

# VILLAGE OF EARLVILLE

Regular Monthly Meeting  
Village Hall

May 11, 2010  
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 10<sup>th</sup> day of March, 2010.

*Tonight's meeting minute notes: All votes by the Village of Earlville Board of Trustees (herein "Board" or "Village Board") 3-0 are to be read as "aye" votes from Village of Earlville Board of Trustees members Doeberl, Moore and Excell. 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.*

Village Mayor Toni Campbell called the meeting to order at 7:01 p.m. Board members present were Trustees Mark Doeberl, Henry Moore and William Excell. Trustee Gerald Hayes was absent. Also present were Village Clerk-Treasurer Christian Vischi, Ford Seymour, Jeffrey Hendrickson, Town of Sherburne Councilman Ed Meyers and Fire Chief Robert Tracy.

On a motion by Trustee Moore, seconded by Trustee Excell and carried 3-0, the Board accepted the minutes from the April 20, 2010 emergency board meeting.

Abstract 599 (Vouchers #6325, 6327-6335) was approved 3-0 on a motion by Trustee Moore and a second from Trustee Doeberl. Abstract 600 (Vouchers #6324, 6336-6347) was approved 3-0 on a motion by Trustee Doeberl and a second from Trustee Excell.

Town of Georgetown Magistrate Ronald Hailston and his wife arrived at 7:08 p.m.

Judge Peptis' April court docket included 15 individuals with 16 statute violations for a total of fines, fees and surcharges of \$1,643.00, plus two civil actions. There was no activity of record for the Animal Control Officer.

Trustee Moore has responded to two FOIL requests in accordance with FOIL laws. In Fire Department matters, Trustee Moore said the repairs for 151 and 153 came to \$6,321. The Earlville Fire Company has decided to pay these repairs, and a letter from the Village Board will be sent thanking the company for their continued partnership with the village. A motion was made by Trustee Moore and rescinded for the approval for three fire department members. Without a quorum present (Trustees Moore and Excell would have abstained), their approval will be voted on at the May 25 regular board meeting. The Earlville Fire Company will be co-sponsoring the Music in the Park Summer Concert Series, and a thank you note will be sent to the company for this generosity.

Councilman Meyers said the Sherburne Town Board will be holding their final public hearing on May 19 for the formation of the water district. He said if no petition is submitted, then the Town Board will approve a resolution to create the district and file it with the state comptroller, completing the process. Mayor Campbell thanked them for their work in this regard.

Ford Seymour discussed Baker Hill property, a parcel deeded to the Earlville First Baptist Church and the Earlville United Methodist Church on Dec. 29, 1971. The parcel was deeded to the churches on the condition that the property would be used to benefit the scout troops in the vicinity. A lease agreement that commenced May 1, 1975 - that provides that the Village of Earlville would maintain some of the property, open to the general public - has expired. Seymour asked the

Board to have its attorney look the deeds/lease agreements over, and it will be forwarded to the Village's attorney for discussion at the June 8 Board meeting.

Resident Hendrickson discussed a continuing issue with his neighbor.

Fire Chief Tracy updated the board on hose-testing completed to date, the department's new members, a schedule of events upcoming and the need for some new sets of turnout gear. Har-Rob has five sets that are brand new returns that would be heavily discounted off the MSRP.

On a motion by Trustee Doeberl, seconded by Trustee Moore and carried 3-0, the Board adopted Resolution 30-8 "Agreement to Enter Into Contract with Ciaschi ● Dietershagen ● Little ● Mickelson & Co., LLP" for \$12,000 for a single audit as required by USDA RD. The other bids received for auditing services for our Water System Improvement Project included Bollam, Sheedy, Torani & Co., LLP, CPAs for \$13,500 and The Bonadio Group at \$18,000. Municipal Solutions, the Board's financial consultants, recommended that the Board engage the services of Ciaschi ● Dietershagen ● Little ● Mickelson & Co., LLP.

On a motion by Trustee Excell, seconded by Trustee Doeberl and carried 3-0, the Board adopted Resolution 30-9 "Appointment of Ronald Hailston to Village Justice through March 31, 2011". Justice Hailston was sworn in by Mayor Campbell.

A letter will be sent to Dianne E. Shewell thanking her for her service to the Village of Earlville through the cleaning of the municipal building, but also relaying that in trying to balance rising expenses while controlling taxes the Board will no longer require her services after June 1, 2010.

Lisa Thomas, Town Clerk of Lebanon, sent a letter to Mayor Campbell to inform the Board that the Town of Lebanon has adopted a resolution formally requesting a New York State Department of Transportation speed limit study, speed reduction and additional safety enhancements to Route 12B north of the Village of Earlville.

As the Earlville Postmaster has relayed that the Community Bulletin Board at the post office has permanency, the Board will discuss at the next meeting whether the Board needs to continue researching the potential purchase of one.

Trustees Moore and Excell will discuss the Sherburne Recreation Committee meeting they attended at the next Board meeting. The pair said the school is going to try to make sure a bus is available for rec program students from Earlville.

Mayor Campbell relayed notes from Brian Skidmore of Barton & Loguidice:

- He is still awaiting comments from Geoff Snyder of the Madison County Department of Health. Even though the contract documents have been received by several prospective bidders, Skidmore said any required changes could be done by change order;
- The necessary easements will need to be secured as soon as possible;
- A total of 17 contractors have purchased bid documents for the project

Mayor Campbell will talk with the Village Attorney about the easements and how to secure them.

The Village dump is now by appointment only on a motion by Trustee Excell, seconded by Trustee Moore and carried 3-0.

A letter from Richard Zdanowicz was read aloud about a one-pitch softball tournament planned for May 22-23 open to only Village of Earlville Softball League teams. This is not a Village-sponsored event and is not a fundraiser, as all funds raised will be paid out in terms of expenses or prizes. A motion to approve the use of the Village's fields for this tournament was approved 3-0 on a motion by Trustee Doeberl, with a second from Trustee Excell.

After brief discussion, Trustee Excell made a motion, seconded by Trustee Doeberl and carried 3-0 to hire back Alex Orellano and Richard Zdanowicz as seasonal DPW workers at \$8.00 per hour.

On a motion by Trustee Excell, seconded by Trustee Doeberl and carried 3-0, the Board will engage the services of American Fireworks for Earlville Days for \$2,500.

Trustee Doeberl made a motion, seconded by Trustee Moore and carried 3-0, to use Blueox Energy Products for the Village's propane needs for the next 12 months.

With no comments from the public, a motion to adjourn was made at 9:09 p.m. by Trustee Moore, seconded by Trustee Doeberl 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 on May 11, 2010."



Christian L. Vischi

Clerk-Treasurer

Village of Earlville

- Village Seal -

**Resolution 30-8**  
**Agreement to Enter Into Contract with**  
**Ciaschi • Dietershagen • Little • Mickelson & Co., LLP for a single audit**

**Motion made by Board Member Mark Doeberl**

**During the regular board meeting of the Village Trustees (the "Village") 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 11<sup>th</sup> day of May 2010,**

**Present:**        **Toni Campbell – Mayor**  
                      **Mark Doeberl – Trustee**  
                      **William Excell – Trustee**  
                      **Henry Moore – Trustee**  
                      **Christian Vischi – Clerk/Treasurer**

**Absent:**         **Gerald Hayes– Trustee**

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

**WHEREAS the Village has agreed to undertake reconstruction and construction of improvements (herein "The Project") to the water system in and for the Village of Earlville, Madison and Chenango Counties, New York, including the replacement of water mains, construction of a new water storage tank, as well as the acquisition of equipment and improvements at the water treatment facility, including incidental costs; and**

**WHEREAS the Village has resolved to authorizing the issuance of serial bonds of said village to pay the cost of reconstruction and construction improvements to the Village of Earlville water system, in and for the village of Earlville, at a maximum estimated cost of \$3,485,000 through the United States Department of Agriculture Rural Development agency (herein "USDA RD"); and**

**WHEREAS the USDA RD requires a single audit performed of the Village's finances; and**

**WHEREAS bids were sought from three certified-public accounting firms and the low bidder substantially met the qualifications sought in the bid package drafted by the Municipal Solutions, Inc., the Village's financial consultant on The Project;**

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

**BE IT RESOLVED, that the Board of Trustees approves the bid presented by Ciaschi • Dietershagen • Little • Mickelson & Co., LLP for \$7,000 plus consulting services for**

**Resolution 30-9**  
**Appointment of Ronald Hailston to Village Justice through March 31, 2011**

**Motion made by Trustee William Excell**

**During the regular board meeting 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 11<sup>th</sup> day of May 2010,**

**Present:        Toni Campbell – Mayor  
                  Mark Doeberl – Trustee  
                  William Excell – Trustee  
                  Henry Moore – Trustee  
                  Christian Vischi – Clerk/Treasurer**

**Absent:         Gerald Hayes – Trustee**

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

**WHEREAS the current Village Justice James Peptis is resigning his position effective the appointment of a new Village Justice; and**

**WHEREAS Village Law § 3-312 prescribes the process of filling vacancies in village office that are not caused by expiration of the term of office as being filled by a mayoral appointment; and**

**WHEREAS when a vacancy occurs in an elective office less than 75 days prior to the third Tuesday of the month preceding the end of the current official year, then the mayoral appointment to fill the vacancy is for the balance of the official year; and**

**THOUGH the Board of Trustees does not approve a mayoral appointment to fill a vacancy in a public office that is not caused by the expiration of the term;**

**On motion duly made and carried:**

**BE IT RESOLVED, that the Board of Trustees adopts the appointment of Justice Ronald Hailston of Georgetown to fill the Village of Earlville Justice position through March 31, 2011.**

**Seconded by Trustee Mark Doeberl**

**Ayes: 3  
Nays: 0  
Carried 3-0**