

VILLAGE OF EARLVILLE

Regular Monthly Meeting
Village Hall

August 14, 2014
7:00 PM

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NOTICE: Pursuant to Article 7 of the Public Officers Law § 104-1, notice of this meeting was given to the media at least seven days in advance and the same posted on July 10, 2014.

Tonight's meeting minute notes: All votes by the Village of Earlville Board of Trustees (herein "Board" or "Village Board") 5-0 are to be read as "aye" votes from Village of Earlville Board of Trustees members Corey, Hayes, Moore and Piliero. The "Village Office" is the Village of Earlville Municipal Office located at 8 North Main Street. The "Planning Board" means the Village of Earlville Planning Board.

Mayor William Excell called the meeting to order at 7:04 p.m. Board members present were Trustees Margaret Corey, Gerald Hayes, Henry Moore and Daniel Piliero. Also present was Village Clerk-Treasurer Kelly Beach, John Fontaine, Diane Bensley and Aaron Orvis for the Fire Department and 3 members of the public.

MOTION #1-8.14.2014

On a motion by Moore, seconded by Corey, the Meeting Minutes from June 10, 2014 were approved, 5-0.

MOTION # 2- 8.14.2014

On a motion by Moore, seconded by Corey, the Meeting Minutes from June 25, 2014 were approved, 5-0.

MOTION #3-8.14.2014

On a motion by Moore, seconded by Corey, the Meeting Minutes from July 8, 2014 were approved, 5-0.

MOTION #4-8.14.2014

On a motion by Moore, seconded by Corey, Abstract 752 General Fund Vouchers totaling \$75,186.36 were approved unanimously, 5-0.

MOTION # 5-8.14.2014

On a motion by Moore, seconded by Corey, Abstract 753 Water Fund Vouchers totaling \$4,269.92 were approved unanimously, 5-0.

MOTION #6-8.14.2014

On a motion by Corey, seconded by Moore, Abstract 754 Trust & Agency Vouchers totaling \$14,162.19 were approved unanimously, 5-0.

Town Councilmen

Sherburne Town Councilman Ed Meyers was not present to give a report on the Town of Sherburne.

TRUSTEE REPORTS

Trustee Corey reported that the Events Committee feels it was a successful weekend for Community Days. They would however, like to look into getting more rides next year. The Committee is taking a month off from planning, and will resume planning for the Christmas Celebration next month. Music in the Park has been successful this year. Mayor Excell noted that he felt that changing the Board Meetings next year to a different day during the Music in the Park events should be considered. Excell stated that the Board Members should be at the events to show their support. Excell stated that the Events Committee did an excellent job.

Trustee Hayes reported that Lebanon will be sending a 2% check for the Fire Company and asked if the Clerk-Treasurer could watch for it and forward it to them if received. On the 19th of August the Clerk-Treasurer and David Bensley will be going to a grant workshop in Marcy, NY for the Fire Department. The Brush Truck has been delivered but it is not ready for service- still needs wiring and lights installed. Ford Seymour would like to see the Fire Dept. have a food booth next year at Community Days; Village Board members felt that was an excellent idea. On the 22nd of July Hayes and Excell went to a meeting in Poolville regarding the July storm and storm clean-up. Twenty-five people were present; they talked about developing an emergency plan in case something like that happened again. Mayor Excell mentioned that having a list of emergency phone numbers posted in the office would have been a helpful tool at the time. Trustee Piliero asked who was in charge of the streams and creeks as far as debris from the storm building up and being a flood issue. Excell advised him to contact the County Department of Transportation. Hayes had nothing to report on animal control or the Museum. A bill was received from Action Overhead Doors; Fontaine would like to know if the Fire Dept. was paying the bill or the village. Board Members agreed that the bill would be paid out of the Fire Department's budget as there is a Building Maintenance Budget line for that expense.

Trustee Piliero had /nothing to report on.

Mayor Excell stated he had called Senator Valesky to ask about funds to help offset the costs of the storm clean up, however it does not look like any funds will be forth coming. Excell also spoke to him about obtaining funds to fix water lines extending outside of the Village. Valesky suggested calling Village Attorney Getman and asking about extending the village limits to the end of the water lines. Excell also asked him about lowering the speed limit within the village; Valesky is supposed to be checking into this.

Trustee Moore reported that the Judge had 18 traffic tickets and 14 criminal tickets in the last month. There was one code violation at 15 Abbott Ave. for garbage. The Skate Park is supposed to be paved on Friday August 15th. Trustee Piliero stated he has been working with John Buell (one of the original kids who helped build the Skate Park) and John would like to be involved in the rebuilding of the ramps. Excell stated that Dale Demuro stated that he thinks he can rebuild the ramps for a \$1,000 so if Mr. Buell would like to work with Demuro that would be great.

NEW BUSINESS

Chief Fontaine introduced new Fire Department member, pending Board approval, Aaron Orvis. After asking Mr. Orvis a few questions Board members approved his Fire Department membership.

MOTION #7-8.14.2014

On a motion by Moore, seconded by Hayes, Aaron Orvis was approved for membership in the Fire Department unanimously, 5-0.

Arlene Heck from the Farmer's Market was present to introduce an idea of building a mobile vendor trailer as she has a lot of merchandise and it is getting hard for her and her husband to carry the goods from her vehicle to the park and set up to sell. She would like access to get into the park with a vehicle and trailer, the trailer to be parked on the lawn in the park. Mrs. Heck also noted that there are bushes in the back of the park that perhaps could be taken out so she could back the trailer into the park from that area. Board members stated that Burt Marshall owns the property out back so the village cannot remove the bushes. Piliero stated he was not crazy about the idea since there would be possible wear and damage to the sidewalks and if you go up to Hamilton, there are no mobile vendors allowed on the Village Park. Excell stated that he does agree with Piliero to an extent; however he would like to table the discussion until next month so that the Board of Trustees can look at the park and think it over.

Mayor Excell and Trustee Hayes sent out invitations for a pork roast to be held for the Towns and Villages that helped during the storm. The pork roast is to be held August 30th at the pavilion by the old bus garage. Excell explained that the Village will not be paying for this and asked if Trustees would be interested in putting in money to help with the expense. All trustees are invited whether they contribute or not.

Invitations asked that people bring a dish to pass, their place settings and their own beverage. Excell feels that something extra should be done as a thank you for everyone's quick response and willingness to help the Village.

The September Board meeting has been changed to September 16th at 7:00p.m. due to the Democratic Primary Election that is being held on September 9th.

OLD BUSINESS

A letter from Peggy Urban was received and read at the last Board Meeting. In March of this year, she had asked that someone from the Village go to 23 Clyde Street and view a tree that she felt needed to be cut down as it was shedding very large limbs which were landing on vehicles. At the time, DPW workers did go look at the tree, but there was a question of whose responsibility the removal would be, as well as the fact that it was felt that there were other trees in the Village in worse shape that needed to be attended to first. Immediately following the July 3rd storm, Urban hired a tree removal service to clean up other trees damaged in the storm. At that time, she had them cut down and remove the tree in question. Urban asked that the Village reimburse her \$400.00 for the removal of the tree. The general consent of the three Board members present was that Urban had no authority to have the tree removed. If it was as bad as she says, she should have contacted someone from the Village Office to have the tree removal company that the Village hired go over and determine if the tree had to be removed. There was also a question of whether the tree was the Village's responsibility or the homeowner's. The discussion was tabled to be discussed at the next Board Meeting after Board Members could go over and look at the location of the tree stump.

Since the last Board Meeting, Board Members did go over to see where tree was located. After a lengthy discussion, it was determined that 1) the tree was on the residents side and therefore not the Village's responsibility. 2) Even if it was determined to be the Villages responsibility, it should have been discussed with the village before the tree was removed. There was no authority from the Village to have the tree removed.

MOTION #8-8.12.2014

On a motion by Moore, seconded by Corey, it was agreed that there would be no reimbursement to the Urbans for the removal of the tree on their property based on the facts that the tree was clearly on their side of the property and therefore their responsibility, furthermore, the law does not allow the Village to reimburse residents for work done without prior approval.

PUBLIC COMMENT

No public comment

EXECUTIVE

Motion to enter into Executive Session at 8:01pm by Moore seconded by Corey regarding "the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation". The Clerk-Treasurer was invited into the executive meeting. At 8:15 p.m., Trustee Moore made a motion to exit the executive session, seconded by Corey.

With nothing further to discuss, Trustee Moore then ended the meeting by a motion to adjourn the Board Meeting at 8:16, seconded by Trustee Corey, and carried 5-0.

"I certify this document is a true and accurate description of the regular board meeting of the governing board of the Village of Earlville August 14, 2014."

Kelly Beach

Kelly Beach
Clerk-Treasurer
Village of Earlville

- Village Seal -