

VILLAGE OF EARLVILLE

Regular Monthly Meeting
Village Hall

September 13, 2011
7:07 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 September, 2011.

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 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 7:07 p.m. Board members present were Trustees Gerald Hayes, Henry Moore, William Excell and Tom Taylor. Also present were Village Clerk-Treasurer Kelly Beach, DPW workers Marc Tucker and Ike Thayer, Sherburne Councilman Ed Meyers, Brian Skidmore from B&L, David Craine from Mang Insurance, 8 members of the public.

Abstract 644 as presented for Board approval, included Vouchers #6852-6891 totaling \$23,303.67 to be tentatively split \$18,614.33 from the General Fund, \$3,915.44 from the Water Fund and \$773.90 from the Trust and Agency Fund. On a motion by Trustee Taylor, seconded by Trustee Excell and approved 5-0, Abstract 644 was approved for payment. Of the \$23,303.67, \$8,905.02 had been paid prior to tonight's Board meeting.

The Capital Project Abstract 645, which included Voucher # CR48 - CR51, was presented for Board approval in the amount of \$348,910.73 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 645 was approved for payment.

Fire Department PO's 0624-0630 in the amount of \$1,336.67 was approved for payment on a motion by Moore, seconded by Taylor and approved 5-0.

The following meeting minutes were approved: August 8, 2011 Regular Board Meeting; motioned by Hayes, seconded by Taylor, 5-0.

Brian Skidmore from B&L was here to seek authorization from the Board to put a bid out to the public for the new digital water meters and reader. The bid package was completed last week and approved by Marcy from USDA RD. On a motion by Taylor, seconded by Excel, Resolution 31-7 *"Board authorizes advertising for bids for water meter purchase, Village Clerk is authorized to have the ad published in the Village's newspaper of record, B&L is authorized to distribute the Contract Documents at their Syracuse office, and the bid opening shall be at the Village office at 3:00p.m. on Tuesday, October 4, 2011"*. Someone from B&L will come down to the Village Office for the bid opening. The Clerk is the only one from the village that needs to be there, however anyone else from the Board may attend if they wish. B&L will take the opened bids back to their office to review and get a recommendation of award together for the October 11th Board meeting. There was a question about how the new meters will work with the Village's existing Water Billing software. Brian explained that the winning bidder is responsible for integrating the meters with the Village's existing software. A resident asked if residents will be responsible for purchasing the meters. Brian stated future customers will have to purchase their own meters. At 7:23pm, another member of the public arrived. Trustee Taylor asked about the power supply for the meters and hand held reader. Brian stated that they were battery operated and as far as he knew, the batteries lasted about 10 years. Trustee Excel asked about down time for repairs to the equipment and Brian stated that repair time should be relatively quick. Brian also noted that the meter can be manually read. Mayor Doeberl asked if the Vendor would be installing the meters as well as integrating the system. Brian stated the Vendor will deliver, hook up and coordinate with the Village software. A resident asked what would happen if there is no cellar, where would the meter be placed? Doeberl stated that the meter would go where the existing meter is now. Excell suggested doing meter pits for the few meters that are outside to avert meter freezing for the meters that will be replacing outside meters. Brian will check into prices and let the Clerk-

Treasurer know. There were several questions and comments from residents for Mr. Skidmore regarding top soil, grass seed, drainage issues and the overall quality of the work being done by the contractors. Brian stated that he had drove around the Village with Doeberl before the Board Meeting and has seen all the issues that residents have complained about. He stated that he will be addressing the problems with VACRI and they will be corrected. With no further questions for Brian from Trustees or residents, he left the meeting at 7:55.

On a motion by Excell, seconded by Moore, it was approved 5-0 to cease brush pick up at the end of month. The Clerk-Treasurer will post a notice in the Mid York paper. It will also be noted that in the fall, leaves are to be left loose at the curb side, not bagged. With nothing further to be discussed by them, Marc Tucker & Ike Thayer left at 7:55.

In the Trustee reports, Trustee Taylor reported that the DPW were looking into the suggestion of selling water; per Kyle, he figures that the Village can sell about 50,000 gallons a week based on the water leak recovery as well as past numbers. Thomas stated that they have looked into purchasing a snow blower attachment for the existing tractor. DPW talked to several companies who said they would have a hard time finding a blower because the tractor is so old, and if they did find an attachment, it would cost over \$6,000. Trustee Excel suggested a V plow. Doeberl asked if the Village could sell the straight blade & how much. It was stated that they would need to keep the straight plow for clean up during big storms. Moore suggested putting the snow plow on and leaving it on throughout the winter. Further discussion was put on hold to discuss with DPW. At the Planning Board meeting of August a question was raised whether a fund raising committee could put out donation cans to collect money for Fire works etc. for Earlville Days. Doeberl stated that they could do this so as long as it is not run by the village. Taylor asked how much money is in the budget for this year Winterfest. The Clerk-Treasurer reported that there is \$2,153 allocated in the budget.

Trustee Excell read the Code Enforcement Officer's report. Matt reports that he attended two code classes since last month. He has reviewed a couple of on-gong projects and is still waiting on the paperwork for those. Excell stated that the Judge has received the bids for the work to be done through the Judicial Grant and has submitted the paperwork.

Trustee Hayes reports that Animal Control responded to two calls in the last month. One involving a dog with puppies and the other was a neighbor dispute involving a dog; the Town of Hamilton Dog Control Officer had previously issued a ticket and the situation was therefore out of Mr. Hilsinger's control. Hayes stated that the Senior Center thanked the Village for funds issued to them. The Opera House has a full fall schedule. Mayor Doeberl stated that he believes he has figured a way to fund the museum and opera house next year. Mr. Kicinski asked about shutting off the water for the museum and if there would be a disconnect/reconnect fee. Excel does not feel that the disconnect and reconnect fees should be used in those circumstances. After much discussion, on a motion by Moore, seconded by Taylor, 5-0 it was agreed that people, who leave for the winter (a minimum of two months) and non-profit agencies, can voluntary turn their water off with no disconnects or reconnect fee. However, they will still be responsible for the Service Debt charge. Moreover, it was agreed that if you leave in the middle of a billing cycle, you must pay the bill at the time that it is disconnected. The disconnect/reconnect fees are waived for snow birds, nonprofit organizations or any building that will be unoccupied for more than three months.

Trustee Moore reported that there have been no FOIL requests. Moore stated that he did not attend the monthly Fire Department meeting and therefore had nothing to report on that.

David Craine from Mang Insurance talked about Insurance Renewal for the Village as well as briefly on the Fire Dept Ins. Excell noted that the Clerk-Treasurer should be added to the Village's vehicle insurance so that he/she can use a village vehicle to run errands/go to training, rather than paying them mileage. All Board Members agreed and so, Craine asked for employee information to be forwarded to him so the Clerk-Treasurer and the new DPW worker can be put on the Village's vehicle insurance. Doeberl asked about using the office on Fayette Street for a substation for police communities. Craine advised that the Village should obtain a Certificate of Liability in the Village's name from all parties using the office. The clerk will contact Chenango County Sheriff's, Madison County Sheriff's Chenango Co State Troopers as well as Madison County State troopers and request both Certificate of Liability and Certificate of Law Enforcement in the amount of \$1,000,000 in the Village of Earlville's Name. Craine advised that the Village

needs to contact David Craine when Water Project is complete to obtain contact info for insurance rating. With nothing further to discuss, Mr. Craine left the meeting at 8:55pm.

Ed Meyer, Sherburne Councilman updated on the July 2011 and August 2011 Sherburne meetings. He noted that the Sherburne Library needs additional work and that the town will go 50/50 with the Village of Sherburne on funds. Meyer reported that they are still working on the Time Warner Franchise. Doeberl stated that Earlville has responded to Time Warner and is waiting for their response. Meyer stated that most of flood damage was in the Village of Sherburne, not the town.

In old business, the Clerk advised that she would not be attending the NYCOM Fall Training School. Reservations and registrations have been cancelled and no charges will be billed to the Village. The Water Service Agreements, Easements and letter have all been received from Attorney Getman and Resolution 31-6 "*Approval of Water Service Agreement between Village of Earlville and the Town Residents*" was approved on a motion by Moore, seconded by Excell, 5-0. The letters, Agreements and Easements will be mailed out on Wednesday September 14, 2011.

In new business, the Board approved the use of the Fire House for Earlville Fire Company's Semi-Annual Pancake Day on November 12th from 7:00am until 12:00pm. Motioned by Taylor, seconded by Moore, 5-0. The Board also approved the July Water Billing Shut Off notices being mailed out on a motion by Moore, seconded by Taylor, 5-0. The total outstanding notices are \$23,061.60. The due date for payment will be September 23rd with a shut off date of September 27th. Also discussed was water account 1620. The water for this account was originally paid in full and shut off in February 2005. A new resident moved in on a land contract in June of 2011 and does not feel that she should have to pay the minimum usage charge since she moved in 2 weeks before the read date of July 26 and the meter reading was only 500 gallon usage. (It is noted that there is a discrepancy in the dates as the clerk was notified that they were moving in the residence in June, but the homeowner is implying that they moved in July) She requested the minimum usage charge be waived and she would pay the \$50.00 connection fee only. After much discussion, on a motion by Excel, seconded by Moore, 5-0 it was approved that the water bill for account #1620 be billed to the previous owner of the home and that he be given 30 days to pay the bill. Municipal Solutions submitted Amendment #3 for the Boards approval. This amendment was for \$15,000 and was for the following items: 1) Update the Deadline Dates as needed to ensure Contractors are paid monthly per contract documents. 2) Complete monthly paperwork to report progress and/or draw funds from appropriate agencies such as Rural Development. 3) Attend monthly construction meetings as requested by the Village or funding agency personnel. 4) Coordinate the completion of a single audit with a qualified auditor as required by Federal Agencies, if appropriate. After much discussion, Amendment #3 was unanimously vetoed. The Board members all agreed that the starting contract having been only \$37,000 with two amendments already approved for an additional \$35,000, instead of just submitting any more amendments, someone from Municipal Solutions should be explaining the reasons for these. The Clerk will contact Municipal Solutions and explain the Boards decision. In other new business, a fund transfer of \$726.00 from the Water Fund to the Water Project Fund was approved on a motion by Hayes, seconded by Excel, 5-0. USDA RD would not approve 3 bills that had previously been paid out of the Water Project Fund because they considered the bills to be Operation and Maintenance, which is not payable by the Water Project Fund. Also, an inter-fund transfer was approved by motion of Taylor, seconded by Moore, 5-0 to transfer \$200.00 from the General Fund Contingency account to the Tax Advertising Expense/Contractual account to cover expenses already spent.

In public comment, Mr. Kicinski stated that the paperwork is signed from the Board of Elections for the voting machine; the museum is just waiting for them to come back. He also asked if the museum could have some of the before and after pictures from the water project. Mayor Doeberl said that Brian Skidmore is checking into those pictures for other reasons and he will let Mr. Kicinski know as soon as he receives them. Two members of the Earlville Fire Dept stated that they had some issues to bring before the Board regarding the Fire Dept.

At 9:27pm the Board entered Executive Session on a motion by Excell, seconded by Moore, 5-0 to discuss "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 were all Board members, Mayor Doeberl and Village Clerk-Treasurer Kelly Beach and two fire department members. One issue was discussed with no

action taken at this time. On a motion by Excel, seconded by Hayes, 5-0 the Board returned to publish session 9:42pm.

Back in Public Session, with one member of the public still in attendance, Mayor Doeberl did a reorganization of duties. The following changes have been made: Mayor Doeberl is now liaison to Personnel, the Water Project and Parks & Recreation. Trustee Excell is liaison to Codes Enforcement and DPW. Trustee Hayes is liaison to Adult Recreation, Civic Organization, Minority Business Officer, Animal Control and the Fire Department. Trustee Moore is liaison to FOIL, Monthly Bank Reconciliation, Village Justice, and the Police Committee. Trustee Taylor is now liaison to Auditing, Planning Board, Events Coordination and Fair Housing.

Trustee Hayes reported that he spoke with Computel and they will write up a reply to Time Warner and have the Village print out the letter on Village letterhead.

The next board meeting will be Tuesday September 27th at 7:30pm. This will be a special board meeting.

With nothing further to discuss, Trustee Excell motioned to adjourn the Village of Earlville Board Meeting at 9:00pm, seconded by Trustee Taylor, 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

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