

RUSHVILLE VILLAGE BOARD MEETING

April 8, 2013

TIME: 6:45 PM

PLACE: Rushville Village Hall

PRESENT: Mayor Jon Bagley

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

ABSENT: None

ALSO IN ATTENDANCE: Larry & Pam Brown, Joe Brown, Janet Landcastle, Mike Pierre, Todd Conaway, Reggie O'Hearn and Dodie Baker

BUDGET HEARING

RE: Opening the Budget Hearing.

Mayor Bagley opened the budget hearing at 6:49pm

RE: 2013/2014 Fiscal Year Budget

Mayor Bagley asked for questions and comments from the Board regarding the 2013/2014 fiscal year budget. Trustee Elwell commented that it had not changed much from the 2012/2013 budget. Mayor Bagley said effort has been made to avoid significant increases or unnecessary expenses this fiscal year. Janet Landcastle asked if there would be an increase in taxes because of the 2% tax cap override that was passed. Mayor Bagley said no, the override is for legal purposes only and the taxes are staying the same. The Board was satisfied with the final budget. Mayor Bagley asked for comments from the public and no comments were offered.

RE: Closing

Mayor Bagley closed the budget hearing at 6:52pm.

ANNUAL ORGANIZATION MEETING

RE: Calling the Annual Organization Meeting to Order

Mayor Bagley called the annual organizational meeting to order at 6:52pm.

RE: Planning Board Appointments

A motion made by Trustee Elwell and seconded by Trustee Sawers to appoint Pamela Brown, James Rice and Mark Stash as members of the Planning Board, each for a term of 2 years to expire April 2015. Unanimously carried.

RE: Zoning Board of Appeals Appointments

A motion was made by Trustee Elwell and seconded by Trustee Sawers to appoint Dave LeClair as Chairman of the Zoning Board of Appeals for a term of 3 years, to expire in April 2016. Unanimously carried.

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RE: Reading Center Board Appointment

A motion was made by Trustee Elwell and seconded by Trustee Sawers to appoint Joanne LeClair as a Reading Center Board member for a term of 5 years, to expire in April 2018. Unanimously carried.

RE: Historian

A motion was made by Trustee Elwell and seconded by Trustee Sawers to appoint James Rice as Village Historian for a term of 1 year, to expire April 2014. Unanimously carried.

RE: Fire Chief

A motion was made by Trustee Jabaut and seconded by Trustee Field to approve Todd Conaway as Fire Chief, as elected by the members of the Rushville Hose Company, for the term of 1 year. Unanimously carried.

RE: Fire Police and Drivers

A motion was made by Trustee Jabaut and seconded by Trustee Field to appoint William Gardner, Charlie Lazarus, Gerald Lazarus, Gerald Duel, Randy Gibeau, and Ken Seeling as fire police for the Rushville Hose Company and to appoint Jim Santee, Arthur Rilands, Phil Catlin, Andy Gardner, Gerald Duel, Charlie Lazarus, Gerald Lazarus, Todd Conaway, Frank Gorton, Earl Gorton Jr., David LeClair, Paul Moberg, Rick Gebo, Christine Olsen, Jim Adams, Randy Gibeau, and Marcus Hardt as drivers for the Rushville Hose Company. Unanimously carried.

RE: Vice-Mayor Appointment

A motion was made by Trustee Elwell and seconded by Trustee Jabaut to appoint Trustee John Sawers as Vice-Mayor for a term of 1 year to expire April 2014. Unanimously carried.

Re: Trustee Committee Assignments

A motion was made by Trustee Field and seconded by Trustee Sawers to approve the list of Trustee committee assignments as follows, unanimously carried.

| | |
|------------------|------------------------------|
| Cemetery | David Field & Tim Jabaut |
| Personnel | John Sawers & Charles Elwell |
| Streets | David Field & Tim Jabaut |
| Youth Program | Charles Elwell & John Sawers |
| Village Park | Charles Elwell & John Sawers |
| Sewer Department | David Field & Tim Jabaut |
| Water Department | David Field & Tim Jabaut |
| Finance | John Sawers & Charles Elwell |
| Fire Department | David Field & Tim Jabaut |

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RE: Appointed Representatives to Other Governmental Boards & Committees

A motion was made by Trustee Jabaut and seconded by Trustee Field to approve the list of appointed representative to other governmental board and committees as follows, unanimously carried.

| | |
|----------------------------------|----------------|
| Planning Board | John Sawers |
| Zoning Board of Appeals | John Sawers |
| Mabel D. Blodgett Reading Center | Charles Elwell |
| Cndga Lake Watershed Council | Charles Elwell |
| Cndga Lake Watershed Commission | Jon Bagley |

RE: Official Newspaper

A motion was made by Trustee Sawers and seconded by Trustee Elwell to declare the official newspaper of the Village of Rushville to be the Finger Lakes Times. Unanimously carried.

RE: Official Depositories

A motion was made by Trustee Sawers and seconded by Trustee Elwell to declare the official depositories to be Community Bank, N.A. and the Lyons National Bank. Unanimously carried.

RE: Village Attorney

A motion was made by Trustee Sawers and seconded by Trustee Elwell to appoint William Kenyon as Village Attorney for a term of 1 year, to expire April 2014. Unanimously carried.

RE: Village Engineer

A motion was made by Trustee Sawers and seconded by Trustee Elwell to appoint Chatfield Engineers as Village Engineer for a term of 1 year, to expire April 2014. Unanimously carried.

RE: Dates for Regular Monthly Meeting

A motion was made by Trustee Jabaut and seconded by Trustee Field to schedule the date, time and place for the regular monthly meeting as the 2nd Monday of the Month, (3rd Monday, if 2nd is a holiday), at 7:00pm at the Village Hall. Unanimously carried.

RE: Date for Annual Organizational Meeting

A motion was made by Trustee Jabaut and seconded by Trustee Sawers to tentatively set the next Organizational Meeting for April 14, 2014. Unanimously carried.

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RE: Mileage Rate

A motion was made by Trustee Elwell and seconded by Trustee Field to set the mileage reimbursement rate to be \$0.50 per mile. Unanimously carried.

RE: Real Property Rental Fees

A motion was made by Trustee Jabaut and seconded by Trustee Elwell to set the real property rental fees as follows, unanimously carried.

Fire House

- \$150 for meeting room
- \$175 for meeting room & kitchen
- \$200 for meeting room, kitchen & pavilion
- \$200 deposit required w/signed rental agreement

Park

- No charge for Village residents
- \$10/day for Non-Village residents
- \$25/day for Non-Village resident if using water & electric
- \$25 deposit required w/signed rental agreement for all users

Village Hall Meeting Room

Single Time Use:

- Free to Village Residents
- \$25 for Non-Village Residents

Weekly Use up to 8 Weeks:

- \$50 for Village Residents
- \$100 for Non-Village Residents

Weekly Use for More than 8 Weeks

- \$100 for Village Residents
- \$200 for Non-Village Residents

\$50 deposit required w/signed rental agreement for single time use outside of normal office hours and for weekly use up to 8 weeks

RE: Water Meter Replacement, Turn-On & Turn-Off Fees

A motion was made by Trustee Jabaut and seconded by Trustee Sawers to set the water fee as follows, unanimously carried.

- \$125 for meter replacement
- \$50 to turn off (meter will be removed)
- \$50 to turn-on

RE: Bounced Check Fee

A motion was made by Trustee Jabaut and seconded by Trustee Sawers to set the bounced check fee at \$20, the maximum amount allowed by NYS General Obligation Law section 5-328. Unanimously carried.

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RE: Procurement Policy

A motion was made by Trustee Sawers and seconded by Trustee Elwell to adopt the following procurement policy as written. Unanimously carried.

Purchases in excess of \$20,000 and public works contracts in excess of \$35,000 will be competitively bid unless such purchase of goods and services are under State or County contracts. A determination will be made by the Board as to whether proposed purchases or contracts are required to be competitively bid. If no bid is necessary; the following quotes will be sought: for regular purchases department heads are required to seek two (2) verbal quotes for purchases between \$500-\$2,999; two (2) written quotes for purchases between \$3,000-\$9,999; and three (3) written quotes for purchases between \$10,000-\$19,999. For Public Works contracts department heads are required to seek two (2) verbal quotes for contracts between \$500-\$2,999; two (2) written quotes for contracts between \$3,000-\$9,999 and three (3) written quotes for contracts \$10,000-\$34,999.

RE: Investment Policy

A motion was made by Trustee Sawers and seconded by Trustee Elwell to maintain the current investment policy on file. Unanimously carried.

RE: Purchasing Card Policy

A motion was made by Trustee Sawers and seconded by Trustee Elwell to maintain the current purchasing card policy on file. Unanimously carried.

RE: Notice of Defect Policy

A motion was made by Trustee Sawers and seconded by Trustee Elwell to maintain the current purchasing card policy on file. Unanimously carried.

RE: Rule of Procedure Policy

A motion was made by Trustee Sawers and seconded by Trustee Elwell to adopt Roberts Rules of Order as its meeting rules of procedure policy. Unanimously carried.

RE: Special Meeting Policy

A motion was made by Trustee Sawers and seconded by Trustee Elwell to adopt the following as the policy for calling a special meeting. Unanimously carried.

If the need for special meeting arises, the Mayor or two (2) Trustees will inform the Village Clerk of the date, time and purpose at least 72 hours in advance for meetings planned at least one week in advance and at least 48 hours in advance for meetings planned less than one week in advance. The Clerk will then contact the news media and ensure that all members of the

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Board of Trustees are aware of the meeting. After this the Clerk will be sure to post notices in at least eight (8) public locations.

RE: Advance Approval of Claims

A motion was made by Trustee Sawers and seconded by Trustee Elwell to adopt the following as its advance approval of claims policy. Unanimously carried.

The Board of Trustees authorizes payment in advance for public utility services, postage, freight and credit balances. The need for payment of time sensitive claims may be made as required not to incur late fees. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the Board of Trustee disallows.

RE: Attendance at Schools & Conferences

A motion was made by Trustee Jabaut and seconded by Trustee Field to adopt the following as the attendance at schools and conferences policy. Unanimously carried.

The Board of Trustees authorizes and supports the schooling and certification necessary to maintain proper licensing in regards to the water and sewer treatment plants. Mandatory credit hours do not need pre-approval. However any credit hours over the minimum State requirements do need pre-approval by the Board. All other schooling that has an associated fee for the Clerk-Treasurer, Code Enforcement Officer, Planning Board Members, Zoning Board of Appeals Members, and the Volunteers of the Rushville History Room, need pre-approval.

RE: Unpaid Water & Sewer Relevy Policy

A motion was made by Trustee Jabaut and seconded by Trustee Field to adopt the following as the unpaid water and sewer relevy policy. Unanimously carried.

Any and all water/sewer account that have outstanding balances on March 1st will receive a notice from the Clerk-Treasurer indicating that such account holders have until March 25th, or the previous business day if the 25th falls on a Saturday or Sunday, to clear the outstanding balance. If the outstanding balance is not cleared by the given date then a \$100 relevy fee for outstanding water charges and a \$100 relevy for outstanding sewer charges, will be applied and the total amount will be sent to the appropriate County for relevy onto their Village tax bill. In the event that the account holder is not also the homeowner, then a notice will be sent to both the landlord and their occupying tenant as long as the Clerk has knowledge of such property is a rental unit. This policy will allow the Clerk-Treasurer to prepare an

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accurate relevy list to present to the Board for approval at the April monthly Board Meeting.

RE: Adjournment

A motion was made by Trustee Jabaut and seconded by Trustee Field to adjourn the annual organization meeting at 6:58pm. Unanimously carried.

REGULAR MONTHLY MEETING

RE: Calling the meeting to order

Mayor Bagley called the meeting to order at 7:11pm.

RE: Minutes

A motion was made by Trustee Elwell and seconded by Trustee Field to adopt the minutes as printed from the regular monthly meeting and the public hearing held on March 11, 2013. Unanimously carried.

RE: Public Works Supervisor – Art Rilands

A copy of this report is on file with the minutes. 6 Warren St on the schedule to be condemned due to unsound roof. Reggie will be working on this. The water plant is operational and has ben pumping water for about ten days and the old building will be torn down tomorrow.

RE: Code Enforcement Officer: Reggie O’Hearn

A copy of this report is on file with the minutes. Trustee Elwell asked what could be done about the old barn at the end of Green Street where it intersects with Warren Street. Reggie said he will be saying that it “appears” to be structurally unsound. The owners can rebuild, fix or remove it. Trustee Sawers said their original plan was to rebuild it, unfortunately the first step was removing the brush around it and this exposed it more. Trustee Sawers said he will look into the possibility of the owners receiving a historical grant to repair it since it is an old structure. Trustee Elwell asked about all the cars at 50 Gilbert St. Reggie said a letter is on its way.

7:10 PM: Todd Conaway and Dodie Baker arrived.

RE: Fire Department: Todd Conaway

A copy of this report is on file with the minutes. The fire department sold the brush truck for \$12,600. The money will go towards a new F350 crew cab which has already been ordered. Rushville FD helped Potter with grass fire and responded to several calls. Plans are being made to purchase new thermal camera. Mayor Bagley asked what it is used for. Todd Conaway said it can see through smoke and sense heat, the fire department has one now but it is outdated. They are getting a newer

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smaller model. Mayor Bagley asked if everything is going well. Todd Conaway said yes.

RE: Reading Center Director – Dodie Baker

A copy of this report is on file with these minutes. Dodie is in need of walkers for the parade. The Circle of Friends is discussing forming under FLACE as a 501c3 to qualify for grant funding through Walmart. If this is successful, it will provide \$2,500 which can be used for library improvements.

RE: Safe Routes to School

The grant funding will allow for Gilbert Street to receive new sidewalks on the south side of the street to the Valley School and to Water Street on the north side. Bike racks will be installed on school property along with a new crosswalk to connect to the existing sidewalk. Erdman-Anthony was selected to be our project engineer. Art will be working on the North side and our contractor will be working on the South Side. Joe Brown expressed appreciation for the Village's efforts to apply for and receive the grant.

RE: 2012/2013 Fiscal Year Budget

A motion was made by Trustee Sawers and seconded by Trustee Field to adopt the 2013/2014 fiscal year budget. Unanimously carried.

RE: Relevy of Water, Sewer and Other Unpaid Charges onto June 1, 2013 Tax Roll

A motion was made by Trustee Field and seconded by Trustee Sawers to relevy the outstanding water, sewer, and other unpaid property maintenance charges, as provided by the Clerk-Treasurer, onto the June 1, 2013 tax roll. Unanimously carried.

RE: Water Improvement Project

The water improvement project has been extended thirty days because Rural Development cannot transfer it without all final details and reports completed. The final details can be worked out in the next month. Included in the project was looping together 6 dead end water lines. There is no stagnant water which provides better quality water all around.

RE: Bay Water Easement

The Village has not heard from the Bays or their attorney. Mayor Bagley will discuss this further with Attorney Kenyon.

RE: Sewer Beds

Tabled.

RE: Tobacco Free Public Locations

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Joe Brown was very concerned about the Smoking Restriction Policies that have been being discussed. He feels that the policy will upset many Village residents if enacted. He said that the Village should be asking the residents of the Village before anything is done.

Mayor Bagley said the Village intends to be open and listen to the wishes of the residents. He said in the past they have tried sending out surveys and there is very little response. In addition to this, the Village makes an effort to listen to residents at board meetings but very few attend and give feedback.

The policies are temporarily on hold for more discussion.

RE: Sewer Beds:

Tabled.

RE: School Water Line

Tabled.

RE: Village Hall Flagpole

Tabled.

RE: Bills

A motion was made by Trustee Jabaut and seconded by Trustee Field to authorize payment of the general bills in amount of \$9,782.21, noting \$3,745.85 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 \$48,218.39. No prior payments had been made. Unanimously carried.

A motion was made by Trustee Elwell and seconded by Trustee Sawers to authorize payment of the cemetery bills in amount of \$88.14. No prior payments had been made. Unanimously carried.

A motion was made by Trustee Elwell and seconded by Trustee Field to authorize payment of the water bills in amount of \$3,491.52, noting \$600.00 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 Elwell and seconded by Trustee Sawers to authorize payment of the sewer bills in amount of \$3,020.19, noting \$327.54 had already received payment due either to prior authorization or a due date prior to the board meeting. Unanimously carried.

RE: Water Project Change Orders

A motion was made by Trustee Jabaut and seconded by Trustee Field to approve the change orders to extend Contracts A, B, C & D and to approve the cost increase for Contracts A and B, as provided by Chatfield Engineers. Unanimously carried.

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RE: Community Center

Janet Landcastle asked if taxes are being used to pay for the future Community Center. Mayor Bagley said not a single tax dollar is going into it. Joe asked why it is being called the Marcus Whitman Community Center and not the Martin Community Center. Mayor Bagley said the idea behind the name was to make it clear that everyone in the Marcus Whitman School District can use it. He said he has full intentions to memorialize the Martins. A legal name was needed for the 501c3 and it made sense to make it obvious who is allowed to use it in the name. The Clerk will contact the Martins and make sure the Village is on the same page with them and that there has not been a misunderstanding. Volunteers will be organized to supervise it in the future.

COMMENT: Fire Department

Reggie commended the fire department on their valiant fire-fighting efforts in the most recent fires. Good Job Rushville Hose Company!

NEW: Video-Recording of Village Meetings

Joe Brown asked permission to videotape the Village meetings. The Clerk will look into legal requirements regarding documentation of Village records for that.

RE: Adjournment

A motion was made by Trustee Field and seconded by Trustee Jabaut to adjourn the meeting at 7:40pm. Unanimously carried.

Respectfully Submitted,

Laura Fleig
Deputy Clerk-Treasurer