

VILLAGE OF EARLVILLE

Regular Monthly Meeting  
Village Hall

October 13, 2015  
7:00 PM

.....

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 September 9, 2015.

*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, French, Moore and Piliero. The "Village Office" is the Village of Earlville Municipal Office located at 8 North Main Street.*

Mayor William Excell called the meeting to order at 7:00 p.m. Board members present was Trustees Margaret Corey, Daniel Piliero, Henry Moore and Nicholas French. Also present was Village Clerk-Treasurer Kelly Beach, Code Enforcement Officer Lloyd Sutton, 2 residents and Ed Meyer.

Motion #1-10.13.2015

On a motion by Moore, seconded by Corey, the Meeting Minutes from the September 9, 2015 Regular Board Meeting was approved unanimously 4-0.

Motion #2- 10.13.2015

On a motion by Moore, seconded by Corey, Abstract 794 General Fund Vouchers totaling \$32,557.88 were approved unanimously, 4-0.

MOTION # 3-10.13.2015

On a motion by Moore, seconded by Corey, Abstract 795 Water Fund Vouchers totaling \$5,852.59 were approved unanimously, 4-0.

MOTION # 4-10.13.2015

On a motion by Moore, seconded by Corey, Abstract 796 Trust & Agency Fund Vouchers totaling \$12,865.62 were approved unanimously, 4-0.

TOWN COUNCILMAN REPORT

Town of Sherburne Councilman, Ed Meyers reported that the Town had their last meeting on 9/11/2015. The next town meeting is scheduled for Wednesday October 14. Mayor Excell asked about the proposed processing plant going in to the Town of Sherburne; the last Mr. Meyers had heard was that the company was still looking for financial backing. The ambulance situation in the Town of Lebanon was briefly discussed.

TRUSTEE REPORTS

Trustee Nicholas French had one request regarding fair housing in the past month.

Trustee Moore had nothing to report. He will be trying to meet up with seniors.

Trustee Piliero reported that he met with Senator Valesky while Valesky was visiting the Earlville Library with members from the Town of Hamilton. Piliero asked Valesky about getting funds for the

skate park; Valesky did not have a solution for obtaining funds, however a representative from the Hamilton Partnership for Community Development did discuss the Skatepark with Piliero.

Trustee Corey reported that the Fire Company had their monthly meeting on October 1st. Fire Prevention Week was October 4 through October 9<sup>th</sup>. Wednesday October 7<sup>th</sup>, the fire station was open all day for anyone who wished to visit. The Halloween costume judging will be October 31<sup>st</sup> at 6:30 at the Fire Station, followed by food and a bon fire at the old school grounds. The Events Committee will be meeting soon; they are working on plans for the Christmas Celebration to be held December 5<sup>th</sup>.

Excell reported that the Dog Control Officer Francis Hilsinger has just gotten out of the hospital and will be out for a few weeks. A resident commented on Hilsinger's poor job performance and his reluctance to respond to calls; stated he understood that Hilsinger is in his 90's, however if he is unable to do the job because of his age, it is the Village's responsibility to hire someone that can do the job. Excell explained that the board has discussed the position of Dog Control and the lack of anyone local available to respond to wildlife complaints (raccoons, deer and other). The Board would like to discontinue the position of Dog Control and create a new position titled Animal Control. Mr. Hilsinger will have the opportunity to submit an application to be considered for the new position. A letter will be mailed to Hilsinger explaining same.

The same resident commented on a residence on North Main Street installing a fence that is right up to the sidewalk. He feels it is too close to the sidewalk and they now have 3 dogs that run up to the fence barking at people as they walk past. Said there is no point in calling the dog control Officer as he will do nothing about the dog issue, he feels the Village should make him remove the fence. Mayor Excell explained to the resident that the fence has been discussed in previous meetings and it was determined that the Village had no laws regarding the location of the fence. Mayor Excell did state that he has spoken with the homeowner and advised him that in the winter when DPW is plowing sidewalks, the fence will more than likely be taken down by the snow; therefore it would be in the homeowner's best interest to move the fence back prior to winter.

This resident also brought up the safety of the children in that residence and the lack of action on the part of Madison County Child Protective Services and the Madison County Sheriff's Department to ensure the two little girl's safety. He states that numerous calls are made a week to CPS and Madison County Sheriff's due to the girls running unsupervised and under dressed into N. Main Street. The past weekend, the girls were running around outside for almost an hour before they were noticed and neighbors called the police. One child was treated for hypothermia. CPS returned the children to the home the next day. The resident feels that the Village should send a letter to the Sheriff regarding their refusal to respond to complaints on this as well as noise complaints. He also feels that the Village needs to represent the residents of Earlville by writing a letter to CPS and Madison county sheriff. He is afraid these children are going to end up severely injured or dead due to negligent supervision and the Village needs to step up and help. Mayor Excell instructed the Clerk-Treasurer to contact NYCOM for guidance; and if allowed, have the Village attorney William Getman write letters to both Madison County CPS, and Madison County Sheriff's Department. Trustee Piliero stated that he feels that if the police agencies are not doing their jobs, then letters should be sent to address the matter.

Mayor Excell reported on a broken water main on East Main Street. The main was accidentally hit when DPW bumped it with the backhoe while working on a hydrant. Rural Water and Town of Hamilton both assisted with the repair and the water was back on for East Main Street Ext by 5 pm. Excell stated that he received an angry call from Matt McEligot regarding damage done to his lawn when water was shut off for non-payment. McEligot was upset because he claimed his wife left a

check for the water in the drop box, however the Clerk did not find a check and according to Mrs. Mc Eligott, the check was not cashed by the Village. According to McEligot, the Village lost the check and damaged his lawn while shutting off the water. The damage to the lawn was repaired by DPW and the water was turned back on as soon as payment was received in the Village Office.

### NEW BUSINESS

Lloyd Sutton reported on activity in the Village- He is still working with the bank to get repairs done on the home on East Main Street, some slow progress on Clyde Street regarding cleanup of yard and junk vehicles, spoke with homeowner on Clyde Street regarding plans to replace stairway to 2<sup>nd</sup> floor and a Building Permit was issued on North Main Street for foundation work.

Back on September 27, 2012 the Madison County Department of Health performed an annual survey of the public water system serving the Village of Earlville. The report from this survey stated that the Village must develop and implement a cross connection control program in accordance with Subpart 5-1.31 of the State Sanitary Code. Since then, the Code Enforcer and the Village office have invested many hours trying to determine which businesses and if any residents may need a backflow device installed to protect the Village Water supply. Madison County Health Department was not very helpful in providing insight; however Chenango County did provide some useful information and gave the Village very good direction on where to find information. Lloyd explained that it would be up to the resident/business owners to have the backflow valves installed by licensed individuals of their choice and that they would need to be inspected yearly, at their expense. A copy of Norwich's law was discussed; Trustee Corey asked if this would apply to apartment buildings as well as businesses. Sutton stated that yes; it will apply to apartment buildings. Mayor Excell asked the Trustees to look over the sample law and discuss this further next month.

Mayor Excell discussed the lack of house numbers within the village. He feels that the previous codes officer pushed too hard on the issue by sending out threatening letters, however he does agree that residents need house numbers present for fire protection and emergency services; a call was disrupted recently because the house could not be located. Excell also noted that the 911 system on Chenango county side, needs to be addressed and updated. Excell would like to name the road to the ball field so that there is a 911 address in case of an emergency there.

The unpaid 2015 Village Taxes are ready to be sent back to the Counties. Total unpaid taxes going back to Chenango County are \$8,336.35 and total unpaid taxes going back to Madison County are \$10,928.61.

The Earlville Opera House Contract was received for the 2015-2016 Budget year. After review, said contract was approved by all Board Members.

Trustee Corey asked if winter parking could be changed from November 1<sup>st</sup> to November 15<sup>th</sup>. After a brief discussion, it was agreed on a motion by Trustee French, seconded by Trustee Moore, 5-0 that no parking on streets would be effective from November 15 thru April 1 beginning November 15, 2015 and every year thereafter unless or until changed by the Board.

### OLD BUSINESS

### PUBLIC COMMENT

Mr. Pedric advised the Board that he will be changing the windows in his resident and has spoken with Lloyd Sutton who advised that he does not need a building permit.

EXECUTIVE

No executive session.

With nothing further to discuss, Trustee Moore then ended the meeting by a motion to adjourn the Board Meeting at 8:32pm, seconded by Trustee Corey, and carried 4-0.

“I certify this document is a true and accurate description of the regular board meeting of the governing board of the Village of Earlville October 13, 2015.”



Kelly Beach  
Clerk-Treasurer  
Village of Earlville

– Village Seal –