

# VILLAGE OF EARLVILLE

Regular Monthly Meeting  
Village Hall

January 8, 2013  
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 December 12, 2012.

*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, Hayes, Moore and Chapman. 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.*

Mayor William Excell called the meeting to order at 7:00 p.m. Board members present were Trustees Gerald Hayes, Sara Chapman and Margaret Corey. Henry Moore was excused. Also present were Village Clerk Treasurer Kelly Beach, Town of Sherburne Councilman Ed Meyers, and 7 members of the public.

Meeting minutes for December 11, 2012 were approved on a motion by Trustee Hayes, seconded by Trustee Chapman, 3-0.

Abstract 695 as presented for Board approval included General Fund totaling the sum of \$20,095.57 which included previously paid items. On a motion by Trustee Corey, seconded by Trustee Chapman and approved 3-0, Abstract 695 was approved for payment. Abstract 698 as presented for Board approval, included Fire Department PO's 0689-0694 was approved on a motion by Trustee Chapman, seconded by Trustee Hayes, 3-0. Abstract 696 as presented for Board Approval included Water Fund Vouchers totaling \$3,799.50 were approved on a motion by Trustee Chapman, seconded by Trustee Corey, 3-0. Abstract 697 as presented for Board Approval included Trust & Agency Fund Vouchers totaling \$11,741.26 were approved on a motion by Trustee Corey, seconded by Trustee Chapman, 3-0.

At the beginning of summer 2012, Richard Eades started looking for the date that the Village was incorporated; he knew that it was in January of 1887, but was unsure of the exact date. Eades stated that he contacted the State, but did not get far. He also contacted Madison County, but nothing was found at the time. Eades was eventually directed to contact the New York State Archives, and was able to obtain the information. Eades presented the Certificate and all information that he received to the Village. The information will also be given to the Quincy Square Museum. The Village Board thanked Mr. Eades for all his hard work and determination in finding the information. The Village of Earlville was incorporated on January 12, 1887.

Town of Sherburne Councilman, Ed Meyer reports that the last Sherburne Town Meeting was held on December 12th. He reported that the Town of Sherburne went with Gates & Cole, Inc. Insurance as their liability carrier. He also reported that the Town received additional money from Time Warner. A Road Use Agreement was discussed at their meeting; they are still working with that. They had talked about Natural Gas; the Town is looking for volunteers to serve on a Natural Gas Committee that is to be created in the near future. On 1/2/2013 they had their organizational meeting.

In the Trustee reports, Hayes reported that the Earlville Opera House is closed for repairs until January 22<sup>nd</sup>. The Quincy Square Museum is looking for new active members. Animal control- Hayes received a call from a resident regarding a raccoon in their barn. The resident had called Mr. Hilsinger and was told that he does not handle wild animal calls. Fire Dept. news- On a motion by Hayes, seconded by Chapman, 3-0 it was approved that the Fire Company hosts a Pancake Breakfast on February 9<sup>th</sup> from 7:00 a.m. to noon. Mayor Excell asked why board needs to approve fund raising events that the Fire Dept. or Fire Company hosts. Hayes stated that a prior mayor that felt that the village owns the building, therefore the Village should approve all activities prior to them happening. On a motion by Hayes, seconded by Excell, 4-0 it was approved to remove the restriction that the Fire Department and the Fire Company get prior approval for all activates held at the Fire Station as long as the Village Board is notified prior to the event. Hayes attended the Town of Hamilton board meeting. The Village of Hamilton has 2 backhoes and the Town has 1, they are willing to share services with the Village of Earlville. The Town bought a new pickup

truck. The Hamilton Codes officer would like to collect one fee at the start of projects rather than collecting many fees throughout a project. Madison County transit may not go past 2013 due to low funding. Hayes attended a shared service meeting for record retention. He thought it was interesting. Hamilton Village was not interested at their Board meeting, so they are going to the county to see if they would be interested in pursuing this. State bid on Fuel Oil; State bid changes every week. Broedel Energy submitted a bid for Fuel Oil for the Municipal Office and the DPW. The submitted bid was for \$.25 cents over their cost. Their price on 1/7/2013 would have been \$3.49 a gallon; in comparison to the State bid, which was currently \$3.65 a gallon. Village will go with Broedel Energy. The Fire Department overhead door will be repaired this week.

Trustee Chapman reported that she had nothing to report for FOIL. Chapman stated that she had received a call from a resident stating that they had to help a DPW worker lift a branch on South Main St. so that they could get past the branch that is hanging over the sidewalk. Excell explained that there is a branch hanging way over the sidewalk and that the homeowner has been asked to trim it. The homeowner has refused to trim the branch and that the Village has a couple of choices. The village can trim the branch since it is obstructing the sidewalk or wait for the homeowner to correct the problem. Excell is not sure how to proceed as a DPW worker is a neighbor of the homeowner and it could cause problems for them. The discussion was tabled until next month. Chapman reported that Pastor Mark Monroe has drawn up a diagram of the skate park that included his suggestions on repairs and removal of the existing skate park equipment. Pastor Mark suggests that the large wooden half pipe is in rough shape, but he feels it can be rebuilt as well as the additional wooden ¼ pipe ramp that is with the ½ pipe. The other wooden piece in the skate park, the "Fun Box", is in very bad shape and he feels it is dangerous and should be destroyed. Mayor Excell stated that the DPW was given the go ahead to remove this piece. Pastor Mark feels that the metal pieces on loan from another municipality are general in good shape; however they need to be covered to preserve this condition. He is concerned with the cluster of metal ramps as it is in "really bad shape, dangerous in his opinion, and it should not be left out for anyone to use." It was pointed out that per the contract, it is the Villages responsibility to maintain this equipment and it needs to be repaired in the spring. Excell stated that he is waiting to see what the cost of resurfacing the Skate Park is going to be and what funds will be available.

Trustee Corey reported that she had nothing to report.

Mayor Excell reported that the Code Enforcer had no new building permits this month, but he has answered questions on a couple of upcoming projects. Van Heusen has had no complaints or issues this month and has finished his 24 hour in-service training. He has been working on the year-end State report and will have it submitted as soon as the state publishes the 2012 Form required to submit it on. DPW contacted him regarding the large amount of snow received recently. They wanted to rent a snow blower to help with snow removal. Excell called the Village of Hamilton Highway and they offered to bring down the machine that was previously offered for sale to the Village. Tucker used the machine and stated that it worked much better than the Ford Tractor in removing the snow from the sidewalks. Excell had since spoke with the Village of Hamilton again and they offered to bring the machine down with the brooms to clean off the sidewalks. Excell would like the Village to consider purchasing the machine; he feels that it would be more useful than the backhoe. For \$13,000 the Village of Hamilton is willing to sell it to the Village with a broom, blower, and finish mower. The machine has 3,000 hours and is 18-20 years old. Trustee Hayes asked if there was a place to keep the machine in the Garage, Excell stated that yes there was. Excell stated that Hamilton has offered to send their maintenance guys down to help with any maintenance and repairs needed. The discussion was tabled until all board members were present to discuss. Excell stated he has asked the clerk to send out thank you letters to Village of Sherburne, Hamilton and Earlville Fire Departments for the excellent job done this month.

There was no Old Business discussed.

In new business, Mayor Excell received an e-mail from Travis Martin, a Board member of the First Baptist Church reminding the Village Board that as part of the Water Project, the Village agreed to install a locked security gate at the bottom of Baker Hill. Mr. Martin pointed out that the Water Project is complete, however as of date, the security gate has not been installed. The First Baptist Church is requesting that the gate be installed with a key for the Village and one for the church. It was pointed out that a gate will not stop people and snowmobiles from going up there. Mayor Excell stated that the Village did agree to this and it should be followed through on. On a motion by Corey, seconded by Hayes, 3-0 it

was agreed to install a locked security gate at the bottom of Baker Hill, with a key given to the Baptist Church and a key held by the Village of Earlville. It was agreed that this will be done in the spring or in late April, beginning of May. Excell will get back to Travis Martin and let him know that in the spring a gate will be put up.

A resident from Bentley Ave. was present to discuss snowmobiles being ridden on the sidewalks. They stated the snowmobiles are going over 50 mph at times, which is a hazard to children and adults sharing the sidewalks. Excell stated that the resident had called him concerning the issue and he had gone down to see for himself. Excell did call the Sheriff regarding the matter and they stated they would send a patrol down. To the best of their knowledge, a Sheriff Patrol did not show up to investigate. Excell stated that he will instruct DPW to start salting the sidewalk so the snowmobiles cannot ride there. There was a lengthy discussion by Board members and the public on ways to keep snowmobiles off the Village sidewalks. The safest suggestions were to install chains across the sidewalk off East Main St and Bentley or to install poles that people can walk through, but snowmobiles cannot fit through. Excell would like the Board members to go down and look at the sidewalk to see if they can see a different idea or come up with a suggestion by the next Board meeting.

A resident at 10 West Main Street was present to discuss his water account. He was asking for a 30 day extension to pay the bill as he just returned to work and needs time to come up with the money. He is willing to make payments and have it paid in 30 days. A resolution was found; the bill will be paid tomorrow.

Trustee Hayes would like to make a motion to drop the Village lawsuit. Excell stated he would appreciate it if this was held off until next month when Trustee Moore was present. Hayes stated he was not aware that Moore was not to be present at tonight's meeting and asked the Board -Would the Village consider rescinding Local Law 1, 2007, which led up to the lawsuit to begin with? Excell stated that he agrees that there are people who have enough land in the village to accommodate having animals, however he feels that the village needs to resolve the lawsuit first. Excell did not feel it was proper to discuss the topic with a member of the Board not present and stated that if Board members needed to continue, then it really should be discussed in Executive Session as it is a legal matter and in the hands of the Village Attorney. .

In public comment, Mr. Eades commented that perhaps the Village would consider sending Thank you notes to the State and Madison County for their assistance in obtaining Village information.

Excell stated that the Village has been considering replacing the Christmas tree in the park with a smaller tree. Jerry and Sons was contacted for a quote on the price of replacing the tree; he has offered to donate a tree similar to the one that Hamilton has. Spratley and Sons was also contacted regarding the price of removing the existing tree. They stated they would remove it for the same price as they originally quoted to remove any tree in the Village- \$750.00. They did state that there would be an additional charge for chipping the stump.

Meyer suggested sending a certified letter return receipt to the owner of tree stating that it is "causing an obstruction to removal of snow and the right of way of the sidewalk. Therefore, you have 30 days to remove the branch or it will be removed by the village."

Excell asked if there has been any trouble with overnight parking...there was none known.

A resident asked if a law was ever passed regarding snowmobiles on Village sidewalks. *Resolution 28-26 Prohibition of Snowmobiles and Motored-Vehicles on Village Sidewalks. "it shall be unlawful for any person to use, operate or ride upon a snowmobile, four-wheeler, three-wheeler, motorcycle or any other device originally intended for travel on the public highways whether licensed or unlicensed upon any sidewalk of the village. Any person or persons who violates, is prosecuted and convicted of any of the provisions of this resolution, or pleads guilty to such violation, shall be subject to a first offense fine of fifty dollars (\$50.00). Each additional offense within 365 days shall be subject to an additional fine of not more than two-hundred and fifty dollars (\$250.00)"* was passed January 21, 2009. Signs are up and it is a ticket-able offense.

With nothing further to discuss, Trustee Hayes motioned to adjourn the Village of Earlville Board Meeting at 8:34 pm, seconded by Trustee Corey and carried 3-0.



"I certify this document is a true and accurate description of the regular board meeting of the governing board of the Village of Earlville January 8, 2013."

*Kelly Beach*

Kelly Beach  
Clerk-Treasurer

Village of Earlville

- Village Seal -

