

THE RUSHVILLE VILLAGE BOARD MEETING

September 10, 2018

DATE: 9/10/18

TIME: 7:00 pm

PLACE: The Rushville Village Hall

PRESENT: Mayor John Sawers, Deputy Mayor Holly Krossber, Trustees Kimberly Payne, Trustee Mark Fargo, Trustee Chandra Gilman Clerk: Joanne Burley, DPW Super. Art Rilands, Code Enforcement Officer, Tim Pagel, Reading Center Director, Dodie Baker

ATTENDANCE: Approximately 25 people attended meeting. Sign in sheet is available in the Village office

At 6:45 p.m. the Mayor John Sawers opened the Public Hearing. This Public Hearing was called to see if anyone had any questions regarding the Local Law #3-2018 authorizing the awarding of purchase contracts on the basis of Best Value.

Bob Walker asked what exactly this Local Law was. The Mayor explained that if we had several bids on a job and the lowest bidder would not do the best job we have the option of taking a bid that was higher.

With no other questions the Public Hearing was closed at 6:50 pm.

RE: Salute to the Flag:

The Mayor asked everyone to rise and join in the Pledge to the Flag.

The Mayor said because there are many people here tonight please keep your comments and questions to a couple of minutes so everyone has a chance to speak.

The Mayor asked for a motion to Adopt Local Law #3-2018.

Trustee Chandra Gilman made a motion to Adopt Local Law #3-2018 Authorizing the awarding of purchase contracts on the basis is Best Value. A 2nd was received from Trustee Mark Fargo. There was a roll call vote – Trustee Chandra Gilman – yes, Trustee Mark Fargo – yes, Trustee Kim Payne – yes, Trustee Holly Krossber – yes, Mayor John Sawers – yes. The motions was passed unanimously.

RE: Approval of Minutes:

The Mayor asked the Trustees if they had a chance to review the board minutes from the August 13, 2018 meeting. The Mayor asked for a motion to approve the August 13th minutes. Trustee Kim Payne said there was a line saying there was a public hearing and there was no public hearing last month. This needed to be taken out. Trustee Chandra Gilman made a motion to approve the August 13, 2018 minutes with corrections.

Trustee Mark Fargo made a 2nd to the motion. The motion was unanimously carried.

RE: Communications, Petitions & Guests:

RE: Reports of Committees:

RE: Public Works Supervisor –

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Streets:

Art reported they will be putting more storm pipe in on Castle Street. The storm pipe in the parking lot needs to be replaced.

Village Barn:

PESH was here to inspect the barn. There were a couple of things that needed to be corrected which has been done.

Sewer:

The contractor has started the sewer project. They have removed trees and stripped topsoil. He is removing the material from the East bed. All the old material is to stay on site. Mike is almost ¾ done checking and pumping septic tanks.

Water:

New water meters and a new reader have been ordered. They repaired the water main by the fire house.

The Mayor complimented Art on the quick turnaround on the water main break. The residents were not without water for long due to this fast turnaround.

Art also reported they finally found the shut off valve for the sprinkler system at the clinic

Fire:

Art said they still don't have a lot of information on the Cancer Insurance. One thing he did find out is if an interior person quits we would have to cover insurance for him for an additional 5 years. No information on the people that were inside firefighters and are no longer able to fight inside fires. They have approximately 8 to 10 inside firefighters. This is an unfunded mandate from the State.

RE: Reading Center Director – Dodie Baker

Dodie announced that the Christmastime in Rushville group will be planning this year's event. Anyone wanting to be a part of the planning for this event, please contact Lyn Magill at 554-4159 or Dodie at the library 554-3939.

Dodie will be attending the STLS annual meeting in Painted Post on 10/9/18. She will also have another LEAD schooling on 9/21/18 and her volunteers will be keeping the library opened.

The Board agreed that the Halloween Trick or Treating will be from 6-8 as we have in the past. The Annual Craft Sale will be held again this year. The times and dates will follow. She will accept any donations of crafts or fine art. All donations will go to benefit the Library.

RE: Code Enforcement officer: - Tim Pagel

Tim told the Board that he had finally gotten in touch with someone from Castle Street. He had a complaint from one of the residents and he went to inspect this apartment. It took him several calls to get in touch with someone in charge. Apparently, the person that used to be there 2 days a week had retired and they just replaced her. We now have a contact number. He has received prints on the roof from the architect. He expects to get the stamped plans soon and will be sending it out to bid.

He has done several inspections on the work being done on Rubin Dr. Work there is coming along.

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Tim has also been to visit 4 Bryant Square. He went with a Yates Co. investigator to inspect the property and informed her of her responsibility of cleaning up the yard. Tim has been in contact with Wells Fargo but has not had much success. He has been passed around to several different people. The resident is aware that if she does not get it cleaned up the Village will clean it up and charge her for that service.

He had a complaint regarding power at 8 Chapel St. He did find out that the Electric meter has been removed. The situation is in the hands of NYSEG.

No questions for Tim.

Re: Village Clerk: Joanne Burley

The Clerk, Joanne Burley reported on the State Audit.

The Clerk wanted to make it clear that when this administration came on board in April 2016 that because there were some questionable things that they saw it was felt that we should request an audit from the State Comptroller's Office as the Board did not feel they had the expertise to do the job needed. The Board composed a letter to the State requesting this audit. It took until Dec. 2017 for them to finally come to start the audit.

Some of the things that we felt needed to be addressed were gaps in record keeping, almost a years' worth of bank statements that were unopened, and any records regarding financial transactions were non-existent. Which meant there were not means to determine how the money that was taken out of the Cemetery account was spent. She tracked that back and we found as much as we could. There is still \$62,000 left in an account that the \$200,000 was deposited. The account shows withdrawals of \$138,000 and we were able to highlight that \$26,000 that was used to purchase the Martin Buildings which was not one of the things the money was to be used for. The rest seemed to be used for the sidewalks. It was hard to track exactly where the funds went. Because the money went into the General Fund and bills were paid from there. We know sidewalks and the Martin Buildings were paid for out of that fund.

One of the other things highlighted was \$62,000 that was lost in an investment. This investment was taken out during the previous administration contrary to the word on the street that this administration lost this money. The investment was a \$125,000 taken out in June 2008, ICON Leasing Fund 11. This was the principal amount. The Auditor listed the principal only and in Jan 2011 the principal amount was down to \$35,978.00 and by Jan 2012 - \$19,000. Apr 2016 \$1,587.50 was left of the \$125,000. The Auditor said she could not say that the total lost was \$125,000 because there were dividends paid during that time of approx. \$63,000. She figured the loss was \$62,000. The clerk wanted to make it very clear this happened before anyone from this administration ever walked in the door.

Resident Bill Button asked what kind of an investment was made to lose this much money. Clerk responded it was the ICON Leasing. They went bankrupt. Was the investment voted on by the board? The Clerk responded that she could not find anything in the minutes saying there was a vote. Bill asked the Mayor if he remembered the board voting, but the Mayor did not come on the board until June 2008. The investment was made before the present Mayor came in office. The Mayor did remember that it was brought up at one meeting that we should get out of the investment, but a statement was made that we can't get out because we may make that money back if we stay in for the 10 year term.

Question was asked if there is a limit on what can be invested. The Village does have an investment policy, but it was not followed. Question was asked, whose responsibility is it to be sure the Village complies with this policy. Trustee Kim Payne commented that the Mayor or the Clerk. Question was asked could the Mayor do this on his own? Answer – He shouldn't.

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Dave LeClair asked what dates did the audit cover. The Clerk responded it was from June 2016 to April 2018, but the reason the auditor looked further back is because she had statements that told her the investment was at \$1,500 so she tracked it back and discovered the loss. Residents asked if the Village would pursue trying to find out why this was left in this investment.

The Clerk continued to go over the audit. The Clerk explained there were paid claims that were audited. The Clerk indicated that she takes full responsibility for these. We do approximately 45 to 60 claims per month. There were 8 claims that were paid before board approval. These claims were credit card payments and they were paid early because of the due date on the credit card and per the recommendation by the auditor, I have had the due date changed. There were claims that did not have supporting documentations. Employees have been notified that this will not be tolerated or their use will be suspended. There was an overpayment on a conference and I was able to get it refunded.

She also found that we were not ordering items that were state bid priced. We are now registered with Staples and are getting the state bid price. She looked at 3 months of purchases and found we could have saved \$170. This was not done in the past.

The other thing she found was one of our vendors for fuel was not charging us the state bid price. I contacted the company and the Village received a credit for \$3,600.

The auditor found several payroll errors. Clerk acknowledged these were her errors. The first item was that we had overpaid employees \$7,500. This was due to the fact that at the end of the budget we show our employee's salaries for the year. Because we are paid at an hourly rate and the listing shows the yearly salary with no overtime. So, it looks like the board only approved that yearly amount. She recommended that at the end of the budget we list the hourly rate for employees and not the total yearly salary we are paid hourly.

A payment was made to the former Clerk for \$1,000 for Health Savings Account. There was no supporting documentation. I could not explain this as I was not employed at that time. Question was asked if the Village does this anymore. Clerk commented we do not do that anymore.

Paid leave time \$401. Errors were made on log of sick/vacation time and these have been corrected and the hours have been taken off of their leave for this year.

Dental Plan was not included in deductions. The employee has been notified and the amount has been paid back to the village.

Sick/Holiday pay for the Clerk. Error was made on her timesheet and that has been paid back to the Village.

At the end of the fiscal year the payroll was overpaid \$147. The last payroll of the year was divided between the old pay rate and the new fiscal year rate and I put it through as the new rate. This has been corrected.

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The following action has been put in place to make sure errors like this do not happen. Before the payroll is submitted, the timesheets are double checked by the Deputy Clerk and the Mayor will certify the payroll.

The Bank Reconciliations were done by our accountants and they had not returned them to the Village. They have been returned to the Village and the Clerk is now doing the Reconciliations and they are all current.

Our Attorneys were under the impression that we did not have an Investment Plan, but in fact we have had one, but the Auditor made some suggestions for some changes and they have been made. Community Bank has our investments. They have been in touch with the Auditor and we are now in compliance with the State regulations.

Question was asked about the \$135,000 entry. This was the purchase a Fire Truck. The entry was made incorrectly and it doubled the entry. The entry was \$67,500. This was corrected.

The Clerk indicated the Audit experience was great. She would love to have the auditor here more often. It was a great learning experience and she was very helpful.

The Clerk asked the board members to approve the letter she and the Mayor have written to send back to the State as our Action Plan for the Audit. A motion was made by Trustee Kim Payne to approve the letter to send as our response to our audit. A 2nd was received by Trustee Holly Krossber. The motion was passed unanimously.

Question was asked when the Buildings are sold will the money go back into the Cemetery Fund. The Mayor responded that the money would go back into the General fund. The money was taken out of the Cemetery Fund to go to Sidewalks, \$150,000 and to the Reading Center \$50,000. The Library renovations have not been done, but hope to get that done in the Spring. Trustee Kim Payne explained that an order was approved by the court system to go to sidewalks and the library.

The Mayor mentioned that the Auditor talked to all of the Board Members except for Mark Fargo and Chandra Gilman, as Chandra was not on the board at the time. They all met alone with her.

Question was asked how much the buildings were going for. The Mayor reported we are asking \$150,000. We have had some interest.

One last thing the Clerk mentioned that she did not comment on the IT part of the audit. We need to update our plan, which we have done and we need to be sure everyone takes security training.

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RE: Old Business:

Middlesex Water:

The Mayor reported we are still no where with the Town of Middlesex. They refused to pay their bill. They have changed attorney's so our attorneys are bringing her up to date to see if we can get this resolved. We will draft a letter stating the Village will not pay anymore Attorney fees. Question was asked if the Valley school pay a different rate than the High School. No, they pay the same rate for all schools. The Town wants to be sure they aren't paying more than the school when in fact they are paying less.

Trustee Mark Fargo asked how long will we continue to extend this olive branch? The Mayor said we are exhausting every way we can to avoid litigation.

Marcus Whitman Water Agreement:

The school has our agreement and we are waiting for their approval.

Douglas Dr.:

We have still had no response from Jon Bagley regarding the paving of Douglas Dr. We have gotten a letter from his Attorney. One question was asked if we would dedicate the street as is. That is not even a consideration. Trustee Kim Payne said there is still time to do paving. It is certainly possible to get it paved this year. The Attorney will draft another letter to Jon Bagley's Attorney. The Mayor mentioned that the agreement stated it would be done by March 2018. There was an escrow account established and was suppose to have money deposited in every time a lot was sold and that has not been done. Art said there is about 700 foot of driveway left to be done. We will wait to see what correspondence we get back from his Attorney.

RE: New Business:

No new business.

Re Bills:

A motion was made by Kim Payne and seconded by Trustee Chandra Gilman to authorize payment of the General Bills in the amount of \$38,705.18, noting \$1,407.20 had already received payment due either to prior authorization or a due date prior to the Board meeting. The motion was unanimously carried.

A motion was made by Trustee Holly Krossber and seconded by Trustee Kim Payne to authorize payment of the Cemetery Bills in the amount of \$170.00. The motion was unanimously carried.

A motion was made by Trustee Chandra Gilman and seconded by Trustee Holly Krossber to authorize payment of the Water bills in the amount of \$6872.93, noting \$918.23 had already received payment due either to prior authorization or a due date prior to the Board meeting. The motion was unanimously carried.

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A motion was made by Trustee Kim Payne and seconded by Trustee Holly Krossber to authorize the payment of the Sewer bills in the amount of \$5,591.38, noting \$918.24 had already received payment due either to prior authorization or a due date prior to the Board meeting. The motion was unanimously carried.

The Mayor brought to everyone's attention the new security system that has been installed in the Village Hall. We are now up to code with our fire alarm system also.

A motion to adjourn was made by Trustee Kim Payne and a 2nd from Trustee Holly Krossber. The motion was unanimously passed. The meeting was adjourned at 8:00 pm.

Respectfully submitted,
Joanne Burley, Clerk/Treasurer

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