

# VILLAGE OF EARLVILLE

Regular Monthly Meeting  
Village Hall

October 8, 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 September 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, CEO Matthew VanHeusen, Sherburne Councilmen Ed Meyers and 7 members of the public.

#### Motion #1-10.8.2013

On a motion by Trustee Moore, seconded by Trustee Chapman, Regular Board Meeting Minutes for September 10, 2013 were approved unanimously.

#### Motion #2-10.8.2012

On a motion by Trustee Chapman, seconded by Trustee Hayes, Special Board Meeting Minutes for September 16, 2013 were approved unanimously.

#### Motion #3-10.8.2013

On a motion by Trustee Chapman, seconded by Trustee Corey, Abstract 725 which included General Fund Vouchers totaling the sum of \$44,642.19 was approved unanimously.

#### Motion #4-10.8.2013

On a motion by Trustee Chapman, seconded by Trustee Corey, Abstract 726 which included Water Fund Vouchers totaling \$4,623.47 was approved unanimously.

#### Motion #5-10.8.2013

On a motion by Trustee Hayes, seconded by Trustee Chapman, Abstract 727 which included Trust & Agency Fund Vouchers totaling \$9,756.22 was approved unanimously.

#### TOWN COUNCILMAN

Ed Meyers gave a Town of Sherburne report. Their last meeting was held on September 11<sup>th</sup>. The Town is in the process of upgrading the Road Use Agreement which is focused mainly on the gas line traffic and road use. The next Town of Sherburne Board Meeting will be held Wednesday night. Excell mentioned that Water Districts may still need to be formed to replace the water lines outside of the village lines. A brief discussion followed. The Village Clerk will call Village Attorney William Getman and ask him about the need to form Water Districts to obtain financial payments to pay for new water main lines outside of the Village.

## TRUSTEE REPORTS

Trustee Chapman had no FOIL or Fair Housing issues to report.

Trustee Corey reported that the electric committee has not met. The Events Committee met on September 17<sup>th</sup>. They discussed next year's Earlville Days, which will be held on July 19<sup>th</sup>. As of right now, there will be no Dunk Tank, Cotton Candy Machine or Car Show. They are considering having the Tractor Pull. The South New Berlin Horseshoe Club is interested in having a tournament that day. Corey reported that the Committee would like a PA system. Mayor Excell stated that the Board has spoken of purchasing a PA system for the Village and will discuss it further. Corey also asked about the Village purchasing a sign for the park to advertise the planned activities. Chapman mentioned asking the American Legion if they would be interested in selling their sign; Excell asked Chapman to contact a Legion member and enquire. The Events Committee is also working on the December Celebration. They have asked if it should be named the Christmas Celebration or the Holiday Celebration. Excell stated they would leave that decision up to the committee. It will be held on Saturday December 6<sup>th</sup>. So far, there will be a craft fair in the Fire House from 9:00am until 1:00pm with a live Santa and decorations outside to make more people aware of the activities. The Ladies Auxiliary will be selling wreaths and poinsettias and the Girl Scouts will be selling hot chocolate and donuts between 9am and 1:00pm as well. The Boy Scouts will be selling trees in the park all day. The Earlville Free Library will host the annual Story Time with Mrs. Claus and the Make It and Take craft event. There will be horse and wagon rides, a Fruitcake Curling Contest, Caroling at the Gazebo, the parade at 5:00 p.m. followed by the tree lighting ceremony. The Library will host open house following the ceremonies. There will be a home decorating contest and a Gingerbread House Contest, winners to be announced at the tree lighting ceremony. The committee will also be selling raffle tickets for gas cards to raise funds for the committee. The committee would also like to have enough funds to do a Winterfest Celebration in February.

Trustee Moore reported that Parks and Recreation is in the process of getting prices for asphalt for the Skate Park. Moore is trying to get more individuals involved to form a Skate Park Committee. Nothing will be done in the Skate Park this year as it is so late in the season. The CEO reported that he sent a letter to the individual who put mattresses beside the curb on So Main Street; the mattresses have since been removed. However, there is now more stuff next the road so he will have to contact the person again. Two permit renewals are in the process. Van Heusen reported that he is close to going back on his previous schedule at Cortland, so his schedule with the Village will change again. He believes he will be switching back to days in this office.

Mayor Excell stated that Bruce Jones pushed the dump back over the weekend. Jones did the work for \$1,000; he suggested having it done every five years and he would perform the work for \$500. Excell suggests keeping the gate locked as there is a lot of inappropriate garbage being thrown on the dump. He believes it is also being used by non-residents as a dumping area. The refurbishment of Clark Street is finished; DPW workers will be doing the needed backfill. The tree was taken down on Chenango Ave- it was bigger than Excell had originally thought. The stump measured 8 foot across. DPW helped in clean-up and in return, Miers took down a tree for free on W Main Street; he also ground the stump on this one. A resident stated that safety clothing and equipment should be used. Leaves presently have to be put in plastic bags in the spring. Excell would like to recommend that they not be bagged since the plastic is not breaking down in the dump. Corey asked if leaves are being taken to the farmer's field as previously agreed on. Mayor Excell explained that Tucker is taking every other load to the field since other residents use the compost from the dump as well.

Trustee Hayes asked a resident if he was recording the meeting. A heated discussion then followed. Hayes reported that he had no report on the senior citizens or the museum. He reported that the dog control officer had responded to a few calls in the Village on a barking dog and turned in a mileage sheet for 12 miles. The Town of Hamilton has installed a solar system in the DPW garage and it is working well. The Town is still looking for a new location for their town offices. Hayes attended an Extreme Weather Conference which noted that the average temp has increased and the average precipitation has increased. They predicted the impact on municipality's DPW would be less snow and more ice. Hayes found the

conference very interesting. The Fire Department held their monthly meeting on October 3<sup>rd</sup>. Ted Barker will receive an award at the November 7<sup>th</sup> meeting from FASNY for 50 years of service. Hayes reported that there was a nice turn out at the Fire Company Banquet; Hayes and Corey attended with their spouses and enjoyed themselves. The bus garage roof has been repaired. The Madison County radio system is not working as well as expected. There will be a Halloween Parade on October 31<sup>st</sup> at 6:30 p.m.; hot dogs and festivities at the Fire House. On Saturday November 9th the Fire Company will be hosting a Pancake Breakfast from 7:00 a.m. to noon. Veterans and active duty military eat free.

#### OLD BUSINESS

The Vacant Building Registry was tabled last month; would the board like to further discuss or table again? It was decided to table the discussion once again until next month so that all Trustees may review.

Results on water samples that were sent out have come back. It was found that there were iron bacteria in the water samples. To solve this issue, more Chlorine needs to be added to the water to kill the bacteria. DPW will work on adjusting Chlorine levels to solve the problem.

Currently, there are three tractors owned by the Village sitting unused in the bus garage. Excell and DPW feel that if the Village can get rid of them, other equipment could be stored in the bus garage. Trustee Hayes went over and looked at the tractors. There is a Toro ParkMaster Tractor which came from S-E School and is probably about a 1960 model; it starts and runs good but there is an oil leak. There is a John Deere lawn tractor model OMM, DPW worker Marc Tucker has never seen it run. There is also a Series 1500 Cub Cadet Hydrostatic Lawn Tractor Model SLT1550 this was bought new but was too small to use for what DPW needed it for. It has a bad rear axle so it cannot be driven, however the engine runs good. Trustee Hayes has called a person he knows and they said they would come take a look them. Excell wanted to know if board wanted to put the tractors out to bid. Chapman stated she thought they should be put out to bid to the public, lowest bid takes them. Clerk will put a bid notice in the paper and online.

#### NEW BUSINESS

Cossitt Concrete has applied to NYS DEC for a permit to “modify their existing sand and gravel mine, located on Clyde Street in the Village of Earlville, Town of Hamilton, Madison County, by adding 2.69 acres to existing 21.36 acre life-of-mine boundary, resulting in a new 24.05 acre life-of-mine boundary within a 42 acre parcel of land owned by Lance C. Kenyon, Cossitt Concrete Products, Inc. The proposed additional 2.69 acres include a portable wash plant designed as a closed loop aggregate-washing process and associated pond system for supply and recirculation of aggregate wash-water”. Trustee Hayes stated that the biggest issue would be the added drain on the village wells. A copy of the permit application and supporting documentation is attached to these minutes. A resident asked about the road damage from trucks coming in and out of the gravel pit, Mayor Excell explained that Cossitt Concrete will be laying 10 inches of concrete at the entrance to the gravel pit.

#### PUBLIC COMMENT

In Public Comment Arlene Heck stated that she would like the Village to ban smoking in the Village Park. Heck is a vendor at the Farmers Market and stated that this is her 3<sup>rd</sup> season and each year she is having an increased problem with people smoking in the park, specifically in the gazebo and around her merchandise. She stated that she has called the American Lung Association as well as Joe Whit who told her that the village would need to pass a resolution in order to make the park a no smoking area. Whit advised Heck that on October 10<sup>th</sup> there is a law going into effect regarding no smoking from dawn until dusk or in the presence of children 12 years old and younger in parks that have playgrounds. Excell asked how and by whom a no smoking ban in the Village Park would be reinforced. Heck noted that Mr. Whit offered to come to a board meeting and give a presentation to Board members. Moore has no problem with Whit coming to do a presentation for the Board. Excell asked Chapman to contact Joe Whit and arrange for him to come to a board meeting and do a presentation. Excell asked that “No Smoking” signs be purchased and placed in the park in the Village Square. It was noted that even though there would be

“No Smoking” signs in the park, there was nothing the Village could do about people smoking on the sidewalks or park benches located on the sidewalks. Excell asked Corey to purchase new holiday lights for the tree in the park. Moore recommends getting LED lights.

Mr. Kicinski stated he had a hearing Wednesday night and would like to ask the Board to drop the case prior to the hearing. Trustee Moore stated he prefers not to drop the case. Excell stated per the Villages attorney the subject should not be discussed. Mr. Kicinski asked the members of the board to be present at the hearing. Mayor Excell and Trustee Chapman stated they would be present.

A resident asked about the latest water bill received; why was the service dates only 68 days this time when the billings are supposed to be quarterly? Trustee Moore explained that it was decided by the Board last year to send the bills out early for the last billing cycle of the year to make it easier on the residents and to avoid the bills coming due during the Holiday time. Last year there were a lot of late pays and shut off notices mailed with a shut off date right after Christmas. Residents complained about the timing of the bill and asked that the billing date be adjusted for future years. Moore also explained that water bills are mailed out quarterly, however that does not mean exactly at 90 days; they can be mailed at any time during the quarter.

A resident asked the Board where the village stands with correcting or replacing water lines outside of the Village. Moore stated that at the time the Village replaced the Village lines, USDA would not fund the replacement of the Town lines. The Village Board understands that something needs to be done to improve the water outside of the Village and are looking into this. Excell explained that the DPW have been doing more frequent flushes and asked the resident if there has been any improvement; the resident stated there is no change in his water. Excell stated he knows that the village needs to figure out how to finance the project in a way that is going to be fair to Town users and the village. The resident asked if the Village had considered installing filtration systems in the homes for the town users, he feels it would be cheaper for the Village than to replace the water lines. A brief discussion followed.

With nothing further to discuss, Trustee Moore motioned to adjourn the Village of Earlville Board Meeting at 8:43 pm, 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 September 10, 2013.”



Kelly Beach  
Clerk-Treasurer

Village of Earlville

– Village Seal –