

VILLAGE OF EARLVILLE

Regular Monthly Meeting
Village Hall

December 8, 2015
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 October 13, 2015.

Tonight's meeting minute notes: All votes by the Village of Eariville Board of Trustees (herein "Board" or "Vifiage Board" 9 5-0 are to be read as "aye" votes from Village of Fariville Board of Trustees members Corey, French, Moore and Piliero. The "Vifiage Office" is the Village of Eariville Municipal Office located at 8 North Main Street.

Mayor William Excell called the meeting to order at 7:00 pm. Board members present was Trustees Margaret Corey, Henry Moore, Daniel Pffiero and Nicholas French. Also present was Village Clerk-Treasurer Kelly Beach, 4 residents and Town of Sherburne Councilman Ed Meyer and Rick Crowell.

Motion #1-12.8.2015

On a motion by Moore, seconded by Corey, the Meeting Minutes from the November 10, 2015 Regular Board Meeting was approved unanimously 3-0.

Motion #2-12.8.2015

On a motion by Moore, seconded by Corey, Abstract 799 General Fund Vouchers totaling \$49,356.90 were approved unanimously, 4-0.

MOTION # 3-12.8.2015

On a motion by Moore, seconded by Corey, Abstract 800 Water Fund Vouchers totaling \$89,869.92 were approved unanimously, 4-0.

MOTION # 4-12.8.2015

On a motion by Moore, seconded by Corey, Abstract 801 Trust & Agency Fund Vouchers totaling \$10,974.36 were approved unanimously, 4-0.

TOWN COUNCILMAN REPORT

Town of Sherburne Councilman Ed Meyers reported that the Town had their last meeting on November 11, 2015. They are working on cleaning up abandoned vehicles in town, one mobile home application was submitted, 6 various permits were granted. The Highway Dept. has been keeping busy. The town accepted bids for improvements on the interior of the historical park building. The new Skate rink is ready for water and freezing weather.

TRUSTEE REPORTS

Trustee Nicholas French had nothing to report on.

Trustee Moore gave a Codes report- working on getting junk furniture and cars cleaned up around the Village. Village Justice had 8 traffic cases and 1 civil matter/small claims case. Trustee Corey

spoke with him last week regarding her furnace and exterior work that she will be having done. Moore also reminded Board Members that the Village needed to keep in mind that the heating fuel tank buried in front of the office building will need to be replaced in a few years; the age of the tank is unknown. Piiero agreed that forward thinking was in the Villages best interest, what would be the cost if the tank started leaking? A discussion about moving the fuel tank to an above ground location followed. Mayor Excell would like the Clerk to call Broedel Energy to set up an appointment for them to come down to discuss what the Village's options are regarding updating and possibly moving the heating oil tank.

Mayor Excell reported that the DPW has been keeping busy and the Village is saving money so far with no need for snow plowing yet. Excell had a gentleman look at the bricks on the exterior of the Fire House and Village Office. A quote to repair the broken/missing brick was given for between \$2,000.00 and \$2,500.00.

Trustee Pffiero reported that someone he knows is working with students on grant writing; they will be practicing by writing grants for Earlville.

Trustee Corey reported on the events committee- the Christmas Festival went very well, they had a lot of compliments this year; people liked that there was more fire trucks in the parade this year. Breakfast with Santa at the Huff Brau had a sold out attendance. The fruit cake curling event was cancelled because no one on the committee wanted to man it.

NEW BUSINESS

Mayor Excell and Trustee French conducted interviews for the Animal Control Position. There were three applications. Excell and French felt that Rick Crowell was best suited to the position since he has experience in the field as well as in writing violations, working with all kinds of animals and was available and willing to be on call 24 hours a day. After a lengthy discussion, it was approved unanimously to hire Rick Crowell to fill the position of Animal Control Officer, effective immediately.

The Eariville Boy Scout Troop would like to use the school ball field on February 6 for an overnight camping trip and Klondike Derby. After a brief discussion, it was approved by all Board Members for the Boy Scouts to use the ball field behind the old school. Motion by Moore, seconded by Corey, 4-0.

There currently is a plumbing issue in village staff/wheelchair accessible bathroom. One plumber (AALCO) was called and they advised that it was connected to an unknown septic (they ran out one hundred feet of snake and could not find where it went), they recommended rerouting it to the firehouse septic. They gave a quote of \$300.00 to reroute the lines. (Buzz was also called and later arrived and advised that the line is connected to the septic in the Fire House and that the septic more than likely needed to be emptied. It was and the bathroom is now working again.)

Clerk-Treasurer reminded the Board that the Village Audit was scheduled to begin on December 14th

Mr. Hedges was present to ask for an adjustment on his present water bifi; he would like the water usage charge dropped and only have to pay for the debt service charge. He stated that he has been in the hospital roughly a total of 25 days throughout September, October and November and in between he has been living with his brother. He stated that he does have broken water pipes and the only water he has used is when the people working on the lines turn the water on for brief periods.

Mr. Hedges was billed for water usage of 110 gallons from July ^{29th} through October ^{28th}. After a lengthy discussion, an adjustment to Mr. Hedges November ^{11th} Water Bill was denied by all trustees. The Trustees advised Mr. Hedges that he has had ample time to have the broken water lines fixed and he has already had three previous bills adjusted due to Mr. Hedge's claims of incorrect readings/ not being there etc. Mr. Hedges paid his full bill and left the Village Office. Mayor Excell apologized to the remaining attendees for the behavior displayed by the above resident.

OLD BUSINESS

Back on September 27, 2012 the Madison County Department of Health performed an annual survey of the public water system serving the Village of Earlville. The report from this survey stated that the Village must develop and implement a cross connection control program in accordance with Subpart 5-1.31 of the State Sanitary Code. Since then, the Code Enforcer and the Village office have invested many hours trying to determine which businesses and if any residents may need a backflow device installed to protect the Village Water supply.

Motion #5 -10.8.2015

On a motion by Trustee Moore, seconded by Trustee Corey, Resolution 32-30 "Local Law #2 - 2015 "Backflow Preventer Law" stating

WHEREAS it is the intent of the Village of Earlville, New York, to comply with the requirements of New York State sanitary Code, Part 5, Section 5-1.31, which section mandates that the supplier of water protect their water system in accordance with procedures acceptable to the Commissioner of Health. These mandated requirements are set forth in the Cross Connection Control Manual published by the New York State Department of Health (NYSDOH), and to that extent, the terms, conditions and provisions of the New York State Sanitary Code, Part 5 Section 5-1.31, and the cross Connection Control Manual are incorporated in this Local Law by reference as if more fully stated

NOW THEREFORE, on motion duly made and carried:

BE IT RESOLVED, that the Board of Trustees enacts Local Law XI2-2015, titled Backflow Preventer Law

Was approved unanimously 4-0. A letter will be sent to Village business's advising of the new law and advising that they have 90 days to comply.

PUBLIC COMMENT

None.

EXECUTIVE

No executive session.

With nothing further to discuss, Trustee Moore then ended the meeting by a motion to adjourn the Board Meeting at 7:45pm, seconded by Trustee Corey, 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 Eariville December 8, 2015."

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Clerk-Treasurer
Village of Eariville

' Village Seal-

*Resolution 32-30
Local Law 2-2015 "Backfiow Preventer Law."*

Motion made by Board Member Henry Moore

At the regular session of the Village Trustees of the Village of Ear/vile, 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 8th day ofDecember 2015,

*Present: William Excell - Mayor
 Nicholas French - Trustee
 Henry Moore - Trustee
 Margaret Corey - Trustee
 Daniel Piliero - Trustee
 Kelly Beach - Clerk/Treasurer*

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

*WHEREAS it is the intent of the Village of Earlville, New York, to comply with the requirements of New York State sanitary Code, Part 5, Section 5-1.31, which section mandates that the supplier of water protect their water system in accordance with procedures acceptable to the Commissioner of Health. These mandated requirements are set forth in the Cross Connection Control Manual published by the New York State Department of Health (NYSDOH), and to that extent, the terms, **conditions and provisions** of the New York State Sanitary Code, Part 5, Section 5-1.31, and the cross Connection Control Manual are incorporated in this Local Law by reference as jimore fully stated*

NOW THEREFORE, on motion duly made and carried:

BE ITRESOL VED, that the Board of Trustees enacts Local Law #2-2015, titled Backflow Preventer Law

Seconded by Board Member Margaret Corey

Ayes: 5

Nays: 0

Carried 5-0

Adopted this the 8' day ofDecember 2015.

ATTEST:

*Kelly Beach
Clerk-Treasurer, Village ofEarlvile Board of Trustees*

LOCAL LAW FILING

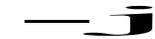
Village of Earlville
Madison County

Local Law No. 2 of the year 2015

Be it enacted by the Town Board of the Village of Earlville as follows

TITLE

The title of this Law shall be "Backflow Preventer Law."



LEGISLATIVE INTENT

The purpose of this Local Law is to safeguard potable water supplies from potential contamination by preventing backflow from a water user's system into the public water system. It is the intent of this Local Law to recognize that there are varying degrees of hazard and to apply the principle that the degrees of protection should be commensurate with the degrees of hazard. Further, it is the intent of the Village of Earlville, New York, to comply with the requirements of New York State Sanitary Code, Part 5, Section 5431, which section mandates that the supplier of water protect their water system in accordance with procedures acceptable to the Commissioner of Health. These mandated requirements are set forth in the Cross Connection Control Manual published by the New York State Department of Health and to that manual and provisions of the New York State Sanitary Code, Part 5, Section 5431, and the cross Connection Control Manual are incorporated in this Local Law by reference as if more fully stated.

ARTICLE II

DEFINITIONS

10 Cross Connection - The term "cross connection" as used in this Local Law means any unprotected connection between any part of a water system used or intended to be used as a supply of water for drinking purposes in a source or systems containing water or substance that is not or cannot be approved as equally safe, wholesome and potable for human consumption.

20 Approved Water Supply - The term "approved water supply" means any supply approved by the New York State Department of Health.

3. Auxiliary Supply - The term "auxiliary supply" means any water supply on or available to the premises other than the approved public water supply.

4. Vacuum Breaker Pressure Type and NonPressure Type A vacuum breaker which can only be use for internal plumbing control, and therefore, not acceptable as a containment device.
5. Approved Check Valve - The term "approved check valve" means a check valve that seats **readily** and completely. It must be carefully machined to have free moving parts and assured water tightness. The face of the closure element and valve seat must be bronze, composition, or other noncorrodible material which will seat tightly under all prevailing conditions of field use, Pins and bushings shall be of bronze or other uncorrodible, non-sticking material, machined for easy dependable operation. The closure element shall be internally weighted or otherwise internally equipped to promote rapid and positive closure in all sizes where this feature is obtainable,
6. The term "approved double check valve assembly" means two single, independently acting check valves, including tightly closing shut off valves located at each end of the assembly and suitable test connections. This device, must be approved as a complete assembly.
7. Approved The term "approved reduced pressure zone device" means a minimum of two independently acting check valves, including tightly closing shut off valves located at each end of the assembly and suitable test connections, This device must be approved as a complete assembly,
8. Air Gap Separation The term "air gap separation" means a physical break between a supply pipe and a receiving vessel. The air gap shall be at least double the diameter of the supply pipe, measured vertically above the top rim of the vessel, in no case less than one inch.
9. Water Supervisor - The term "water supervisor" means the consumer of a person on the premises charged with the responsibility of complete knowledge and understanding of the water supply piping within the premises and for maintaining the consumer's water system free from cross connections and other sanitary defects, as required by this Local Law and all other required regulations and laws,
10. Certified Backflow Prevention Device Tester the term "certified backflow prevention device tester" an individual who has successfully completed a New York state department of health approved course in the testing of backflow prevention devices and has been issued a certificate of the New York State Department of Health,

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A. Where Protective Device Required The water system shall be required to maintain a degree of protection commensurate with the degree of hazard regardless of whether the hazard is immediate or potential, To that extent, the Cross Connection control manual published by NYSDOH shall be the responsibility of the water user to provide and maintain such required protection devices and such devices shall be of a type acceptable to the New York State Department of Health.

B. The protective device required shall depend on the degree of hazard as tabulated below:

1. At the service connection to any premises where there is an auxiliary water supply handled in a separate piping system with no known cross connection, the public water supply shall be protected by an approved reduced pressure zone device

2 At the service connection to any premises on which a substance that would be objectionable (but not necessarily hazardous to health if introduced into the public water supply) is handled so as to constitute a cross connection, the public water supply shall be protected by an approved double check valve assembly

3. At the service connection to any premises on which a substance of unusual toxic concentration or danger to health is or may be handled, but not under pressure, the public water supply shall be protected by an air gap separation or an approved reduced pressure zone backflow prevention device, If an air gap is installed it shall be located as close as practical to the water meter, and all piping between the water meter and receiving tanks shall be entirely visible. A reduced pressure zone device, when installed, shall be located as close as possible to the property line,

4, At the service connection to any premises on which any material dangerous to health, or toxic substance and toxic concentration, is or may be handled under pressure, the public water supply shall be protected by an air gap separation. The air gap shall be located as close as practical to the water meter, and any piping between the water meter and receiving tanks shall be entirely visible. If these conditions cannot reasonably be met, the public water supply shall be protected with an approved reduced pressure zone backflow prevention device, and it shall be located as close as possible to the property line,

5. At the service connection to any sewage treatment plant or sewage pumping station, the public water supply shall be protected by an air gap separation. The air gap shall be located as close as practicable to the water meter and all piping between the water meter and receiving tanks shall be entirely visible. If these conditions cannot be reasonably met, the public water supply shall be protected by an approved reduced pressure zone backflow prevention device and it shall be located as close as possible to the property line.

Devices It shall be the duty of the water user on any premises on account of which backflow protective devices are installed, to have competent inspections made at least once a year, or more often in instances where successive inspections indicate repeated failure, Devices shall be inspected, overhauled or replaced at the expense of the water user whenever they are found to be defective. These tests shall be performed by a qualified backflow prevention device tester and all test results will be provided to the water user within 72 hours after the test is made. Records of such tests, repairs and overhaul shall also be kept and made available to the water user and the local health department upon request

ARTICLE IV

PENALTIES AND RECOURSE

A. No water service connection to any premises shall be installed or maintained by the water user unless the water supply is protected as required by the Local Law, and such other applicable local, state and federal laws, rules and regulations,

B, If any facility served by a water system denies a water department person access to their premises for the purposes of determining if protection to the public water system is necessary, then the maximum protection condition shall be imposed with the requirement that the number of devices shall equal the number of service lines.

C The following penalties shall be applicable for a violation of this Local Law:

1. Failure to install the appropriate backflow prevention device within a prescribed timeframe after first notice: \$25000
2. Failure to install the appropriate backflow prevention device within prescribed timeframes after second notice: Termination of service
3. Failure to at least annually test the backflow prevention device as required \$30000 and/ or termination of water service
- t. Failure to replace or repair a backflow prevention device as required \$1,00000 and/ or termination of water service

ARTICLE

SWIMMING POOLS:

NYS Law 0201.4:

Swimming pools should have indirect waste pipe by means of air gap valve

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REQUIRED TO INSTALL A BACKFLOW VALVE,

All homes that are being gutted and rebuilt/remodeled have to install a backflow valve,

ARTICLE VII

EFFECTIVE DATE

This Local Law shall take effect upon filing with the New York State Department of State.

MOTION by Trustee Henry Moore, seconded by Trustee Margaret Corey
to adopt Local Law No, 2 of 2015, "Backflow Preventer law"

William Excell	yes	/	no
Nicholas French	yes	II	no
Henry Moore	yes	V	no
Margaret Corey	yes	no	
Daniel Piliero	yes	iLRIO	

Attest:

/ 1)


Leahy Beach, Clerk Treasurer
Village of Eariville

Scal

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1, (Final adoption by local legislative body only,)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 20
the Village of Earlville was duly passed by the
7 Village of Earlville on December 8, 2015 in accordance with the applicable
(Name of Legislative Body) provisions of law,

2 (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer",)

I hereby certify that the local law annexed hereto, designated as local law No. of 20
the (County)(City) (Town) (Village) of _____ was duly passed by the
(Name of Legislative Body) on _____ and was (approved)(not approved)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)
on _____ 20 in accordance with the applicable provisions of law.

3, (Final adoption by referendum)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of
the (County)(City)(Town)(Village) of _____ was duly passed by the
(Name of Legislative Body) on _____ 20 and was (approved)(not approved)
(repassed after disapproval) by the _____ on ~~20~~
(Elective Chief Executive Officer')

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on
20 in accordance with the applicable provisions of law.

4, (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum,)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of
the (County)(City)(Town)(Village) of _____ was duly passed by the
(Name of Legislative Body) on _____ 20 and was (approved)(not approved)
(repassed after disapproval) by the _____ on 20_____. Such local
(Elective Chief Executive Officer*)

law was subject to permissive referendum and no valid petition requesting such referendum was filed as of
20_ in accordance with the applicable provisions of law.

Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.