

VILLAGE OF EARLVILLE

Special Village Board Session
Village Hall

August 28, 2007
7:00 pm

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Village Mayor Toni Campbell called the meeting to order at 7:05 p.m. Board members present were Trustees Mark Doeberl, Gerald Hayes and Amy Clark. Trustee Kim Boomhower was excused. Also present were Village Clerk Christian Vischi and ten members of the public.

Trustee Doeberl made a motion to accept Abstract #528 (Vouchers #5172-5183), seconded by Trustee Clark. The vote was carried 3-0. Vouchers 5182 and 5184 will be tabled until the Sept. 12 regular board session for discussion.

Trustee Hayes made a motion to approve the transfer of \$20,000 from the municipal water account into a newly created 30-day Certificate of Deposit at NBT Bank, seconded by Trustee Clark. The motion was carried unanimously, 3-0.

The final item on the agenda was Local Law #1 of 2007, named by the village clerk as "A Local Law Prohibiting Non-Domestic Animals Within The Village of Earlville."

Trustee Hayes began the discussion by reading aloud the 1963 law regarding "The Keeping of Animals." He said his view is that residents could be permitted to have such animals if they receive approval from the board in writing. Trustee Doeberl said given the date of the law, he would not do anything that would put the village at risk for a lawsuit. He said the board needs to act and respond to the residents as a whole.

Trustee Clark said she was mixed over the local law drafted by Clerk Vischi. She said it was semantics that caused this issue to come to the surface, and the job of the board was to fix it and do the right thing for the residents, but Trustee Hayes said the new local law was too overwhelming.

Trustee Doeberl made a motion to approve Resolution 27-39-2, known as Local Law #1 of 2007 "A Local Law Prohibiting Non-Domestic Animals Within The Village of Earlville." His motion included the local law as presented, omitting article D "Existing Conditions." Without a second, Trustee Doeberl rescinded the motion and discussion continued.

As one of the two individuals in the village that would fall under article D "Existing Conditions," Trustee Clark asked Mr. Mike Kicinski how many chickens he currently had at his property. Mr. Kicinski said that information did not relate to the issue being discussed by the board. Trustee Clark asked how many rabbits he had and again he replied the same.

After brief discussion, Trustee Doeberl made his motion again to approve Resolution 27-39-2 with two changes: omit Article D and add that current residents have 30 days to be in full compliance with the local law. Trustee Clark seconded the motion. It passed 2-1, with Trustee Hayes voting against. Mayor Campbell said although she did not have to vote as there was not a tie, she would have voted favorably for the local law.

Trustee Clark then made a motion to go into executive session at 7:48 p.m. to discuss personnel, seconded by Trustee Doeberl. The motion carried 3-0.

Trustee Clark made a motion to reenter public session at 8:06 p.m., seconded by Trustee Doeberl. The motion carried 3-0. With no further business to discuss, Trustee Clark made a motion to adjourn at 8:06 p.m. - seconded by Trustee Doeberl, and the motion carried 3-0.

The next regular meeting of the Board of Trustees will be at 7 p.m. Sept. 12 at the Village Hall.