

RUSHVILLE VILLAGE BOARD MEETING

February 8, 2010

TIME: 7:00 PM

PLACE: Rushville Village Hall

PRESENT: Mayor Jon Bagley

Trustees Charles Elwell, David Field, Timothy Jabaut, and John Sawers

ALSO IN ATTENDANCE: Art Rilands, Mike Pierre, Jim Santee, Reggie O'Hearn, Jake & Peggy Provoost

RE: Calling the Meeting to Order

Mayor Bagley called the meeting to order at 7:00pm

RE: Minutes

A motion was made by Trustee Sawers and seconded by Trustee Elwell to adopt the minutes from the January 11, 2010 regular monthly meeting as printed. Unanimously carried.

RE: Jake Provoost, Property Owner 12-16 North Main Street

Mr. Provoost expressed his concerns over not being able to utilize a construction trailer as a temporary office at his place of business, Little Buck's Auto, located at 12-16 North Main Street. The Zoning Law prevents him from doing this and he asked the Board for help, he has to have an office to legally operate and sell cars. Mayor Bagley explained to him that the Board of Trustees does not have the authority to over turn the Zoning Law. He would need to discuss his situation with Code Officer Reggie O'Hearn. Mr. Provoost continued by sharing with the Board his intentions of building a convenience store. He presented the Board with a rough outline of his proposal, and stated that in order to do this he needs help from the Board so he can stay in business. Once again Mayor Bagley explained that the Board of Trustees has no authority to over turn the Zoning Law.

Code Officer O'Hearn explained to Mr. Provoost that there is a process he has to go through and would need to apply for a *use variance permit*. If granted, the use variance permit would allow him to carry out an action that is not normally allowed due to the Zoning Law. The Village has up to 62 days to process the application and then the Zoning Board of Appeals has 62 days to decide after holding a public hearing. Mr. Provoost stated he will be out of business if he does not have an office to operate out of. He is losing his lease at the former Masonic Lodge at 2 North Main Street. Code Officer O'Hearn stated once again that there is a process he must go through just like everyone else. No one can do him a favor. Mr. Provoost said he would be into the office to get an application and discuss this further.

RE: Keuka Housing Council

A motion as made by Trustee Elwell and seconded by Trustee Jabaut to offer a letter of support to Keuka Housing Council to assist them in applying for a mobile home replacement grant. Unanimously carried.

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RE: Art's Report
Copy on file.

Village Hall

- Frank Kelly stated that more work should be done on the building soon. If issues are taken care of sooner rather than later hopefully only one layer of brick will have to be removed instead of all three.
- Discussion took place regarding painting the brick that was replaced. The Clerk will contact Jeff Russell for a quote.

RE: Fire Dept Report
Copy of file.

Report

- The Board and Fire Chief Jim Santee reviewed the full 2009 report for calls and work details.

Rescue Truck

- Bellona Fire Dept is no longer interested in the truck, Fire Chief Santee is unsure why, he will inquire further.

RE: Potter Fire Agreement

Brief discussion took place in regards to the fire agreement amount.

A motion was made by Trustee Field and seconded by Trustee Sawers to accept the 2010 Potter Fire Agreement in the amount of \$12,400 and authorize Mayor Bagley to sign such agreement with the Town of Potter. Unanimously carried.

RE: Election Inspectors

A motion was made by Trustee Elwell and seconded by Trustee Field to appoint Pamela Brown as election inspector, replacing Roberta Stillman who withdrew her appointment for family health reasons. Unanimously carried

A motion was made by Trustee Elwell and seconded by Trustee Jabaut to set the rate of pay for the election inspectors at \$7.50/hour. Unanimously carried.

RE: Bonding of the Village Clerk-Treasurer & Tax Collector

A motion was made by Trustee Sawers and seconded by Trustee Jabaut to renew the Clerk-Treasurer & Tax Collector's surety bond for the amount of \$30,000 due to expire in March of 2011, at a cost of \$100.00. Unanimously carried.

RE: Water Project

Standardized Equipment:

Discussion took place regarding the need to standardized equipment for efficiency and cost effectiveness.

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A motion was made by Trustee Field and seconded by Trustee Jabaut to standardize equipment for the Water Improvement Project as follows: the fire hydrants as Kennedy, sewage pumps as Hydromatic and generators as Generac based on the specific recommendation of the Public Works Supervisor/Chief Water Operator. Unanimously carried. A copy of the complete resolution is attached to these minutes.

Do No Exceed Letters:

Mayor Bagley explained the need to reaccept the “do not exceed” letters from Bernard Donegan’s office and Tim McGill’s office due to the foreseen need to issue two Bond Anticipation Notes. Donegan’s amount did not change from \$25,000, wording was altered to appease Rural Development. Tim McGill’s amount for temporary notes doubled.

A motion was made by Trustee Field and seconded by Trustee Jabaut to accept the revised versions of Bernard Donegan’s “do not exceed” letter and Tim McGill’s “do not exceed” letter as printed. Unanimously carried.

RE: NIMS

The Clerk informed the Board that the NIMS classes need to be taken by April. We will have to do out annual update at that time.

RE: Site Plan and Architectural Review Local Laws

Discussion took place regarding the need for site plan and architectural review local laws. The Village currently has no regulations on either mentioned items for new construction. Code Officer O’Hearn will review the local laws and made amendments. The Clerk was instructed to contact Attorney Kenyon to review the local laws.

RE: Casella Waste Disposal

The Village has repeatedly had issues with Casella’s picking up the recycling according to the schedule and their rates are high.

A motion was made by Trustee Jabaut and seconded by Trustee Elwell to contract with K&D Disposal for refuse and recycling services and to cancel all services with Casella Waste Disposal. Unanimously carried.

RE: Deputy Clerk

General discussion took place questioning if there is a need for a Deputy Clerk. Everyone was in agreement that such position was not needed at this time.

RE: Budget Preparation

The Board reviewed the submitted budget proposals from the department heads. Mayor Bagley said he would be in contact to discuss the budget with each Trustee. Mayor Bagley reviewed with the Trustee the committees they represent.

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RE: Prior Purchase Approval

A motion was made by Trustee Field and seconded by Trustee Sawers to authorize Fire Chief Jim Santee to purchase and/or receive reimbursement for a \$300 fire proof cabinet and a \$500 computer. Unanimously carried.

RE: Executive Session

A motion was made by Trustee Jabaut and seconded by Trustee Field to enter into Executive Session at 8:33pm to discuss employee reviews. Unanimously carried.

The Board returned from Executive Session at 9:05pm.

A motion was made by Trustee Sawers and seconded by Trustee Elwell to accept the employee review as printed and on file with Mayor Bagley in the employee's confidential file. Unanimously carried.

RE: Bills

A motion was made by Trustee Elwell and seconded by Trustee Sawers to authorize payment of the general bills in amount of \$7,744.49 noting \$344.75 had already received payment due either to prior authorization or a due date prior to the board meeting. Unanimously carried.

A motion was made by Trustee Field and seconded by Trustee Jabaut to authorize payment of the capital project bills in amount of \$3,252.20. No prior payments were made. Unanimously carried.

A motion was made by Trustee Jabaut and seconded by Trustee Field to authorize payment of the cemetery bills in amount of \$56.25. No prior payments were made. Unanimously carried.

A motion was made by Trustee Elwell and seconded by Trustee Jabaut to authorize payment of the water bills in amount of \$4,225.47 noting \$49.00 had already received payment due either to prior authorization or a due date prior to the board meeting. Unanimously carried.

A motion was made by Trustee Field and seconded by Trustee Jabaut to authorize payment of the sewer bills in the amount of \$2,534.05 noting \$101.09 had already received payment due either to prior authorization or a due date prior to the board meeting. Unanimously carried.

RE: Adjournment

A motion was made by Trustee Elwell and seconded by Trustee Field to adjourn the meeting at 9:11pm. Unanimously carried.

Respectfully Submitted,

Jennifer Gruschow
Clerk-Treasurer