

# **RUSHVILLE VILLAGE BOARD MEETING**

**May 11, 2015**

TIME: 7:00 PM

PLACE: Rushville Village Hall

PRESENT: Mayor Jon Bagley

Trustees: Charles Elwell, Timothy Jabaut, and John Sawers

ABSENT/EXCUSED: Trustee David Field

ATTENDANCE: Reggie O'Hearn, Dodie Baker, Jennifer Gruschow, Janet Landcastle, Karen Johnson, Bill Johnson, Jaret Brown, Sean Bagley, Mariah Prisella, Antonio Rosato, Maria Rosato, Laura Ninestine, Joe Rosato, Jody Payne, Kim Payne, Marla Lapin, Robert Walker, Anne Grover, Joel Bay, Tom Bay

RE: Calling the Meeting to Order

Mayor Jon Bagley called the regular monthly meeting to order at 7:05pm.

RE: Approval of Minutes

The Board reviewed the minutes from the April 13, 2015 board meeting, as well as the April 27, 2015 budget hearing & organizational meeting. Trustee John Sawers noted the minutes from the budget hearing and organizational meeting needed correcting as Trustee David Field's name was included in a motion and he was not present. A motion was made by Trustee Charles Elwell to approve the minutes with corrections. Trustee Timothy Jabaut seconded the motion. Motion was unanimously carried.

Mayor Jon Bagley stated that Trustee John Sawers' comments at the last board meeting were inappropriate since he did not attend the budget meeting, therefore he did not involve himself in the budget planning process. Trustee John Sawers stated he was asking for information on the budget and that he was unable to attend the meeting because he was working.

RE: William Barker and Maria & Joe Rosato: 9 Chapel Street

Joe Rosato explained his argument against the present violations pertaining to the property he rents from his father-in-law, William Barker. He stated that the nine cars on his property are all registered, and that he intends on giving them to his children upon their graduation. Furthermore, he expressed his concern over a neighboring Mennonite who removed trees which has resulted in drainage problems. He accused the Village of harassment, attacking Mayor Bagley personally, and stated that Reggie O'Hearn entered his campers without his permission. O'Hearn stated that he did not enter his campers. Rosato also stated that his neighbors are willing to sign an affidavit that his property is not dangerous.

A motion was made by Trustee Charles Elwell to hold a public hearing regarding the property maintenance violations at 9 Chapel Street on Monday, June 8, 2015 at 6:30 p.m. The motion was seconded by Trustee Timothy Jabaut. Motion was unanimously carried.

RE: Public Work's Supervisor: Art Rilands

A copy of this report is on file with these minutes.

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The chlorine line at the lake is still plugging up. A diver tried unplugging it with no success.

RE: Fire Department: Fire Chief, Art Rilands

A copy of this report is on file with these minutes.

Art Rilands stated that the Fire Department has been very busy.

RE: Reading Center Director: Dodie Baker

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A discussion ensued about the upcoming new sign for the Reading Center, which will be an Eagle Scout Project. The projected cost is \$1,200. Dodie asked for extra funding from the Village if it is needed for the sign. A motion was made by Trustee Timothy Jabaut for the approval of funding for the sign should it be needed. The motion was seconded by Trustee John Sawers. Motion was unanimously carried.

RE: Code Enforcement Officer: Reggie O'Hearn

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Code Officer Reggie O'Hearn wanted to state on record that Maria Rosato gave him the license plate numbers and that he was not on the property at 9 Chapel Street. Reggie states that when he did visit the property, he observed the violations from the driveway. O'Hearn stated that he does not enter a property without a warrant or permission to do so.

According to Mayor Jon Bagley, complaints about the property came from neighbors, not himself, as was accused.

RE: Appoint Deputy Tax Collector

A motion was made by Trustee Timothy Jabaut to appoint Deputy Clerk Tawnee Badger as the Deputy Tax Collector. The motion was seconded by Trustee Charles Elwell.

RE: Bay Water Easement

Discussion ensued with the Tom and Joel Bay regarding a letter that was drafted by Attorney Bill Kenyon. A copy was provided to the Bays for review. It was stated the letter would be mailed from Attorney Kenyon to their attorney. The Bay's stated the terms listed were not acceptable and asked a copy be sent to them personally because they are no longer to hire an attorney for this matter. Attorney Kenyon provided the letter for the Board's review and approval

A motion was made by Trustee Charles Elwell and seconded by Trustee Timothy Jabaut to approve the letter to the Bays as drafted by Attorney Kenyon and for such letter to be sent to the Bays. The motion was carried with 3-Ayes and 1-Nay; Bagley-Aye, Elwell- Aye, Jabaut- Aye, Sawers- Nay.

RE: Sewer Planning Study

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An MRB Group meeting needs to be scheduled. Mayor Jon Bagley will be in attendance.

RE: DOT Maintenance Agreement

The engineer has not finished his work yet as he has been unable to get a hold of all necessary DOT documents.

RE: 87 South Main Street Sewer Issues

This issue has not been settled yet. Mayor Jon Bagley stated that following court, Trustee John Sawers was unprofessional and belligerent towards the Village Public Works Supervisor, Art Rilands. Trustee John Sawers refuted the claim.

RE: Ditch on Warren Street Adjoining Fargo Property (9 Warren Street)

Owner of 9 Warren Street, Mark Fargo is experiencing erosion issues which he believes are due to the newly installed water line. This claim is disputable. Additionally, the erosion is taking place outside of the road right of way, on private property. There is uncertainty as to whether or not the Village should help fix this. Art Rilands said the Village could use concrete from sidewalks to create rip-rap to help prevent erosion. The property line does not run along the ditch; according to Rilands, the Village owns some of Fargo's backyard, and he owns some of the park. Trustee Charles Elwell, as well as village resident Robert Walker, suggested the board members go look at the site to see the damage for themselves so they can make an informed decision as to whether or not the Village should help fix the damage. It was decided that the board members will look at the site. This will be tabled until the next meeting.

RE: Deputy Clerk Position

Due to personal circumstances on part of both Clerk Jennifer Gruschow and Deputy Clerk Tawnee Badger, it will be necessary to hire a replacement for the deputy clerk position. They asked for approval from the Board to seek interested applicants for the position.

A motion was made by Trustee Timothy Jabaut and seconded by Trustee Charles Elwell to advertise and seek applicants who may be interested in filling the deputy clerk position with the Village of Rushville. Unanimously carried.

RE: Memorial Day Parade

The Memorial Day Parade will be held in Middlesex at 10:00 a.m. A ceremony will follow at the fire house. Involvement in the planning process was encouraged by Clerk Jennifer Gruschow.

RE: Bills

A motion was made by Trustee Timothy Jabaut and seconded by Trustee Charles Elwell to authorize payment of the general bills in the amount of \$7,300.52. Unanimously carried.

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A motion was made by Trustee Charles Elwell and seconded by Trustee Timothy Jabaut to authorize payment of the cemetery bills in the amount of \$356.48. Unanimously carried.

A motion was made by Trustee Timothy Jabaut and seconded by Trustee Charles Elwell to authorize payment of the water bills in the amount of \$5,402.62. Unanimously carried.

A motion was made by Trustee Charles Elwell and seconded by Trustee Timothy Jabaut to authorize payment of the sewer bills in amount of \$2,969.37. Unanimously carried.

RE: Public Comments

Anne Grover offered advice regarding the 87 South Main Street Sewer Issues and the resulting conflicts. She stated that what is legal and what is right, are often two different things. She stated that the issue is not anyone's fault, but that the sewer system is a mess. She then shared her experience related to past sewer hook-up issues. Mayor Jon Bagley said he appreciated Anne's comments.

Janet Landcastle commended the Village employees who installed the new sidewalks on Gilbert Street for a job well done. She also questioned the progress of the regulations regarding having chickens in the Village; the committee formed to handle this is not ready yet in their preparations. Lastly, she suggested that a survey go out to the villagers of Rushville regarding the Community Center, so that they can vote for what they want in a facility. Mayor Jon Bagley stated that there will be a time and place to share ideas.

Robert Walker asked about David Field's condition, which was then shared.

RE: Adjournment

A motion was made by Trustee Charles Elwell and seconded by Trustee Timothy Jabaut to adjourn the meeting at 7:59pm. Unanimously carried.

Respectfully Submitted,

Tawnee Badger  
Deputy Clerk-Treasurer