

RUSHVILLE VILLAGE BOARD MEETING
JUNE 6, 2016

TIME: 7:00 PM

PLACE: Rushville Village Hall

PRESENT: Mayor John Sawers

Trustees: Charles Elwell, Holly Krossber, David Masters, Kimberly Payne

ATTENDANCE: Tom Blair of Cheney & Blair, LLP, Amanda Lee, Jennifer Gruschow, Dave Burley, Joanne Burley, Fred Lightfoote, Dave Paddock, Marla Lapin, Mary Colf, Bob Walker, Ken Seeling, Art Rilands, Brian Gruschow, Lyn Magill, Gail Batson, Kelley Berma, Pat Sawers, Janet Landcastle, Doug Rigby, Karen Gorton, Janet Read, Sue Button, Bill Button, Dave LeClair, Phil Caitlin, Sherri Borglum, Anne Grover, Jonnette Keneston, Kevin Smith, Chris Smith, Terry Lucero, Tad Gerace, Dodie Backer, Rainey Jones, Tom Bay, Mike Pierre, Reggie O'Hearn

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. Dan Paddock lead a prayer with all who were present. Trustee Elwell addresses the cursing from the previous meeting.

Mayor Sawers welcomed the new Village Attorney Tom Blair, of Cheney & Blair.

Re: Approval of Minutes

Trustee Charles Elwell wanted to read line from previous minutes Mayor Sawers made, Trustee Kimberly Payne stated that comment was made after the comment of Trustee Krossber's statement in the prior paragraph that wasn't in the minutes. Trustee Krossber said that the Village is trying to move forward with regards to the Wrestling Room and we look like the "bad guys".

Amanda Lee asked to record the minutes, Mayor Sawers, ok., Jennifer Gruschow asked Trustee Payne to repeat her comment so that it could be recorded.

A motion was made by Trustee David Masters to approve the minutes with corrections from the May board meeting. Motion seconded by Trustee Holly Krossber. The motion was unanimously carried.

Re: Public Works Supervisor, Art Rilands

Art Rilands needs a motion to approve the purchase of the \$4,000 turbidity. Trustee Elwell asked if replacing it was the only option, Art Rilands responded with Yes. Motion was made by Trustee Kimberly Payne and seconded by David Masters. The motion was unanimously carried.

Art Rilands noted that now people are putting in pavers/landscaping in the cemetery different issue from the plastic.

Mayor Sawers said that the cemetery looks nice, they are doing a good job and it is appreciated. Mayor Sawers said he talked with the kids that the Village needs to be more sensitive about removing flowers from the new graves when people are still mourning.

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RE: Fire Department Report: Fire Chief Art Rilands

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

Re: Reading Center Director, Dodie Baker

The Reading Center is going well. We are preparing for summer read. We have new and old volunteers.

Mayor Sawers would like to know when the new sign is going up. Baker stated mid to late June. Mayor Sawers stated he went to see Chris Dhondt and he was camping to talk with him. Please let us know if you need help. You continue to do a good job.

Re: Code Enforcement Officer, Reggie O'Hearn

O'Hearn has some new violations. He has not heard back from Rosato's.

Re: 3 Bassett Street

Mayor Sawers and Reggie O'Hearn got inside of the house, put new locks on. Reggie prepared Notice of Accepting Legal Notice, which needs to be posted. O'Hearn and Clerk Grushow made up bid sheets to be picked up and talked about where to advertise. Daily Messenger, FL Times, Chronicle Express Penny Saver, Craigslist. Classified to be short and sweet under 30 words and O'Hearn will put in the paper.

Re: Recreation Room

Mayor Sawers has talked with Kevin Smith, but still needs a formal meeting to get details. Attorney Tom Blair reviewed the "best practices" for renting out property. Have a contract in place, so no discrimination, indemnification clause – hold harmless in case of injury so we don't have a grieved family suing. We don't want the tax payers to be responsible for that. Hours of operation, alcohol, keys etc. Even people in our community, you can get a 1 day policy from an agent naming municipality as named insured. Gruschow shared that we do have a rental agreement for use of this room and the fire hall.

Elwell shared that Kevin Smith is here tonight, that he has made \$10k in improvements, this is his 3rd meeting and hopefully we can get to a resolution soon. Kevin brought a friend Terry Lucero, he is the Marcus Whitman HS Coach, Cornell Grad and nationally recognized wrestler. Terry shared that he appreciates the opportunity to come to the community. It's about giving back to the kids, giving them something to do, other than get in trouble. He is always looking to get more kids involved. He wants to have a good relationship with Rushville, Kevin and Chris have been instrumental with getting this organization going. Brings in kids from Henrietta, brings in money.

Trustee Elwell thanked Terry for his efforts and asked by a raise of hands who hasn't seen the room out back, we should walk across and take a look at it.

Terry Lucero shared that Cornell is top 5 in the US, but doesn't give out scholarships.

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Trustee Krossber asked how many kids; reply from Lucero was 15-25, kids pay so we have money for gear etc. Attorney Blair asked if they sign a waiver, Lucero said yes, insurance is through NY Way with an indemnity clause, etc. Attorney Blair asked if they can name the Village of Rushville on their waiver and Lucero answered Yes.

Trustee Elwell asked Mayor Sawers are you okay with people looking at the room tonight? Mayor Sawers, no problem, but not right now.

Executive Session

Motion made by Trustee Payne and seconded by Trustee Krossber to enter in Executive Session at 7:35 PM to discuss personnel issues. Trustee Elwell asked why go into Executive Session. Mayor Sawers there is a personnel problem; Trustee Elwell, why. Attorney Blair says there are 4 reasons you go into an Executive Sessions, contracts, employment, personnel and finances. The motion was unanimously carried

The Board returned from Executive Session 8:06PM

Motion made by Trustee Krossber and seconded by Trustee Masters to come out of Executive Session 8:08 PM . The motion was unanimously carried

Re: Clerk-Treasurer

Clerk-Treasurer appointment for the next 4 years. Trustee David Masters made a motion to appoint Joanne Burley Clerk-Treasurer and motion seconded by Trustee Holly Krossber. Trustee Elwell was opposed.

Trustee Elwell made a motion for discussion amongst the Board seconded by Trustee David Master, roll call vote for discussion, Trustee Payne – Nay, Trustee Master Aye, Trustee Elwell – Aye, Trustee Krossber – Nay, Mayor Sawers – Nay, 3 Nay's and 2 Ayes, motion denied 3 -2.

Trustee Elwell made a motion for open to public discussion seconded by Trustee Masters, roll call vote, Trustee Payne – Nay, Trustee Masters – Aye, Trustee Elwell – Aye, Trustee Krossber – Nay, Mayor Sawers – Nay, motion denied 3 – 2. Trustee Elwell asked Attorney Blair, do I understand this is not open for public comment, Attorney Blair said yes, the vote failed 3 – 2 vote. Trustee Elwell asked Attorney Blair, if the person asked to accept the appointment did not accept? Attorney Blair – Anytime anyone is not appointed, they continue to serve until re-appointed.

Mayor Sawers, any further discussions? Roll Call for vote for appointment Trustee Payne – Aye, Trustee Masters – Aye, Trustee Elwell – Nay, Trustee Krossber – Aye, Mayor Sawers – Aye - Motion carries 4-1

Trustee Elwell, how do we transition from this – will there be a training period?

Attorney Blair, this is a personnel matter, not to be discussed.

Re: Bills

A motion was made by Trustee Dave Masters and seconded by Trustee Kimberly Payne to authorize payment of the general bills in the amount of \$8,201.66. The motion was unanimously carried.

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A motion was made by Trustee Charles Elwell and seconded by Trustee Kimberly Payne to authorize payment of the cemetery bills in the amount of \$366.33. The motion was unanimously carried.

A motion was made by Trustee David Masters and seconded by Trustee Holly Krossber to authorize payment of the water bills in the amount of \$7,216.97. The motion was unanimously carried.

A motion was made by Trustee Holly Krossber and seconded by Trustee Kim Payne to authorize payment of the sewer bills in amount of \$5,521.87. The motion was unanimously carried.

RE: Public comments

Dave LeClair this may be legal practice, but this is not right.

RE: Adjournment

A motion was made by Trustee Kimberly Payne and seconded by Trustee Charles Elwell to adjourn the meeting at 8:22pm. The motion was unanimously carried.

Minutes taken by
Jennifer Gruschow
Clerk-Treasurer

Amanda Lee
Deputy Clerk-Treasurer

Transcribed by

Kimberly Payne
Trustee

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