

# VILLAGE OF EARLVILLE

Regular Monthly Meeting  
Village Hall

August 11, 2008  
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 on the 21st day of July, 2008 and the same posted on the 21st day of July, 2008.

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. Kim Boomhower is on a leave of absence. Also present were Village Clerk-Treasurer Christian Vischi and several members of the public.

The minutes of the July 8 regular board meeting were approved 3-0 on a motion by Trustee Hayes and a second from Trustee Excell. Trustee Hayes then made a motion to accept the July 16 public hearing minutes, seconded by Trustee Doeberl, and it carried 3-0. The July 16 emergency board meeting minutes were approved 3-0 from a motion by Trustee Hayes and a second by Trustee Doeberl.

Mayor Campbell said she wanted to clarify a public comment from the July 8 minutes. Campbell read *The Evening Sun* article in question and noted that there were no direct quotes. She also reaffirmed that all information in the article was from public session, not executive session.

Abstract #547 (Vouchers #5540-5556, 5558-5559) was accepted by a motion from Trustee Doeberl, seconded by Trustee Excell, and it carried 3-0. Trustee Hayes then made a motion to accept Abstract #548 (Vouchers #5557, 5565-5580), seconded by Trustee Doeberl, and it carried 3-0.

During trustee reports, Hayes said during the last Earlville Fire Department meeting, the topic of fundraising was discussed and the EFD is planning to sell food at the Aug. 22-24 softball tournament. The Quincy Square museum had a nice program on the Chenango Valley Railroad and Earlville Opera House was featured in a *Post-Standard* article.

A meeting was held with Richard Lenhart of the Earlville Senior Citizens' Group, the Village Clerk-Treasurer and Library Director Shari Taylor. The library is willing to house the seniors and the senior group will be taking a vote soon of their board members about a potential move from their current American Legion location to the Earlville Free Library's Social Room.

Trustee Doeberl reported drainage on Parson's is complete and the other two areas of remediation will be complete by the end of the month. After discussion of the priority list from a DEC inspection of dead or diseased trees in the village, Trustee Doeberl made a motion to hire a service to remove three trees and stumps for \$1,500. The motion passed 2-1, with Trustee Excell voting no.

No planning board meeting will be held next month; the next meeting will be next Wednesday.

Justice Faulkner's April court report included fines and civil fees of \$270 and mandatory surcharges of \$165 for a total check to the Village of Earlville of \$435. This represented his presiding over six individuals with eight statute violations.

During Trustee Boomhower's leave of absence, Trustee Excell will be in charge of softball, Trustee Doeberl will be the liaison to the water committee, Trustee Hayes will chair fair housing and Mayor Campbell will handle FOIL requests and youth.

The next Youth Committee meeting will be held on Saturday, Aug. 30 at 11 a.m.

After a brief discussion on a requested salary increase by the individual who performs cleaning service at the municipal building, Trustee Doeberl motioned, seconded by Trustee Excell, to leave her salary at \$75 per month for five hours of duty. The motion carried 3-0.

Following legislation approved by Governor David A. Paterson effective August 7, the village board clarified its local fee for FOIL requests. Trustee Hayes made a motion to table discussion until more information could be gathered. As this legislation has passed and is now state law, he retracted his motion. The new section 87(1)(c) of the Public Officers law states, according to the New York State's Department of State's Committee on Open Government: "...in those instances in which substantial time is needed to prepare a copy, at least two hours of an employee's time, the legislation permits an agency to now charge a fee based on the cost of the storage medium used, as well the hourly salary of the lowest paid employee who has the skill needed to do so. This change in FOIL for the first time authorizes agencies to determine and assess a fee to be charged on the basis of an employee's time." The per page charge of \$0.25 will still be in effect for FOIL requests taking less than two hours to prepare. Requests above this threshold will cost \$12.31 per hour on a motion by Trustee Doeberl, second by Trustee Excell and approved 3-0.

Mayor Campbell mentioned it was Buy Local Week in Madison County and urged support of local farmers. She also read a letter from a Colgate summer intern that highlighted a Sept. 20 Colgate Football game at 1 p.m. that will also be a special commemoration for all the servicemen and women in our area as part of Wounded Warrior / Public Service Day. Information on requesting tickets will be available on the village's website.

Trustee Doeberl made a motion to approve Resolution 28-5 "Authorization to Enter into Specialized Law Enforcement Services with Madison County," seconded by Trustee Hayes, and it carried 3-0.

The entry signs to the village should be completed in about one week.

Well Pump #1 was replaced last Wednesday and is functioning properly and at capacity, Trustee Doeberl said. The DPW will give it until this Wednesday before pursuing hydrant flushing.

Music in the Park has had a great turnout this summer and will feature a Sept. 2 "Rock Back to School" event.

Public meetings have been held on the water project, and Mayor Campbell said the board has two options: vote to move forward with the project or vote to put the measure up for referendum. After lengthy discussion, including several comments from members of the public in favor of the board moving forward with the project, Trustee Excell made a motion for the village attorney to pursue bond council on the village's behalf, seconded by Trustee Doeberl, and it carried 3-0.

A public hearing, followed by a special meeting, will be held at 6:30 p.m. Aug. 27 in the Earlville Fire Hall.

Trustee Hayes motioned to approve Resolution 28-3, "Remuneration of State Mandated Mailing for Delinquent Taxes," seconded by Trustee Doeberl and carried 3-0. As Real Property Tax Law 987 mandates that a delinquent tax notice must be sent out, this resolution allows for the village to charge \$2 to recover the cost of such a mailing.

Village Clerk-Treasurer Vischi will be attending NYCOM Fall Training School on a motion by Trustee Excell and seconded by Trustee Doeberl for the village to reimburse his expenses. The motion carried 3-0 and signs will be posted announcing the office will be closed Sept. 16-19.

Trustee Excell made a motion, seconded by Trustee Hayes, to approve Resolution 28-2 "Authorization for Mayor to Sign Documents and Contracts." The motion carried 3-0.

On a motion by Trustee Excell, seconded by Trustee Doeberl, the board voted 3-0 to adjourn at 8:24 p.m. The next regular board meeting will be held on Sept. 8 at 7 p.m. in the Village Office.