

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JUNE 08, 2015

In Attendance: Supervisor Schaffer, Board Members: Majewski, Fitzgerald, Messina and Agneshwar

Also Attending: Town Attorney David Berger, Human Resource Officer Nancy Olmstead, Town Clerk Emil Bielecki and 8 members of the general public.

6:00 PM - William Safarik - to discuss plans for 1st Binghamton Marathon.

Road Runners Club of America member William Safarik noted that all of the details about the proposed marathon have been provided in advance to the Town Board. The proposed marathon will be staged in the Towns of Vestal and Owego and the Village of Endicott. The name of the event has been changed to the Greater Binghamton Marathon. The Town of Vestal will be added as an additional insured party on the Certificate of Liability Insurance. Volunteers will be assisting at all stages of the race. The event will promote businesses in Vestal. All profit from the event will be donated to the Binghamton Zoo at Ross Park. This marathon will be USATF certified and also be a Boston Marathon qualifier.

Supervisor Schaffer expressed his support for the event. It will be good for the area. We will incur some small cost for police overtime but the Town's business community will benefit from the increased activity.

Several Board members urged the organizers to include *Vestal* in the name of the event. Mr. Safarik noted that it would be taken into consideration.

6:15 PM - Howard Rittberg – to discuss modifications to Vestal LLC Pilot Agreement.

This topic was not discussed because Mr. Rittberg did not attend the meeting.

6:30 PM - IT Director Dan Williams – to discuss options for upgrade of internet services.

IT Director Dan Williams stated that he received two quotes for switching over to a fiber optic connection for our primary internet service (Finger Lakes Technology Group, Plexicomm LLC). Both companies could provide the service for about the same cost and either choice will give the Town of Vestal a significant savings on internet access. His recommendation is to go with Plexicomm, our current provider. Going with Plexicomm will eliminate our Time Warner/Road Runner backup link. We could use the current wireless setup as our backup which would prove useful if there was a disaster and all land lines were down. Currently, we pay \$650/month for a 10 X 10 connection using wireless technology through Plexicomm and \$80/month for a backup connection through Time Warner. The new service through Plexicomm LLC would provide for dedicated fiber optic internet access (10M X 10 M level of service) with licensed microwave (wireless) backup. The Plexicomm proposal also includes on-net service benefits that will allow reliable off-site storage backups and greater flexibility of future connectivity projects.

The Board agreed that the Plexicomm proposal is the best option.

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

COMMITTEES

7.1 PUBLIC WORKS (MAJEWSKI/Fitzgerald)

1. Discuss a Resolution Adopting a Road Use and Preservation Policy.

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Supervisor Schaffer stated that he put this on the agenda at the request of the Broome County Public Works Commissioner. Town Attorney Berger stated that the attachment of the actual County Road Agreement was not included with the information on this resolution. Copies of the Road Use Agreement were distributed to the Board and Supervisor Schaffer asked the Board members to review the agreement for further discussion at a later date.

2. Request from Water Superintendent Scott Groats to award sewer projects (Harvard, Keenan, Hazel) to Vacri Construction, Option #2, for the total price of \$281,660.00.

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

3. Request from Town Engineer Gary Campo to place the 2001 Dodge Pickup, Maintenance Vehicle up for auction. The vehicle has been replaced with a 2015 Ford pickup.

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

4. Request from Highway Superintendent Brock Leonard to award all of the bids for highway materials (opened on May 11, 2015) to all vendors who submitted bids, with the understanding that the Highway Department will buy from the lowest bidder when possible. This saves time when the lowest bidders cannot provide the needed materials when they are needed.

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/Messina)

1. **Warrants:** 2015-21, 2015-21E, 2015-21L, 2015-22, 2015-22E, 2015-23, 2015-23E

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

2. Request to approve SRO (School Resource Officer Program) Contract with the Vestal School District for September 2015 through June 2016.

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

3. Request from Deputy Town Comptroller Pam Fitzgerald, to pass resolution effective June 10, 2015 to close the completed Capital Projects per the memo dated May 26, 2015, and to transfer the fund balances to the respective debt service fund to be used towards reducing the Town’s outstanding debt service obligations or future reliance on debt.

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 \$412.50 to Town Attorney David Berger for May 2015 billable hours.

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

5. Request to pay \$6,025.11 to Greene, Hershendorfer & Sharpe for legal services from 3/10/15 to 5/14/15 in the Hicks vs. Town of Vestal litigation.

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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.

7.3 **PERSONNEL** (FITZGERALD/Majewski)

1. Request from Water Superintendent Scott Groats to appoint Robert Flint to the vacant position of Water Meter Reader & Repair Person, effective June 15, 2015, at the Operating Engineer rate of \$22.55 per hour. The vacant position was posted as required by Collective Bargaining Agreement. The funding for this position is from line W8340-1000.

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

2. Request for authorization for Police Chief John Butler to fill a vacancy by hiring Colby L. Taber, as a Police Officer, effective June 15, 2015. Per the Collective Bargaining agreement, his rate of pay will be \$53,698.

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

3. Request for authorization for Museum Director Ramona Kacyvenski to fill a vacancy by hiring Alexis Hopersberger as a Clerk Part-Time to work an average of 8 hours per week in the Museum effective June 25, 2015 at a rate of \$8.75 per hour.

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

4. Request authorization for the Director of Human Resources Nancy Olmstead to attend the New York State Public Employer Labor Relations Association Annual Training Conference, July 21, 2015 through July 24, 2015 in Saratoga Springs, New York and for a budget transfer from budget line A1420 4030 to budget line A1430 4030 to cover the conference costs. The anticipated costs are as follows: Registration \$275; Hotel \$179/night; Meals \$135; Mileage \$194.35.

Human Resource Officer Nancy Olmstead noted that 2 people were budgeted to attend this conference. Since only 1 person will be attending, the total cost will be less but a budget transfer is needed to properly allocate the expenses.

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 from Yesteryears Program of the Broome County Office for Aging to use the library parking lot on October 16, 2015 for a Gance's Fish Fry fundraiser.

Councilwoman Messina stated that she will not support this request because it is not from a Vestal organization and it will compete unfairly with the established restaurants and food vendors in the area. Councilwoman Agneshwar noted that any of these organizations can secure locations on private property rather than on the busy library parking lot. Supervisor Schaffer acknowledged that the Board needs to do a comprehensive review of the policies regulating the use of Town property for fundraising functions, but it should be done at budget time or as part of the organizational agenda at year-end. Town Attorney Berger stated that he would work on drafting some rules for the Board's review.

By consensus of the Board, no further action will be taken on this request at this time.

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2. Request from Twin Orchard resident Paul McGorry for permission to plant three trees on the property at 369 Oak Street that was part of the FEMA buyout program.

Town Attorney Berger advised the Board that as a FEMA buyout, this property is deed restricted. Trees create potential liability and maintenance issues. No one should be allowed to plant trees on Town property. The role of FEMA in this situation is foggy. He advises against this. The Board agreed and Councilwoman Messina will notify Mr. McGorry of the Board's decision.

3. Request from Sara Coscia to have 3rd Annual John Palmiter Memorial Block Party, and to partially close Kimble Road on June 26, 2015 from 5-9 PM.

Supervisor Schaffer noted that this Block Party has been held in previous years without any problems.

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

4. Authorization approving the route and the operation and safety plan for the Greater Binghamton Marathon to be held on September 20, 2015, from 7:30 AM to 2:30 PM, as submitted to the Town by Race Director William Safarik of the Runners Club of America. The race organizers are required to notify the Police Department and Emergency Services of their plans and to cooperate accordingly in addressing all public safety issues.

Clerk's note: Please refer to page 1 of these minutes for additional details concerning this event.

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/Agneshwar)

7.6 ADMINISTRATION (MESSINA/Agneshwar)

1. Request to adopt resolution to support Tioga Downs being awarded the Eastern Southern Tier Region Gaming License.

Supervisor Schaffer noted that there is a potential direct benefit to the Town if the casino license is granted to Tioga Downs. It is his understanding that a municipality which adjoins the county where the casino is located is entitled to some payment.

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

NEW BUSINESS

Referencing a memo from Highway Superintendent Brock Leonard dated 6/8/15, Councilman Majewski stated that the Highway Department wants to purchase a new Jumping Jack Tamp. The current tamp is 10 years old with considerable wear on all components. It would cost \$625 to replace the motor. The Highway Superintendent thinks that it is would be more cost effective to replace the whole unit with a new one. He received two quotes and recommends the purchase of a Wacker BS 50-4AS Jumping Jack tamp from Admar Supply in Vestal at a cost of \$2,250 (service and parts are available locally). The funding for the purchase would require the transfer of \$2,250 from budget line D5130.2201 (military) to budget line D5130.2200 (machine equipment).

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UNFINISHED BUSINESS

1. Kopernik Tower

The Town Engineer and the IT Director is working with the County to prepare the specs for a new tower at Andrews Road. **Update on 5/4/15:** The County has not provided us with all of the information required for this project to move forward.

2. Purchase of Town parks land by Vestal Veterinary Hospital

Update on 5/18/15: In progress --- Town Attorney has sent a letters to the NYS Park & Recreation Commission and to our State elected officials to get the process moving.

3. Lease Renewal for 133 Front Street

The current lease expired on 3/31/15. **Update on 5/18/15:** Negotiations are ongoing.

4. Park Outdoor application for Gateway Sign at 232 Vestal Parkway West on property owned by McMead Realty. The applicant was instructed to provide a letter stating what variances from the gateway sign ordinance are being sought. This would serve as a starting point for drafting an agreement. **Update on 5/4/15:** The requested letter has not yet been submitted by the applicant.

5. Town of Vestal Fats, Oil and Grease (FOG) Control Program.

Update on 6/8/15: Town Attorney noted that the review has been completed and it is ready to be prepared as a local law. The Supervisor asked the Town Clerk to recommend possible dates for advertising and scheduling of the public hearing on the local law.

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

6. Gas Card System for the Purchase of Fuel for Town Vehicles

Councilman Majewski met with a representative from the Mirabito Fuel Group to explore the feasibility of going to a gas card system to purchase fuel for Town vehicles at Mirabito stations. The Vestal Fire Department is already doing this. In his opinion, the services offered by Mirabito are attractive enough to warrant going with them to fuel all Town vehicles except Highway. Mirabito offers 24 hour a day service in Vestal and the clearance is adequate at their facilities to accommodate all of our vehicles.

Update on 6/8/15: Councilman Majewski stated that the representative from Mirabito Fuel Group will be asked to attend the next Work Session on June 18th.

7. Proposed changes to the Employee Handbook.

At the Work Session on May 18th, Human Resource Officer Nancy Olmstead identified the following changes to the Employee Handbook that she would like the Board to consider:

- Change of the definition of *spouse* to comply with the Federal Family and Medical Leave Act.
- Adjust the longevity pay levels (starting in 2016) to the same level as in the CSEA contract. This change would currently affect 11 of the 14 full time non-union positions.
- Amend the *sick leave* language to the same language as in the Police Supervisors contract.
- Increase the reimbursement amount for employees who participate in the approved weight loss programs. We have had some success with this program and it should result in savings to our health insurance costs.

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Update on 6/8/15: Human Resource Officer Nancy Olmstead noted that the estimated 10 year cost of adjusting the longevity pay would be about \$5,000 assuming that all affected employees were still here. Councilwoman Agneshwar stated that she does not like the whole concept of longevity pay and would like to eliminate it for all employees. Ms. Olmstead noted that this would have to be negotiated under the collective bargaining agreements and suggested that any strategy to move in that direction should be discussed in Executive Session.

SUPERVISOR'S ANNOUNCEMENTS:

- We are receiving an increasing number of complaints about dog feces on the new Rail Trail Extension. We remind all dog owners of their legal responsibility to clean up after their pets. If the problem persists, the Board will have no choice but to consider banning dogs from the Rail Trail.

EXECUTIVE SESSION

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

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

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

- Labor negotiations with the Library CSEA bargaining unit.
- 207-C application (police on-the-job injury) submitted by an employee.
- Labor negotiating strategy concerning longevity pay.

The time was 7:29 PM.

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

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

Resolved the Board leave Executive Session and **adjourn the Work Session. The time was 8:30 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk