

VILLAGE OF EARLVILLE

Regular Monthly Meeting
Village Hall

July 13, 2009
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 the 1st day of July, 2009.

Village Mayor Toni Campbell called the meeting to order at 7:02 p.m. Board members present were Trustees Mark Doeberl, Gerald Hayes, Henry Moore and William Excell. Also present were Village Clerk-Treasurer Christian Vischi and five members of the public.

Trustee Doeberl made a motion to accept the June 23, 2009 regular board meeting minutes, seconded by Trustee Excell, and it carried 4-0.

Abstract #571 (Vouchers #5960-5969) was accepted by a motion from Trustee Moore, seconded by Trustee Doeberl, and it carried 4-0. Trustee Hayes made a motion to accept Abstract #572 (Vouchers #5970-6010), seconded by Trustee Doeberl, and it carried 4-0.

Trustee Moore reported that Justice Faulkner's June court action included fines, fees and surcharges of \$1,245. This represented his presiding over 10 individuals with 11 statute violations. AC Officer Francis Hilsinger made four trips to Earlville in June on dog complaints. CEO Matthew Van Heusen had issued permits for septic systems, performed fire inspections and responded to tenant violations of New York State Codes.

Trustee Doeberl has not received any FOIL requests. Of concern is that the septic system for the municipal building has had another occurrence of the previous problem, which Trustee Excell also witnessed this past weekend. Trustee Moore made a motion to hire a plumber for an inspection/informational call, with a written estimate required prior to any work being performed. Trustee Excell seconded the motion and it carried 4-0. DPW will provide recommendations for plumber contacts.

Hamilton Central School has a set of gang mowers that will be offered for sale this weekend. If successful in purchasing them, they would save DPW labor time and would result in less wear and tear on the smaller mowers of the village. Trustee Doeberl estimates the village could secure them for \$300-\$500; Trustee Excell said that would be a wise investment. There will be a future expense for blade sharpening. Trustee Hayes asked if the village has equipment to pull them and Doeberl answered affirmatively. Trustee Excell made a motion to authorize Trustee Doeberl to purchase the gang mowers, if available, at a cost not to exceed \$500, seconded by Trustee Moore and carried 4-0.

The entrance sign to the village at the north end will be re-erected in a more western location. Property owner(s) will be contacted to discuss any site needs.

The inaugural Earlville Cruise-In was a success, and Trustee Doeberl issued thanks to the following local businesses: Mountain Top Golf Course, Colgate Bookstore, Gilligan's Island, Small Town Auto, Colgate Athletic Department, Wayne's Market, NAPA of Sherburne and Norwich, Hi-Skor Bowling Lanes, Norm's Barber Shop and Fine Line Graphics.

The next event at the Quincy Square Museum is Harvey Kliman and Rose Wellman presenting a program on the Chenango Canal at 2 p.m. on July 25. The EOH welcomes Trombone Shorty & Orleans Avenue at 8 p.m. on July 17. Trustee Hayes also reported on the following EFD news:

- A house burn is being planned for Aug. 22 on East Main Extension;

- Department physicals were held on July 9 at the fire hall;
- The department plans to hold concessions at the August softball tournament;
- The annual EFD banquet is tentatively planned for Oct. 17;
- A benefit for Kerri Mikalunas will be held from 1 to 4 p.m. July 19 at the firehouse.

Mayor Campbell read aloud a letter received from resident Harriette Adamson about Board Resolution 28-38. Campbell then relayed that future correspondence received by the board or mayor will be accounted for at public meetings with a statement of the author's name, the issue addressed and the letter will be available for public and board review.

After discussion by the board about potential alternatives to the parking prohibition established by Resolution 28-38, Trustee Hayes recommended rescinding the resolution and specifying the months that parking would be prohibited. Trustee Excell agreed and Hayes made the motion to rescind Resolution 28-38, seconded by Trustee Excell. The vote failed 2-3, with Trustees Moore and Doeberl and Mayor Campbell voting nay. Trustee Doeberl said a solution should be identified before the resolution is removed. Trustee Excell recommended allowing parking from the driveway of the McQueen Block to the east side of the Quincy Square Museum. Parking would still not be permitted at the junction of Madison Street to East Main Street as there is a hydrant there. On a motion by Trustee Excell, seconded by Trustee Hayes and approved 3-1 with Trustee Doeberl voting nay, the board adopted Resolution 29-2 "Parking Prohibition from Eastern Boundary of Parcel 213.20-3-45 to Madison Street." The purpose of the parking prohibition is to increase visibility for drivers entering East Main Street from Madison Street. Trustee Hayes then made the motion to rescind Resolution 28-38. It was seconded by Trustee Excell, and approved 3-1, with Trustee Doeberl voting nay.

After reading the current Property Maintenance Code of New York State, Section 302.4, the board discussed creating a local policy, what the parameters would be and about enforceability. On a motion by Trustee Excell, second by Trustee Doeberl and carried 4-0, the board adopted Resolution 29-3 "Village Enforcement and Remuneration for Property Maintenance Violations of State Code." It reads that pursuant to New York State Law, the village will contact a property owner in violation of the state's Property Maintenance Code Section 302.4 by certified mail, and after seven days of receipt of the USPS domestic return receipt if the property has not been addressed to the satisfaction of the village Codes Enforcement Officer, the village DPW will be authorized to mow and clean up said property at a cost to the owner of \$50 per hour, plus the actual rate billed to the village for the deposit of materials to the county landfill and/or local transfer station, plus the village's adopted rate of mileage reimbursement, currently \$0.445 per mile.

The Sherburne Recreation Program has received and deposited the village's check for 2009 but has not acknowledged the village's letter or the requested provisions. In correspondence received from Smyrna Town Supervisor James Bays, he said the request was reasonable.

A thank you letter will be sent to the businesses and individuals that helped make this year's Earlville Days Celebration a success. *Prime Time Horns* performed on Saturday, and their fee was partially covered by sponsorship from the following businesses: Hi-Skor Lanes, Wissenbach Land Surveying and Computel Consultants of Earlville; M. Burton Marshall of Hamilton; and Barton & Loguidice of Syracuse.

Music in the Park kicked off July 7 with the band *Sundown*, though the venue was moved to the EFD with inclement weather. Approximately 40 to 45 people enjoyed the performance. This week is Shelly Harris and Michael O'Connor.

On a motion by Trustee Moore, seconded by Trustee Excell and carried 4-0, a letter will be sent to New Life Christian School to request a certificate of liability insurance naming the village as additionally insured, providing a portajohn at the field and removing the nets at the close of practice

or each game. If these issues are not addressed by Aug. 1, use of the field by NLCS will not continue to be granted.

An update on the water project was given:

- A map of the proposed water district has been developed, based on parcels fronting village water main extensions as mapped during the 2008 village water study.
- GIS parcel data has been obtained for the towns and a table of proposed water district parcels has been developed.
- Water district parcel information has been reconciled to the village's water accounts list.

The village will be looking into a New York State Office of Parks, Recreation and Historic Preservation grant for development of the land and facilities at the former school on Fayette Street.

On a motion by Trustee Doeberl, seconded by Trustee Excell and carried 4-0, the mayor is authorized to hire a summer office assistant at \$7.25 per hour, giving preference to Earlville residents.

With Fire Trucks Plus having held on to the 2006 Pierce Enforcer for nearly 10 months for the village, and with approximately 30-45 days before USDA can make funding available, Trustee Doeberl made a motion, seconded by Trustee Moore and approved 3-0, to have the clerk contact NBT Bank about GAP funding. Trustee Excell abstained. Interest on a BAN would be 1.55 percent for six months or 1.70 percent for 12 months.

Trustee Hayes will discuss with the fire chief the following issues resolved by the board:

- The village will no longer reimburse the Earlville Fire Company for expenses. If products or services are required to be purchased/executed, the Village of Earlville accounts must be used and new accounts can be set up for any business not currently doing so;
- As with all departments in the village, any purchase of \$300 or more must receive board approval prior to purchase. Purchases in excess of \$300 may only be done without board approval in emergency situations with approval from the department liaison to the board and the mayor.

On a motion by Trustee Doeberl, seconded by Trustee Excell and carried 4-0, the board entered executive session at 8:23 p.m. to discuss pending litigation.

After brief discussion of a court case, Trustee Hayes made a motion to rescind Local Law #1 of 2007. It was seconded by Trustee Doeberl and failed 1-3 with Trustee Hayes voting aye.

On a motion by Trustee Moore, seconded by Trustee Hayes and carried 4-0, the board reentered public session at 9:07 p.m.

A survey by the State Comptroller's Office of the village is ongoing.

The next board meeting will be held at 7 p.m. July 27.

On a motion by Trustee Excell, seconded by Trustee Moore and carried 4-0 at 9:10 p.m., the board meeting adjourned.