

RUSHVILLE VILLAGE BOARD MEETING
December 14, 2015

TIME: 7:00 PM

PLACE: Rushville Village Hall

PRESENT: Mayor Jon Bagley

Trustees: Charles Elwell, Timothy Jabaut, John Sawers

Trustee Appoint: David Masters

ATTENDANCE: Art Rilands, Reggie O'Hearn, Dodie Baker, Janet Landcastle, Pat Sawers, Kim Payne, John Zimmerman

EXCUSED/ABSENT: Amanda Lee

Public Hearing

RE: Opening the Public Hearing

Mayor Jon Bagley opened the public hearing for the Time Warner Cable franchise agreement at 7:00pm

RE: Time Warner Cable Franchise Agreement

In accordance with federal law, Time Warner Cable must enter into an agreement with each municipality on behalf of the residents that it serves. The agreement from 2005 is due to expire on December 31st and Time Warner Cable is requesting an agreement renewal with an expiration date of December 31, 2030.

Mayor Jon Bagley asked if there were any questions from the Board or from the public. Brief discussion took place.

RE: Closing the Public Hearing

With no further comments, Mayor Jon Bagley closed the public hearing at 7:05pm.

Regular Monthly Meeting

RE: Calling the Meeting to Order

Mayor Jon Bagley called the regular monthly meeting to order at 7:06pm.

RE: Approval of Minutes

The Board reviewed the minutes from the November 9, 2015 Board Meeting. A motion was made by Trustee Timothy Jabaut and seconded by Trustee Charles Elwell to approve the minutes as printed. The motion was unanimously carried.

RE: Time Warner Cable Franchise Agreement

A motion was made by Trustee Timothy Jabaut and seconded by Trustee Charles Elwell to authorize the signing and extension of the Time Warner Cable Franchise Agreement. The motion was carried unanimously. The resolution in full is attached to these minutes.

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RE: John Zimmerman

John Zimmerman resides at 448 State Route 245, outside of Village limits, but owns and farms a parcel of land located to the rear of 50 South Main Street. Mr. Zimmerman recently attempted to burn brush piles on the parcel and was halted by the Code Officer and Fire Department. There is a local law on file that prevents any open burning in the Village. Mr. Zimmerman stated that he is able to burn any agricultural waste from that property under the State Agricultural Laws. A representative from the NYS Department of Ag & Markets submitted a letter to the Village of Mr. Zimmerman's behalf that supported his right to burn. Code Officer Reggie O'Hearn stated the DEC laws do not allow him to burn and that he will respond to the Ag & Markets letter with such information. Additional discussion took place about alternatives to burning and it was noted the Village was informed by the neighbors who called in the brush piles being burned. Mayor Jon Bagley stated the Village would respond to Ag & Markets and Mr. Zimmerman stated he would wait to hear their response in return.

RE: Trustee Appointment

Mayor Jon Bagley appoints David Masters of 17 South Main Street to fill the vacant trustee seat, which is due to expire on April 4, 2016 and open for election on March 15, 2016.

RE: Public Works Report: Public Works Supervisor Art Rilands

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

No further questions or comments were offered regarding this report.

RE: Fire Department Report: Fire Chief Art Rilands

A copy of reports for the months of October and November are on file with these minutes.

To date the Fire Department has responded to over 170 calls. This is the busiest the Department has ever been. The past few years have been around 130 calls. A year-end report with total numbers will be provided at the January meeting.

The Department has received new interest from several young individuals. Recently 6 young men completed the Firefighter I class. It involves over 100 hours of class time with a written exam. It is a serious commitment and very time consuming. The Department is excited to have new members and new interest in volunteering. A discussion took place regarding recognizing these new members and their accomplishments.

RE: Reading Center Report: Director Dodie Baker

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

Director Dodie Baker shared with the Boards that she recently attended a meeting with the other Southern Tier Library System (STLS) Directors. They discussed and decided to change the book loan system to only allow books to be loaned for 3 weeks instead of 4 weeks. New books will go from a 3 week loan to a 2 week loan. This is an attempt to better circulate books and have them more available, especially the new books. Then patrons can read them while they are still new. STLS also recently received a grant to update their system and security software. The Reading Center will receive updates at no cost.

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The Reading Center received a \$75 donation from the Tuesday Club to purchase books in memory of Lola Clark.

RE: Sewer Easements

A motion was made by Trustee Charles Elwell and seconded by Trustee Timothy Jabaut to accept the dedication of the sewer lines and tanks installed at 4 Douglas Drive, 14 Douglas Drive and 17 Douglas Drive. Specifications are on file with the Village Clerk. The motion was unanimously carried.

RE: Holiday Gift Giving

During the holiday season the Village of Rushville gives out monetary gifts to residents of the Village who are in need of assistance. The money is taken out of funds that were willed to the Village for such dedicated purpose. Discussion took place regarding various individuals who may be in need. Several comments and suggestions were also made by the public.

A motion was made by Trustee Charles Elwell and seconded by Trustee Timothy Jabaut to gift \$250 to 3 families in the Village. The motion was unanimously carried.

RE: Yates County Mutual Aid Plan

Acting as Fire Chief, Art Rilands explained to the Board members the need for the updated mutual aid plan and its purpose. Such Plan allows Fire Departments to respond and assist other Fire Departments with emergency calls.

A motion was made by Trustee John Sawers and seconded by Trustee Timothy Jabaut to authorize the signing of the updated Yates County Mutual Aid Plan. The motion was unanimously carried.

RE: Shared Services Agreement with NYS Department of Transportation

PWS Art Rilands explained to the Board that the Village has signed a shared services agreement with NYS DOT in the past, but it has never been renewed on an annual basis. The purpose of the agreement is to allow municipalities and DOT to utilize each other's resources in the event of an emergency; such as equipment, facilities and man power.

A motion was made by Trustee Timothy Jabaut and seconded by Trustee Charles Elwell to authorize the signing of the Shared Services Agreement with the NYS Department of Transportation. The motion was unanimously carried.

RE: Streetlights

This item is to be removed from the agenda.

RE: Village Elections

Village Elections will take place on Tuesday, March 15, 2016 from 12:00pm-9:00pm. Two trustee seats and the mayor seat are open for election. Petitions will be available for pick up from the Village Clerk at the end of the month.

Trustee Appoint David Masters shared with the Board and public a few details about himself. He lives at 17 South Main Street, next to the Village parking lot. He is employed with

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Lakeview Health Services and oversees the building of new units and facilities. Lakeview services 6 different counties. Prior to moving to the area, he worked on Wall Street for 30 years. He enjoys living in Rushville and working for Lakeview. He likes to help those who can't help themselves.

RE: Low Income Elderly Tax Exemption

In 2009, the Yates County Legislature updated the elderly and veteran tax exemptions and encouraged all the municipalities to pass the same exemptions so everyone across the county received the same benefits. The Village adopted such suggested exemptions. The County is looking to change the parameters of the sliding scale that qualify low income elderly for an exemption. Currently any individual, 65 years or older, making \$11,650 or less, qualifies for a 50% tax exemption, with a continuing sliding scale to \$20,049.99 with a 5% tax exemption. The Legislature is planning to adopt a change in the scale to \$14,000 at 50%, with a continuing sliding scale to \$22,399 at 5%.

RE: Part-Time Labor

Through previous authorization, Sean Bagley was hired at a rate of \$11/hour to assist in grass mowing, snow removal and other public works project as needed.

RE: Carbon Monoxide Detectors

PWS Art Rilands informed the Board about a letter received from SG Security; the company who currently services the Village's monitoring needs. New laws have been put in effect, which results in both the Village Hall and Fire Department needing carbon monoxide detectors with a 10 year life. Such detectors need to be hardwired and have a battery backup. Further discussion took place and Code Officer Reggie O'Hearn was assigned with ensuring the Village complied with such laws.

RE: Health Insurance

PWS Art Rilands and Clerk Jennifer Gruschow met with the representative from Optima Benefits to discuss changes in the health insurance plans. The current plan is no longer being offered by Excellus. They are no longer offering any high deductible plans that offer 100% coverage once the deductible is met. Any co-pay plan that offers decent coverage is not in an affordable price range for the Village. Rilands and Gruschow suggested to the Board that the Village sign up for the Gold 6 plan, which has a deductible of \$2,600, with 85% coverage once the deductible is met and an out of pocket maximum of \$5,200. This will cause minimal change in price. The cost is still being covered at a 75/25; employer/employee split.

A motion was made by Trustee Timothy Jabaut and seconded by Trustee Charles Elwell to offer the Excellus Simply Blue Plus Gold 6 plan to the qualifying employees of the Village of Rushville. The motion was unanimously carried.

RE: Snow Plowing on Douglas Drive

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As the owner of the Trimble Hill Heights Subdivision, Jon Bagley asked the Board to consider taking payment from him to plow the extension of Douglas Drive that is not dedicated. Discussion took place regarding the length of time to plow and it was determined to be minimal, 15 minutes. There are currently 3 new homes on the undedicated portion of the roadway and the utilities have been dedicated to the Village. The roadway needs to be paved before it can be dedicated. The idea of a release of liability was mentioned. The Clerk stated such issue is addressed in the agreement the Village previously signed with Jon Bagley.

A motion was made by Trustee John Sawers and seconded by Trustee Charles Elwell to accept a payment of \$200 from Jon Bagley to plow the undedicated portion of Douglas Drive for this winter season. The motion was unanimously carried.

RE: Bills

A motion was made by Trustee Timothy Jabaut and seconded by Trustee Timothy Jabaut to authorize payment of the general bills in the amount of \$19,361.83. The motion was unanimously carried.

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 \$238.31. The motion was 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 \$11,046.04. The motion was unanimously carried.

A motion was made by Trustee Charles Elwell and seconded by Trustee John Sawers to authorize payment of the sewer bills in amount of \$10,264.83. The motion was unanimously carried.

RE: Public Comments

No additional public comments were offered.

RE: Public Hearing for 9 Chapel Street Violations

A motion was made by Trustee Timothy Jabaut and seconded by Trustee Charles Elwell to set a public hearing to review and act on the continued code violations at 9 Chapel Street for Monday, January 11, 2016 at 7:00pm at the Village Hall. The motion was unanimously carried.

RE: Adjournment

A motion was made by Trustee Charles Elwell and seconded by Trustee Timothy Jabaut to adjourn the meeting at 8:08pm. The motion was unanimously carried.

Respectfully Submitted,

Jennifer Gruschow
Village Clerk-Treasurer