

THE RUSHVILLE VILLAGE BOARD MEETING

May 1, 2017

DATE: 5/1/17

TIME: 7:00 pm

PLACE: The Rushville Village Hall

PRESENT: Mayor: John Sawers

Trustees: Holly Krossber, Kimberly Payne, Dave Masters, Mark Fargo

Code Enforcement Officer- Reggie O'Hearn

Clerk: Joanne Burley, Deputy Clerk: Leslie Jones

ATTENDANCE: Approximately 15 people attended meeting. Sign in sheet is available in Village office

At 7:00 p.m. the Mayor opened board meeting.

RE: Salute to the Flag:

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

RE: Mayor to Address the Public:

The Mayor asked the public to hold any questions until the end of the meeting.

Re: Communications, Petitions & Guests:

Re: Approval of Minutes:

The Mayor asked the Trustees if they had a chance to review the minutes from the April 3rd meeting. Trustee Holly Krossber had a couple of typos that she gave to the Clerk. The Clerk will make corrections to the minutes. The Mayor asked for a motion to approve the minutes.

Trustee Kimberly Payne made a motion to accept the minutes as corrected from the April 3rd meeting. Trustee David Masters 2nd the motion. The motion was unanimously carried.

The Mayor asked if the Trustees had reviewed the April 12th Special meeting minutes and if there were any corrections. Trustee Kimberly Payne made a motion to accept the April 12th Special meeting minutes. Trustee Holly Krossber 2nd the motion. The motion was unanimously carried.

The Mayor asked if the Trustees had reviewed the April 25th Public Hearing meeting minutes and if there were any corrections. Trustee Kimberly Payne made a motion to accept the April 25th meeting minutes. Trustee David Master 2nd the motion. The motion was unanimously carried.

Re: Reports of Committees:

Re: Public Works Supervisor – Art Rilands

Streets:

Art reported they had repaired the topsoil in the ditch on Warrant St. and reseeded and put some straw blankets down to help stop erosion. He also reported they have started to fix potholes in the streets and mowing has started. Everything has been cleaned up after the last storm.

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Sewer:

Sewer flows are very high because of the rain. He also reported they had a bottle stuck in the device that measures the flow. The sewer plant has been in noncompliance the last two months because of the high flows.

Water:

DOH was here to do an inspection of the water system. Everything went OK. There was a computer problem at the water plant and we lost 5 weeks of data. DOH will write us up for that and some water back flow devices that weren't tested in a timely manner. He is getting prices on new computer software for the water plant that will help the data collection process. The present system has no backup capabilities.

Trustee Holly Krossber asked what the price of a new program. Art said he is still looking, but the first bid he got was \$7,000.

A new fire hydrant was installed on the corner of Gorham Road and Main St. The old one was leaking.

Fire:

There were 11 incidents reported from 4/1 to 4/30

Re: Code Enforcement officer, Reggie O'Hearn:

Reggie reported 2 permits were purchases for roof singles.

Reggie had several violations to report

9 Chapel still in violation.

56 N. Main St. – 2 unregistered cars

11 Railroad Ave. – furniture in front yard – this has been taken care of

4 Bryant St. – Garbage overflow – This was taken care of the next day

20 S. Main St. – debris in front and rear yard. They have until 6/5/17 to clean up

32 S. Main St. – 5 unregistered cars

29 N. Main St. – debris in back yard and more than 1 unregistered vehicle

The Mayor asked if they have all been contacted. Reggie responded that he was working on it.

Re: Reading Center Director – Dodie Baker

Dodie did not attend the meeting. She was at the Lions Club meeting accepting a donation to the Reading Center.

Her report said she had purchased some car window clings to promote the library; they can be picked up at the library during business hours. She gave the Mayor, Board Members and the Clerk and Deputy Clerk each one of the clings and the stylus/screwdriver pens which she also purchased that will be given out at the Summer fun at the Library.

Circle of Friends will meet on Monday, May 8th at 7 pm.

If anyone would like to March in the Parade, please contact Dodie.

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Autism Awareness at the Library during April went well. Thank you to Betsy Hagen for putting this even together. Thus far she has raised approximately \$300 for the area libraries to purchase books pertaining to Autism.

The Mayor added that he had talked to Petrea regarding the activity we have been seeing with the Drug drop off box. She will be getting us more information to get the word out. We are seeing more activity all the time.

Trustee Kimberly Payne mentioned that there is a student, Kylee Dunton that did her senior project on drugs and she had information on the drop box in her presentation and put info on doors.

Re: Old Business:

Sewer Rents:

The Mayor reported to the board that we have found that a local law was amended incorrectly in 2011. The Mayor read the following explaining what had happened.

We have discovered there was an attempt made to amend a local law concerning the number of units charged for sewer unit charges on washing machines. The only item found so far for the attempt is the previous Village Board tried to change a local law by just making a motion. Part of the flaw in the attempt to amend the local law was, we have not seen where a legal notice was put in the official paper for a public hearing nor is there verification found where a public hearing was held. Also, we have not found where an attorney had drafted the amendment as to its legal content. In addition to that a local law or any amendment is required to be filed with the Secretary of State; we have not seen any proof of that. In the current local law it shows where someone tried to hand write the change beside the local law they were trying to change. Based on the fact that proper procedures to amend a local law was not followed and the lack of an official amendment that is not filed with the Secretary of State, the original local law stands and is still in effect without any change.

2017- 2018 Budget

The Mayor discussed the new budget in comparison to last year's budget. He stated that Town of Gorham resident's rate had stayed the same and Town of Potter's rate went down a little. Trustee Holly Krossber made a motion to adopt the 2017- 2018 budget. A 2nd was received from Trustee David Masters. All were in favor. Roll call vote – Trustee Mark Fargo – Yes, Trustee Kimberly Payne – Yes, Trustee David Masters, Trustee Holly Krossber – Yes, and Mayor John Sawers – Yes. The adoption of the 2017 – 2018 was unanimously passed.

Re: New Business:

Account transfer:

The Clerk/Treas. Joanne Burley reported to the Board that she and Mayor Sawers had met with the Financial Consultant at Community Bank to go over the investment accounts for the Cemetery and The Reading Center. Presently, some of the money has been invested in some risky investments. The Clerk is asking permission to move the financial management to Community Bank from Lyons National Bank. The account is with Fidelity and it would stay the same, but Community would be the manager of the account. Trustee David Masters asked if the money was at risk. The Clerk said the investments it is in now are Government guarantee, but as was explain to them the money is guarantee to the Company not the investor. Mayor Sawers

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stated we had discovered that the account had lost \$47,000 since it had been in these investments and we don't want that to happen again. Trustee Mark Fargo asked if the money would be invested correctly and the Clerk told them the Financial Consultant would be at our next meeting to discuss what he would recommend the investments be changed to. He asked if we are guaranteed the principal to stay the same and a higher interest.

A motion was made by Trustee Holly Krossber and a 2nd was received by Trustee Mark Fargo. The motion was passed unanimously.

Mutual Aid Agreement:

The Mayor stated the Mutual Aid Agreement needs to be renewed. The Ontario Co. Board of Supervisors has adopted the new Mutual Aid Agreement and has asked the Village of Rushville to sign off that we agree. Trustee Mark Fargo asked if this included Yates Co., but this is just from Ontario. The Mayor said he would check to see if we have an agreement with Yates Co. Trustee Holly Krossber asked are if this was beneficial to the Village. He stated that we couldn't survive without the aid from the neighboring towns. Trustee Holly Krossber asked if we needed a motion and the Mayor did not think we did at this time.

Trustee Kimberly Payne wanted to address the board. She stated that there had been some concern regarding Law Enforcement being at the Informational Meeting on April 24th that the board had requested them. She had contacted Sheriff Povero and he told her to contact Sheriff Spike, which she did and this was the response she received upon her FOIL request.

Kim,

Thanks for your FOIL request. You are inquiring as a representative the Village Government. Charles Elwell, who advised he was a former Rushville board member of 8 Green Street, Rushville, NY 554-5272 called this office and as "a concerned citizen" that emotions may run high this evening at a special meeting called by the Mayor of Rushville on the dissolution which has folks taking sides, and thought it might be prudent if a deputy could stop by the meeting and be seen if only for a few minutes etc. and perhaps be in the area. Police information Case#2017-02878 was generated. I agreed to have a deputy briefly stop and go to the Villages offices. Shortly thereafter Charles called back and said the meeting is being held at the Rushville Hose Company meeting room on Railroad Ave in Rushville actually in Ontario County side of the Village. I then sent the message to Sheriff Overo and asked if OSCO would be able to accommodate a deputy to stop by and or be in the Rushville area for this concern. We also advised our on duty Sgt. That the YOU deputy for that area be made aware of the complaint concerns for that evening. I did not anticipate that officers would be assigned to the meeting as the Village of Rushville did not make any request. However, we needed not to ignore the complainants concerns to keep the peace and therefore needed to stay near the Rushville area. Hope this helps your inquiry Kim.

Sheriff Spike

The Mayor asked if there were any questions.

Jonette Kennerson of 5 Bassett St. – asked about the light next to her house. Reggie said it had been blocked out and Ms. Kenner son said it had never been blocked out. Reggie said it was blocked out when he did his inspection. Reggie said he would check it out.

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Bill Button – Commend and the Board and the Mayor for scheduling and planning the Informational meeting that was held. He is very thankful for the good Village Government that the board and the Mayor have been carrying out to protect the Village.

Jamie Landcastle – Regarding the sewer units. He asked if the sewers rents we were talking about were about the Laundromat. The Mayor responded yes. Mr. Landcastle asked if it was retroactive. The Mayor responded that it is in the hands of the Attorneys.

Trustee Mark Fargo asked what happens to the relieved water/sewers. Deputy Leslie Jones told him that these will be put on the Village Taxes. If they are not paid the County will send us the money for them. The only thing that might not be reimbursed is demolition and fines.

Jon Bagley – He has been advised by his legal counsel to demand an apology from Holly Krossber and retraction for the allegations and innuendo that were made at the last regularly scheduled meeting. Trustee Holly Krossber asked if Jon could tell me what he was talking about. He said it is all documented and recorded. Trustee Holly Krossber said if you want an apology shouldn't you tell us what you are talking about? She asked if he was at the last meeting. He responded he was not at the meeting. Trustee David Masters asked Mr. Bagley what meeting he was talking about and he responded, the last regularly scheduled meeting. Trustee Holly Krossber told Mr. Bagley to feel free to have his attorney contact our Village Attorney as I have no idea what you are talking about.

The Mayor said we will now move on to bills.

Re Bills:

A motion was made by Trustee Kimberly Payne and seconded by Trustee David Masters to authorize payment of the General Bills in the amount of \$12,546.95, noting \$5,030.16 had already received payment due either to prior authorization or a due date prior to the Board meeting. The motion was unanimously carried.

No unpaid Cemetery Bills this month. Noting a \$150.00 payment had been paid due either to prior authorization or a due date prior to the Board meeting.

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 \$3,964.71, noting \$1,410.37 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 Kimberly Payne to authorize the payment of the Sewer bills in the amount of \$4,633.47, noting \$2,531.68 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 Kimberly Payne to adjourn the meeting. A second was made by Trustee Holly Krossber. The meeting was adjourned at 7:30 pm

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Respectfully submitted,

Joanne Burley
Clerk/Treasurer

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