

VILLAGE OF EARLVILLE

Regular Monthly Meeting
Village Hall

November 13, 2012
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 the October 9, 2012.

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 Chapman. 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 7:00 p.m. Board members present were Trustees Gerald Hayes, Henry Moore, Sara Chapman and Margaret Corey. Also present were Village Clerk Treasurer Kelly Beach, Town of Sherburne Councilman Ed Meyers, Mr. and Mrs. Matthew Marriot and 4 other members of the public.

Mayor Excell started the meeting by thanking Trustee Hayes for doing such a good job selling the 1987 Spartan Fire Truck. Hayes graciously accepted the appreciation and commented that the Fire Department was a huge help in making the hand-over a very smooth transition. The Fire Truck was sold to East Coast Fire Apparatus, Inc. from Hinesville, Georgia for \$6,000.

Meeting minutes for October 9, 2012 were approved on a motion by Trustee Hayes, seconded by Trustee Chapman, 3-0.

Abstract 689 as presented for Board approval included General Fund Voucher's #7131-7153 totaling the sum of \$54,378.82 which included previously paid items. On a motion by Trustee Chapman, seconded by Trustee Corey and approved 4-0, Abstract 689 was approved for payment. Abstract 690 as presented for Board approval, included Fire Department PO's 0679-0685 totaling \$730.14 was approved on a motion by Trustee Hayes, seconded by Trustee Corey, 4-0. Abstract 691 as presented for Board Approval included Water Fund Vouchers W71-W76 totaling \$5,128.05 were approved on a motion by Trustee Chapman, seconded by Trustee Moore, 4-0. Abstract 692 as presented for Board Approval included Trust & Agency Fund Vouchers totaling \$17,215.01 were approved on a motion by Trustee Hayes, seconded by Trustee Chapman, 4-0

Lukas Fetzko, an Earlville resident and member of Eagle Scout Troop 66 of Sherburne was present and spoke about earning his Eagle Scout Badge by raising money to have a memorial made for the Village of Earlville. Fetzko is currently in the early stages of planning his project, but is looking for Board approval to perform a service for the Village. Fetzko would like to have a memorial created with the names of all the residents of the Village of Earlville who have served in the military. After much discussion, it was approved by all board members that Fetzko can precede with his project; he will give a completed plan update with all details at the next Board Meeting.

Town of Sherburne Councilman, Ed Meyers reports that the last Sherburne Town Meeting was held on October 17th. Meyers reported that the Towns' upcoming budget was passed. Town Board members and employees now have the option of electing to purchase AFLAC as an extra benefit. The Town is close to completion on the Time Warner franchise. The Town is still trying to find out what they have to do to change Highway radio communication system. Paul Martin, the Sherburne historian is looking to put up historical markers within the town. The next Town of Sherburne Board Meeting is November 14, 2012.

In the Trustee reports, Trustee Hayes reported that the Animal Control Officer took one dog to the SPCA after it was brought to him from East Main Street on October 22nd. Hayes heard today that a letter would be coming in the mail with more info on the State Bid for Fuel Oil with town of Hamilton. He stated that he was told that the Village has been included in the bid and accepted, however it will not start until 1/1/2013. Per his contact, area fuel companies could not beat the state bid price. The Town of Hamilton is still interested in sharing their Codes Officer with the Village of Earlville. They would like to meet and discuss this further. The Fire Department has gotten one estimate for repair of the overhead door. Excell

explained that the Village needs more than one before they can approve the repairs. He asked Hayes to have the Fire Department try to get 2 more estimates, and then they will discuss them at next Board Meeting. Trustee Corey asked what was wrong with the overhead door and how long it has been not working? Mayor Excell explained that the overhead door has not been able to be opened manually for at least 10 years. Hayes will get ahold of Bensley or Ford to get 2 more estimates. There are not many overhead door companies in the area, so they may need to look towards Binghamton or Syracuse. Hamilton has adopted their 2013 budget. Hamilton is still talking about shared services. Currently they are planning a training session for office help; their first priority is to be web site training. The Mayor of Hamilton would like a member of the Board to contact her to discuss SOMAC (Southern Madison County Ambulance). The Opera House's Annual Holiday Sale starts November 23 and runs through December 22nd. The Museum is closed for the winter. Hayes had nothing to report from the seniors.

Trustee Chapman reported that she went to a meeting regarding the American Legion's building. She reports that there is no real plan set in place yet; they are looking into costs required from all angles. Chapman also went to the Lebanon Town Board Meeting. They spoke about the incoming high pressure pipeline. Chapman stated that the Town of Lebanon is going to start using salt brine on their winter roads. DPW should be covering skate park equipment.

Trustee Moore reported that the CEO is in the process of issuing a building permit but needs more information from the contractor before he can issue it. The resident on North Main St with no water and a possible well was in court on the 24th of October. The owner told the CEO that there is no well on the property and they have no intention of having the water turned back on at this time. The other issues brought against the property owner have been resolved. The CEO received a complaint about stairs being built on the outside of a house on North Main Street. So far he has not been able to locate the property. Trustee Moore reported that he had nothing to report on from the court.

Mayor Excell reported that there is a tree on 40 West Main Street that needs to be removed. The Clerk-Treasurer will get ahold of Spratley and Sons to have it removed. Overnight parking is now in effect. There was a complaint about one vehicle that is parked all night. DPW has spoken with the Madison County Sheriff who advised that they could issue warning tickets, but to be able to issue tickets there must be "NO OVERNIGHT PARKING" signs posted on the four main roads coming into the Village. The Mayor stated to order the signs for no overnight parking.

Chapman commented that it may take a while to get the signs put up. This led into a heated discussion regarding the senior DPW worker and his work ethics. Excell stated that he felt that Thayer has been with the Village for a long period of time and the Village should stand behind him. Moore stated that he does not feel the village should support someone who is not doing their job. Excell commented that he has had Tucker doing more of Thayer's job than Thayer as he thought Thayer was going to retire at the end of this year. The plan was to train Tucker to take over Thayer's duties.

Excell asked Chapman if she would like to fire Thayer. Chapman said yes, she would like him terminated as he does not do his job. Excell commented that he was in charge of personnel and he would make the decision of who was fired and who stayed, not the Board. Excell then stated that he was not discussing personnel issues further at this Board Meeting. Moore stated that he wanted that statement in the meeting minutes and verified that Excell did not feel he had to discuss personnel issues with Board members. Excell recanted his statement and the personnel issue continued to be discussed.

Excell asked if Chapman would like Thayer brought before the board. Chapman said yes, she feels DPW should be present at the monthly Board Meetings to give a report on their activity. Trustee Moore stated he does not feel the DPW should be paid overtime on a monthly basis to attend a Board Meeting. Chapman stated she would be happy with a detailed report on the DPW activities including a monthly mileage report. She does not feel comfortable not knowing what the DPW workers are doing on a regular basis. Mayor Excell assigned Trustee Moore as the liaison for DPW effective immediately.

Excell went to the Lebanon budget meeting. They are very happy with the village fire contract and see no problems in the future as far as their tax cap and an effect on the Fire Contract. Excell inspected the Salt Brine system. He was impressed and feels the village needs to start looking at other options as the cost of salt will be increasing. Chapman would like them to come down and do the Village roads so board members can see the result. Excell stated they have offered and he plans to do this. Excell will call Randy this week to discuss further. Trustee Corey reported that the Winterfest planning is in full swing. Events planned are Christmas Tree Sales by the Boy Scouts, the Girl Scouts will be selling donuts and hot

chocolate at the Fire House, the EFD Auxiliary will have a wreath sale at the Fire House. There will also be a craft Fair at the Fire Department, the Opera House is having their annual Holiday Craft Show, the Earlville Free Library is hosting a Make It and Take It craft affair. An annual favorite, the Fruit Cake Curling Competition as well as horse drawn wagon rides, S-E Drama Club performance at the UMC, story time with Mrs. Clause, the Chili Cook Off, the Parade, roasted chestnuts and hot chocolate at the gazebo and the Tree Lighting Ceremony. The committee is also raffling off two gas cards worth \$50.00 each. Tickets cost \$1.00 each or 6 for \$5.00. Tickets are available at Black Cat Antiques (East Main Street), Corey's Hardware, The Huff Brau or get them from any of our committee members: Margaret Corey, Laura Piliero, Ford Seymour, Dode Page, Becky Jantzen. There will only be 300 tickets sold. The Library is offering free Gingerbread Classes on November 14 and 17th. The Chili Cook off and the gingerbread house contests are open to the public, residential restrictions are no longer in effect.

In Old Business, the Purchase Procurement Policy was briefly discussed. It was originally created and approved in 1996. The Clerk-Treasurer had obtained copies of other area municipalities buying policies and the Board Members will review all the policies. At the next board meeting they will discuss if changes need to be made to the Village's buying policies.

In new business, the Madison County Department of Health performed its annual survey of the public water system serving the Village of Earlville on September 27, 2012. The report from this survey was received and outlined in the survey were a few minor notations. The first was a reminder that the Village must obtain approval from the DOH prior to work being completed. Their department must be notified prior to any addition, deletion or modification to the water system. This is in regards to the Village considering installing an Iron Removal System in the near future to help get rid of the rust colored water issue. Mr. Kicinski asked what the chemical is that would be used to and no one knew. The Clerk-Treasurer will get ahold of Matt Thomas from B&L to get more info on what is needed.

The second was notification the Village must develop and implement a cross connection control program in accordance with Subpart 5-1.31 of the State Sanitary Code. Hazardous facilities including a crematorium have been identified within the Village that may not have the proper backflow protection device. According to Matt Marriott, who is a licensed plumber and achieving his certification for CEO, a backflow device is rather inexpensive; however the business owner must have the device installed by a certified inspector. Mr. Marriott stated that some municipalities are sending their CEO to Rochester to get certified for this purpose. The cost for training is \$600. Municipalities then offer the services of their certified CEO to commercial customers for a set fee. Excell asked if village had to certify their code enforcer and Mr. Marriot stated no. The customer could obtain their own certified inspector. Excell stated the Board would need to get with the CEO and discuss developing a cross connection control program.

The 2013 CSPCA contract was received. After a brief discussion, on a motion by Moore, seconded by Hayes, 4-0 it was agreed to accept the 2013 CSPCA Animal Shelter Agreement. No monetary changes applied to the contract.

The 2012 AUD has been completed and submitted to the state. A copy of the AUD can be obtained in the Village Office.

John Savash from Municipal Solutions had submitted 2012 year-end adjustments. The adjustments were discussed briefly with Chapman asking if they could be tabled until next month so that she could review them. Moore made a motion to approve the adjustments, seconded by Hayes, 3-2 with Excell, Moore and Hayes approving, Chapman and Corey disapproving. The said adjustments are attached to these Meeting Minutes.

There is \$28,354.81 left in the Capital Fund Water Project checking account after all bills connected to the Water Project have been paid. This remaining balance can be used on anything pertaining to the Water Fund. John Savash from Municipal Solutions has suggested taking \$10,000 and transferring it to the Water Fund checking account to help the 2013 Fund Balance. On a motion by Moore, seconded by Hayes, 4-0 it was approved to move \$10,000 from the Capital Fund checking account to the Water Fund. That leaves \$18,354.81 in the Capital Fund checking account. On a motion by Moore, seconded by Hayes, 4-0, it was approved to purchase 100 FLEX meters at \$174.00 for a total of \$17,400.00. The remaining \$954 will be left to purchase gaskets or tailpieces as needed.

In public comment, Kicinski asked about the villages stand on the ongoing court case. A trustee stated that an offer was made to him a few weeks ago and was declined. Mr. Kicinski asked why the board was no longer willing to repeal the law as there was a motion a few months ago to do so. (During the September 18th Board Meeting, “Trustee Chapman made a motion to repeal Local Law #1 2007. There was no second and after much discussion, Trustee Chapman rescinded the motion. “) Moore stated that he was not willing to repeal the Local Law #1 2007 due to the fact that Kicinski stated he felt he was entitled to \$10,000 retribution for court costs. Excell stated it is in the lawyer’s hands and it would not be discussed further.

At 8:45pm Trustee Moore, seconded by Trustee Chapman, 4-0 motioned to go into executive session to discuss “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”. Matt Marriott was invited to sit in on the executive session as well as the Clerk-Treasurer. A break was taken from the session at 9:10 when Matt Marriott left the meeting. The Trustees, Mayor and Clerk-Treasure returned to executive session at 9:15. At 9:26 on a motion by Moore, seconded by Hayes, 4-0 the meeting returned to public session.

A brief discussion on overnight parking occurred. It was noted that Ike is authorized to issue overnight parking tickets as well as the police department.

With nothing further to discuss, Trustee Chapman motioned to adjourn the Village of Earlville Board Meeting at 9:38 pm, seconded by Trustee Hayes 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 November 13, 2012.”

Kelly Beach
Clerk-Treasurer

Village of Earlville

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