

VESTAL TOWN BOARD WORK SESSION MINUTES
MONDAY, DECEMBER 9, 2013

In Attendance: Supervisor Schaffer, Board Members Fitzgerald and Majewski
Absent: Councilmen Milkovich and Marnicki

Also Attending: Town Attorney David Berger, Human Resource Officer Nancy Olmstead, Town Clerk Emil Bielecki, Fire Chief Pat McPherson and several members of the community.

WORK SESSION

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

UPCOMING PUBLIC HEARINGS

12/11/2013 Water District No. 1 Extension 195 – 2108 Glenwood Road

COMMITTEES

7.1 PUBLIC WORKS

1. Request from Highway Superintendent Brock Leonard to pay out of title pay as follows:
William Garey \$58.56 24 hours (Oct. 22 – Nov. 5, 2013)
Don Younker \$375.76 148 hours (Sept. 26 – Nov. 15, 2013)
Todd Ingersoll \$404.84 158 hours (Aug. 22 – Oct. 10, 2013)
Todd Ingersoll \$544.20 212.5 hours (Oct. 14 – Nov. 21, 2013)
Scott Walter \$409.92 168 hours (Oct. 23 – Nov. 22, 2013)

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

2. Request from Highway Superintendent Brock Leonard to authorize Town Supervisor John Schaffer to sign the “2014 Snow and Ice Agreement” with Broome County.

This agreement covers 3.8 miles of Tracy Creek Rd. and is being renewed on substantially similar terms and conditions. Town Attorney Berger stated that he has reviewed the contract and sees no problems.

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

3. Request from Brock Leonard, Highway Superintendent to transfer \$30,000 out of line D5112.2151 (spec. paving) to D5142.4006 (ice and snow control) to ensure there is enough money for sand and salt until the end of the year.

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 Engineer Gary Campo to increase the bid from ZMK for Campus Drive Storm Replacement by \$3,232.45 for the quantity change in the rip rap.

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 Gary Campo to dispose of the assets listed on memo dated November 14, 2013. These assets have been removed and replaced with new ones.

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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6. Request from Town Engineer Gary Campo to accept a donation in the amount of \$1,250 to be used to for the purchase and installation of a bench on Section 2 of the Rail Trail in memory of Willard and Joyce Greame.

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

7.2 **FINANCE**

1. Warrants - 2013- 47, 47E, 48, 48E, 49, 49E

OK - This item will be placed on the Agenda as a Receive and File item at the next Regular Meeting.

2. Request to pay \$30,769.51 to Ahmuty, Demers & McManus for the Candlehouse vs. Town of Vestal.

Town Attorney David Berger noted that, at his request, this bill by reduced by 15%.

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 Cassandra L. Bransford, PhD \$1350.00 for expert witness for Candlehouse vs Town of Vestal.

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

4. Request to pay David Berger Town Attorney \$4740.00 for billable hours for the month of November 2013.

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

5. Request for Supervisor Schaffer to sign agreement with Broome County for the Vestal Senior Center, with no changes from previous year's contract.

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

6. Request from Comptroller Laura McKane for a motion stating the Town Board acknowledges that the CPA firm of Ciaschi, Dietershagen, Little, Michelson & Co., LLC has audited the books and records of the Town of Vestal Justice Courts for the period of January 1, 2012 and ending December 31, 2012.

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

7.3 **PERSONNEL**

1. Request from Receiver of Taxes Debra Wallace to hire Debra Jennings, Jennifer Almy, and Sarah Wallace at the rate of \$9.00 an hour to assist in getting tax bills ready to send.

Human Resource Officer Nancy Olmstead informed that Board that the Deputy Receiver of Taxes, Carolyn Almy is also hired by the Tax Office. It is unclear whether that position also needs to be approved in this resolution. She will research it prior to the next meeting and inform the Board accordingly.

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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7.4 PLANNING & ZONING

1. Request from Mark Dedrick, Code Enforcement Officer to dispose of Chevrolet Impala VIN# 2G1WF55K9Y9367862 from the Code Department.

According to the Code Enforcement Officer Mark Dedrick, this vehicle is currently not operational and fixing it would not be cost effective due to age and mechanical problems. He hopes to realize some nominal salvage value from disposing the vehicle.

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

2. Request from Learning Disabilities Association of the Southern Tier (Andrea Starzak) to use the library parking lot on January 8, 2014 for a Doug's Fish Fry.

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

3. Request from Vestal Schools to hold "The Running of the Bears" on March 29, 2014. Officer Shirley will coordinate with the Vestal Police for assistance with managing intersections and other safety issues.

Councilwoman Fitzgerald noted that this event was held last year and proved to be successful. It will involve the closure of a section of Front St. for a short period of time.

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

4. Request from Alpha Phi Alpha Fraternity to use the library parking lot on May 17, 2014 for a Chicken BBQ. College bound Vestal students will be eligible to receive scholarships.

Supervisor Schaffer noted that there was some question last year whether this group obtained the required permit from the Broome County Health Department. He recommends that this approval be contingent upon this group obtaining all of the necessary permits.

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

1. Request from Chief John Butler to approve the selling of retired police vehicles no longer in service via Auction International; 2010 Chevrolet Impala (VIN:2G1WD5EM6A1193048) and 2010 Chevrolet Impala (VIN:2G1WD5EM2A1191992).

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

2. Request from Fire Chief Pat McPherson to retroactively approve the Vestal Fire Department Membership for Station 2's Firemen family –style breakfast at Vestal Fire Department Station #2 Vestal Center on December 8, 2013 from 7:00 – 11:30am.

Councilwoman Fitzgerald stated that she attended the event and found it to be very nice and well attended.

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3. Request from Fire Chief Pat McPherson to approve the following training requests:

- 1) FF Phillip W Walter to attend Basic Structural Collapse Operations February 10 & 12, 2014 at West Corners Fire Department.
- 2) Lt Phil R. Walter and FF Paul Goon to attend Live Fire Training January 13, 2014 at the Broome Public Safety Building
- 3) Lt Phil R. Walter and FF Paul Goon to attend Conducting Live Fire Training January 20, 2014 at the Broome Public Safety Building.

There is no cost to these courses as they are offered through NYS Outreach Program.

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

4. Request from Fire Chief Pat McPherson to approve the disposal of Turnout Gear from the 2002-2003 asset list.

Fire Chief Pat McPherson stated that this turnout gear has surpassed the 10 year life expectancy in accordance to the NFPA 1851 standards.

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

7.6 ADMINISTRATION - there were no items brought for consideration by the Board.

NEW BUSINESS

1. Discuss the 2014 Town Board Meetings Calendar

Human Resource Officer Nancy Olmstead presented the Board with a draft schedule for Town Board Meetings in 2014. The proposed schedule would keep the Regular Meetings on the 2nd and 4th Wednesdays of the month and Work Sessions on Mondays before the 1st, 2nd and 4th Wednesdays of the month. In May and November, the meetings are scheduled for the 1st and 3rd Wednesdays due to the holidays. She also explained the rationale for several other exceptions to the schedule.

After a brief discussion, the Board decided not to schedule Work Sessions on February 3, March 31 and June 20. The Board will continue to review the proposed schedule prior to its formal adoption at the first meeting of 2014.

UNFINISHED BUSINESS

1. Procurement Policy amendments

2. Scrap Metal Policy amendments

Supervisor Schaffer stated that both of these policies, as amended, will be ready for consideration by the Board in January.

3. Storm Easement on Juneberry Road

Supervisor Schaffer informed the Board that the property owner has accepted \$1,000 for granting of the easement. The work is anticipated to be done in the spring.

4. Special Permit Request – 2520 Vestal Parkway East (Cornelius Enterprises)

Supervisor Schaffer noted that there is a continuing disagreement as to what constitutes legitimate

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parking spaces at this location. This has become more of a landlord-tenant dispute rather than a Town issue. In his opinion, the property owner should consider purchasing the non-conforming lot next door to resolve the parking issues.

The consensus of the Board is to drop this item from further consideration.

5. Local Law F – Rezone of 4696 Vestal Parkway East (Student Housing)

Supervisor Schaffer stated that there are still some outstanding issues which will likely delay the Board’s decision on this rezoning until next year.

6. Community electronic signs -- changing of sign ordinance

Supervisor Schaffer noted that two companies have made presentations about placing community oriented LED signage in the Town. He feels that the Town should get up to speed with the changing technology and move ahead to allow this type of signage under controlled conditions.

Councilwoman Fitzgerald expressed support for moving ahead with approving such signage.

Councilman Majewski continued to express his opposition to this type of signage.

Supervisor Schaffer stated that he will instruct the Code Department to prepare draft legislation to amend the sign ordinance to accommodate the installation of community electronic signs.

SUPERVISOR'S ANNOUNCEMENTS

Winter Parking Hours – December 1st - March 31st - 2:00 AM to 6:00 AM

EXECUTIVE SESSION

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

ADOPTED Ayes 3 Majewski, Fitzgerald, Schaffer
Nays 0 Absent 2 Milkovich, Marnicki

Resolved the Board enter into Executive Session for the purpose of discussing the following:

- Candlehouse litigation
- UHS litigation
- Several Article 7 cases
- Labor negotiations with the PBA and the Operating Engineers bargaining units.

The time was 6:39 PM.

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

ADOPTED Ayes 3 Majewski, Fitzgerald, Schaffer
Nays 0 Absent 2 Milkovich, Marnicki

Resolved the Board leave the Executive Session and adjourn the Work Session. The time was 7:20 PM.

Respectfully submitted,
Emil Bielecki, Town Clerk