

## **RUSHVILLE VILLAGE BOARD MEETING**

**January 11, 2016**

TIME: 7:00 PM

PLACE: Rushville Village Hall

PRESENT: Mayor Jon Bagley

Trustees: Charles Elwell, Timothy Jabaut, David Masters, John Sawers

ATTENDANCE: Jen Gruschow, Amanda Lee, Art Rilands, Mike Pierre, Reggie O'Hearn, Dodie Baker, Jim Rice, Janet Landcastle, Pat Sawers, Anne Grover, John Zimmerman, William & Malla Barker, Alison Clarke, Joseph & Maria Rosato, Laura Ninestine, Attorney Michael Paul

### Public Hearing

RE: Opening the Public Hearing

Mayor Jon Bagley opened the public hearing for Continued Violations of 9 Chapel Street at 7:08pm

RE: Continued Violations at 9 Chapel Street

Code Enforcement Officer Reggie O'Hearn opened by asking everyone to please see the continued violations notice that was provided. The property has been in continued violation for 14 weeks, since the October 5<sup>th</sup> public hearing. Attached to that is the potential fines of \$250 per week.

Attorney Michael Paul introduces himself and states that he has been retained by Mr. William Barker. Mr. Paul brings to boards' attention that the residents of 9 Chapel Street have signed the agreement tonight giving permission for the Village to inspect the property. Mr. Paul also stated that the residents of 9 Chapel Street attempted to submit the form several weeks ago, however they did not sign in the office with the Clerks acting as a witness. Mr. Paul proposes that we get the property inspected before the Village imposes additional fines.

O'Hearn points out that up to the point of an attorney being involved, the residents would not come into the office to sign the form for permission to inspect the property. This issue could have been resolved months ago had the occupants agreed to sign.

Mr. Paul submitted for the Boards' review, the 11/19 agreement that was not accepted due to lack of signature verification. O'Hearn stated he placed phoned calls and never was contacted in return for an inspection appointment to be made. Mr. Paul reiterated that the agreement is now signed and asked the Board to again consider inspecting the property before imposing fines.

RE: Closing the Public Hearing

With no additional discussion, Mayor Jon Bagley closed the public hearing.

### Regular Monthly Meeting

RE: Calling the Meeting to Order

Mayor Jon Bagley called the regular monthly meeting to order at 7:17pm.

RE: Approval of Minutes

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The Board reviewed the minutes from the December 14, 2015 Board Meeting. A motion was made by Trustee Charles Elwell and seconded by Trustee Timothy Jabaut to approve the minutes, noting a minor correction in the Bills section of the minutes. The motion was unanimously carried.

RE: John Zimmerman

John Zimmerman was in attendance of the meeting to inquire on what further action has been taken in regards to the brush pile burning on his property. O'Hearn stated that he's been in contact with Ag & Markets, and the Village Attorney William Kenyon has the information for review. O'Hearn also stated he has responded to the Ag & Markets letter via e-mail. He is awaiting direction from Attorney Kenyon.

RE: Public Works Report: Public Works Supervisor Art Rilands

PWS Rilands reported that there they had no luck finding the leaking water at Todd Brown's property on Townline Road. There has been a tracer wire ran through the pipeline that hasn't returned conclusive results. The water leak can be heard at the curb stop. Rilands had found a broken tile where the goldenrod is.

Trustee Timothy Jabaut asked if it would be much money to run a new line.

Rilands replied yes. Rilands has been up to the property looking for the leak. The pipe runs across the road to Al Green's property. As far as anyone can remember the line went into the house and the barn at the same time. Jabaut asked how deep the pipe is. Rilands answered; 3 feet by the house. Rilands thinks the pipe comes out of the house and turns. Brown's yard is large and his septic leach beds run where Rilands needs to dig. The leak is significant at about 10 gallons a minute. There are no other locations where they think the leak could be. There have been 2 different people at the property with listening equipment to help identify the location.

Rilands stated the Village still needs to make an official decision on what to do about the chlorine line. We can make it another couple months without the zebra mussels bothering the line but it will then be crucial to act before the zebra mussels plug the line.

Trustee John Sawers asked what the cost would be to replace the water line. Clerk Jennifer Gruschow reminded the Board that JP Schepp of Chatfield Engineers had stated the cost would most likely exceed \$20,000. Sawers suggested budgeting for it next year.

Sawers asked about any updates on the sewer beds. Mayor Bagley stated the sewer planning study has been completed with the EFT grant funding, but nothing further has taken place.

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.

The 6 new members of the Fire Department had their names into the most recent newsletter with a small write up. Fire Chief Art Rilands reports that in 2015, there were 179 calls, 80 were EMS.

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RE: Reading Center Report: Director Dodie Baker

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

Elwell noted that Reading Center Director Baker has been busy.

The Board approved the "Thank You" lunch for the Reading Center volunteers and will cover the cost of the meal.

RE: Code Enforcement Officer Report: Reggie O'Hearn

9 Chapel Street is still in continued violation.

A motion was made by Trustee Charles Elwell to impose the fines as stated; 14 weeks at \$250 per week. Motion seconded by Trustee Timothy Jabaut. The motion was unanimously carried.

An inspection with O'Hearn will be scheduled.

RE: History Report: Historian Jim Rice

Historian Jim Rice presented to the Board his annual report for History Room activity and volunteering hours. The Board recognized their dedicated time and efforts.

Rice and the history room volunteers would like to have 6 banners made up of active service military members of the community. This will be no cost to the Village. The banners would be hung around the Village, and be returned to the service member upon discharge of their service time. The banners have an estimated cost of \$190, which the History Room will pay for. The banners should be hung before Memorial Day and taken down after Veteran's Day. The Board approved of this idea. Mayor Bagley asked Rice to please thank the entire team in the History Room for their efforts and stated his report was thoroughly and well represented.

RE: Town of Gorham Fire Agreement

The cost is up 2% from last year, total of \$30,530.

A motion was made by Trustee John Sawers to accept the 2016 Fire Protection Agreement with the Town of Gorham, seconded by Trustee Charles Elwell. The motion was unanimously carried.

RE: Town of Gorham Library Agreement

A Motion was made by Trustee Charles Elwell to accept the 2016 Library agreement with the Town of Gorham. Motion was seconded by Trustee David Masters. The motion was unanimously carried.

RE: Election Inspector Appointments

A motion was made by Trustee John Sawers and seconded by Trustee Charles Elwell to appoint Jean Rice, Ginny Gardner, Pat Owens, and Nancy Cleveland as Election Inspectors for the 2016 Village Elections. The motion was unanimously carried.

RE: Election Day Polling Locations and Hours

Polls will be open from 12pm – 9pm on Tuesday, March 15<sup>th</sup>.

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RE: Tax Exemption for Low Income Elderly

Yates County Legislature has passed an update to the low income elderly tax exemption and has asked all local municipalities to consider passing the same sliding scale. Discussion took place and the Board agreed to update the Village's sliding scale to match that of the County's.

Clerk Jennifer Gruschow will draft the local law and provide copies to the Board members for their review.

A motion was made by Trustee John Sawers and seconded by Trustee Charles Elwell to set a public hearing for Monday, February 8, 2016 at 7:00pm at the Village Hall to take comments in regards to the adoption of Local Law No. 1-2016 which will amend the sliding scale for low income elderly tax exemptions. The motion was unanimously carried.

RE: Carbon Monoxide Detectors

Code Officer O'Hearn was tasked with ensuring the carbon monoxide detectors were legal.

RE: K&D Disposal Contract

A Motion was made by Trustee Charles Elwell to accept the agreement with K&D Disposal for refuse removal at a rate of \$54 per month. Motion seconded by Trustee John Sawers. 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 \$9,769.59. 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 \$26.28. The motion was unanimously carried.

A motion was made by Trustee John Sawers and seconded by Trustee Charles Elwell to authorize payment of the water bills in the amount of \$3,811.46. The motion was 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 \$855.35. The motion was unanimously carried.

RE: Public Comments

No additional public comments were offered.

RE: Adjournment

A motion was made by Trustee Charles Elwell and seconded by Trustee Timothy Jabaut to adjourn the meeting at 7:39pm. The motion was unanimously carried.

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Respectfully Submitted,

Jennifer Gruschow  
Clerk-Treasurer

Amanda Lee  
Deputy Clerk-Treasurer