

VESTAL TOWN BOARD WORK SESSION MINUTES

MONDAY, JULY 20, 2015

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

Also Attending: Town Attorney David Berger, Town Engineer Gary Campo, Town Clerk Emil Bielecki and 2 members of the general public.

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

PUBLIC HEARING: Wednesday, July 22, 2015 at 6:00 PM
Consolidated Sewer District No. 1, Extension No. 157
1021 Main St., BCTM: 173.15-1-44
Petitioner: Rodney A. Imler

COMMITTEES

7.1 PUBLIC WORKS (MAJEWSKI/Fitzgerald)

1. Discuss Town Engineer Gary Campo's proposed vehicle wash bay at the Highway Department in response to the September 2014 EPA field audit.

Town Engineer Gary Campo stressed that the outdoor washing of vehicles is no longer acceptable under EPA regulations and the Town has to do something to comply. The waste water from washing of vehicles must enter the sewer system. His recommendation is to contract with Delta Engineers to help design and build a dedicated wash bay on the south side of the building at the Highway garage. He is roughly estimating the cost of this project at \$325,000. This facility could also be used by other departments to wash their largest vehicles.

Councilwoman Agneshwar expressed concern about the high estimated cost and wondered what other municipalities are doing to comply with these regulations.

After a brief discussion that focused primarily on the design and the cost of this proposed facility, the Board asked Town Engineer Gary Campo to survey some other municipalities about what they are doing to comply with the EPA regulations concerning the washing of vehicles and to provide a more accurate estimate for the cost of constructing a vehicle wash bay.

2. Request from Town Engineer Gary Campo to authorize payment from the FEMA flood line to cover change orders in the building of the flood wall in the amount of \$52,771.28.

Calling the construction of the Town Hall flood wall one of the most difficult projects that he has ever dealt with, Town Engineer Gary Campo reviewed the 6 change orders that were required to complete the job. There were some mistakes made in the plans that were not caught prior to the preparation of the bid documents. However, most of the change orders were the result of problems with the soil since it would not hold any type of vertical slope within the extraction area. This required extensive slope protection to be installed. Mr. Campo noted that the change orders were problematic but he is not sure if the expense of the change orders was more than what it would have cost us if all of these items were included in the original bid specifications. There are available funds within the FEMA flood line to cover the cost.

Noting that some of the problems which required the change orders were the result of design errors made by Keystone Engineering, Councilwoman Agneshwar asked if there was any liability on their

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part. Town Attorney David Berger stated that the final bill from the engineering firm could be reduced if it can be shown that certain costs would not have been incurred if the specs were done right.

Councilman Majewski recommended that the Board approve the payment for the change orders but that the Town Engineer should withhold the final payment to Keystone Engineering to negotiate a lower price for the design work to account for the errors that were made. The Board agreed to take that approach.

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 authorize the Town Supervisor to sign the application for funding of the Robert Street Storm Water Pump Station Upgrade and to retroactively approve advertising on July 22, 2015, the public notice of the NY State CDBG-DR Application Available Review.

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 authorize Town Supervisor to sign an agreement with Barton & Loguidice to provide design and construction services for the conversion of Robert Street building to a storm water pump station.

Town Engineer Gary Campo noted that NY Rising was very involved in this selection process and has provided the authorization letter for the Town to proceed with the signing of this agreement.

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: 2015-28, 2015-28E, 2015-29, 2015-29E

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

7.3 PERSONNEL (FITZGERALD/Majewski)

1. Discuss Business Office hiring.

Supervisor Schaffer noted that this discussion will focus on the review of a specific job applicant and will need to occur in Executive Session.

7.4 PLANNING & ZONING (MESSINA/Fitzgerald)

1. Discuss the proposed *Community Use of Municipal Facility Policy*.

Supervisor Schaffer referred to the draft policy as a starting point for discussing changes in how the Town allows the community to use municipal facilities, primarily the library parking lot. He is asking Board members to submit their recommendations in writing.

Councilwoman Messina reiterated her position that the Town should not allow the use of the library parking lot by food vendors. Such activity unfairly competes with the numerous food establishments in the area. In addition, she feels that all outside users of the library parking lot should be paying any of the applicable fees. Non-Vestal entities should not be allowed to use the library parking lot. Also,

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since we are really only dealing with the library parking lot, the policy name should reflect that.

Councilwoman Fitzgerald stated that the Town should be clear with a policy that either allows or prohibits the use of the library parking lot by outside groups.

Councilwoman Agneshwar noted that most organizations that need locations for fundraising events can still turn to privately owned locations. School based organizations should be asking the School Board to use School District facilities for fundraising events.

Councilman Majewski recommended that section A-5 of the draft policy should be deleted. Profit making businesses or groups should not be allowed to use Town facilities. Also, he noted that issues with policy violations should be decided by the whole Board, not just the Supervisor.

Town Attorney Berger recommended that the Board members submit their input on the policy to him and he will incorporate the changes for further discussion at a later date. The Board agreed to that approach.

7.5 PUBLIC SAFETY (MAJEWSKI/Agneshwar)

7.6 ADMINISTRATION (MESSINA/Agneshwar)

1. Request from Museum Director Ramona Kacyvenski to use donation funds from line CM308 to pay Vestal Town Crier \$115.50 for summer event advertisement.

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

2. Request from Recreation Planner Sue Jastran to hire labor for the basketball camp, girls lacrosse camp, soccer camp and lifeguards as listed in her memo dated July 14, 2015.

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

3. Request from Recreation Planner Sue Jastran to accept \$50 gift card to Sam's Club for food purchases for the Town Picnic donated by Vilma Byrne.

It was noted by the Supervisor and several Board members that the \$50 gift card donation came directly from Sam's Club, although the donation was solicited privately by Vilma Byrne.

4. Discuss Kopernik Observatory & Science Center Resolution and letter from Supervisor Schaffer supporting the building of a Science Park.

Councilwoman Messina stated that the Kopernik Observatory & Science Center is a real asset to our community and deserves our support.

Speaking as a member of the Board of Directors of the Kopernik Observatory, Emil Bielecki noted that the Junior League needs the Town's endorsement of the Science Park to assist them in their community outreach and grant applications. The Science Park is an ambitious project which will further enhance the educational opportunities for the youth in our community at no cost to the Town.

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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UNFINISHED BUSINESS

1. Kopernik Tower

Update on 7/20/15: Supervisor Schaffer noted that the County is in the process of filling several positions to take over duties handled by the former Director of Emergency Services. One person has already been hired. The status of this project is uncertain and he will update the Board as new information becomes available.

2. Communication from the International Union of Operating Engineers

Update on 7/20/15: Councilman Majewski stated that he has discussed the contents of this letter with the department heads of Water & Sewer, Highway and Parks and feels confident that the issues have been adequately addressed. He will ask Human Resource Officer Nancy Olmstead to draft a letter of response for Board review.

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

Update on 7/20/15: Councilman Majewski stated that he e-mailed to the Board and to the Comptroller additional information from Mirabito concerning the card system. Supervisor Schaffer stated that the proposed system and pricing will undergo additional review with the goal of completing the changeover within the next few months.

NEW BUSINESS

Supervisor Schaffer informed the Board that he has received a request from the State Department of Financial Services to house a Mobile Command Center in Vestal on Friday, July 31st. This stop would be part of the Southern Tier tour for the foreclosure assistance unit which is staffed with DFS experts who can assist residents in various stages of the foreclosure process.

After a brief discussion, the Board agreed to house the Mobile Command Center as requested in a convenient location in the Vestal Library parking lot.

EXECUTIVE SESSION

On a motion of Councilwoman Messina, seconded by Councilwoman Fitzgerald, the following was **ADOPTED** Ayes 5 Majewski, Agneshwar, Fitzgerald, Messina, Schaffer
Nays 0

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

- Review the qualifications of a specific job applicant for a position in the Business Office.
- Staffing issues in the Engineering Department.

The time was 7:42 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 8:20 PM.**

Respectfully submitted,
Emil Bielecki, Town Clerk