

# VILLAGE OF EARLVILLE

Regular Monthly Meeting  
Village Hall

May 14, 2013  
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 April 10, 2013.

*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 Henry Moore, Gerald Hayes, Margaret Corey and Sara Chapman. Also present were Village Clerk Treasurer Kelly Beach, 2 members of the public, Sherburne Councilman, Ed Meyers and Justice Ronald Hailston.

Regular Board Meeting minutes for April 9, 2013 were approved on a motion by Trustee Chapman, seconded by Trustee Corey, 4-0.

Public Hearing Meeting Minutes for April 9, 2013 were approved on a motion by Moore, seconded by Hayes, 4-0.

Reorganizational Meeting Minutes for April 9, 2012 were approved on a motion by Moore, seconded by Hayes, 4-0.

Abstract 708 as presented for Board approval included General Fund totaling the sum of \$24,493.19 which included previously paid items and Fire Department P.O's 0709-0715 for \$2,497.10. On a motion by Trustee Moore, seconded by Trustee Chapman and approved 4-0, Abstract 708 was approved for payment. Abstract 709 as presented for Board Approval included Water Fund Vouchers totaling \$10,704.55 were approved on a motion by Trustee Moore, seconded by Trustee Chapman, 4-0. Abstract 710 as presented for Board Approval included Trust & Agency Fund Vouchers totaling \$10,947.45 were approved on a motion by Trustee Moore, seconded by Trustee Corey, 4-0.

Town of Sherburne Councilman, Ed Meyers reported that they met on May 8<sup>th</sup> and discussed a new building being put up for storage, the Natural Gas lines are still being monitored by their lawyers and the Natural Gas Committee. Safety inspections of the Town Office and Garage have been completed by their Insurance carrier, nothing outstanding was found. They have hired a new cleaning person as the previous person has resigned. Final franchise checks from Time Warner have been received and the Town has a new health insurance broker; Gates and Cole, who have saved them and their employees a considerable amount of money.

Trustee Chapman reported that she has had no FOIL requests or Fair Housing issues. Chapman, Corey and Seymour are working on the Municipal Building wiring project. They have learned that grants may be obtained from NYSERD to help with part of the expenses for the wiring project. The committee needs to look into this farther.

Trustee Corey reported that they have everything lined up for Earlville Days, but they are looking for more food vendors. There will be a parade at 5pm with prizes. The Farmers Market will start on Friday May 17<sup>th</sup>. Excel reminded Corey that vendor's need Village permits to sell at all functions in the village. Music in the park starts on the 9<sup>th</sup> of July. Mayor Excel stated that he would like to change the Board Meetings during the months of Music in the Park so that Board Members have the opportunity to attend with their families. On a motion by Trustee Moore seconded by Corey, 4-0- it was approved to change the July and August Board Meetings to Monday nights at 7:00p.m. Town Councilman Ed Meyers will be unable to attend these two meetings so Corey will attend the Town of Sherburne's board meetings for these two months. Excell advised that a deal has been made with the Madison County Undersheriff that they will supply two officers for Friday night's Block Party; one paid by the Village and one paid by Madison County Sheriff. Excell would also like to hire an officer for Saturday's festivities on Saturday. On

a motion by Moore it was approved to hire an officer from noon to 10:00p.m. to cover the festivities on Saturday July 20th, seconded Corey 4-0. Excel stated events committee is doing a wonderful job.

Trustee Moore reported that he has briefly spoken with Pastor Mark Monroe about the Skate Park, and is hoping to be able to sit down with him in the very near future to discuss his plans. Trustee Chapman advised that she had spoken with Fetzko and he will not be helping with the Skate Park for his Boy Scout Badge as the project will take too long to complete.

Judge Hailston was present to give a Justice report; he discussed the fact that the Sheriff's Office was set up wrong; the door to the Sheriff's office should have been installed just inside the entrance door upstairs. The Sheriffs have been attempting to walk through the court room on their way to their office while court is in session. The judge has spoken to the Sheriff regarding this and they both agree and acknowledge that the door was placed on the wrong side of the room. Mayor Excel stated the sheriff can refrain from using the office while court is in session; Hailston stated that they have tried to use the office every night while he is in court, he would prefer that the door be moved. Mayor Excel stated that the Village will look into cost of putting in a new entrance to the Sheriff's office. Hailston also commented on his belief that the placement of the Sheriff's Office was impractical as they did not generate enough revenue for the Village in tickets to warrant the costs associated with them. Trustee Moore stated that he felt that having the Sheriff's cars parked out front of the Village Office is slowing down traffic considerably. He has had several residents express the same belief as well. Mayor Excel stated that it was not about generating income for the Village, the idea of moving the Sheriff's Office to Main Street was to have more visible police presence and thereby reduce speeding through the Village. Excel also stated that by working with the Sheriff's Office, it allows the Village and Sheriff's Department to build a better relationship, which will lead to more shared services between the two.

Moore reported that CEO has issued two building permits in the past month; one for a pole barn on North Main and one for a wall replacement on Clyde Street. Van Heusen states that the Library did not need a Permit for the placement of the ramp as it was a repair only and nothing was being changed. He attended a 6 hour in-service training session on April 24<sup>th</sup> and submitted a mileage voucher for that. Van Heusen work schedule in Cortland has changed and he is temporarily filing a day time position requiring 4 days a week. He has scheduled his time in Earlville for Thursday nights but is still available when anyone calls him and he will adjust things to perform inspections and complaints.

Trustee Hayes reports that Animal Control responded to a call on Green Street on May 1<sup>st</sup>, however when he arrived the owner had already retrieved the dog. The Opera House is in going strong with their Summer Programs. The Museum opened last Saturday. The Madison Co. Sheriff brought a work crew down on Friday and they moved the voting machine from the Village Office to the museum. Hayes attended the Town of Hamilton Board Meeting last Thursday night. They spoke of SOMAC having a good response to their fundraising efforts, and they are still working on raising more funds. Bernie Bus is in discussions with Colgate, the Village and the Town about building a new garage. So far it is simply in the discussion phase. Hamilton will be installing a solar system on the Town Garage. The Deputy County Clerk went to Hamilton on Friday afternoon to discuss record retention. Hayes and the Clerk-Treasurer were unable to attend the meeting. A Natural Gas line is going into Hamilton, they are hoping to expand to more people within in the Village of Hamilton, and it may expand to Earlville in the distance future. Hayes attended the May 5<sup>th</sup> Fire Company Meeting and reported that the Bus Garage roof is in bad shape; it will cost \$20,000 to repair. At this time they are unsure about what they will do about it. Trustee Chapman suggested they sign it over to the Village, the other Trustees and Mayor were in agreement. The Fire Department would like to host a Situation Awareness Program and invite the Village and Library Board Members to attend. No plans have been made yet, still in the idea mode. Mayor Excell stated that he had called the undersheriff and arranged to have a work crew come down and help move the Skate Park ramps as well as the voting machine from the village of Earlville to the museum. Chapman reported that she received a complaint from a resident about someone standing on the sidewalk in front of their home and watching them, it made the person very uncomfortable. Excel said he had has similar complaints from other people.

Mayor Excell reported that DPW has been very busy and Marc is falling behind. Hamilton will be sending down someone to help with the mowing and Kelly will be helping Marc when needed. Moore offered to help mow on his days off when needed. More interviews are scheduled for the full-time DPW position on Thursday and Friday. Moore suggested social security numbers be removed from the

applications for privacy reasons. Excel reported that Tom Moon, a resident and Public Works Wage Investigator for the Dept. of Labor, will be meeting with him and the Clerk Treasurer on Monday, May 20<sup>th</sup> to go over prevailing wage laws. Chapman asked if the Board will be meeting to discuss the hiring of the DPW Laborer position prior to the position being filled. Chapman stated that it states in the Employee Handbook that the Board votes on who is hired, that the Mayor does not have sole authority over new hires. Moore stated that he interpreted the handbook as the Board approves the Mayors hiring to fill a position, not necessarily who the Mayor hires. The Clerk-Treasurer will put a call in to NYCOM to verify the hiring process. Excel stated that Hayes will conduct the interviews this week and next and anyone who wishes to sit in can contact him. Moore pointed out that if three or more Board Members are present it is considered a legal meeting.

In old business, Moore asked that the tree that was removed from his front yard several years ago by the State be replaced. Moore explained that when it was first removed, the Village Mayor and Trustees had told him that it would be replaced, however to date that has not happened. Mayor Excel asked the Clerk-Treasurer to contact Jerry & Sons to find out the price of a shade tree. Chapman asked if this was ever documented in meeting minutes, Moore stated that he highly doubted that it was. Excel asked if there was a Village policy regarding replacing trees that are removed. Trustee Hayes made a motion to replace the shade tree with a similar tree at a cost less than \$400. With no second forthcoming, Hayes rescinded the motion. Chapman stated that the Armstrong's on Preston St have trees that need to come down. Excell stated that the Village cannot take the trees down because they are entwined in electric lines. Excel explained that he has advised them in the past that they need to contact NYSEG for removal of the trees.

In new business on a motion by Hayes and seconded by Moore, 4-0, Resolution 31-47 to "approve the contract presented by Municipal Solutions, that outlines services to the Village for General Financial Advisory Services" was approved.

On a motion by Moore, seconded by Corey, 4-0 Resolution 31-48 "Agreement to Enter into Contract with Quincy Square Museum for coordination of youth events on behalf of the Village." was approved.

It was approved on a motion by Moore, seconded by Corey to hire a part-time summer DPW worker for \$8.50 an hour, 20 hours a week beginning July 1<sup>st</sup>. The Clerk-Treasurer will have a help wanted advertisement posted in the official paper.

The Place's Summer Youth Program has contacted the Clerk-Treasurer inquiring if the Village would be interested in having the kids back to work this summer. After a brief discussion which included possible jobs to be performed by the workers, on a motion by Moore, seconded by Chapman, 4-0 it was agreed to host the Program once again this summer.

The sidewalk out front of the Village Office was damaged by the Cossitt cement truck when the Library had the ramp repaired. The contractor who did the work told Excel that he would fix it, however his repair work consisted of filling the cracks with cement. Since then, other cracks have started to form in the damaged section of the sidewalk. On a motion by Moore, seconded by Hayes, 4-0, Cossitt Concrete will be contacted by Mayor Excel to discuss them replacing the damaged sidewalk.

Excel reported that a Sheriff had stopped at his house to talk to him about a resident who was reported for driving on and spinning out on the softball fields, the sheriff was contacted and the resident was advised to stay off the village property or charges would be pressed against him. The same person is widely known for leaving dog feces all over the Village. He has been asked to clean up after his animals several times and animal control will be issuing tickets for that. Excel wanted everyone to know that if he is found causing trouble or giving anyone a hard time, to contact the Madison County Sheriff's Dept. and he will be picked up.

Several complaints have been received regarding the condition of Clark St. and Cushman St. Clark St. needs to be dug out and repaired while Cushman St. has a sink hole in the street. Excel would like to see what it would cost to repair both streets. He feels that the DPW could do the work to save on costs. CHIPS funds were awarded at 25% more, for a total of \$12,960.71 for 13-14, a total of \$17,289.15 is now available for use. Moore asked about shared services and Chapman asked about just stone and tarring the streets. Excel would like to go to Madison and suggest the village paying the black top if they lay it down. This will be down the road.

Resolution 31-44; "Whereas Henry Moore is no longer the Deputy Mayor of the Village of Earlville as of April 9<sup>th</sup>, 2013; Now therefore, on a motion duly made and carried: BBE IT RESOLVED the Board of

Trustees hereby approves the removal of Henry Moore from all Municipal banking accounts at NBT, NA.” was approved on a motion by Corey, seconded by Hayes, 3-0.

Resolution 31-45; “the Board of Trustees hereby places the name of Gerald Hayes, Deputy Mayor on the signature card at the NBT Bank N.A., Earlville Branch, and adds his name to all Village accounts held there.” was approved on a motion by Moore, seconded by Corey, 3-0.

Resolution 31-46; “Bank Statement Reconciler Margaret Corey Added to Banking Accounts to obtain information only.” That states BE IT RESOLVED the Board of Trustees hereby approves the authorization for Margaret Corey ., Bank Statement Reconciler, to obtain information such as Bank Statements, copies of checks and requested verbal information at the NBT Bank, N.A., Earlville Branch on all accounts held there.” was approved on a motion by Moore, seconded by Hayes, 3-0.

There was no Public Comment.

With nothing further to discuss, Trustee Hayes motioned to adjourn the Village of Earlville Board Meeting at 8:43 pm, seconded by Trustee Moore 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 May 14, 2013.”



Kelly Beach  
Clerk-Treasurer

Village of Earlville

- Village Seal -

**Resolution 31-46**  
**Bank Statement Reconciler Margaret Corey Added to Banking Accounts to obtain information only**

***Motion made by Trustee Henry Moore***

***During the regular board session of the Village Trustees (herein "Board") of the Village of Earlville, Counties of Madison and Chenango, State of New York held at the office of said Village Trustees in the Village of Earlville, Counties and State aforesaid, on the 14th day of May 14, 2013***

***Present: William Excell – Mayor  
Gerald Hayes – Trustee  
Henry Moore – Trustee  
Margaret Corey – Trustee  
Sara Chapman Duvall - Trustee  
Kelly Beach – Clerk/Treasurer***

***WHEREAS a majority of said Board being present and said meeting having been duly called;***

***NOW THEREFORE, on motion duly made and carried:***

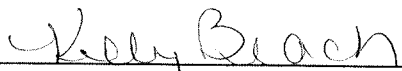
***BE IT RESOLVED the Board of Trustees hereby approves the authorization for Margaret Corey ., Bank Statement Reconciler, to obtain information such as Bank Statements, copies of checks and requested verbal information at the NBT Bank, N.A., Earlville Branch on all accounts held there.***

***Seconded by Board Member Hayes***

***Ayes: 3  
Nays: 0  
Carried: 3-0***

***Adopted this the 14<sup>th</sup> day of May 2013***

***"I certify this document is a true and accurate description of the resolution adopted during the regular board meeting of the governing board of the Village of Earlville on May 14, 2013."***

  
\_\_\_\_\_  
***Kelly Beach***  
***Village Clerk-Treasurer***  
***Village of Earlville***

***– Seal –***

**Resolution 31-45**  
**Deputy Gerald Hayes Added to Banking Accounts**

**Motion made by Trustee Henry Moore**

**During the regular board session of the Village Trustees (herein "Board") of the Village of Earlville, Counties of Madison and Chenango, State of New York held at the office of said Village Trustees in the Village of Earlville, Counties and State aforesaid, on the 14th day of May, 2013**

**Present:**      **William Excell – Mayor**  
                     **Gerald Hayes – Trustee**  
                     **Henry Moore – Trustee**  
                     **Margaret Corey – Trustee**  
                     **Sara Chapman Duvall - Trustee**  
                     **Kelly Beach – Clerk/Treasurer**

**WHEREAS a majority of said Board being present and said meeting having been duly called;**

**NOW THEREFORE, on motion duly made and carried:**


**BE IT RESOLVED the Board of Trustees hereby places the name of Gerald Hayes., Deputy Mayor on the signature card at the NBT Bank, N.A., Earlville Branch, and adds his name to all Village accounts held there.**

**Seconded by Board Member Margaret Corey**

**Ayes: 4**  
**Nays: 0**  
**Carried: 4-0**

**Adopted this the 14<sup>th</sup> day of May 2013**

**"I certify this document is a true and accurate description of the resolution adopted during the regular board meeting of the governing board of the Village of Earlville on May 14, 2013."**

  
\_\_\_\_\_  
**Kelly Beach**  
**Village Clerk-Treasurer**  
**Village of Earlville**

– Seal –

**Resolution 31-44**

**Motion made by Trustee Margaret Corey**

**During the regular board session of the Village Trustees (herein "Board") of the Village of Earlville, Counties of Madison and Chenango, State of New York held at the office of said Village Trustees in the Village of Earlville, Counties and State aforesaid, on the 14<sup>th</sup> day of May, 2013,**

**Present: William Excell – Mayor  
Gerald Hayes – Trustee  
Henry Moore – Trustee  
Margaret Corey - Trustee  
Sara Chapman - Trustee  
Kelly Beach – Clerk/Treasurer**

**WHEREAS a majority of said Board being present and said meeting having been duly called; and**

**WHEREAS Henry Moore is no longer the Deputy Mayor of the Village of Earlville as of April 9th, 2013;**

**NOW THEREFORE, on motion duly made and carried:**

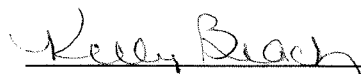
**BE IT RESOLVED the Board of Trustees hereby approves the removal of Henry Moore from all municipal banking accounts at NBT Bank, N.A.**

**Seconded by Board Member Gerald Hayes**

**Ayes: 5  
Nays: 0  
Carried 5-0**

**Adopted this the 14<sup>th</sup> day of May, 2013.**

**"I certify this document is a true and accurate description of the resolution adopted during the regular board meeting of the governing board of the Village of Earlville on May 14, 2013."**



**Kelly Beach  
Village Clerk-Treasurer  
Village of Earlville**

**– Seal –**