

VILLAGE OF EARLVILLE

Regular Monthly Meeting
Village Hall

April 13, 2010
7:00 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 10th day of March, 2010.

Village Mayor Toni Campbell called the meeting to order at 7:00 p.m. Board members present were Trustees Mark Doeberl, Gerald Hayes, Henry Moore and William Excell. Also present were Village Clerk-Treasurer Christian Vischi, Brian Skidmore of Barton & Loguidice, Town of Sherburne Councilman Ed Meyers and five members of the public.

The following meeting minutes were each unanimously approved 4-0 (motion by, second by):

- Feb. 9 Regular Board Meeting (Doeberl, Moore)
- Feb. 23 Special Board Meeting (Moore, Doeberl)
- March 9 Regular Board Meeting (Moore, Doeberl)
- March 30 Special Board Meeting (Excell, Moore)
- April 6 Public Hearing (Moore, Excell)

Abstract 598 (Vouchers #6296, 6309-6324) was approved 4-0 on a motion by Trustee Moore and a second from Trustee Doeberl. Voucher #6281, originally part of Abstract 598, was removed.

A sixth member of the public arrived at 7:04 p.m.

Councilman Meyers updated the board on events and issues related to the Town of Sherburne, including gas drilling and the protection of roads, an addition to their planning board, water districts formation, the town's website and a special recognition for John McDaniels.

The judge's March court docket included 14 individuals with 16 statute violations for a total of fines, fees and surcharges of \$1990. Trustee Moore had no report from the animal control officer and said the water committee may be seeking a couple of new members.

Trustee Excell had no report from the Codes Enforcement Officer and said Softball League Commissioner Jeffrey Beaver relayed that the season will start May 17. Several teams have shown interest in participating in 2010.

Trustee Doeberl said brush and bagged leaf pick-up has begun. The drain behind the Paper Box will receive a new cover for no charge as the issue is with the material, not installation. The DPW scrapped the old gang mowers for \$150.50 with Otsego Auto Crusher. The DPW will be flushing hydrants in the evening of April 15.

Trustee Excell said he wanted it noted that Bernard Thayer helped with the transmission issue of the Ford Tractor, resulting in cost-savings for the labor performed.

In cultural news, Trustee Hayes said the 2010 Earlville Opera House schedule is now available and the Quincy Square Museum will open in May with five events planned for this summer. A member letter for the museum will be mailed at the end of April requesting memberships.

On a motion by Trustee Hayes, seconded by Doeberl and carried 3-0 with Trustee Excell abstaining, the following fundraising events of the Earlville Fire Department and Auxiliary were approved:

- Roast Pork Dinner starting at 4 p.m. May 15 at the Fire Hall;
- Boot Drive from Noon to 3 p.m. May 29;

- Spring Plant Sale from 9 a.m. until sold out on May 8 at the Fire Hall

The proceeds from the events will go into the fire company's general account for annual expenses.

Officers elected on April 1 and serving through March 31, 2011 are: Fire Chief Robert Tracy; First Assistant Chief Tim Huff; Second Assistant Chief Dana Campbell; Safety Officer David Bensley; EMS Captain William Excell Jr.; Fire Police Captain Russ Chase; and Photography Diane Bensley. The Fire Company Officers include: President Keith Partridge; Vice President Russ Chase; Secretary Diane Bensley; Treasurer David Bensley; Investment Treasurer Ford Seymour; Chaplain Floyd Nower; Assistant Chaplain Rev. Thana Kibbe; and Statistician Sue Huff

Fire Chief Tracy also wants to appoint four captains to the department. Rescue 158 is back in service and Rev. Kibbe has submitted a delegate application with the New York State Association of Fire Chaplains. On a motion by Trustee Hayes, seconded by Trustee Moore and carried 3-0 with Trustee Excell abstaining, the following changes to the Fire Department roster were approved:

- Removal of Andrew Jones and Francis Mickiewicz
- Membership status change of Kerri Mikalunas from active to associate
- Addition of James Faulks and James Doyle

Trustees Excell and Hayes met with four New Life Christian School representatives to discuss issues with the school's use of the fields last year. Property Manager David Crandall also discussed his issues with their use of the fields. Excell and Hayes relayed that NLCS promised to remedy the issues this year.

Mayor Campbell reiterated the new trustee liaison appointments for 2010-2011:

- Doeberl: Fair Housing, DPW and Planning Board;
- Excell: Youth Recreation, Codes Enforcement, Adult Recreation (Softball) and Village Justice;
- Hayes: Animal Control, Adult Recreation (Seniors) and Civic Organizations (Cultural); and
- Moore: Water Committee, FOIL Officer, Fire Department and Monthly Bank Reconciliation Officer

Mayor Campbell will handle personnel.

A letter was received from the Sherburne Recreation Committee inviting an Earlville Board representative to attend a meeting at 7:30 a.m. April 30 in the Sherburne Town Office. Trustees Moore and Excell will attend. The regular village board meeting in May will host discussion and a decision on summer recreation.

The Community Bulletin Board will be discussed at the May regular board meeting.

The 2010-2011 Tentative Budget has total expenditures of \$378,020.03. This is a decrease from the current fiscal year's budget by \$12,824.27 and a reduction from the current tax levy by \$4,629.46 to \$187,314.39. This results in tax rates of \$8.5394 per assessed \$1,000 in Madison County and \$9.4414 per assessed \$1,000 in Chenango County. The Water Fund has expenditures of \$117,136.48, an increase over the current year by \$20,625.98, primarily due to the increase in the Bond Anticipation Note. Approval of the budgets was carried 5-0 with the adoption of Resolution 30-1 "Adoption of 2010-2011 General Fund and Water Fund Budgets" on a motion by Trustee Moore, seconded by Trustee Doeberl.

Resident Jeffrey Hendrickson discussed a court-related issue, and said he has requested and not received a disposition of cases from February 2009. He is also looking for a copy of the summons and evidence that was submitted for to a case in which he is the plaintiff. Mayor Campbell clarified the original trail that the summons and evidence followed, and recommended

Hendrickson submit a new FOIL request with exactly the information he is seeking and the new FOIL Officer Moore will work with Justice Peptis to find it, if possible.

Skidmore gave an update on the project and relayed to the Board that some residents will need to be contacted to sign an easement agreement giving the village permission to use their associated acreage for the water project.

Because the upcoming Water System Improvements Project (the "Project") involves the re-installation of existing Mueller Co. hydrants, the majority of existing hydrants and valves in the Village water system were manufactured by Mueller, the municipal water systems in the Villages of Hamilton and Sherburne, and the City of Norwich all standardize on Mueller appurtenances, Trustee Doeberl made a motion to adopt Resolution 30-2 "Standardization of Water Main Appurtenances". The resolution was seconded by Trustee Excell and adopted 4-0 to appoint Mueller as the standard manufacturer to supply all hydrants, valves, corporation stops, and curb stops to be installed as part of the Project.

Residences at 30 and 32 South Main Street have three trees that will be coming down, but replacement trees are not feasible in the current location. The Village will need a written release from the owners, allowing the Village to plant new trees on their properties.

On a motion by Trustee Moore, seconded by Trustee Doeberl and carried 3-0 with Trustee Excell abstaining, the following captains and line officers of the Earlville Fire Department were approved: First Captain Jeremy Shaw, Second Captain John Fontaine, Captain Keith Partridge and Captain A.J. Scheve.

After discussion about the potential lag time of one month and insurance coverage concerns, the board voted 3-0 to have all new members of the Earlville Fire Department given temporary approval until the first regular board meeting of the Village Board of Trustees following said approval from the fire department's Board of Directors, Council and Membership at large. The motion was made by Trustee Moore and seconded by Trustee Doeberl, with Trustee Excell abstaining.

Fire Chief Tracy then updated the board on upcoming events and training, including mandatory HASMAT training on April 14; May Day training next week at the bus garage; department physicals on June 2; and hose-testing at 6 p.m. on both May 5 and May 12. A section of Preston to Clyde Street will be limited to local traffic on those nights of hose-testing. Letters will be mailed to area residents alerting them to the reduced traffic flow. Of the department vehicles: Engine 158 is nearly complete in its conversation to replace 155 as the rescue truck; the department's trucks are being readied for bi-annual inspections and service at Har-Rob in Syracuse; and the air packs are scheduled for service in May.

On a motion by Trustee Excell, seconded by Trustee Moore and carried 4-0, the board entered executive session at 8:18 p.m. to discuss a matter relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Invited to stay for the executive session were Skidmore and Jesse McGrath of Wissenbach Land Surveying. With no action taken, the board reentered public session at 8:41 p.m. on a motion from Trustee Moore and a second from Trustee Hayes. The motion carried 4-0.

Mayor Campbell reminded the board of the 6 p.m. April 30 Girl Scouts' Arbor Day ceremony.

The 2010 Music in the Park season will start the first Tuesday in July and run every Tuesday through August, with concerts beginning at 7 p.m. Debi Pierce will again organize the line-up. Sponsorship letters will soon be mailed out.

Skidmore said that a Green Innovations Grant on behalf of the village could be reapplied for without cost to the village.

Trustee Doeberl said he knows of an individual interested in the village justice position. North Norwich Justice Brian Swift would be available to start anytime and his court duties there do not conflict with the established court dates of second and fourth Wednesday in Earlville.

On a motion by Trustee Moore, seconded by Trustee Doeberl and carried 4-0 at 8:46 p.m., the board entered executive session to discuss a matter relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. No action was taken and the board reentered public session at 9:05 p.m. on a motion by Trustee Moore, seconded by Trustee Doeberl. The motion carried 4-0. Discussion on the village justice position will continue at a special board meeting at 7 p.m. April 27 in the Village Office.

Quotes for propane, verbally secured by Clerk-Treasurer Vischi, included:

- Scharman Propane at \$2.19 per gallon for one year with no other fees;
- Suburban Propane currently at \$2.55 per gallon with a three-year contract (the rate is a discounted rate from the regular rate based on market conditions) and no fees except early termination fee of \$199;
- Reese-Marshall at \$2.699 per gallon for one year with no other fees;
- Broedel Energy at \$2.89 per gallon for one year with no other fees – though the individual contacted said they could possibly do better on the price;
- Ferrellgas at \$5.55 per gallon based on most recent billing to the village

There was one written quote from Blueox at \$2.39 per gallon for 14 months. The board requested the rates be in writing for the April 27 board meeting.

After brief discussion, the board approved holding two meetings a month for April through August on the second and fourth Tuesdays at 7 p.m. The second meeting of the month will be held conditionally with the provision that one week prior to the meeting there is business to be added to the agenda. The vote was approved 3-2 with Trustees Doeberl and Moore voting nay.


Trustee Hayes said he may be out the first two weeks of May.

Resident Michael Kicinski asked about meeting procedure, claiming he read something pertaining to Hamilton about incorrect voting by their board. Trustee Hayes said he recalled the same information relayed at a conference he attended. The mayor reassured Kicinski and Hayes that the village has been voting properly, according to New York State Village Law §4-400 which states: "...the mayor) *may* have a vote upon all matters and questions coming before the board and he [sic] *shall* vote in case of a tie, ..." (emphasis added).

With no further business to discuss, Trustee Hayes made a motion to adjourn, seconded by Trustee Excell and carried 4-0 at 9:16 p.m.

The next board meeting will be at 7 p.m. April 27 in the Village Office.

"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 April 13, 2010."


Christian L. Vischi
Clerk-Treasurer
Village of Earlville

– Village Seal –

*Resolution 30-1
Adoption of 2010-2011 General Fund and Water Fund Budgets*

Motion made by Trustee Henry Moore

During the regular board meeting of the Village Trustees (the "Village") of the Village of Earlville, Counties of Madison and Chenango, State of New York held at the office of said Village Trustees in the Village of Earlville, Counties and State aforesaid, on the 13th day of April 2010,

*Present: Toni Campbell – Mayor
 Mark Doeberl – Trustee
 William Excell – Trustee
 Gerald Hayes – Trustee
 Henry Moore – Trustee
 Christian Vischi – Clerk/Treasurer*

WHEREAS a majority of said Board being present and said meeting having been duly called; and

WHEREAS the Village did prepare and file the 2010-2011 tentative general fund and water fund budgets in accordance with New York State Village Law §5; and

WHEREAS the Village did hold a Public Hearing on April 6 in accordance with New York State Village Law §5-508(3); and

WHEREAS the Village did file the Constitutional Tax Limit form with the Office of the State Comptroller at least 10 days prior to the adoption of the Village Budget;

NOW THEREFORE, on motion duly made and carried:

BE IT RESOLVED, that the Village approves the 2010-2011 General Fund Budget with total expenditures of \$378,020.03. This results in tax rates of \$8.5394 per assessed \$1,000 in Madison County and \$9.4414 per assessed \$1,000 in Chenango County.

BE IT FURTHER RESOLVED, that the 2010-2011 Water Fund was approved, with expenditures of \$117,136.48.

Seconded by Trustee Mark Doeberl

Ayes: 5

Nays: 0

Carried 5-0

Adopted this the 13th day of April, 2010.

ATTEST:

Christian L. Vischi

*Resolution 30-2
Standardization of Water Main Appurtenances*

Motion made by Trustee Mark Doeberl

During the regular board session of the Village Trustees of the Village of Earlville, Counties of Madison and Chenango, State of New York held at the office of said Village Trustees in the Village of Earlville, Counties and State aforesaid, on the 13th day of April 2010,

*Present: Toni Campbell – Mayor
 Mark Doeberl – Trustee
 William Excell – Trustee
 Gerald Hayes – Trustee
 Henry Moore – Trustee
 Christian Vischi – Clerk/Treasurer*

WHEREAS a majority of said Board being present and said meeting having been duly called;

AND WHEREAS the Village of Earlville (the “Village”) is currently undertaking improvements to its existing water system, including the replacement of approximately 3.7 miles of water main and appurtenances, installation of a new water storage tank, demolition of the existing water storage tank, improvements to the tank site access road, and miscellaneous improvements to the existing well site and Water Treatment Building;

AND WHEREAS the Water System Improvements Project (the “Project”) involves the re-installation of existing Mueller Co. (“Mueller”) hydrants which will represent an estimated cost savings of \$1,200 per hydrant over replacing these eight (8) hydrants with new hydrants of a different manufacturer;

AND WHEREAS the majority of existing hydrants and valves in the Village water system were manufactured by Mueller, and the Department of Public Works (DPW) personnel are familiar and confident with their operation and maintenance, and prefer the Mueller appurtenances over other manufacturers’ appurtenances that have been present in the Village system over time;

AND WHEREAS all areas of water main to remain in operation contain Mueller hydrants, valves, corporation stops and curb stops, which if the Project included only Mueller appurtenances, the entire Village water system would be consistent throughout with only Mueller appurtenances - eliminating the need to stock multiple manufacturer’s spare parts, repair kits and replacement appurtenances, as well as training of DPW personnel in the repair of multiple manufacturer’s appurtenances;

AND WHEREAS the municipal water systems in the Villages of Hamilton and Sherburne, and the City of Norwich - the three (3) closest municipal water systems to the Village of Earlville - all standardize on Mueller appurtenances, giving the Village DPW the ability to call on these neighboring municipalities for assistance with repairs and spare parts in the event of an emergency if they have standardized on Mueller;

AND WHEREAS Mueller offers a standard 10-year warranty on its products, exceeding all other major manufacturers of similar products;

AND WHEREAS the existence of one (1) type of hydrant throughout the Village would benefit the Village Fire Department personnel as they would only need to be trained and proficient in operating

this one (1) type of hydrant (and Village Fire Department personnel have indicated their preference for Mueller hydrants);

AND WHEREAS competition during the bidding process would not be significantly adversely effected due to competition among Mueller's network of suppliers, who are not bound to specific territories as many manufacturers' suppliers are;

NOW THEREFORE, on motion duly made and carried:

BE IT RESOLVED, that because portions of the existing water system are to remain, the Village seeks to appoint Mueller as the standard manufacturer to supply all hydrants, valves, corporation stops, and curb stops to be installed as part of the Project.

Seconded by Board Member William Excell

The question of adoption of the foregoing resolution was duly put to vote; and upon role call, the vote was as follows:

| | | |
|-----------------------|---------------|------------|
| <i>Mark Doeberl</i> | <i>VOTING</i> | <i>Yes</i> |
| <i>William Excell</i> | <i>VOTING</i> | <i>Yes</i> |
| <i>Gerald Hayes</i> | <i>VOTING</i> | <i>Yes</i> |
| <i>Henry Moore</i> | <i>VOTING</i> | <i>Yes</i> |

The resolution was thereupon declared duly adopted 4-0.

"I certify this document is a true and accurate description of the resolution adopted during the regular board meeting of the governing board of the Village of Earlville on April 13, 2010."

*Christian L. Vischi
Village Clerk-Treasurer
Village of Earlville*

- Seal -