

# VILLAGE OF EARLVILLE

**Regular Monthly Meeting  
Village Hall**

**Feb. 10, 2009  
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 prior and the same posted on the 14<sup>th</sup> day of January, 2009.

Village Mayor Toni Campbell called the meeting to order at 7:01 p.m. Board members present were Trustees Mark Doeberl, William Excell and Gerald Hayes. Trustee Kim Boomhower was absent. Also present were Village Clerk-Treasurer Christian Vischi, Fire Chief David Baird and several members of the public.

Trustee Excell made a motion to accept the Jan. 13, 2009 regular board meeting minutes, seconded by Trustee Doeberl, and it carried 3-0. Trustee Hayes made a motion to accept the Jan. 21, 2009 special board meeting minutes, seconded by Trustee Doeberl, and it carried 3-0.

Abstract #560 (Vouchers #5769-5782) was accepted by a motion from Trustee Hayes, seconded by Trustee Excell, and it carried 3-0. Trustee Doeberl made a motion to accept Abstract #561 (Vouchers #5783-5806), seconded by Trustee Excell, and it carried 3-0.

Six quotes were requested from businesses to push back the pile at the village landfill. Two were received, including Bob Loomis Excavating for \$3,000 and Migonis Excavating for \$1,680. On a motion by Doeberl, seconded by Trustee Excell and carried 3-0, Resolution 28-28 was adopted to transfer \$1,600 from Community Beautification Contractual to Refuse Collection Contractual to hire the Hamilton firm of Migonis Excavating to do the work. Excell suggested in the future the DPW crew may be able to chip some of the pile, lengthening the time in between pile-pushings.

Justice Faulkner's January court report included fines, fees and surcharges of \$550. This represented his presiding over six individuals with six statute violations. Presenting the Code Enforcement Officer's report, Trustee Excell relayed that the CEO has addressed concerns on a North Main Street property; he has sent letters to business and apartment owners to set-up inspections; and has addressed an issue on Bentley Avenue, giving suggestions to the board on possible follow up.

Trustee Hayes relayed that the "Second Saturdays" indoor Farmers' Market at the Earlville Opera House will have local eggs, bread, meats, cheese, vegetables and other specialty products. It runs from 10 a.m. to noon Feb. 14, March 14 and April 11. The EOH West Gallery features Works by Aaron DeLand and the EOH East Gallery has Valery Sutherland's "Painted Sculpture and Forest Drawings;" both exhibits are through Feb. 28. The Quincy Square Museum is currently computer-indexing materials from scrapbooks.

The Earlville American Legion is looking for donations for their annual Easter Egg Hunt and financial donations to send two male high school students to Boys State. The Earlville Senior Citizens Group will vote tomorrow on a potential move away from the Earlville American Legion.

On a motion by Trustee Hayes, and seconded by Trustee Doeberl, the board voted 3-0 to accept the resignation of Jamie McGregor from the fire department. Voting yes were Hayes, Doeberl and Campbell; Excell abstained. On a motion by Hayes, and seconded by Doeberl, the board voted 3-0 to permit to the Earlville Fire Department to hold their biannual Pancake Day from 7 a.m. to Noon Feb. 21 at the Firehouse. Voting yes were Hayes, Doeberl and Campbell; Excell abstained. On a motion by

Hayes, and seconded by Doeberl, the board voted 3-0 to accept Noah Huff as a member of the Earlville Fire Department. Voting yes were Hayes, Doeberl and Campbell; Excell abstained.

At the board of trustee's regular board meeting on May 13, 2008, Russ Lura of the Southern Madison Volunteer Ambulance Corps outlined the fiscal difficulties that his organization was facing, including the need of approximately \$38,000 to provide a part-time medic. The village was asked and provided \$3,200 in early June to cover part of the \$38,000 gap in funding from June 1-Dec. 31, 2008. Mayor Campbell said several municipalities have since requested and not been granted budget breakdowns for the spending of their contributions to SOMAC's \$38,000 need. As 47.7 percent of Earlville's budget's revenue is village taxes, Campbell said there should be fiscal transparency in Earlville's budget – made possibly by a request of SOMAC to provide a breakdown of how the \$3,200 was spent in the seven months to close 2008. That motion was made by Trustee Excell, seconded by Trustee Doeberl and carried 3-0. The clerk will write a letter to SOMAC requesting said breakdown.

Mayor Campbell read and the village will post Chenango County Board of Supervisor's Resolution #315-08 "Authorizing The Chairman of this Board to Issue an Order for a Dog Quarantine." Said resolution was adopted by the Board of Supervisor's on Dec. 15, 2008. It reads:

WHEREAS, the deer population in the County of Chenango may suffer severe depredation due to dogs attacking, chasing or worrying deer,

NOW, THEREFORE, be it

RESOLVED, That the Chairman of the Board of Supervisors of Chenango County be and hereby is authorized to issue an order that all dogs in the County of Chenango be securely confined, effective twenty-four hours after publication of a Legal Notice stating said quarantine, through April 30, 2009, and be it further

RESOLVED, That such order shall be published in accordance with Section 122 of Agriculture and Markets Law.

As the equipment listed for shared use is not planned to be needed by the village in 2009, the trustees opted to not enter into the Chenango County Shared Services Equipment Agreement.

After brief discussion, the trustees have indefinitely tabled the potential changing of water rents.

Village resident Lorena Robertson presented a timeline on snowmobile issues at her family's residence. She said a Sheriff's Deputy has been instructed to not write tickets on the village's Resolution 28-26 "Prohibition of Snowmobiles and Motored-Vehicles on Village Sidewalks." It was noted by the clerk that according to NYCOM's Municipal Management Series Publication "Enacting & Enforcing Traffic & Parking Regulations (2006)," under the procedure for "enacting traffic and parking regulations" for villages, it reads: "Village boards of trustees may adopt traffic and parking restrictions by local law, order, rule, or regulation. To enact traffic or parking restrictions by local law, villages must follow the procedure contained in the Municipal Home Rule Law for adopting local laws." The procedure for adopting traffic or parking restrictions by order, rule or regulation is the same as for adopting a resolution. Restrictions adopted by order, rule or regulation do not require notice or a hearing. Mayor Campbell said she will contact Madison County Sheriff Ronald Cary to discuss the issue. A letter to the Shasta Snowmobile Club of Sherburne will be drafted asking them to post signs on their trails around the village of the sidewalk prohibition. Trustee Hayes recommended inviting Shasta members to a future board meeting to dialog on the issue.

Fire Chief Baird reported on the fire truck committee's recent trip to Rancho Cucamonga, Calif. to view the 2006 Pierce Enforcer Rescue Pumper. Baird reported the undercarriage is in "terrific shape" and the group was enthused by the vehicle. Baird also relayed that he has had a meeting with the chief of the Georgetown Department to have Earlville extend automatic mutual aid to the eastern end of Georgetown's District. Maps are being drawn up that would detail the extension of service. At a recent

Lebanon Town Board meeting, Lebanon Town Supervisor James Goldstein asked what Earlville's response plan is if anything goes wrong at the natural gas wells in the area. Baird said although the department does not get involved with well fires, the unit would respond and provide service under the direction of a site coordinator. In reality, said Baird, there are only a handful of fire departments in the U.S. that could even deal with a well fire.

A list of fire lanes in the village will be researched.

Fire Company President David Bensley thanked the trustees for Noah Huff's membership.

The Board of Directors has made nominations for fire chief officers, meeting the requirements of Resolution 28-25. Nominations from the floor will be taken at the March meeting and the final results for formal trustee approval will be passed on to the village board after the department's April election.

With the Partnership for Community Development's (PCD) Board of Directors having approved a major restructuring of the Hamilton-based organization, Mark Taub presented Roger Bauman as the new director for the PCD. Taub then discussed the Office for Community Renewal's review of Earlville Community Development Block Grant application for the North Main Street corridor. After discussion, Trustee Hayes made a motion to adopt Resolution 28-29 for "Small Cities Community Development Housing Rehabilitation Reapplication for Grant." The resolution was seconded by Trustee Excell and approved 3-0. The deadline for the reapplication is April 24 and the cost will be \$1,500. Trustee Doeberl asked about the stability of the PCD, and Bauman said by combining staff with the Hamilton Initiative gives them a stronger support base. On a motion by Trustee Doeberl, and seconded by Trustee Excell, the board voted 3-0 to adopt Resolution 28-30 "Citizen Participation Plan." On a motion by Trustee Excell, and seconded by Trustee Doeberl, the board voted 3-0 to schedule a public hearing at 7 p.m. Thursday, Feb. 26 at the Village Office for the purpose of re-applying for a "Small Cities Community Development Block Grant" in the amount of \$400,000 with the Office for Community Renewal. On a motion by Trustee Excell, seconded by Trustee Hayes and carried 3-0, the board approved a second public hearing at 7 p.m. Thursday, March 12 at the Village Office.

After a brief discussion, Trustee Excell made a motion to adopt Resolution 28-31 "Five Day Grace Period Added to Village Water Billing." Trustee Hayes seconded the resolution and the board voted in favor 3-0. The grace period will go into effect starting with the July 2009 billing period.

On a motion by Trustee Hayes, seconded by Trustee Doeberl and carried 3-0, the board authorizes the clerk-treasurer to solicit information from Official Payments about utilizing their service to accept online payments of taxes and possibly water.

On a motion by Trustee Hayes, seconded by Trustee Doeberl and carried 3-0, the board authorized the clerk and mayor to prepare two funding options for next month's meeting on the 2006 Pierce Enforcer Rescue Pumper. Voting yes were Mayor Campbell and Trustees Hayes and Doeberl. Trustee Excell abstained.

Without comment from the public, the board entered executive session at 8:50 p.m. on a motion by Trustee Excell, seconded by Trustee Hayes and carried 3-0, to discuss matters leading to the appointment employment, promotion, demotion, discipline, suspension, dismissal or removal or a particular person or corporation. With no action taken in executive session, Trustee Hayes made a motion to return to public session at 9:07 p.m., seconded by Trustee Doeberl and it carried 3-0.

The clerk's hours will switch from 8 AM-Noon/1-6 PM Tuesdays to 8 AM-Noon/1-6 PM Fridays. The hours for the rest of the week will be 8 AM-Noon until late March.

Jeff Beaver and Robert Campbell will be commissioners for the upcoming softball season.

A special board meeting budget workshop will be held on Thursday, Feb. 26 immediately following the public hearing.

**A motion to adjourn was made by Trustee Excell, seconded by Trustee Hayes and carried 3-0, at 9:22 p.m. The next regular board meeting will be Tuesday, March 10 at 7 p.m.**