

VILLAGE OF EARLVILLE

Regular Monthly Meeting  
Village Hall

April 12, 2016  
7:00 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 March 8, 2016.

*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 Corey, French, Moore and Piliero. The "Village Office" is the Village of Earlville Municipal Office located at 8 North Main Street.*

Mayor William Excell called the meeting to order at 7:00 p.m. Board members present were Trustees Daniel Piliero, Margaret Corey, Nicholas French and Henry Moore. Also present was Village Clerk-Treasurer Kelly Beach, Fire Chief John Fontaine, Town of Sherburne Councilman Ed Meyers, Justice Ron Hailston and two village residents.

Justice Ronald Hailston swore in Trustees Margaret Corey and Daniel Piliero.

Motion #1-4.12.2016

On a motion by Moore, seconded by Corey, the Meeting Minutes from the March 8, 2016 Regular Board Meeting was approved unanimously 4-0.

Motion #2-4.12.2016

On a motion by Moore, seconded by Corey, the Meeting Minutes from the March 24, 2016 Budget Hearing was approved unanimously 4-0.

Motion #3- 4.12.2016

On a motion by Moore, seconded by Corey, the Meeting Minutes from the March 24, 2016 Budget Meeting was approved unanimously 4-0.

Motion #4- 4.12.2016

On a motion by Moore, seconded by Corey, Abstract 811 General Fund Vouchers totaling \$35,982.84 were approved unanimously, 4-0.

MOTION # 5-4.12.2016

On a motion by Moore, seconded by Corey, Abstract 812 Water Fund Vouchers totaling \$8,511.68 were approved unanimously, 3-0.

MOTION # 6-4.12.2016

On a motion by Moore, seconded by Corey, Abstract 813 Trust & Agency Fund Vouchers totaling \$13,098.30 were approved unanimously, 4-0.

## TOWN COUNCILMAN REPORT

Town of Sherburne Councilman Ed Meyers had no report as he was on vacation. Next Town Board meeting will be held on Wednesday April 13, 2016. Mayor Excell reported that the Village of Sherburne Fire Department has the old flag pole from the Big M in front of the fire dept. Excell asked about meat processing plant, Meyers stated that the last he knew, they were still working on funding.

## TRUSTEE REPORTS

Trustee Nicholas French commented on Skatepark equipment.

Trustee Moore reported that the Codes Officer has been busy working on backflow valves and preparing for Fire Inspections. Sutton attended training in March and took the test for the upcoming certification requirements. Moore reported on the Court. Trustee Piliero noted that the Village has been having a small crime wave; someone has been breaking into vehicles. Piliero asked about an empty house on West Main Street. Mayor Excell noted that they have sent codes down to look at the house, but no violations have been found; he will send code enforcer down again to look at it.

Trustee Piliero reported they are making progress on the skate park. Piliero and French have been brainstorming money making ideas. Mayor Excell complimented French and Piliero on their efforts. Materials for the half pipe ramp will be bought this month; a kit is in the process of being purchased.

Trustee Corey reported that the Fire Department held its monthly meeting last Thursday. She noted that the emergency light in the office needs repair. The Easter festivities went very nicely and were enjoyed by all. The bowling tournament made a profit of \$6,476.00. There will be a craft fair on May 14<sup>th</sup> at the Fire Station from 9am - 2pm. So far, 26 tables for vendors have been sold. On April 24<sup>th</sup> from 10am - 1pm the fire department will be participating in Recruitment NY. Corey reported that the Events Committee is working on Earlville Days. Holden is looking for more sponsors for the fireworks display.

## NEW BUSINESS

Excell discussed new Officers for the Fire Department/Earlville Fire Co. Excell recommends going with Fire chiefs recommendations on officers. Voted in by the Fire Department and Fire Company were- 1<sup>st</sup> Asst. Chief James Doyle, 2<sup>nd</sup> Asst. Chief Jamie McGregor. After a brief discussion, the new officers were approved unanimously by the Village Board.

Budget adjustments were discussed and approved unanimously, 4-0.

Summer DPW part time help was discussed. After a lengthy discussion, it was approved by all members of the Board to hire Todd Cowen beginning May 2 and running through the end of August.

Mayor Excell has been talking to Broedel Energy about replacing the existing fuel tank in front of the office. Broedel has suggested putting a new tank in the far end of the basement, as that was the fire departments room. They also suggested burying a natural gas tank, in front of the office and changing the furnace over to LP. Excell is waiting for a price from Broedel on this.

It was brought to the Village's attention that per Section §117 Seizure of dogs; redemption periods; impoundment fees; Article 7 of the Agriculture & Markets Law. Article 25B- Abandoned Animals

Parts 77, 78 & 79 of Title I, a fee must be set by the municipality for impounding fees. After a lengthy discussion,

MOTION #7-4.12.2016

On a motion by Trustee Nicholas French, seconded by Trustee Henry Moore, Resolution 32-38 "Establishing a Fine for Stray Animals Picked up by Village of Earlville's Animal Control Officer" stating

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

*WHEREAS, strays currently picked up within the Village limits are taken to Wanderers Rest at a charge of \$25.00 per day up to 5 days;*

*WHEREAS, Article 7 of the Agriculture & Markets Law relating to Section §117 Seizure of dogs; redemption periods; impoundment fees states "Each dog which is not identified, whether or not licensed, shall be held for a period of five days from the day seized during which period the dog may be redeemed by its owner, provided that such owner produces proof that the dog has been licensed and has been identified pursuant to the provisions of this article and further provided that the owner pays the following impoundment fees: All impoundment fees shall be the property of the municipality to which they are paid and shall be used only for controlling dogs and enforcing this article and any rule, regulation, or local law or ordinance adopted pursuant thereto, including subsidizing the spaying or neutering of dogs and any facility as authorized under section one hundred sixteen of this article used therefor, and subsidizing public humane education programs in responsible dog ownership.*

*NOW THEREFORE, on motion duly made and carried:*

*BE IT RESOLVED, that the Board of Trustees approves and authorizes the Establishment of a Fine for Stray Animals Picked up by Village of Earlville's Animal Control Officer to be set at a \$25.00 flat fee for each occurrence of each animal that is taken to Wanderers Rest and the Chenango County SPCA. Wanderers Rest and the SPCA will collect the \$25.00 Village fee prior to releasing the animal to the owner.*

Was approved unanimously, 5-0.

Reorganizational Meeting has been scheduled for 6:30 pm May 10, 2016.

Trustees Piliero and French have been working on replacing the ramps at the Skatepark. They have ordered a kit for a half pipe and requested that \$5,000 be transferred from the Youth Recreational Equipment Fund to the General Fund for payment. After a brief discussion,

MOTION # 8-4.12.2016

*Resolution 32-37 "Authorization to move funds from the Youth Recreational Equipment Fund to the General Fund for purchase of Materials to Build New Half Pipe Ramp" stating:*

*"WHEREAS, that the purpose of this type Reserve Fund is to fund capital improvements for the construction of or rehabilitation of the Village of Earlville's Youth Recreation Equipment.*

*WHEREAS, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.,*

*WHEREAS, it has been determined by this Board that the existing half pipe ramp was no longer considered safe for use and was removed;*

*NOW THEREFORE, on motion duly made and carried:*

*BE IT RESOLVED, that the Board of Trustees approves and authorizes the Village Clerk-Treasurer to transfer \$5,000 from the Youth Recreational Equipment Fund to the General Fund, Budget Line A73104.1 Youth Committee for an ending balance of \$5,800.00 in Budget Line A73104.1 Youth Committee and \$590.20 in the Youth Recreational Equipment Fund.*

Was approved unanimously, 5-0.

OLD BUSINESS

No old business.

PUBLIC COMMENT

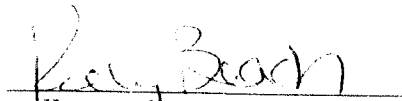
No public comment

EXECUTIVE

No executive session.

With nothing further to discuss, Trustee Moore then ended the meeting by a motion to adjourn the Board Meeting at 7:50 pm, seconded by Trustee French, 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 April 12, 2016.”



Kelly Beach  
Clerk-Treasurer  
Village of Earlville

- Village Seal -

*Resolution 32-37*

*Authorization to move funds from the Youth Recreational Equipment Fund to the General Fund for purchase of Materials to Build New Half Pipe Ramp*

*Motion made by Board Member*

*At the regular 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 12th day of April, 2016*

*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, that the purpose of this type Reserve Fund is to fund capital improvements for the construction of or rehabilitation of the Village of Earlville's Youth Recreation Equipment.*

*WHEREAS, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.,*

*WHEREAS, it has been determined by this Board that the existing half pipe ramp was no longer considered safe for use and was removed;*

*NOW THEREFORE, on motion duly made and carried:*

*BE IT RESOLVED, that the Board of Trustees approves and authorizes the Village Clerk-Treasurer to transfer \$5,000 from the Youth Recreational Equipment Fund to the General Fund, Budget Line A73104.1 Youth Committee for an ending balance of \$5,800.00 in Budget Line A73104.1 Youth Committee and \$590.20 in the Youth Recreational Equipment Fund.*

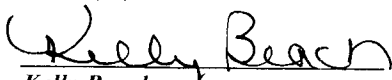
*Seconded by Board Member*

*Ayes: 5  
Nays: 0*

*Carried: 5 - 0*

*Adopted this the 12th day of April, 2016*

*ATTEST:*



*Kelly Beach  
Clerk-Treasurer  
Village of Earlville Board of Trustees*

**Resolution 32-38**  
**Establishing a Fine for Stray Animals Picked up by Village of Earlville's Animal Control Officer**

*Motion made by Board Member Nicholas French*

*At the regular 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 12th day of April, 2016*

**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**, strays currently picked up within the Village limits are taken to Wanderers Rest at a charge of \$25.00 per day up to 5 days;

**WHEREAS**, Article 7 of the Agriculture & Markets Law relating to Section §117 Seizure of dogs; redemption periods; impoundment fees states 4. Each dog which is not identified, whether or not licensed, shall be held for a period of five days from the day seized during which period the dog may be redeemed by its owner, provided that such owner produces proof that the dog has been licensed and has been identified pursuant to the provisions of this article and further provided that the owner pays the following impoundment fees: All impoundment fees shall be the property of the municipality to which they are paid and shall be used only for controlling dogs and enforcing this article and any rule, regulation, or local law or ordinance adopted pursuant thereto, including subsidizing the spaying or neutering of dogs and any facility as authorized under section one hundred sixteen of this article used therefor, and subsidizing public humane education programs in responsible dog ownership.

**NOW THEREFORE**, on motion duly made and carried:

**BE IT RESOLVED**, that the Board of Trustees approves and authorizes the Establishment of a Fine for Stray Animals Picked up by Village of Earlville's Animal Control Officer to be set at a \$25.00 flat fee for each occurrence of each animal that is taken to Wanderers Rest and the Chenango County SPCA.


**Seconded by Board Member Trustee Henry Moore**

Ayes:   5    
Nays:   0  

Carried:   5   -   0  

**Adopted this the 12th day of April, 2016**

**ATTEST:**

  
\_\_\_\_\_  
Kelly Beach

**Clerk-Treasurer**  
**Village of Earlville Board of Trustees**