated that he realizes that the legal issues have been done and the courts have found that the Town did nothing illegal but he feels that the Town Board did something improper. Millers states that the Town Board ignoring the Planning Board opinion twice was improper.

Councilwoman Messina stated that Councilman Miller is incorrect and that the Planning Board is an advisory board and the Planning Board did approve of the project initially.

Supervisor Sextons stated that she would like to not proceed with this project but she must do what is right for the Town. Sexton states that it is too dangerous for the Town and Sexton believes that the Town will lose this lawsuit.

Councilman Greene would like to take more time to talk to the attorney of the Responsible Zoning of Vestal. Greene states that once they have permits and start working on the project then they have a vested interest and that changes things.

Several members of the Town Board stated that they already have a vested interest, permits have been issued and work has begun.

*A vote will **not** be taking to appeal the PDD.*

12. PUBLIC SAFETY (MESSINA/Greene)

Councilwoman Messina stated that the Fire Department audit was completed and everything was in order.

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13. ADMINISTRATION (GREENE/ Miller)

1. Discuss Assessments

Supervisor Sexton stated that Mark Minoia Town Assessor wants to raise our assessments again. The housing market is still going up. Sexton stated that we are the only town in Broome county that is at 100% Assessment. Sexton states that we cannot interfere with Minoia's job but we can decide if there will be or will not be a reassessment. Sexton states that the Town of Barker, Lisle and Triangle tried to go to 100% Assessment for a period of time but eventually dropped it because it upset people. Sexton stated that Minoia wants to raise the assessments again and she does not feel that it is necessary. Sexton stated that the state has never mandated that a town stays at 100%. Sexton states that the Town paid \$ 668,000 to reassess based on size of home and bedrooms etc. which is what should be done back 2008. Sextons states that now it is based on the numbers not what is actually there. Sexton stated that taxes are based on the assessment and the budget and what your assessment is based on how much you pay. Sexton stated that if your assessment doesn't go up it doesn't mean that taxes will go up even if the budget goes up. Assessments are for everyone to pay according to what they have. Sexton stated that at the training she found that a lot of the assessments are inaccurate because people didn't get permits when they should have.

Sexton feels that we should not do a reassessment this year. Sextons states that we can do a survey to see what the public opinion is.

Councilman Donnelly suggested that we invite Mark Minoia the Town Assessor to the meeting so he can answer some of these questions.

Councilwoman Messina stated that the roll has been finalized for this year.

Supervisor Sexton stated that she will talk to Minoia to find out if he has raised them this year.

Councilman Miller stated that our budget is what determines the taxes not the assessment. Miller feels that a public hearing would be helpful to answer some of the questions about assessments. Miller stated that what he learned from the meeting is that if you don't keep up with assessments as the market is moving then you will eventually have to catch up and the longer you wait the bigger the jump in your taxes.

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14. UNFINISHED BUSINESS:

15. NEW BUSINESS:

16. PUBLIC COMMENT:

Member of the public asked that the Town Board involve residents that live close to a project to be informed that a project is coming in.

Member of the public believes that a public meeting would be great to talk about assessments.

Member of the public stated that she would like a full environmental assessment to be done for Solar Projects not a general one. This member wondered about where the solar panels go to when they are done with them?

Member of the public who has a Solar Project application in already asked if his representative for his project could speak on his behalf...

Supervisor Sexton stated No.

This member asked why can they not speak?

Supervisor Sexton stated that they do not have a stake in the Town of Vestal. The Town Board answers to residents not to Solar Companies.

This member stated that if you are looking for factual advice and to answer these questions they why don't you let the experts speak?

Supervisor Sexton stated that they will be seeking factual advice in the future and another Solar Company has offered their services.

Member of the public stated that he is interested in the assessment and how it works. He has been told that it doesn't matter what the house next to you is like

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and disagrees with that.

Member of the public stated they are glad we are having a Comprehensive Plan Committee.

On a motion by Councilman Donnelly, seconded by Councilwoman Messina, the Board adjourned the Work Session and entered into Executive Session for the purposes of discussing the following:

FOR THE PURPOSE OF:

- Health Benefits
 1. Department Heads and Elected Officials
 2. Employee family benefits

- Personnel
 1. Reporting
 2. HR Position
 3. Equity
 4. Employee general benefits

The time was 7:46 PM

ADJOURNMENT

On a motion by Councilwoman Messina, seconded by Councilman Greene, the Board adjourned the meeting. The time was 8:27 PM