

VILLAGE OF EARLVILLE

Regular Monthly Meeting
Village Hall

August 8, 2011
7:04 PM

.....

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 July, 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 7:04 p.m. Board members present were Trustees Gerald Hayes, Henry Moore, William Excell and Tom Taylor. Also present were Village Clerk-Treasurer Kelly Beach, Marc Tucker, the new DPW worker, Matthew Van Huesen the Code Enforcement officer, and 7 members of the public.

Abstract 641 as presented for Board approval, included Vouchers #6823-6851 totaling \$11,107.88 to be tentatively split \$7,010.13 from the General Fund, \$1,613.70 from the Water Fund and \$2,484.05 from the Trust and Agency Fund. On a motion by Trustee Taylor, seconded by Trustee Moore and approved 5-0, Abstract 641 was approved for payment. Of the \$11,107.88, \$2,481.16 had been paid prior to tonight's Board meeting.

The Capital Project Abstract 642, which included Voucher # CR43 - CR47, was presented for Board approval in the amount of \$409,121.05 to be taken from the Water Project Capital Fund. On a motion by Trustee Excel, seconded by Trustee Moore and carried 5-0, the Capital Project Abstract 642 was approved for payment.

Fire Department PO's 0614-0623 in the amount of \$2,577.76 was approved for payment on a motion by Moore, seconded by Taylor and approved 5-0.

The following meeting minutes were approved: July 11, 2011 Regular Board Meeting; motioned by Excel, seconded by Taylor, 5-0.

In the Trustee reports, Trustee Taylor introduced Marc Tucker, who was hired to take over for Kyle when he retires at the end of September. Marc has been busy learning the job and the DPW has been busy with the water project, brush pickup and weed mowing. Ike had surgery a week ago today and is recuperating well, he is hoping to be back to work by the middle of next month. Taylor had nothing to report for the Planning Board as there were not enough people present at the last meeting to conduct it.

Trustee Excell turned the CEO trustee report over to Matt Van Huesen who addressed some issues concerning his schedule and other items that had been brought up by residents in the recent past. He reported that no new permits have been issued since last month and requested again that a specific issue be addressed as it has been ongoing for four years. Matt left the Board meeting at 7:20pm. Excell reported that Justice Hailston recently underwent heart surgery and is doing very well. Justice Hailston would like to apply for a grant through the Justice Court Assistance Program to make improvements in the courthouse. On a motion by Moore, seconded by Excell, 5-0; Resolution 31-4 "Approval for Justice Hailston to apply for a grant through the Justice Court Assistance Program." was approved, 5-0. Trustee Excell again noted that the windows in the courthouse are in need of repairs. Taylor will have the DPW assess and repair the windows.

Trustee Hayes reports that the Opera House has a full program scheduled for the summer. There was no report from the dog warden or from the seniors. Hayes gave a brief update on the museum and then turned the floor over to Mr. Kicinski who advised that the museum is still concerned about the price increase from the water project. Mr. Kicinski asked if the museum had their water shut off, would they still be responsible for the before mentioned debt service charge. He was advised that yes, everyone with water access will be billed the flat water debt service charge, whether they used water or not. Doeberl reminded everyone that there would be a Water Workshop on Tuesday night 7:30. Kicinski stated that

the Madison County Board of Elections has the paperwork ready for the transfer of ownership of the voting machine ready. He questioned whether the Village needs the paperwork for ownership before the machine can be moved to the museum? Doeberl stated that yes, the Village will need a copy of the transfer of ownership prior to.

Trustee Moore reported that there have been no FOIL requests. In Fire House news; two requests for the use of the firehouse have been received. On a motion by Excell, seconded by Taylor, and approved 5-0 The Earlville Fire Company will hold a Pork Roast Dinner, Boot Drive and Beef Raffle Drawing on Saturday August 27, 2011. The Boot drive will start at 10a.m. and go until 12:00p.m. or 1:00p.m. and the Pork Roast Dinner will be from 4:00p.m. to 6:30p.m. On a motion by Hayes, seconded by Excell, and approved 5-0, the Ladies Auxiliary will host a Fall Mums Sale on September 10, 2011 from 9a.m. until they are all sold. Moore stated that one person has been removed from Fire Department roster. Regarding a previous matter, Moore stated he spoke with the fire chief who confirmed that he had authorized the earlier use of the Fire House for a bottle drive and car wash. He had not thought at the time that he needed approval to do so. Moore advised that he explained to the fire chief that all outside use of the fire house must have prior approval from the Board of Trustees. The Fire Company is paying \$11,700 while the Fire Department pays \$5,000.00 for an extraction device to be shared by both. The Fire Department is considering selling some of their surplus items. Trustee Excel asked about the sale of the pumper truck, Doeberl stated that it is still posted on Craig's List. The Fire Department will be paying for the parking lot out back. Trustee Excel stated that he does not feel that the Village should be digging up the parking lot since it is owned by Frontier, not the Village. Doeberl stated that there should be something in writing giving the Village permission to dig before it is done. Moore has spoke with Ford Seymour; he said everything is fine w/ Frontier about digging up. Moore will speak to Mr. Seymour since he believes written permission has already been granted by Frontier.

In old business, Doeberl advised that the Village has received the Water Service Agreement and Easement forms drafted by Village Attorney Bill Getman. Getman is also drafting a letter to go with the forms to explain what they are. As of yet, the Village has not received this. Doeberl asked Taylor if the DPW was notified regarding the steps needed to comply with NYMIR. Taylor stated he will check with them to verify that they have been finished.

In new business, Moore made a motion to discuss what the Police Committee discussed during their meeting on Friday. Per members of the Committee, it was unanimously voted to not renew the Madison County Sheriff's contract. It was stated that the committee had not met with Undersheriff John Ball however; they questioned the contracts proposal of paying \$60.00 an hour for full time Sheriff Personnel when part time personnel may not be available when needed. It was also discussed that the hours have changed and they are no longer patrolling the previously requested times. Mr. Kicinski suggested hiring a local person for \$30 an hour on a part time basis. Doeberl reminded everyone that that had been tried already and the former police officer failed to report to work. Excell commented on having to consider the costs of a car, training, ammo and overhead when considering the Village's options. In other new business, the July Water bills were approved with a due date being September 12, 2011, shut off notices going out on September 13th and a water shut off date of September 26th, motion by Taylor, seconded by Excell, 5-0. The Clerk-Treasurer would like to attend the NYCOM Fall Training School from September 19th thru September 22nd in Saratoga Springs. The training was approved on a motion by Excel, seconded by Taylor, 5-0.

In public comment, Mr. Kicinski expressed concerns regarding the water project and increase in water billing. He also showed pictures of his steps showing how they were tilted and not aligned. The Village clerk will call Joe Fitzgerald in the morning regarding this. Mr. Kicinski stated that the museum is interested in obtaining one of the hydrants for display. The DPW will be notified as they do have some on hand at the garage. Another resident expressed concerns regarding the amount of top soil being used in front of his home. Vito stated they are only putting 1-2" of top soil and running over it with a sealer. In the plans it illustrates that 4" would be used. He will meet with Excell Tuesday night to show him what he means. The matter was previously brought to Joe Fitzgerald's attention earlier in the day, who stated that they would be back in the fall and if more is needed they will correct it then.

At 8:09 p.m. a motion was made by Moore, seconded by Excell carried 5-0 to go into Executive Session regarding "the medical, financial, credit or employment history of a particular person of corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal

or removal of a particular person or corporation” Present during the executive session were all Board members, Mayor Doeberl, members of the Police Commission and Village Clerk-Treasurer Kelly Beach. Two contract issues were discussed during this session. The first was the Madison County Sheriff’s contract that is up for renewal effective September 13, 2011. On a motion by Moore, seconded by Excell, the Board voted unanimously to approve Resolution 31-5 “To not renew the Madison County Sheriff’s contract beginning September 1, 2011. The Madison County Sheriff’s Department may continue to us the building as a satellite office along with the Chenango Co Sheriff’s Department. The Village of Earlville will supply the heat and electric, but phone service will be supplied by the Sheriff’s Department if needed.” As expressed, at the present time, the Village Budget can not support the increase of funds in the proposed contract. The second issue discussed was the Time Warner Franchise. On a motion by Moore, seconded by Hayes and agreed 5-0, Computel will be contacted by Hayes and asked to continue negotiations with Time Warner. With nothing further to discuss, the Board returned to public session @ 8:24.

At 8:25 the Board returned to Executive Session on a motion by Excell, seconded by Moore, 5-0 to discuss “matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.” Present were all Board members, Mayor Doeberl and Village Clerk-Treasurer Kelly Beach. Two issues were discussed with no action taken on either. On a motion by Moore, seconded by Excell, 5-0 the Board returned to publish session 8:42.

Back in Public Session, Moore stated that at the next meeting a discussion needs to be had regarding procedures for water shut off. Moore brought up the subject of a new snow blower for DPW. The possibility of trading in the old rear mount blower for new attachments was discussed. Taylor will talk to Kyle again to see what they need.

The next board meeting will be Tuesday September 13th at 7:00pm. This will be a regular board meeting.

With nothing further to discuss, Trustee Excell motioned to adjourn the Village of Earlville Board Meeting at 9:00pm, seconded by Trustee Hayes, and carried 5-0.

“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 August 8, 2011.”

Kelly Beach
Clerk-Treasurer
Village of Earlville

– Village Seal –