

**TOWN OF VIRGIL REGULAR MEETING**  
October 12<sup>th</sup>, 2017

**PRESENT:** Supervisor John Kaminski, Board Members Eric Snow, Jereme Stiles and Matt Denniston, Member Gary Pelton, Attorney for the Town Pat Snyder, Town Clerk/Collector Alane Van Donsel, Ken Scherrieble David Coish Camden Group, Doug & Jenae Withey W2Operators, Sandy Price County Legislator, Britt Morse Deputy Highway Superintendent, Teri Pelton and Stacy Bradley Virgil Youth Commission, Wes Kryger Greek Peak, Carol Rehkugler

**6:30PM –THE REGULAR MEETING WAS CALLED TO ORDER**

Supervisor Kaminski called the meeting to order, followed by the salute to the flag.

**RESOLUTION# 17-095 APPROVAL OF MINUTES**

**Draft of the Regular Board Meeting Minutes dated September 14th, 2017:** Member Stiles moved to approve the minutes for Sept. 14th, 2017. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays-None

**RESOLUTION# 17-096 AUTHORIZATION TO PAY BILLS**

**GENERAL FUND FOR SEPT. NUMBER 10:** Member Denniston moved to approve payment of the General Fund's audited vouchers numbered 215- 225, removing voucher 225 in the amount of 662.56, as the Youth Commission will pay this directly. Amended amount approved is \$15,305.42. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

**HIGHWAY FUND FOR SEPT NUMBER 10:** Member Denniston moved to approve payment of the Highway Fund audited vouchers numbered 1160-1179, adding in 1179 for fuel costs of \$1,873.87, approving the amended amount of \$12,896.74. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

**SEWER DISTRICT #1 FUND FOR SEPT NUMBER 10:** Member Denniston moved to approve payment of the Sewer District #1 audited voucher's numbered 2086-2295 removing voucher #2092 of 561.50 and amending the credit on voucher number 2094 to \$55.00, approving the amended amount of \$8,938.97. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

**WATER DISTRICT #1 Fund FOR SEPT NUMBER 10:** Member Denniston moved to approve payment of the Water District #1 audited vouchers 3041- 3044 in the amount of \$4015.14. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays-None

**MONTHLY REPORTS**

**SUPERVISOR'S MONTHLY REPORT FOR SEPTEMBER 2017:** Member Stiles moved to accept the Supervisor's Monthly Report in Long form for September 2017. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays. Deputy Supervisor Stiles said he would like to make an appointment with the bookkeeper to discuss some budget lines that the town has gone over.

**TOWN CLERK'S MONTHLY REPORT SEPTEMBER 2017:** Member Stiles moved to accept the Town Clerks Monthly Report for September 2017. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

**SEWER DISTRICT OPERATIONS REPORT:** Representatives Ken Scherrieble and Dave Coish were present from the Camden Group and they submitted written reports. Member Snow moved to accept the Sewer Districts Report. Member Denniston seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

**WATER DISTRICT OPERATIONS REPORT:** Doug Withey reported that next month he will be looking for the board to accept Janae's application allowing her to work alongside Doug. Member Stiles moved to accept the Water Districts Report. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays-None

**ANIMAL CONTROL OFFICER'S REPORT:** Member Stiles moved to accept the Animal Control Officer's Report. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays-None

**CODE ENFORCEMENT AND ZONING OFFICERS REPORT:** A written report was not submitted this month by Code and Zoning Officer Craig Umbehauer and he was not present at the meeting.

**COUNTY LEGISLATOR'S REPORT:** County Legislator Sandy Price submitted A written report. Deputy Supervisor Stiles asked Price what was happening with the old National Grid building. Price said that the county is looking to sell it. She said that a few different government departs have looked at using it, but it was it has proved to be either too small or too big. She said that they haven't voted on the fate of the building yet, but she's pretty sure it will be sold. She said that the Building and Grounds department will be getting things moving on it. Stiles asked what was happening with the jail project and what the outcome will be with the property that was donated. He said that it is now taken off the tax roll and he is concerned that if the county doesn't do anything with the property it will be given back to the donor who will have realized many years with no taxes. Price said in order to move forward and build anything the county needs get their financial house in order. She said that if the county doesn't use that property, Cortlandville may be interested in for a park. She said that she understood Stiles concerns and that many people have voiced the same concern. Stiles asked if the County Treasurer will be doing all the finances. Price said yes and that he should have a pay raise. She said that you can't give a

raise in salary midterm. Attorney Snyder said that public officers can't change it midterm, it can only be changed at budget time and a raise would apply next year. Price said that the treasurer will hold two positions. Right now, his title is Treasurer, but he is also acting as the CFO of Cortland County. Supervisor Kaminski stated that his current salary is \$32,000 and the CFO that left was making \$92,000. There was some discussion about the County administrators sitting down with Towns to discuss Sales tax. It was stated that at CCTVS meetings this has been brought up since February, however some people in charge don't want to bring it up. It was agreed that the everyone needs a to sit down after the election to come up with an agreement. Member Pelton said that he supports putting on additions to the existing jail. There was a question regarding how much money has been budgeted for maintenance on the existing jail. Price said that the Sheriff department has \$100,000, building and grounds has \$100, 000 and there is another \$75,000 budgeted years for jail maintenance. Price said that only \$12,000 has been expensed this year. She said that there has been money provided to upgrade the existing jail. There have been some concerns that the work needs to be done by union workers. It was stated that the Sheriff's department is not over budget. Price said that there has been a misunderstanding that the building and grounds department is in charge of the maintenance of the jail, however it is directly under the sheriff's department. There is work that needs to be done at the jail and there has been money provided, however it hasn't been spent. It was stated that no matter what the outcome is with a new complex, the current jail needs to be kept up. Stiles found it amusing that looking back all these months, that the jail maintenance is actually the sheriff's responsibility. Price said that is why the rules of order are so important. Price said that there will be a tentative budget out next Tuesday. Price said that most people will accept the minor increase, however one thing that was eliminated is early childhood intervention. She said that this service is mandated by the state. Price said that she will support putting those services back into the budget. She said this is the only problem she has with the budget. She said that the financial impact is \$100,000, by the investment in our children and our future is priceless. Member Denniston said that he is unclear as to what was published in in the newspaper regarding the \$370,000 increase. Price said that all departments have been good about holding the line, however they came back with a 36% increase. She said that the legislator was told twice to reduce it. Price said that she got involved with politics because she wanted to make our world better for the children. She said that the person running the program gutted it. She said that all the departments had to cut back a little. She said that they are eliminating vacate positions and cutting back hours at senior centers. She said that these cuts have brought the budget back to a manageable level. Price said that they will probably not have to override the 2.3% tax cap, however they will have a resolution in place just in case. She said that the State calculated the tax cap higher than 2%, however other towns counted on this last year and got dinged. Price said that utility prices and workers compensation went up. Price said that a minimum 1.5 % increase wasn't easy to budget. She also said that going in the budget season without a budget officer wasn't the easiest thing to do either, but. everyone came together and did their part. Member Denniston motioned to accept the County Legislators report. The motion was seconded Member Snow. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

**VIRGIL YOUTH COMMISSION REPORT:** Teri Pelton of the Youth Commission submitted a written report and Stacey Bradley submitted a financial report. Member Stiles motioned to accept the Virgil Youth Commissions report. The motion was seconded Member Snow. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

**HOPE LAKE OPERATIONS REPORT:** Wes Kryger questioned if the board would like a written monthly report, Supervisor Kaminski said that as long as he was at the meetings that was fine. Kryger asked where the board was with the 3- year extension of the Hope Lake Park agreement. Supervisor Kaminski asked the board where they were on the matter, Kaminski said that the board can grant a one to three- year extension. Kryger said that they are at the end of the three-year agreement and there is a provision in the agreement to extend it another three years if approved by the board. Member Pelton said that he would like to see the numbers from the park before everything was washed out. Kryger said that he will provide a yearend report he also said that the ruts are filled in. The valve at Hope Lake is closed, however it hasn't gained any water. Kryger is hoping it fills back up and settles, however It's been really dry. Member Stiles motioned to accept the Highway Supervisor report. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None.

**HIGHWAY DEPT. SUPERINTENDENTS REPORT:** Deputy Highway Superintendent Britt Morse was present and submitted a written report. Supervisor Kaminski said that they met regarding the bridge on Francis Rd. Kaminski said that they contacted the county engineer and they will be putting together a plan. Kaminski said that with John Morse retiring, the board needs to set a wage for a new higher. They would like to hire someone by December 4<sup>th</sup>. He would like the board to set the pay rate so that the position can be posted. Member Denniston motioned to accept the Highway Supervisor report. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None.

## **OLD BUSINESS**

**UPDATE ON STORM DAMAGE- DREDGING HOPE LAKE:** Supervisor Kaminski said that there is no confirmation on funding from the State and the valve has been ordered closed.

**PENN POWER AGREEMENT:** It was stated that the Town has never had a contract before and that they hire them on a as need be basis.

**DISCUSSION ON POLITICAL SIGNS:** There was some discussion on Political signage. Members of the board are going to look into the zoning law and look at the rules on signage. They feel some of the wording needs to be cleaned up.

**DISCUSSION ON ROAD FRONTAGE REQUIREMENTS:** Member Stiles said that he would like to get feedback from Planning and Zoning boards on this matter. Attorney Snyder said that there are no meetings this month.

**RESOLUTION #17-097 EXTENSION OF THE STATE OF EMERGENCY:** Supervisor Kaminski said that there still needs to be work done in the creeks. He proposes that the board extends the State of Emergency. He said that the Highway department has rented a bull dozer to get the work done. Member Stiles made a motion to extend the State of Emergency another 30 days. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None.

**RESOLUTION #17-098 APPROVAL TO EXTEND THE CONTRACT WITH GREEK PEAK TO MANAGE HOPE LAKE PARK:** Supervisor Kaminski asked the board if they would like to Extend the contract with Greek Peak to operate Hope Lake Hope Lake Park. Kaminski wanted to if the board would like to extend it or bid it. Wes Kryger from Greek Peak said that there is an option in the contact to extend it an additional three years. Attorney Snyder says it can be extended by three years or it can be extended by one year. Member Pelton wasn't sure where they were on negotiations. He was wondering if there were any addendums added to include cross country skiing for residents on the Hope Lake side of the trail. Attorney Snyder said that he made some suggestions that he sent out, but it has been three or four weeks, so he wasn't quite sure what he wrote. Pelton asked Kryger how he you feel about the public using the public area of the lake for cross country skiing. Kryger said that Greek Peak has to maintain the trails and they have to pay to maintain them, however he would agree to it. Pelton said that the problem is that the town paid the \$5000 fee for less than \$3000 in use. He said this year that the town paid \$5000 and got less than \$500. Kryger said that If it helps the town they will agree to modify it the contract. Pelton said that Town residents can get an ID and they will be able to use the lake loop for cross country skiing, but not snowshoeing. Kryger agreed to allowing residents to use the towns side of the track free if they have their own equipment, but they will have to pay for rentals. He wanted to make sure they know they can't walk on the ski trails with snowshoes because it messes up the trails. Snyder said that they might want to mention the parking change. Pelton said that they won't park for iron on the flat for the ironman race because of the rut situation. Kryger agreed. Kaminski said that the town has an agreement with the state that that area needs to be flat and can't be disrupted. Member Stiles made a Motion to approve the extension of the contract between the Town of Virgil and Greek Peak to extend the contract another three years with the amendment to include Cross country skiing for residents on the town side of the track. Member Dennison seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None

## **NEW BUSINESS**

**DISCUSSION ON LATE FEES FOR DOG LICENSES:** There was some discussion on charging a late fee on dog licenses. Attorney Snyder said that he will research to see what needs to be done.

**RESOLUTION #17-099 APPROVE BID ON AUCTIONS INTERNATIONAL:** Member Stiles made a motion to accept the bid of \$3250 on the 1994 International 2674 6x4 Dump truck. Member Dennison seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None

**RESOLUTION #17-100 APPROVAL OF RECOMMENDED BUDGET TRANSFERS:** Member Stiles made a motion to approve the recommendation to move \$10,000 from the community development fund to the highway fund for reimbursement for the work that the highway department did on the sewer and bridge replacement project at the sewer plant. Also, to forgive the money that id due to the community development fund from the sewer project in the amount of \$12,752.35. Pelton seconded the motion Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None

**RESOLUTION #17-101 STANDARD WORKDAY RESOLUTION-** Member Stiles said that no one has explained how you fill these things out. Member Pelton said that he filled it with how much he worked. Stiles said that he knows they have to approve it, they do it every year. Member Stiles made a motion to approve the standard workday resolution. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None

**RESOLUTION #17-102 SCHEDULE A PUBLIC HEARING ON OVERRIDING THE TAX CAP:** Member Stiles made a motion to hold a public hearing on November 9<sup>th</sup>, 2017 at 6:30 PM at the Virgil Town Hall to override the tax cap. The Virgil Town Board is working diligently on the budget and wishes to remain under the tax cap, but they will schedule the hearing in case they need to override the tax cap to balance the budget. Member Snow seconded the motion. Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None

**RESOLUTION #17-103 APPROVAL ON NEW HIRE FOR THE HIGHWAY DEPARTMENT:** As the Highway Superintend is retiring and the Deputy is running for the position, it is anticipated that there will be an opening at the Highway Department. The Board discussed that the new hire will need at least a Class B license, welding experience and heavy equipment experience. The job description will be the same as it is now. Pay scale was discussed. Member Stiles said that the board needs to look at the budget. Deputy Highway Superintendent Morse said that he recommends \$16.50 an hour. Morse wasn't sure if they would be able to find someone for less with those qualifications. Member Denniston made a motion to set the salary of the new hire at the Highway Department at \$16.50 an hour. The board is hoping to have the new hire in place by Dec 4<sup>th</sup>. Member Snow seconded the motion. The deputy highway Superintendent will do the hiring, as he has the duties of the Highway Superintendent when he is not there. Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None. 5 ayes. The position opening will be posted on the website.

**HARD HAT EXPOSITION-** Deputy Highway Superintendent Morse will be attending the Hardhat Expo and he will be in search of a tractor for Transfer Station. Supervisor Kaminski asked Morse to find something under \$20,000. Kaminski said that they will go bid on it.

**SPECTRUM FRANCHISE-** Supervisor Kaminski said that the towns Attorney says that the town has an PS keeps telling open franchise agreement with Spectrum, however Hafele TV says when they've called the public service commission and they say that Spectrum has areas locked down. Kaminski said that he will work on it. He would the to see the lines in Virgil upgraded. Attorney Snyder said that the existing franchise has run out and that he sent suggestions to Spectrum that wave their ability to charge customers a franchise fee, however they do not agree to that. Snyder said that the town is at an impasse. Snyder said that the next step is to invite them to come and explain their stance. Member Stiles said that he wouldn't mind having them speak to the board. He feels that would be the best way to get things worked out. It was stated that the Public Service Commission thinks that are locked down, by not providing the service. Snyder said that he will call them and required to be here before approving the franchise agreement.

With no further business to discuss, Member Stiles moved to adjourn the meeting at 7:25 PM. Member Snow seconded the Motion.

Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None.

Respectfully Submitted by,

Alane Van Donsel, Virgil Town Clerk