

TOWN OF VIRGIL REGULAR MEETING
January 12th 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, Gina Nourse Towns Bookkeeper, Ken Scherrieble Camden Group, David Coish Camden Group, Doug & Jenae Withey W2Operators, Sandy Price County Legislator, Highway Superintendent John Morse, Rick Horner Deputy Highway Superintendent, Demont Lang Highway Department, Britt Morse Highway Department, Teri Pelton and Stacy Kelsey Virgil Youth Commission, Wes Kryger Greek Peak, Carol Rehkugler

700 PM – THE REGULAR MEETING WAS CALLED TO ORDER

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

RESOLUTION# 17-031 APPROVAL OF MINUTES

Draft of Regular Board Meeting Minutes dated December 08th, 2016: Member Stiles moved to approve the minutes for December 08th 2016. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays-None

RESOLUTION# 16-032 AUTHORIZATION TO PAY BILLS

GENERAL FUND NUMBER #013 DECEMBER: Member Denniston moved to approve payment of the General Fund's audited vouchers numbered 325-344 in the amount of \$13,786.43. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

GENERAL FUND NUMBER #001 JANUARY: Member Denniston moved to approve payment of the General Fund's audited vouchers numbered 1-11 in the amount of \$38,763.13. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

HIGHWAY FUND #013 DECEMBER: Member Denniston moved to approve payment of the Highway Fund audited vouchers numbered 1244-1271 in the amount of \$28,182.57, Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

HIGHWAY FUND #001 JANUARY: Member Denniston moved to approve payment of the Highway Fund audited vouchers numbered 1000-1001 in the amount of \$3,725.39, Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

CAPITAL PROJECTS-HALL ADDITION FUND #013 DECEMBER: Member Denniston moved to approve the audited vouchers numbered 5013-5014 in the amount of \$13,231.76. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

SEWER DISTRICT #1 FUND #013 DECEMBER: Member Denniston moved to approve payment of the Sewer District #1 audited voucher's numbered 2160-2188 in the amount of \$5,608.35. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

SEWER DISTRICT #1 FUND #001 JANUARY: Member Denniston moved to approve payment of the Sewer District #1 audited voucher's numbered 2000-2002 in the amount of \$4,098.22. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

WATER DISTRICT #1 FUND #013 DECEMBER: Member Denniston moved to approve payment of the Water District #1 audited vouchers 3056-3060 in the amount of \$1,430.94 Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays-None

WATER DISTRICT #1 FUND #001 JANUARY: Member Denniston moved to approve payment of the Water District #1 audited vouchers 3000-3002 in the amount of \$3,263.63, Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays-None

MONTHLY REPORTS

SUPERVISOR'S MONTHLY REPORT FOR JANUARY 2016: Member Stiles moved to accept the Supervisor's Monthly Report in Long form for December 2016. Member Pelton seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays –None

TOWN CLERK'S MONTHLY REPORT: Member Snow moved to accept the Town Clerks Monthly Report for December 2016. Member seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

TAX COLLECTORS REPORT: Member Snow moved to accept the Tax Collectors Monthly Report for the period of January 01st 2017- January 11th 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. Scherrieble said that the transition went smoothly and the plant is running well. Member Stiles asked if there were two dumpsters at the plant still. Scherrieble said there is only one. Member Stiles moved to accept the Sewer Districts Report. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

WATER DISTRICT OPERATIONS REPORT: Doug Withey reported that the town is considering buying a new meter reading gun, as the one that is being used now is having issues. Withey said that for now they are going to borrowing one from the City of Cortland, so

that the first quarter bills can be sent out. Member Stiles was wondering the cost. Withey was unsure at the time. Kaminski said that they need to be mindful of the procurement policy. There was some discussion regarding a leaky fire hydrant and the costs involved with either fixing it or replacing it. Withey said that the meter at 21A froze and broke. They are planning to replace the meter at the owner's expense. Kaminski asked if the town owns a spare hydrant, Withey said no and that they really aren't available. Member Snow asked Withey if the leak at Greek Peak was fixed. Withey said it was and that it was unmetered and had been leaking for a long time. Member Denniston 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 submitted by Code and Zoning Officer Craig Umbehauer. Supervisor Kaminski said that Craig is going to be away for a week. Umbehauer has made provisions with the Town of Cortlandville's Code and Zoning Officer, Kevin McMann to fill in, in case there is an emergency. Umbehauer said he informed folks that he is leaving. Member Snow motioned to accept the Code and Zoning Officers report. The motion was seconded Member Denniston. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

COUNTY LEGISLATOR'S REPORT: County Legislator Sandy Price submitted A written report. Price reported that there was some discussion regarding Worker Compensation. Price was glad that Member Denniston could attend the meeting. Supervisor Kaminski asked Denniston to report. Denniston said that here will be two considerations that are different about Worker Compensation next year. He said that the new numbers were included in the report. The administration costs will be split with a soft landing with the towns paying 25% at first. The following year it will increase to 50%, then 75% the year after. He said there will be a \$28,000 increase in Workers compensation next year, because the town had a claim. Supervisor Kaminski said that the towns going to pay their share. Member Stiles said that this must be a joint venture. Price said that she is working on communications and that all parties need to be at the table. Member Stiles was wondering if the town could get information regarding the case claims that the town has. The city administrator Mack Cook said that that outside attorneys said that municipalities should be able to get that information, otherwise it's hard to be proactive with claim management. They are encouraging full disclose of information. Kaminski said that the town is paying the money to the county and should have access to the information. Cook said the city has the same option. Stiles said that with Worker's Compensation there is a right to appeal. Attorney Snyder said that he towns should have access to the information. Price said that at all four meetings, this has come up every time. Stiles was wondering if it would help if the town sent a letter to the county administrator? Cook said that he would hope that the county would abide by outside council saying they are exempt from HIPPA. Member Denniston was wondering if the County has access to the information. Cook said that the Workers Compensation Board said they do not have a client relationship with anyone else but the County. Stiles said he disagreed with that, Stiles said that he'd like to do some research. Kaminski said that he is not happy and didn't feel like the Town was not getting treated fairly. Cook said that the only way to keep costs down is by claim prevention and by putting safety measures in place. Stiles asked if the County Attorney plays more than one role. Price said that she does play different roles. Kaminski said that the perception is that he County Attorney is running the County. Price said that the Attorney works for the Legislator not the other way around. Stiles said that judging by what is put in the newspaper, it sounds like the attorney is speaking out of turn and he hopes the county legislators see that. Price did agree that the attorney is taking on a larger role because there is no county administrator. She said that the next CCTV meeting will an overview of proper parliamentary procedures. She is hoping this training will help run meetings in an orderly fashion. Supervisor Kaminski said that Price came to him regarding the speed limit on Church Street. He said that the Town did send a request to the County Highway department and he did forward it on to the department of Transportation. The town is now waiting on the DOT.

Member Stiles motioned to accept the County Legislators report. The motion was seconded Member Denniston. 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. T. Pelton said that everything was going well. She said they have had a few successful events. They are now working on streamlining paperwork at the Before and After School Program. T. Pelton said there is one family that is behind in payments and that a letter will be going out shortly. Member G. Pelton 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 said that the Nordic Center is open, because they have enough natural snow. Member Pelton mentioned that the last Hope Lake Park Committee meeting there was mention of free admission for Virgil residents to the Nordic Center. Kryger said that he will check into that. He said the issue is that the Town doesn't own the skis nor does it maintain the trails. Pelton mentioned that the admission from the summer does cover the usage of residents. Pelton mentioned that the three-year agreement is ending this year. Kryger said he would have to get back to him, he thought they might be able to work something out. Kryger said that there will be a winter Spartan Race on March 4th. He said there may be 2300-4300 people in Virgil for the race. He said that there can be 6000-8000 people in town at the ski area on any given day. He is looking to allow folks to park on the Page Green Road fields, if there is an overflow. He said this is a one day event, but if there are a lot of folks signed up, it could turn into a two-day event. He said that the racers will run up by the mountain coaster and onto South Hill Road. They are interested in going through a gate on top of the mountain on to the Olympian trail, if its ok with the Town. He said that Greek Peak's insurance would cover any liability. Kaminski said that would be ok. Kryger was wondering if Greek Peak could borrow some of the

picnic tables from Hope Lake, they would be under tents. Member Pelton motioned to accept the Hope Lake Operations report. The motion was seconded Member Snow. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

HIGHWAY SUPERINTENDENTS REPORT: Highway Superintendent John Morse was present and submitted a written report. Morse said that it has been a tough year for sand and salt because of the fluctuation in the weather. There has been a lot of ice and they had to put chains on the trucks. Morse said the new backhoe will be arriving in February. Member Denniston motioned to accept the Highway Supervisor report. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays- None.

OLD BUSINESS

UPDATE ON THE GRANT FOR THE CREEK RECLAMATION: Supervisor Kaminski said that all the paperwork has been sent to the State and now the Town is waiting for reimbursement for the grant.

UPDATE ON GREEK PEAK LAWSUIT: Supervisor Kaminski said that here is nothing new to report now.

NEW BUSINESS

RESOLUTION #17-033 AUDIT TOWN CLERKS BOOKS: Member Denniston motioned to approve that the Town Clerks books were audited and signed by the Town Board. The motion was seconded Member Stiles. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

RESOLUTION #17-034 Audit Town Supervisors Books Member Denniston motioned to approve that the Supervisor's books were audited and signed by the Town Board. The motion was seconded Member Snow. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

RESOLUTION #17-035 Audit Court Books Member Denniston motioned to approve that the Court Justice's books were audited by Council Member Matthew Denniston and Supervisor John Kaminski on Saturday January 7th 2017. Supervisor Kaminski stated that everything was in order and all the money was accounted for. The Town Board signed the Town Justices books. The motion was seconded Member Snow. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

GRANT LETTER TO SENATOR SEWARD- HOPE LAKE PARK: Supervisor Kaminski said he will be working on a letter to send to Senator Seward to see if there is any grant money available for work that needs to be done at Hope Lake Park. A bridge needs to be replaced and the sand bar needs to be dredged. Kaminski said that he and Member Pelton are working on this.

SURVEILLANCE SYSTEM FOR TOWN HALL: Supervisor Kaminski said he will be looking into putting in a surveillance system at the Town Hall. He also said that the Judge is concerned with the low lighting that in is the board room. He would like for the board to consider upgrading the lighting.

DRAFT LOCAL LAW #1- RENEWABLE ENERGY FACILITIES LAW: Supervisor Kaminski said that He and Pat Snyder are working on this Law. He said that they are looking at the laws from Homer and Dryden and that Snyder has some suggestions. This law would take into consideration large solar arrays of five or six acres or more. Snyder said that the current zoning law would not cover this. Stiles said that some residents have already been approached about solar farming. Kaminski said that he would like to work with residents to ensure safety rules are in place. Such as fencing rules and cleaning up any messes.

RESOLUTION #17-036 ACCEPT BID FROM AUCTIONS INTERNATIONAL- RECYCLING TRAILER Member Stiles motioned to accept the bid from Auctions International for the used recycling trailer in the amount of \$3,450.00. The motion was seconded Member Snow. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

ASSOCIATION OF TOWNS ANNUAL MEETING AND DESIGNATED DELEGATE: Supervisor Kaminski said the Town normally doesn't take part in this.

APPROVE USING PACE FOR WATER TESTING- SEWER DISTRICT #1: This was voted on during the reorganization meeting.

ALL ELECTED & APPOINTED OFFICIALS SHALL FILL OUT CALENDARS FOR RETIREMENT: Supervisor Kaminski said that he Towns Bookkeeper will be developing a calendar that all elected and appointment officials will fill out for three months. The calendar will then be submitted to the state for retirement purposes.

RESOLUTION #17-037 MAVAC CONTRACT Member Stiles motioned to accept the 2017 MAVAC contract in the amount of \$4,900. The motion was seconded Member Denniston. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

RESOLUTION #17-038 APPROVE ANIMAL CONTROL OFFICERS CONTRACT FOR 2017 Member Stiles motioned to accept the Dog Control and Shelter Agreement for County Acres for 2017. The motion was seconded Member Denniston. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

Further Discussion took place: Supervisor Kaminski said that the Town will need to purchase a new meter reader for the water and sewer department, as the one that the town owns now isn't functioning correctly.

Kaminski also said that he met with the Homer Town Supervisor, Fred Forbs on Friday, to meet with the Assessor Brian Fitts. They plan on meeting with him quarterly to keep on top of things.

Kaminski wanted to mention that the Board received a report from the County Treasurer's Office and to make the board aware that the town has not received the payment for the 4th quarter sales tax as of date.

With no further business to discuss, Member Stiles moved to adjourn the meeting at 8:05 P.M. Member Denniston seconded the Motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None.

Respectfully Submitted by,

Alane Van Donsel, Virgil Town Clerk