

RUSHVILLE VILLAGE BOARD MEETING

July 12, 2010

TIME: 7:00 PM

PLACE: Rushville Village Hall

PRESENT: Vice Mayor & Trustees Charles Elwell

Trustees David Field, Timothy Jabaut, and John Sawers

ABSENT: Mayor Jon Bagley

ALSO IN ATTENDANCE: Art Rilands, Mike Pierre, Jason Foote, Carol Santee, and Rainey Jones

PUBLIC HEARING

RE: Opening the public hearing

Vice Mayor Elwell opened the public hearing for comment at 7:00pm.

RE: Local Law #2-2010 – Noise Control

Trustee Sawers commented that the local law was well written and solid enough to provide some protection to the people.

No substantial comments from the public were provided.

RE: Closing the public hearing

After no further comments were offered, Vice Mayor Elwell closed the public hearing at 7:05pm.

REGULAR MONTHLY MEETING

RE: Minutes

A motion was made by Trustee Jabaut and seconded by Trustee Field to adopt the minutes from the June 14, 2010 regular monthly meeting as printed. Unanimously carried.

RE: Jason Foote – Chatfield Engineers

Jason Foote, PE for Chatfield Engineers, addressed the Board regarding the water improvement project. He stated they have been working diligently with NYS Department of Health and Department of Environmental Conservation and things in that area are going well.

On the other hand things did not go well when he and Art Rilands attended the Town of Gorham Planning Board (GPB) meeting. The GPB and neighbors to the pump station property are very concerned about the aesthetics of the building and grounds. They would like the Village Board to address and change several items including: chain link fencing, moving electric line and transformer, containing the noise from generator, and reducing the height of the building. These items are only recommendations though, they are not mandatory, especially since the Village Board was not obligated to bring this project before the GPB.

The Board reviewed with Mr. Foote the possible changes including steel decorative fencing and the landscape plan. Other questions asked by the GPB and

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neighbors including what would be the color of the building, and would the Village be adding decorative features such as a dormer. General discussion took place among the Board, Mr. Foote and Art and it was concluded changing the fence and adding landscaping was ok, but their other recommendations were not feasible or reasonable.

Discussion took place over the time line of the project. The Board asked Mr. Foote's opinion on when to start the project. In his opinion he felt the project could begin this fall and all necessary construction could be done before snowfall. Any contractor would love to do this project and be able to employ his crew all winter long. However, if the Village continues to receive resistance from the GPB and if the neighbors move forward with litigation, the project would certainly be pushed back until springtime.

The Board thanked Mr. Foote for his time and efforts and Mr. Foote said he would take these changes to the GPB at their next meeting.

RE: Art's Report

Copy of file

Water

- Chlorine pumps are working at their maximum and are 10 years old. If the Village purchased a larger one it would not have to work at maximum capacity.
- A motion was made by Trustee Sawers and seconded by Trustee Field to purchase a new chlorine pump. Unanimously carried.

Streets/CHIPS

- Several highway officials are thinking that the CHIPS program for street improvements is not going to be renewed. It is believed that any money remaining in the CHIPS account would become property of NYS again and no longer be allocated to the Village for street improvements. Art would like the Board to consider using the money this year, in case it is no longer available next year. Tabled for further discussion.

Sewer

- Issues with foreign substances are under control. It is believed the black substance formed over time. The tanks will need to be checked using a different method and more frequently.
- Had to have a contractor work on the generator at the sewer plant. The Board previously opted out of a general maintenance contract and will have to pay for labor and cost of parts. The Board directed Art to look into a service contract.

RE: Fire Report

Copy of file.

New rescue is in service. It is a nice fire truck and will work well for the department. The old rescue is sold and gone.

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RE: Local Law #2-2010

A motion was made by Trustee Sawers and seconded by Trustee Jabaut to adopt local law #2-2010 to regulate and limit the making and creating of disturbing, excessive or offensive noises within the jurisdictional limits of the Village of Rushville. Unanimously carried.

The Clerk will file this local law with the NYS Secretary of State.

RE: Rural Development Loan Resolution

A motion was made by Trustee Field and seconded by Trustee Jabaut to adopt the attached loan resolution thus committing the Village of Rushville's intent to bond for \$1,975,000 in water system improvements and therefore authorizes Mayor Jon Bagley to sign and agree the Village of Rushville to such loan resolution. Unanimously carried.

RE: Road Preservation Agreement

Trustee Sawers explained that the Marcellus Shale Task Force for Yates County has worked diligently to work on the road preservation agreement so the municipalities are prepared when the drilling companies arrive. This drilling is having a huge impact on the roads in Pennsylvania, the trucking is non-stop. Further discussion took place in regards to the Marcellus Shale drilling and the potential affects on our region.

A motion was made by Trustee Sawers and seconded by Trustee Jabaut to adopt the road preservation agreement provided by the Marcellus Shale Task Force and for it to be placed on file for future use if necessary. Unanimously carried.

RE: Minor Land Use Exemption Agreement with Yates County Planning Board

Trustee Sawers explained that the Yates County Planning Board often receives applications that do not need a county-wide review. This agreement will exempt the Village from submitting minor land uses for review by Yates County. Before authorizing this agreement to be signed, Trustee Sawers would like to make some changes and resubmit it next month for approval. Tabled for further discussion.

RE: Reading Center Director Position

Vice Mayor Elwell shared with the Board that representatives from Southern Tier Library System will be assisting the RC Board on weeding books. Discussion took place regarding the RC Board making recommendations to the Village Board on future operations of the Reading Center and what type of candidate they are looking for in a Reading Center Director. The Village Board would like the RC Board to supply a job description and job advertisement at the August meeting.

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RE: Investment Management

The Clerk informed the Board that Rick Nitto from Community Investments was rescheduled for the August meeting.

RE: Road Damage

The Board was informed that Nevin Zimmerman is moving back to Pennsylvania and Mayor Bagley would like to contact Mr. Zimmerman before he leaves regarding the damage to Warehouse Street and Railroad Avenue. Discussion took place regarding the damage and Art shared with the Board he cannot find one professional to tell him that the holes will cause further damage to the roadway. Vice Mayor Elwell tabled the discussion to allow Mayor Bagley to share his opinion.

RE: Steve Gray's Water Meter at Document's Building

Art shared with the Board that a meter in one of the buildings at Document Reprocessors has been tampered with. The meter is new and has been working properly. For the April billing the meter showed no movement and during the recent July billing reading the meter went backwards. Someone tampered with the meter. The Board instructed Art and the Clerk to send Gray's a letter stating he should not be tampering with the meter and will be charged \$50 for Village personnel to correct the meter.

RE: Year End Transfers

The Clerk shared that together with the accountants they are working on the Annual Report. Year end figures were supplied to the Board for their review. The Clerk also supplied the necessary transfers to be performed to negate any negative line items.

A motion was made by Trustee Jabaut and seconded by Trustee Sawers to authorize the Clerk to perform the year end transfers as provided. Unanimously carried.

RE: Mike Gorton, Cemetery Laborer

Mike Gorton asked that the Clerk bring to the Board's attention he did not receive a raise for the 2010 mowing season and would like to know why, especially since the other cemetery laborer did. Discussion took place over this matter and the Board concluded they were unsure why Mr. Gorton was overlooked.

A motion was made by Trustee Field and seconded by Trustee Sawers to raise Mike Gorton's hour rate \$1/hour, totally \$11/hour, and for the difference to be made up retroactively to the beginning of the season. The Clerk was instructed to send Mr. Gorton a letter apologizing for their oversight and a check to cover the wage difference. Unanimously carried.

RE: Bills

A motion was made by Trustee Field and seconded by Trustee Jabaut to authorize payment of the general bills in amount of \$59,428.28 noting \$53,450.23

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had already received payment due either to prior authorization or a due date prior to the board meeting and of that \$50,700.00 was paid out for the new rescue truck. Unanimously carried.

A motion was made by Trustee Jabaut and seconded by Trustee Field to authorize payment of the capital project bills in amount of \$3,120.83. No prior payments were made. Unanimously carried.

A motion was made by Trustee Jabaut and seconded by Trustee Sawers to authorize payment of the cemetery bills in amount of \$703.87. No prior payments were made. Unanimously carried.

A motion was made by Trustee Field and seconded by Trustee Sawers to authorize payment of the water bills in amount of \$3,180.38 noting \$305.30 had already received payment due either to prior authorization or a due date prior to the board meeting. Unanimously carried.

A motion was made by Trustee Sawers and seconded by Trustee Field to authorize payment of the sewer bills in the amount of \$8,652.31 noting \$3.80 had already received payment due either to prior authorization or a due date prior to the board meeting. Unanimously carried.

RE: Adjournment

A motion was made by Trustee Field and seconded by Trustee Jabaut to adjourn the meeting at 8:25pm. Unanimously carried.

Respectfully Submitted,

Jennifer Gruschow
Clerk-Treasurer