

TOWN OF VIRGIL REGULAR MEETING
March 9th 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, David Coish Camden Group, Doug & Jenae Withey W2Operators, Sandy Price County Legislator, Highway Superintendent John Morse, Britt Morse Deputy Highway Superintendent, Demont Lang Highway Department, Rick Horner Highway Department, Walt Nichols Highway Department, Dan Courtney, Teri Pelton Virgil Youth Commission, Wes Kryger Greek Peak, Davis Huckle D Sun, Donna Lynch, Carla Plunkett, Loren Cottrell Tompkins County, Maureen Reynolds Tompkins County

6:15 PM – Public Comment: Maureen Reynolds the Tompkins County Clerk and Loren Cottrell from the Tompkins County IT department addressed the board regarding the records management grant. Supervisor Kaminski voiced his concerns regarding the fact that the records will be leaving the building. Maureen Reynolds stated that there is a confidentiality agreement with Challenge Industries who does all the scanning. Reynolds said that the Town Clerk should inventory the records before they leave the building. She said that most the information leaving the building are public records. She said that they have sent lots of records over to their facility and they have never had a problem. She said it must be 20,000-30,000 boxes. Kaminski asked if she has looked at the Town's files. Reynolds said yes. Reynolds said they will need to be boxed up and a rough inventory taken. She said the images will come to her office and then she will work with the clerk on how to view them. She said the whole process takes a couple weeks to a month. She said they may take everything or half a at a time. She said the boxes need to be labeled. The records will be converted to Laser Fishe and only authorized personal would have access. Loren Cottrell who works in the Tompkins County IT department said that the information will be sent to a data center, there will be storage in Cortland County and fiber from a secondary source and third source will be used at no cost to the town. Kaminski said that he feels better about the transition, he is still somewhat concerned with sending the boxes or records. Kaminski said that it's a big deal with comptroller. Reynolds said that once the agreement in approved she will take care of everything and it should be a seamless and effortless process. She said it's a New York State municipal fund grant. She is happy to work with two good towns. The grant is for \$550,000. Kaminski asked if every year they town will send files to her. Reynolds said that moving forward the town would keep digital to digital. This can be handled with a copier and a scanner. This is the way to go and it makes finding documents so much easier. There will be a \$200. Dollar a year fee per license year. She said that they will be able to add on large document maps in the future. Town Clerk Van Donsel mentioned that they will be using General Codes, which is a company that the Code and Zoning Officer was interested in. The cost of that company was over \$1000. A month so that will be a very large savings. Cottrell said that the documents will be searchable and will be able to be printed. Video and sound recordings will be able to be saved. Documents will be scanned and will not be able to be altered.

Mr. David Alexander, addressed the board he wanted to introduce himself. Alexander said there is a Judicial opening and he has served nineteen years on the bench as town justice in Cortandville. He said that the bulk of this work has revolved around family court and estate. He said that he attended the meeting of sales tax allocation. He is looking at connecting with stakeholders in the area. He is attending meetings throughout the county.

6:30 PM THE REGULAR MEETING WAS CALLED TO ORDER

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

RESOLUTION #17-047 APPROVAL OF MINUTES

Draft of the Regular Board Meeting Minutes dated February 09th, 2017: Member Stiles moved to approve the minutes for February 09th 2017. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays-None

RESOLUTION #17-048 AUTHORIZATION TO PAY BILLS

GENERAL FUND FOR FEBRUARY NUMBER 03: Member Denniston moved to approve payment of the General Fund's audited vouchers numbered 30-55 in the amount of \$43,569.88. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

HIGHWAY FUND FOR FEBRUARY NUMBER 03: Member MD moved to approve payment of the Highway Fund audited vouchers numbered 1027-1045 in the amount of \$661603.21, Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

SEWER DISTRICT #1 FUND FOR FEBRUARY NUMBER 03: Member Denniston moved to approve payment of the Sewer District #1 audited voucher's numbered 2010-2021 in the amount of \$15,463.25. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

WATER DISTRICT #1 Fund FOR FEBRUARY NUMBER 03: Member Denniston moved to approve payment of the Water District #1 audited vouchers 3007-3011 in the amount of \$4,825.01 , Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays-None

MONTHLY REPORTS

SUPERVISOR'S MONTHLY REPORT FOR FEBRUARY 2016: Member Stiles moved to accept the Supervisor's Monthly Report in Short form for February 2017. Member Denniston seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays –None

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

TAX COLLECTORS REPORT: Member Denniston moved to accept the Tax Collectors Monthly Report for the period of January 01st 2017-March 07th 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. Supervisor Kaminski received a call from Leaches, they said that they can't pick up the trash because there is sewage in it. Coish said that they contacted Syracuse haulers that afternoon and they confirmed that they will now be picking up the trash. Kaminski asked if they are aware of what they are hauling because the other company had a problem with is. Coish said yes. Casella used to be the hauler, but they didn't want to do this area anymore, so Leaches took over. Coish called and found a different hauler. There was some discussion on the fact that the DEC will be changing their reporting on SPEDS permits. Coish said that he has already taken care of that. Kaminski asked what the Inventory was for. Coish said that is was done so the town knows what they have. Member Stiles 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 there was a problem on Saturday during the Spartan race. He reported that it appears that there was a large draw of water. Withey said that it upset the hotel and caused a hammer surge. This over stressed the pipes and could put out a water main. Withey said that they were authorized to let them have free water from the pump house, but they went ahead and used a fire hydrant. He said that this caused the fire alarm to go off at the hotel because the pressure valve cause a severe change in temperature. He said that the alarm triggers of there is a loss of pressure or power. Withey said that the fire hydrant was changed and there was a customer who had a leaky gasket on a water meter that has been taken care of. 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 Pelton 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. Umbehauer brought up concerns that it was called to his attention that the emergency driveway routes were blocked during the Spartan race. He said that these lanes need to clear at the Lodge in the case of an emergency. Member Stiles was also concerned. Wes Kryger from Greek Peak said that the whole set up will changed next year. Kaminski asked how the off-sight parking worked out. Kryger said because of the volume it was good. He said there was only about an hour that the traffic got backed up. Member Stiles motioned to accept the Code and Zoning Officers report. The motion was seconded Member Snow. 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 on Tuesday night at the CCTV meeting there will be some discussion on what folks think about the jail. Kaminski said that the City contacted outlying towns to explore different options for worker's compensation. Price said that she is aware of that and she feels that they are doing their due diligence to get the best value. There was some discussion on the County looking to negotiated a cut in sales tax. Price said that they are meeting with Kevin Whitney about sales tax. She said there is no negotiations going on now. She said that they are working within his group. Stiles said that he doesn't think it's a bad idea. Price wanted to introduce Mr. David Alexander. Supervisor Kaminski said that he would allow Mr. Alexander to speak at the beginning of new business. Member Stiles motioned to accept the Virgil Youth Commissions report. The motion was seconded Member Denniston. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

YOUTH COMMISSION: Teri Pelton said that things are going well. She said that they purchased the lap top. They are planning a dance. 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 thanked the board for the use of picnic tables during the Spartan race. Kaminski said that a letter was sent to Senator Seward and Assembly Women Barbara Lifton regarding grant funding to repair Hope Lake. He said he had not heard back from them yet, but he will keep the board informed, as to what options are out there.

HIGHWAY SUPERINTENDENTS REPORT: Highway Superintendent John Morse was present and submitted a written report. Morse asked if the board had any questions. Morse said that the board approved an appointment last month, but it didn't work out. Morse wanted the board to consider setting the pay for Dan Courtney at \$18.00 an hour, as he has more experience than the former appointee. 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.

RESOLUTION #17-049 APPROVE THE PAY RATE OF NEW HIGHWAY EMPLOYEE DAN COURTNEY AT \$18.00 AN HOUR: Member Stiles made a motion to approve the pay rate of Dan Courtney at \$18.00 an hour as presented. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

OLD BUSINESS

UPDATE ON THE GRANT FOR THE CREEK RECLAMATION: Supervisor Kaminski said that there is some money left over from the grant, approximately \$12,000. He said that the trees still need to be ordered. Member Stiles said that the price quote is per tree and is based on the type of tree chosen. He said that they can purchase up to 15 trees. The types of trees available are Cornus Mas (Cherry Dogwood or Ligustrum (privet). Stiles said that the trees will be 5-6 tall when you buy them and they will grow to be 20 feet tall. Member Pelton asked if the trees will block the plant or will they be tall and thin and just block what's above. Stiles said they will be bushy.

RESOLUTION #17-049 PURCHASE TREES FOR THE SEWER TREATMENT PLANT: Member Denniston motioned to approve the purchase of 15 Ligustrum 9privet) Shrubs at \$130.00 per shrub from CounTree Lawn & Landscape for a total cost of \$1950.00. Member Stiles seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

DRAFT LOCAL LAW #1- RENEWABLE ENERGY FACILITIES LAW: Supervisor Kaminski reported that he the Solar Committee met a couple of times. He said there was some discussion on the dismantling and abandonment clause, he said that the committee was not happen with what was written. He said the committee liked what was written in the windmill abandonment clause. Kaminski asked what the board would like to do, do they want to remove the abandonment clause. Kaminski said that the developer that is working with the Lynches needs a letter from the board to move forward. Kaminski said that the comprehensive plan will be changed. He is hoping to be able to have a letter to the solar reprehensive that night to allow them to move ahead with the project. Kaminski said there was some questioning on wording. Member Denniston asked if they want the letter to include that the project is dependent on what is passed in the local law/ Attorney Snyder amended the letter to include that wording.

RESOLUTION #17-050 APPROVAL OF THE LETTER TO THE SOLAR COMPANY REGARDING THE LYNCH PROJECT: Member Stiles motioned to approve the letter with Member Denniston’s recommendations added. Member Snow seconded the motion. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

DISCUSSION ON SOLAR LOCAL LAW #1 OF 2017: Supervisor Kaminski said that the committee has worked on cleaning up some wording. He said that the committee liked the abandonment clause that was written for wind. Kaminski said that there will have to be a public hearing on the Proposed Solar Law. He said that there must be a clause added to the Comprehensive Plan stating that the town os open to alternative energy. Attorney Snyder said that the proposed language will need to be presented before the local law goes to a public hearing. Kaminski said that they are going to allow roof top mounts. He also said that the state has a limited size of the solar arrays to be 24 acres and 2 megawatts. Kaminski said that once the board approves a solar, it will be turned over to the planning board. Snyder said that there is a process, that the wording in the comprehensive plan needs to be changed first, because the Solar Law would work from the comprehensive plan. Attorney Snyder wrote a clause that will be added to the comprehensive plan and read it to the board.

RESOLUSTION #17-051 APPROVAL OF AMENED THE COMPREHENSIVE PLAN: Member Denniston motioned to approve amending the comprehensive plan based on what Attorney Snyder wrote and to have it submitted to the County Planning Board. Member Stiles seconded the motion Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None

RESOLUTION #17-052 SET DATE FOR THE PUBLIC HEARING ON THE AMENDMENT TO THE COMPREHENSIVE PLAN AND ON THE PROPOSED LOCAL LAW #1 OF 2017 SOLAR ENGERY SYSTEMS: Member Denniston motioned to set the meeting date of the public hearing to April 13th at 6:00 PM to amend the comprehensive plan and to discuss Local Law #1 of 2017 Solar Energy Systems. Member Pelton seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

RESOLUTION #17-053 APPROVE THE TSSERR AGREEMENT WITH TOMPKINS COUNTY: Member Stiles motioned to approve the TSSER Agreement with Tompkins County. Member Denniston seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

NEW BUSINESS

DISCUSSION HEALTH CARE UPGRADE- FOR TOWN EMPLOYEES: Supervisor Kaminski said that the employees that are using the towns health care would like to look at the present plan and potentially upgrade for following year. Kaminski said they would have to give the consortium 90 days’ notice before any changes are made. They would like to start exploring different options. Any changes would have decided on by mid-September. Kaminski and member Snow had a meeting set for 12:30 to following day. Changes can only be made the first of the year and must be done in writing.

NOTICE OF LAW SUITE- YAWS: Supervisor Kaminski wanted to call the Boards attention that the Town received a prerequisite notice of claim from YAWS Environmental. Attorney Snyder said that means they would have to file a law suit within 90 days. Snyder said he didn’t feel they had a case as they were well aware that the town was going out to bid.

CLOSE OUT 2016 BOOKS: Supervisor Kaminski asked the Towns Bookkeeper Gina Nourse to close out the 2016 the books. Kaminski said they was a surplus of \$24,460.00, which means that the budget is very tight.

RESOLUTION #17-054 2016 FINAL BUDGET AMENDMENTS: Member Stiles made a motion to approve the 2016 Final Budget Amendments as presented by the Bookkeeper. The motion was seconded by Member Denniston. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

RESOLUTION #17-055 APPROVAL OF TRANSFERS TO RESERVES: The Bookkeeper Gina Nourse recommended the following transfers:

From: General Fund	To: Retirement Reserve	Amount:\$3,054.00
	Unemployment Reserve	\$ 500.00
From: Highway Fund	To: Retirement Reserve	Amount: \$2,907.00
	Unemployment Reserve	\$ 500.00
From: Water District	To: Repair Reserve	Amount:\$10,000

Member Stiles motioned to approve the Transfers to reserves as presented from the Bookkeeper. Member Denniston seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

RESOLUTION #17-056 APPROVAL OF APPOINTMENT OF TEMPORARY DEPUTY TOWN CLERK MAR. 10TH-17th Member Stiles motioned to approve the appointment made by Town Clerk Van Donsel to appoint Diane Michaud temporary Deputy Town Clerk from March 10th to March 17th 2017 and to set her salary at \$11.94 an hour based on what was approved at the organizational meeting dated Jan. 12th 2017. Member Denniston seconded the motion. Vote: Ayes-Members Snow, Denniston, Stiles and Kaminski. Nays- None.

RESOLUTION #17-057 APPROVAL OF APPOINTMENT OF DEPUTY TOWN CLERK AND DEPUTY REGISTRAR AND TO SET THE SALARY: Town Clerk Alane Van Donsel Appoints Carla Plunkett as Deputy Town Clerk and Deputy Registrar. The Salary shall be to what was approved by the Town Board at the reorganizational meeting dated January 12th, 2017g as \$11.94 an hour paid bi-weekly, not to exceed the 2017 Town Budget line for Deputy Town Clerk. Member Stiles motioned to approve the appointment made by Town Clerk Van Donsel to appoint Clara Plunkett as Deputy Town Clerk and Deputy Registrar. The board approves that and sets the salary of for the Deputy as \$11.94 an hour to remain with in the Town Budget. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

DISCUSSION ON NEW TEN-WHEELER: Supervisor Kaminski has looked at the history of buying ten wheelers and he said that the town is not due to purchase another one now. Superintendent Morse we were out of zinc because one was purchased ahead of time because the one was in such bad shape. Morse said that they plan on selling the '94 this spring. There was some discussion on the timing and the cycle. It was stated that a truck was just paid off last fall. Kaminski said they are a year ahead of time. Morse agreed and said that the one we just bought is out of zinc. Kaminski stated that the town is paying for the one now. Kaminski wanted to know what the board pleasure was. Morse said that the Highway Department is going to put up the money and they may be able to bond for less. Kaminski said that this should be discussed at budget time. Morse said the Highway Department could come up a \$100,000 to put towards it and another 10,000 from grant money. Morse stated that a truck was sold in Harford for \$6,000 and it was shipped to Africa. Denniston said that they should take a shorter bond on the new truck, because the town still has a bond on the 2015 and It won't be paid off until 2020. He would like to see the town come up with more money down. He said that they have to look at the Look numbers. Kaminski wanted to know where Morse is coming up with \$100,000. Morse said \$36,000 from the machinery fund, \$50,000 from CHIPS money, \$5,000 out of the summer and winter account, \$10,000 from grant work done at the sewage treatment plant. Member Snow want to know how long the price is good through. It was stated it might be good for the next six months, Morse said they usually go up \$2000-\$5000. Denniston said he's going to work on this.

RESOLUTION #17-058 TAX COLLECTING EXTENSION OF TIME: Member Stiles motioned to approve the extension of tax collecting to June 1st, 2017. Member Snow seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

2018 WORKER'S COMPENSATION TENTATIVE CALCULATION: Supervisor Kaminski said that per the 2018 worker's compensation calculation from the county the cost of coverage will be increasing by \$27,000 going up to \$47,000. Kaminski said that the board is going to have to work on the numbers. Member Stiles said they are going to have to look at other options.

UPGRADE TO AGENDA PROGRAM: Town Clerk Van Donsel presented three options to update the agenda program. Member Denniston said that they should look at what Tompkins County is using. Loren Cotterill from Tomkins County said they have been using this company for six to seven years and he said that it connects with Laser Fische. At the end of the year all the agendas go to long term storage and it's completely searchable.

RESOLUTION #17-059 PERMIT 33A PERMISSION FOR HOLLENBECK'S CYCLING RACE: Supervisor Kaminski said that there will be a bike race held in the Town of Virgil at Hollenbeck's, they will be using the town roads. Hollenbeck's is applying for permit through the NYS DOT and they need proof from the Town that they have permission to hold the race here. Member Stiles said that they have no objections, however they do request that they do not spray paint the guard rails. Member Denniston motioned to allow the

Hollenbeck's Race to be held in the Town of Virgil. Member Pelton seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

RESOLUTION #17-060 CHANGE THE DATE OF THE TAX GRIEVANCE DAY IN VIRGIL: Assessor Brain Fitts is proposing to change the Grievance day in Virgil to the 1st Tuesday after the 4th Tuesday In May. Member Stiles made a motion to approve the changing of the Grievance Day to the 2nd Tuesday after the 4th Tuesday in May. Member Pelton Seconded the motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays- None.

INCREASE ON TIPPING FEES AT THE COUNTY LANDFILL: Supervisor Kaminski wanted the board to be aware that the tipping fees at the county land fill will be increasing.

DISCUSSION CONTINUED: Member Denniston wanted to ask some questions about the potential Law Suit with YAWS environmental. Denniston wanted to know where the Town stands on this matter. Attorney Snyder said that he sent the minutes of the board meetings showing that they had representation at the meetings when the board was talking about going out to bid. Dave Coish was there. He sent them copies of the legal ad showing the town was going out to bid.

With no further business to discuss, Member Stiles moved to adjourn the meeting at 8:50 P.M. Member Pelton seconded the Motion. Vote: Ayes-Members Pelton, Snow, Denniston, Stiles and Kaminski. Nays: None.

Respectfully Submitted by,

Alane Van Donsel, Virgil Town Clerk