

**TOWN OF VIRGIL REGULAR MEETING**  
November 09<sup>th</sup>, 2017

**PRESENT:** Supervisor John Kaminski, Board Members Eric Snow, Jereme Stiles and Matt Denniston, Member Gary Pelton was excused, Attorney for the Town Pat Snyder, Town Clerk/Collector Alane Van Donsel, David Coish Camden Group, Sandy Price County Legislator, Britt Morse Deputy Highway Superintendent, Carol Rehkugler

**6:30PM –PUBLIC HEARING TO OVERRIDE THE TAX CAP:** The Public Hearing was not held, since the tax cap will not need to be overridden.

**THE REGULAR MEETING WAS CALLED TO ORDER**

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

**RESOLUTION# 17-104 APPROVAL OF MINUTES**

**Draft of the Regular Board Meeting Minutes dated October 12th, 2017:** Member Stiles moved to approve the minutes for Oct. 12th, 2017. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays-None

**RESOLUTION# 17-105 AUTHORIZATION TO PAY BILLS**

**GENERAL FUND FOR OCT. NUMBER 11:** Member Denniston moved to approve payment of the General Fund's audited vouchers numbered 240-258 in the amount of \$13,810.20. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays- None.

**HIGHWAY FUND FOR OCT NUMBER 11:** Member Denniston moved to approve payment of the Highway Fund audited vouchers numbered 1180-1198 in the amount of \$22,054.32. Member Snow seconded the motion. Vote: Ayes-Members, Snow, Denniston, Stiles and Kaminski. Nays- None Kaminski asked what happed to the backhoe glass. Brit Morse said that a rock went through it.

**SEWER DISTRICT #1 FUND FOR OCT NUMBER 11:** Member Denniston moved to approve payment of the Sewer District #1 audited voucher's numbered 2096-2101in the amount of \$4,459.29. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays- None

**WATER DISTRICT #1 Fund FOR OCT NUMBER 11:** Member Denniston moved to approve payment of the Water District #1 audited vouchers 3044- 3045 in the amount of \$3,167.02. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays-None

**MONTHLY REPORTS**

**SUPERVISOR'S MONTHLY REPORT FOR OCTOBER 2017:** Member Stiles moved to accept the Supervisor's Monthly Report in Long form for October 2017. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays – None

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

**SEWER DISTRICT OPERATIONS REPORT:** Representative Dave Coish were present from the Camden Group. A written report was submitted. Member Stiles asked if something could be done with the trees that were planted on top of the tank. Camden said that they will move them. Member Stiles moved to accept the Sewer Districts Report. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays- None

**WATER DISTRICT OPERATIONS REPORT:** Representatives from W2Operators were not present. Member Stiles said that the town received a bill for turning off and on the water. Stiles said that he has a couple of questions for W2Operators. There was some discussion about a leak near the pump house. Stiles said that the town needs to figure out whose line it is. Supervisor Kaminski asked if the water is metered, If not then it is not a concern of the towns. Member Stiles moved to accept the Water Districts Report. Member Snow seconded the motion. Vote: Ayes-Members 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 Snow, Denniston, Stiles and Kaminski. Nays-None

**CODE ENFORCEMENT AND ZONING OFFICERS REPORT:** A report was not submitted because Code and Zoning Officer Craig Umbehauer resigned. Kaminski said that that there is a temporary Code and Zoning officer and Member Stiles is working with him.

**COUNTY LEGISLATOR'S REPORT:** County Legislator Sandy Price submitted A written report. Price asked if there were any questions or concerns. Member Stiles asked how soon can towns meet with the county to talk about sales tax. Price said that there has been a sales tax committee as well as a compensation committee appointed. She said it will be up to that group. She said that there were three people chosen from rural areas and 2 from the city. The town board voiced some concerns about one member of the committee, they didn't feel that he has the peoples best interest at heart. Price said that she is the chairman of one of the committees and she feels that there has been some movement with workers compensation. She said there will be reappointments made in the coming year. Price said they are in the process of negotiations and whatever the committee brings back has to meet approval by the majority of the legislature. Discussion continued with the jail project. Member Stiles said that the project went from 28 million to 54 million a million more wants to be spent to do another study. Price said that the tax payers can't afford it and most people do not want it in Cortlandville. Stiles wanted to know why so much is spent on studies. Price said that the committee can spend up to a million without the legislature and it was said that the legislature already approved it. Price feels that they are getting hood winked left and right. The county has spent over 2 million on studies already. Kaminski said that he is concerned because there are so many requirements being out on the jail. He feels that prisoner shouldn't have all the services that are being offered. Stiles said that if you do the math this will be paid for, for a very long time. Price said that a lot of people are using the excuse of the correction department to do something. However, there are many other things that can be done. Price said they are talking about all the options, but they aren't. Kaminski said that he feels that the Sheriff wants to build a hotel to make money. On another topic, Price said that she feels that Virgil school is under fire and residents need to be on guard. She said that we do have representatives on the school board, but there are tough decisions coming. Price feels it would be wise to have a public meeting to be proactive. Kaminski said that the last time the district pulled this the town had over 350 people show up to the meeting. It was stated that the options were in the paper and one of them was to close Virgil School. Kaminski said that the most cost-effective option is to close Parker School. Price said that it is hard to put a dollar value on a community school. Kaminski made it clear that Virgil Elementary is the heart of our community. Price said that Virgil school is a drawing card for real estate agents. Price said that when the elementary school merged they took a bunch of kids from the Virgil district. It was questioned how many Virgil residents are going to Barry. Kaminski said that he wished he knew that number. It was stated that Virgil will have to have a show of force. Price said that she called the Virgil Principal because Parker school parents received a letter home form their principal and she was wondering if Virgil parents should get the same, but she was told no. Another topic that Price wanted to discuss was the walking trail. She said that 12 years ago that Town Supervisor Murphy, Principal New and herself worked in collaboration to create the walking trail. Funding came through grants and different sources. Price said that she wants to have an anniversary. Price said that the Virgil principal feels the path needs to be sealed. The recommendation is that it is done every three years and they are far behind on that schedule. Price said that there is money in an account to do the work. The event will take place in May of next year. Kaminski said that the town needs to get the blacktop between the parking lot and the trail. They were discussing that perhaps concrete would work. Deputy Superintendent Morse said the he will get something done. Price said that they want to get bids or request for proposals to resurface the path. She said that it is a half mile trail that is 8 feet wide and they would like to have it completed by May 1<sup>st</sup>. Member Stiles motioned to accept the County Legislators report. The motion was seconded Member Snow. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays- None

**VIRGIL YOUTH COMMISSION REPORT:** There was no report submitted this month.

**HOPE LAKE OPERATIONS REPORT:** Wes Kryger was not in attendance. It was stated that the Town board approved the agreement last month, however a contract needs to be drawn up. There was some discussion about the bridge at Hope Lake Park. It was stated that something needs to be done before winter. Kaminski said that he needs to go down there and check it out. B. Morse didn't think that it would be too difficult to shore it up. Stiles disagreed, he feels there is a lot that needs to be done. Stiles feels that the whole bridge needs to be replaced. Further investigation needs to take place.

**HIGHWAY DEPT. SUPERINTENDENTS REPORT:** Deputy Highway Superintendent Britt Morse was present and submitted a written report. Morse reported that the ten-wheeler is at Henderson's being built. He expects delivery in Mid-December. He said that the town should get a bill the end of December. Supervisor Kaminski said that the town needs to borrow the money. Morse was asked if they Highway Department has anyone in mind for the position open. Morse said that they conducted three interviews. There hasn't been a decision made yet. Member Stiles motioned to accept the Highway Supervisor report. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None.

## **OLD BUSINESS**

**RESOLUTION #17-106 APPROVE THE UPGRADE TO THE AGENDA PROGRAM:** Member Denniston said he would like to expand the free program that is being used now. Member Denniston made a motion to approve the cost of \$990.00 annually to upgrade the free Agenda program through I Compass. Member Now seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None

**HIGHSPEED INTERNET DISCUSSION:** Attorney Pat Snyder spoke with Lee Hafele from Hafele TV at length. Snyder said that it was exactly as he expected, the town has a nonexclusive franchise agreement. Snyder said that the issue has to do with the poles and National Grid. Supervisor Kaminski said that the board invited Spectrum/Charter Communications to address the board, however they declined. Kaminski would like to see the board revoke the franchise. Kaminski asked Snyder to send another letter inviting them to come to the next Town Board meeting. Kaminski said that if they do not attend then they will contact the Public Service Commission. Member Stiles made a motion to send Spectrum/Charter Communications a letter. Member Snow seconded the Motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None.

## **NEW BUSINESS**

**RESOLUTION #17-107 APPOINT INTERIM CODE AND ZONING OFFICER:** Supervisor Kaminski said that he would like to see the board appoint a deputy code and zoning officer. Member Stiles asked who the deputy would be. Kaminski said it would be him. The board turned to Attorney for council. Snyder said that it might be all right to appoint a board member for a while, but he is not certain. Member Stiles made a motion to appoint Kevin McMahon at the rate of \$35.00 an hour. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None

**RESOLUTION #17-108 APPROVE TRACTOR BID:** There was only one bid submitted from Ryder Vehicle Sales. Member Stiles made a motion to approve the bid from Ryder Vehicle Sales in the amount of \$29,059. The bid met all the bid specifications. \$24,059. The money for the tractor will be taken out of the Transfer Station reserve fund. The motion was seconded by member Snow. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None

**RESOLUTION #17-109 APPROVAL TO SURPLUS THE OLD TRACTOR ON AUCTIONS INTERNATIONAL:** Member Stiles made a motion to surplus the old tractor from the transfer station on Auctions International after the new one is in service. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None

Discussion: B. Morse felt that they would be able to have the bids in on the Transfer Station tractor by the next town board meeting. Before next month's meeting.

**RESOLUTION #17-110 APPROVAL OF THE 2018 TOWN BUDGET:** Member Stiles made a motion to approve the 2018 Town budget as presented. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None

**RESOLUTION #17-111 APPROVAL OF THE 2018 WATER AND SEWER R-LEVY:** Member Stiles made a motion to approve the delinquent water and sewer bills to be re-levied onto the 2018 tax bills. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None

**RESOLUTION #17-112 APPROVAL OF BUDGET AMENDMENTS:** Member Stiles made a motion to approve the budget amendments as presented. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None

**EXECUTIVE SESSION:** Member Stiles made a motion to go into executive session at 7:20 PM to discuss a legal matter with Greek Peak lawsuit. Member Snow seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None

**END EXECUTIVE SESSION:** Member Stiles made a motion to go out of executive session at 7:45 PM. Member Denniston seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None

With no further business to discuss, Member Stiles moved to adjourn the meeting at 7:45PM. Member Denniston seconded the Motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays: None.

Respectfully Submitted by,

Alane Van Donsel, Virgil Town Clerk