

RUSHVILLE VILLAGE BOARD MEETING

April 11, 2016

TIME: 7:00 PM

PLACE: Rushville Village Hall

PRESENT: Mayor John Sawers

Trustees: Charles Elwell, Holly Krossber, David Masters

Trustee Appoint: Kimberly Payne

ATTENDANCE: Jen Gruschow, Amanda Lee, Reggie O'Hearn, Art Rilands, Mike Pierre, Dodie Baker, Janet Landcastle, Jamie Landcastle, Anne Grover, Pat Sawers, Kelly Doran, Gabrielle Doran, Karen Gorton, Kevin Smith, Jon Bagley, Bob Walker, Marla Lapin, Chandra Gilman, John Zimmerman

Re: Calling the Meeting to Order

Meeting called to order at 7:00 pm by Mayor John Sawers. All who were present joined in the Pledge of Allegiance.

Re: Approval of Minutes

A motion was made by Trustee Charles Elwell to approve the minutes from the March board meeting. Motion seconded by Trustee David Masters. The motion was unanimously carried.

Re: Trustee Appointment

Mayor John Sawers appointed Kimberly Payne to fill the Trustee seat that was vacated upon him being elected as mayor. The Trustee term is due to expire in 2 years and will be voted on in March of 2018.

Re: Election Comments

Mayor John Sawers asked for a moment to thank those that voted for him. He's confident that he can move the Village forward. He congratulated the Trustees. Mayor Sawers then read a letter from a Village resident thanking him for running.

Re: John Zimmerman

John Zimmerman asked where in the process the Village was at, in making a decision on the burning of the brush piles on his property.

Code Enforcement Officer Reggie O'Hearn has talked with Bob Summers from NYS Ag & Markets in Albany. CEO O'Hearn is requesting documentation showing that the property is in an Agricultural district. The Village attorney explained to Reggie that the law is not unreasonable due to the density of the homes as well as the proximity of the piles to the homes. CEO O'Hearn is working to draft a letter to send to Bob Summers at Ag & Markets and will be submitting it to the Board for their review and approval. Ag & Markets sent a letter to the Village, asking for a response detailing the reasoning for denying Mr. Zimmerman the ability to burn the brush piles. CEO O'Hearn will put together document packets for the Board, so all the members are up to date and have all the correspondences relating to the matter. CEO O'Hearn said he will continue to enforce the Village's "no open burning" law until the Board decides to rule differently.

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Mayor Sawers noted that the property is zoned R1. Additionally, Mayor Sawers stated he would like to give the new board members time to read the information, so the item will be tabled but a decision will be made at the next board meeting. Discussion took place whether to render a decision at the special meeting on April 25th or wait until the regular monthly meeting in May. Mr. Zimmerman stated he would like a decision as soon as possible.

Trustee Holly Krossber asked if this issue falls under the DEC burn ban in New York that is in effect until May 15th.

Mr. Zimmerman stated that farmers are exempt from the ban when clearing brush from a field to prepare for planting crops. Discussion took place about the best course of action if Mr. Zimmerman is allowed to burn. He stated, he'd like to burn 2 different times to be safe and have the winds in his favor. It was noted, the fire department has no way of getting to the brush piles if something goes wrong. Mr. Zimmerman would like a decision at the April 25th meeting. Ag & Markets is prepared to take legal action if a solution cannot be agreed upon.

Re: Public Works Supervisor, Art Rilands

Mayor Sawers started discussion about the water plant turbidity monitoring meters. The meters were all brand new when the plant was built. The Village spent \$900 to replace one meter, but it should be refunded with warranty coverage. Rilands contacted Ritec to come out, or to call with phone support, in an attempt to fix the meter issues, however the company was unresponsive. PWS Rilands explained that, once the Village was fully automated, we are mandated to notify Department of Health with any glitches in the monitoring. During the time the meter is not functioning, Rilands and Pierre have to manually test the water every 4 hours. The DOH gives 5 days to fix the issue. The Village does have an old turbidity meter that was installed prior to the plant upgrades, Rilands is hoping to use in the interim.

Trustee Elwell hoped that for \$2 million, we would have had better equipment.

Re: Reading Center Director, Dodie Baker

The Reading Center is still looking for volunteers for the Summer Reading Program. There are lots of fun things lined up. Marla Lapin offered to volunteer. Director Baker is still in need of another volunteer for the book sale.

The Circle of Friends has been working on getting together businesses and residents to put on a Christmastime in Rushville event. The next meeting for Circle of Friends is April 18th at 7:15pm. Ideas for the event include a tree lighting at the library and caroling. Rilands has agreed to bring Santa in on a firetruck.

Mayor Sawers would like to know if the new library sign will be put up soon. Baker would like to see what next month brings. The boy scouts are supposed to be doing it. Everything else is going well, and she's excited for the summer reading program.

Re: Fire Department Chief, Art Rilands

Rilands reported that there was one call the Department received was quite suspicious. The County Investigation team was called out. The Fire Department needs to be more cautious when arriving and performing their actions at a scene. The volunteers could rush into a fire

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scene and may encounter a danger not fire related. Maybe getting more people to a scene before acting would be a good practice. It's not just about putting out fires anymore.

Re: Code Enforcement Officer, Reggie O'Hearn

O'Hearn added to previous discussions regarding John Zimmerman's ability to burn the piles at his field. O'Hearn reported that when the original call came in, the immediate neighbor said that she has emphysema and it's a health hazard.

Ag & Markets may take legal action against the Village, but it is also quite possible that a resident could also take legal action against the Village if the burning is allowed.

Re: Ontario County All Hazard Mitigation Plan Update

Discussions took place regarding the purpose of the Hazard Mitigation Plan and the role the Village plays. During the previous document update, the Village was asked to identify weak points in Village infrastructure through action worksheets. Remaining items include outstanding sewer easements and stabilizing certain areas of the creek bank. The sewer easements are almost resolved and the creek bank erosion has been stable for the past 5 years.

A motion was made Trustee Masters to accept the draft action worksheets prepared by Rilands and Clerk-Treasurer Gruschow and for such action worksheets to be included in the update to the Ontario County All Hazard Mitigation Plan. Motion seconded Trustee Krossber. The motion was unanimously carried.

Re: Organizational Meeting & Special Meeting

A motion was made by Charles Elwell to hold a special meeting and the annual organizational meeting, following the budget hearing, on April 25, 2016 at 5:00 pm. Motion seconded by Dave Masters. The motion was unanimously carried.

Re: Relevy of Unpaid Water & Sewer Charges

A Motion was made by Trustee Elwell to relevy the unpaid water & sewer charges and unpaid zoning and property maintenance fines on to the June 1, 2016 tax roll. The motion was seconded by Trustee Masters. The motion was unanimously carried.

Re: 9 Chapel Street

Discussion took place regarding the continued property maintenance fines at 9 Chapel Street. Trustee Krossber asked about reducing the fines per Barker's written letter. The Village attorney had stated that if the Board decided to reduce the fines it would weaken the strength and the ability to enforce the Zoning Law in the future. The law needs to be applied the same to everyone.

A motion was made by Trustee Masters to set a public hearing for the 9 Chapel Street violations for Monday, April 25th at 5:30pm. Motion was seconded by Trustee Election. The motion was unanimously carried.

Re: 3 Bassett Street

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Discussion took place of what course of action the Village should take regarding the donation of 3 Bassett Street. Trustee Elwell noted the Village had received a verbal offer from Kevin Smith of \$20,000. Mayor Sawers stated he would like something in writing. Jon Bagley addressed the Board stating he would put together an official offer, acting as Kevin Smith's realtor without a commission.

To further the discussion, Jon Bagley asked that the proceeds from Bassett Street be put into the Community Improvements Fund and not for it to get "lost" in the General Fund. Mayor Sawers asked if Kevin Smith was present. Mr. Smith introduced himself and stated he is in charge of the Wrestling Club and spearheaded the volunteer effort to transform a portion of the former Martin tire storage building, into a functional recreational space that the Wrestling Club, and a yoga group, use regularly. Trustee Elwell asked Mr. Bagley about his involvement in the renovations. Mr. Bagley stated he donated the furnace and the electrical box.

Mr. Bagley addressed the Board regarding the future of the wrestling room and the Community Center project as a whole. He asked the Board to put the allocated money back in the budget for the Community Center. He would like an opportunity to finish what he started. There has already been community support including the pro bono services by Chrisantha Construction who drew up the site plan. Anne Grover asked Mr. Bagley what the building could be used for and what was included in the site plan? Mr. Bagley stated he could show her the plans. It details recreation space; including a gym, changing rooms, a game room, and also multi-functional community space. Mr. Bagley stated that heroin is growing rapidly in our community. Kids need a safe outlet. This community center could provide that.

Jamie Landcastle questioned how the wrestling room is being maintained. Right now the Village is paying for the heat and electric, but the money is then transferred out of the allocated community improvements fund, so public tax dollars are not being used.

Mayor Sawers stated he would talk with Mr. Bagley regarding the Community Center and report back to the other Board members.

Re: 2016/2017 Tentative Budget

Mayor Sawers shared with the Board that he and Clerk-Treasurer Gruschow have been reviewing the numbers to get to a final budget for adoption. Karen Gorton asked if the tentative budget is available for the public. Gruschow stated a copy is in the office for public viewing, but not for distributing.

Re: Bay Easement

The final item regarding the no transporting water off the property was to be included. Should be seeing a signed easement before May's meeting.

Re: Memorial Day Parade Committee

The Parade Committee is always in need of help. Gruschow shared that the next meeting is on April 21st at 1:00pm at the Gorham Town Office if anyone else is interested in attending.

Re: Cell Phones

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Gruschow shared that several months ago, a government accounts rep from Verizon stopped in the office. He shared with her the rates being offered and they are quite reasonable. The rate for a smartphone is \$34.99 and \$14.99 for a basic phone. Currently Mayor Sawers does not have a cell phone and would like one for Village business. Additionally, Mike Pierre's cell phone could be transferred to Verizon for about a 50% savings.

A motion was made by Trustee Masters to authorize Clerk-Treasurer Gruschow to open an account with Verizon Wireless and issue a smartphone to Mayor Sawers and a new basic phone to W/WW Operator Mike Pierre. Motion was seconded by Trustee Elwell. The motion was carried unanimously.

Re: Seasonal Laborers

PWS Rilands shared that the Village had received 3 applications from high school aged kids. In the past, 2 seasonal laborers were hired. Discussion of pay took place. Minimum wage is \$9.00 per hour. The Board discussed pay at \$9.00 per hour and that it would be up to Art to hire when he was ready. Beyond hiring, teenaged laborers, Rilands is concerned about not having experienced help. The sidewalks and roadwork will require additional help. Because of the lack of help, the Village has resorted to hiring a company to frame and pour the concrete for sidewalks. Trustee Krossber asked about skill level for just mowing. Rilands started it is labor intensive but certainly teachable. There is a lot of trimming around the cemetery headstones as well as needing to be able to operate a zero turn mower.

Re: Water & Sewer Rates

Mayor Sawers explained to the Board that the water and sewer fund have been operating with deficient for 2 years now and it looks as if this year will be a third. He would like to propose that water and sewer rates be raised by 10%. Karen Gorton asked if the 10% would bring the funds to break even or have some of a surplus. Gruschow answered, closer to break even. Maybe some years it would have a surplus.

Re: Assignment of Banking Authority

With the election of a new mayor the former mayor needs to be removed from the banking and investment funds.

A motion was made by Trustee Masters to remove former Mayor Jon Bagley from all banking and investment funds held with Community Bank, NA and Lyons National Bank and replace his banking authority with current Mayor John Sawers. Motion was seconded by Trustee Krossber. The motion was unanimously carried.

Re: Review of Village's Finances

Mayor Sawers shared with the Board he is contemplating having an audit of the Village funds performed. He said it was recommended to him by a fellow Town Supervisor and a close friend who has practiced law for many years. Mayor Sawers started is discussed this matter with Tom Zuber from the offices of Raymond F. Wager, CPA. Trustee Elwell shared he too talked with Tom Zuber. A full audit of the Village's books was done at the close of the water project in 2013. The audit cost is expected to be around \$8,000. Trustee Elwell feels this is an

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unnecessary expense, considering it was done in recent years. Trustee Elwell stated it is a tremendous amount of work for the Clerk-Treasurer, especially when she just proved herself 2-1/2 years ago by completing a full audit. Trustee Elwell noted that Tom Zuber stated that Clerk-Treasurer Gruschow does an excellent job with the bookkeeping. Trustee Elwell also shared that Tom Zuber was willing to come to talk to the Board about all of the options available that do not involve the work load of an audit or the cost.

Jon Bagley addressed the Board stating he feels making Gruschow carry out another audit is unfair and insulting. Mayor Sawers stated this was not an attack on the Clerk.

Re: Contact Between Clerks and Board Members

Clerk-Treasurer Gruschow would like to make sure that all the members of the Board of checking their e-mails at least twice a week, if not daily. Trustee Krossber asked about a village based e-mail for the trustees. Gruschow said she did not believe there was room on the server; that the max of 10 emails had been met but she would check.

Re: Bills

A motion was made by Trustee Dave Masters and seconded by Trustee Charles Elwell to authorize payment of the general bills in the amount of \$7,907.14. The motion was unanimously carried.

A motion was made by Trustee Dave Masters and seconded by Trustee Charles Elwell to authorize payment of the cemetery bills in the amount of \$54.16. The motion was unanimously carried.

A motion was made by Trustee Charles Elwell and seconded by Trustee Dave Masters to authorize payment of the water bills in the amount of \$3,740.56. The motion was unanimously carried.

A motion was made by Trustee Dave Masters and seconded by Trustee Kim Payne to authorize payment of the sewer bills in amount of \$7,275.77. The motion was unanimously carried.

RE: Public comments

Janet Landcastle thanked the mayor for starting with meeting with the Pledge of Allegiance, asked why there's not a place on the Agenda for public comments. Anne Grover stated that you need to be on the agenda to speak at the meetings. Janet Landcastle doesn't think of that until she's at the meeting.

The Village will add a public comments section the end of each monthly agenda.

RE: Adjournment

A motion was made by Trustee Charles Elwell and seconded by Trustee Dave Masters to adjourn the meeting at 8:30pm. The motion was unanimously carried.

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Respectfully Submitted,

Jennifer Gruschow
Clerk-Treasurer

Amanda Lee
Deputy Clerk-Treasurer