

# VILLAGE OF EARLVILLE

Regular Monthly Meeting  
Village Hall

June 14, 2011  
7:06 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 1st day of June, 2011.

*Tonight's meeting minute notes: All votes by the Village of Earlville Board of Trustees (herein "Board" or "Village Board") 4-0 are to be read as "aye" votes from Village of Earlville Board of Trustees members Excell, Hayes, Moore and Taylor. 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.*

Village Mayor Mark Doeberl called the meeting to order at 7:06 p.m. Board members present were Trustees Gerald Hayes, Henry Moore and Tom Taylor. Trustee William Excell was not present. Also present were Village Clerk-Treasurer Kelly Beach, Sherburne Councilman Ed Meyers, one member of the media and two members of the public.

Abstract 635 as presented for Board approval, included Vouchers #6732-6779 totaling \$16,264.63 to be tentatively split \$12,431.63 from the General Fund, \$1,180.22 from the Water Fund and \$2,652.78 from the Trust and Agency Fund. On a motion by Trustee Taylor, seconded by Trustee Moore and approved 4-0, Abstract 635 was approved for payment. Of the \$16,264.63 \$2,652.78 had been paid prior to tonight's Board meeting.

The Capital Project Abstract 636, which included Voucher # CR31 - CR35, was presented for Board approval in the amount of \$28,438.76 to be taken from the Water Project Capital Fund. On a motion by Trustee Moore, seconded by Trustee Taylor and carried 4-0, the Capital Project Abstract 636 was approved for payment. CR36 for Vacri Construction \$178,160.89 was also approved for payment, contingent on USDA RD approval.

Fire Department PO's 0599--0608 in the amount of \$2,487.79 was approved for payment on a motion by Taylor, seconded by Moore and approved 4-0.

The following meeting minutes were approved: May 17, 2011 Special Board Meeting motioned by Hayes seconded by Moore, 4-0. May 17, 2011 Annual Reorganization Meeting motioned by Moore seconded by Taylor, 4-0.

Sherburne Councilman Ed Meyer's reports that their regular Board meeting was held last Wednesday. The sale of Sherburne Metal in Sherburne was briefly discussed. Meyers reports that the Sherburne Web site is up and running and the security for the Town Hall should now be completed as ADT was there this morning. It seems that at a meeting last Thursday between the attorneys for the Water District it was questioned as to why a District is required, as Village Law states that a village can extend water lines past village lines. Village attorney Getman posed the question to USDA RD Kathy Goodman regarding whether we need a district. Getman will update when he receives a response. Mr. Kicinski asked the question of whether the water district was needed to keep the income in the Villages' tax zone.

In the Trustee reports, Taylor stated Ike is out for awhile after injuring his knee. One part time employee was hired to help out in his absence. Taylor stated that Kyle has given his resignation, he will be retiring September 30<sup>th</sup> of this year. It was asked if an end deadline for the brush pick up could be set, Doeberl stated that he doesn't think we can set an end deadline as the Village has not done so in the past. Hayes voiced a concern that even if a deadline is set, people will still put brush out by the curb. It was decided to keep brush pickup as is, currently limited to Monday

mornings as Board members do not feel that one day is too cumbersome. Taylor gave an update on the activities the Planning Board is working on for the upcoming Earlville Days. There will be no Zoo Mobile this year, they are not sure if the Canine Unit will be available either. Friday night's Block Party will be from 5 to 11 pm with two bands. There will be no one under 18 allowed behind the roped off area after 8pm. Saturday's planned events are old fashioned kid's games, face painting, a Magician, a car cruise-in, the Sundown Band and Fireworks. Moore had a question about the landing zone for the medivac helicopter. Excell is arranging this.

Mayor Doeberl read the report from the CEO. One permit has been issued from 5/10 – 6/13/11. The one permit issued was for a porch repair, which does not have a fee. Six violations have been issued since June 8<sup>th</sup>. 2 violations were issued for unregistered vehicles, 2 for uncut grass, one for garbage and one for a septic violation. The garbage violation has already been remedied. In the CEO's report, he requests that an ongoing issue try to be brought to an end.

Trustee Hayes reports that the Opera House has a full program scheduled for the summer. There was no report from the dog warden. Hayes stated that he went to the May 18<sup>th</sup> Water Project update meeting. The next meeting is scheduled for June 22nd.

Mayor Doeberl reported on personnel. Kyle is retiring in September and the Village has advertised the open position in several local papers and has received several applications. The application deadline is set for June 15<sup>th</sup>. All applicants will be interviewed. Trustee Taylor questioned why a CDL is required, which was followed by a brief discussion on shared services and their willingness to help train someone to obtain their CDL. The wage amount was discussed briefly. It was stated that Ike will have to train the new person and he/she will shadow Ike for six months prior to testing for the required Water Treatment license. Doeberl stated that the Village will pay for the water and CDL license only after the new hire has signed a 1 year employment contract. Trustee Moore did not agree with that, saying that the employee handbook states that the village will not pay or reimburse for the schooling of an employee. (The clerk has since gone through the employee handbook and can find no mention of educational reimbursement.)

Trustee Moore reported that there have been no FOIL requests. At the monthly Fire Department meeting they handed out tickets for their drawing. The area behind the Fire House will be repaved, 3 bids have been obtained- \$3,050.00 being the low bid. The Fire Department asked if the Village would be able to pay half. Doeberl stated that the village is paying the cost of removing the existing pavement, that the Village would not be giving additional monetary support for the project. Moore also reported that the security cameras are in place in the Fire House.

There was no old business to report.

In new business it was reported that the over due balances in water bills were \$20,963.85 as of today. Mayor Doeberl read two letters received from two different residents. Both asked for discounts on their bills due to water issues in the past several years. After a lengthy discussion, it was decided that both requests be unanimously denied- the one happened too many years ago and has been brought before the Board previously and denied prior to, the other letter referred to a water main break on the street, however it did not go through meter. Moore requested it be recorded that the name of the resident was not revealed during the discussion and voting, therefore there was no bias involved in the Boards decision.

It was brought to the Boards attention that a letter had been sent previously regarding partial payments of water bills. This letter stated that it was illegal for the Village to accept partial payments of water bills, when in fact it is not. The only payment that the Village can not accept partial payment of is Tax Bills. Moore suggested allowing partial payments or a payment plan but keeping the due date as the shut off date. Hayes stated that paying quarterly will also help residents with the costs of the upcoming water rate increases. The discussion was tabled at this time until all Board members are present.

Trustee Moore requested that he be allowed to get transaction records at will from NBT. Per Doeberl, the Clerk-Treasurer will talk to Tara at NBT to find out what needs to be done to allow Moore informational access to bank records.

There was a brief discussion regarding the underground gas tank found in front of the Post Office. B&L is obtaining bids and will let us know which estimate is the best. There was talk about billing the owner of property after the work is done, since ideally the Village does not want another delay. Mr. Kicinski questioned whether a certain procedure could be done in regards to the removal of the tank and contaminates, it was stated that no- the tank had to be removed for the water project.

In public comment, Mr. Kicinski, stated that he was pleased that Mid-York is now the official Village paper. He also asked about the Emergency clause in the Water Service Rules and Regulations Notice of September 2011, a brief discussion followed. Mr. Kicinski commented on a condition in the past where 2 employees left before a year had expired after the Village had paid for both to get their Water Treatment license and nothing was done to them. Doeberl stated it was never in writing or signed by the previous employees, therefore nothing could be done to recoup the fees of the licenses. Mr. Kicinski then suggested the employee pay for the training initially, and when they have worked the required time, the village reimburses them for the cost. Further discussion was tabled at this time. It was asked why the street lights are staying on for a longer period of time, have the timers been changed? Trustee Taylor will have Kyle look into it.

Music in the Park begins on the 1<sup>st</sup> Tuesday of July, therefore, on a motion by Moore, seconded by Taylor, it was agreed that the Board Meetings be held on the 2<sup>nd</sup> Monday of both July and August at the regular time of 7:00pm.

The next board meeting will be Monday July 11 at 7:00pm. This will be a regular board meeting with John, Jeff and Mary present from Municipal Solutions to present to the public the forecasted increase in future water rates.

With nothing further to discuss, Trustee Moore motioned to adjourn the Village of Earlville Board Meeting at 8:15pm, 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 on June 14, 2011.”

Kelly Beach  
Clerk-Treasurer  
Village of Earlville

– Village Seal –