

**RUSHVILLE VILLAGE BOARD MEETING**  
**September 13, 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, Larry & Pam Brown, Greg Franklin, Deb Martin, Paul Martin, Jean McCreary, Harry Messina, Ruth Reid, Sean Ryan, Tina Ryan, Caryl Santee and Carol Swartwood.

RE: Minutes

Mayor Bagley informed the Clerk there was an error in the minutes regarding his attendance. The correction will be made noting Mayor Bagley as present not absent.

A motion was made by Trustee Jabaut and seconded by Trustee Field to adopt the minutes from the August 9, 2010 regular monthly meeting as printed, noting the correction of Mayor Bagley's attendance. Unanimously carried.

RE: Caryl Santee, 13 Bassett Street

Caryl Santee, resident of 13 Bassett Street shared her concerns regarding cars parking on the side of Main Street in the business district. She stated she could not get out of the parking lot because the parked cars were in her line of sight. Ms. Santee shared other concerns regarding the speed of traffic in the Village. She feels the removal of the traffic light has influenced drivers to ignore the speed limit. In addition to Main Street, Ms. Santee shared that motorists often do not obey the speed limit on Bassett Street. Mayor Bagley stated the Village would send a letter to the Yates County Sheriff's Office and relay her concerns. Lastly Ms. Santee stated she appreciates the Village fixing most of the holes on Bassett Street however there are holes on Gilbert Street that need to be fixed. Mayor Bagley explained that Gilbert Street is State Highway, which is not maintained by the Village.

RE: Art's Report

Streets

- Drainage work on Bassett Street is finished.

Sewer

- Art shared the quote for the generator service contracts. He was given a total of approximately \$1800 for all 3 generators. Brief discussion took place regarding whether or not the Village should keep the portable generator. It was concluded it was important, therefore it should be properly maintained and tested. Discussion took place regarding the sewer fund's revenue and expenditures. Mayor Bagley shared he thinks it's important to keep that in mind that the sewer fund is just breaking even. It's not that he thinks the service contracts are not necessary, but he would like the Trustees

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to keep that in mind when making budgetary decisions. Trustee Sawers shared he feels the service contracts are necessary.

- A motion was made by Trustee Sawers and seconded by Trustee Field to approve the purchase of service contracts for the 3 generators in the amount of approximately \$1800. Unanimously carried.
- Additionally Art shared that the Village has 3 community sewer tanks. These tanks were recently pumped out. Art believes the substance that built up in these tanks was causing some of the issues at the sewer plant. A lot of money was spent to pump the tanks and he feels they should be monitored more frequently. Currently the tank lids are buried and difficult to access. Each tank has 2 lids, so he would like to purchase 6 new lids that would raise the access point to ground level. The lids would be man hole type lids at ground level. This is important so the tanks can be checked frequently without having to be dug up every time they are checked.
- A motion was made by Trustee Elwell and seconded by Trustee Sawers to purchase 6 sewer tank lids for the 3 community tanks at a price of approximately \$1600.

## Cemetery

- Finger Lakes Monument is making good progress in cleaning up the old headstones. They are about half way done.

## Barn

- Concrete in the barn is finished.

RE: Fire Dept Report

Copy on file.

RE: Executive Session

A motion was made by Trustee Field and seconded by Trustee Jabaut to enter into executive session at 7:25pm. Unanimously carried.

Returned from executive session at 7:55pm.

RE: Residents of Shale Beach Drive

Mayor Bagley addressed the residents of Shale Beach Drive and informed them that he was in receipt of their letter regarding their desire to meet. It was not communicated to him that they wanted to discuss their aesthetic concerns at the Board Meeting. This will be done at an outside meeting. The Clerk will work with the Village Attorney to arrange a meeting time.

Mayor Bagley asked if the residents of Shale Beach are willing to contribute financially to the project since the aesthetics are so important to them. Greg Franklin acted as spokesperson stating that is not possible to answer because they do not know what the budget is. They would like to see where the current funds are

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being spent. Mr. Franklin continued by saying they would like to work together with the Village to resolve their differences. Mayor Bagley stated he appreciates their willingness to work with the Village but he asked the residents to be reasonable with their requests. Lowering the building is not reasonable. Jean McCreary spoke relaying that they would like to bring in experts who could examine the budget and analyze if the funds are being expensed in the appropriate areas. It was concluded further discussion would take place at an outside meeting.

**RE: NYS Deferred Compensation Plan**

A motion was made by Trustee Elwell and seconded by Trustee Jabaut to adopt the NYS Deferred Compensation Plan for voluntary participation by all eligible employees, as an additional option for retirement planning. Unanimously carried.

The resolution in full is attached to these minutes.

**RE: Water Project**

Gorham Town Planning Board meeting has been moved to October 4<sup>th</sup> at 7:30pm.

Mayor Bagley read aloud the letter from Chatfield Engineers regarding the need to adopt the extension of the Village's permissive service area as an Unlisted SEQR Action.

A motion was made by Trustee Sawers and seconded by Trustee Jabaut to declare the extension of the Village's permissive service area as an Unlisted Action as in accordance with the NYS SEQR and to accept the Environmental Assessment prepared by Chatfield Engineers, declaring that the project will result in no significant adverse environmental impacts. Unanimously carried.

The resolution in full is attached to these minutes.

**RE: Zoning Law**

The Code Officer is still editing it.

**RE: Reading Center Position**

Discussion took place regarding interviews of the Reading Center Director candidates. Mayor Bagley, Trustee Sawers and Trustee Elwell will serve on the Interview Committee. The Clerk will coordinate the interviews.

**RE: Road Damage**

The Village did not yet receive a response from Attorney Kenyon regarding Ag/Market laws. Mayor Bagley and Trustee Field will visit Nevin Zimmerman.

**RE: CHIPS Funding**

The CHIPS funding is in the adopted NYS budget. Art shared that Willy Reifsteck, the Highway Superintendent for the Town of Middlesex is the President

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of the NYS Highway Superintendent Association and he believes there is enough lobby pressure in Albany that the CHIPS funding will be available in the future.

### **RE: NIMS Compliance**

Art Rilands and the Clerk shared that they completed the annual NIMSCAST report and rollup. The Village is only 62% compliant. They asked the Board how serious does the Board want to take the NIMS requirements. It has been stated by FEMA/NIMS if a municipality is not in compliance they will not receive federal funding if a disaster should occur. Discussion took place regarding all the above items and the Board stated they are satisfied with the Village's current compliance status.

### **RE: Parking Lot Signs**

Discussion took place regarding the placement of enter and exit signs in the parking lot for safety. The majority of motorists know the implied enter and exit driveways however not all motorists live locally. Art will talk with NYSDOT regarding right-a-ways and signs.

### **RE: Cemetery**

Mayor Bagley shared that he would like all the Trustees to drive to and look around at Oak Hill Cemetery located on Pre-Emption Road just outside of Geneva. He feels that is a nice looking cemetery. Discussion took place regarding the appearance of the Village cemetery and the need for future cemetery help.

A motion was made by Trustee Field and seconded by Trustee Sawers to authorize the Mayor to hire part-time cemetery help at a rate of \$8/hour. Unanimously carried.

### **RE: Clark Patterson Lee**

The Village received a bill from Clark Patterson Lee, the engineering firm that designed the sewer plant. They charged the Village for an engineer site visit when the sewer was not functioning properly. Mayor Bagley expressed his dislike of Clark Patterson Lee's actions and lack of information detailed on their invoice. The Clerk was instructed not to pay the invoice.

### **RE: Bills**

A motion was made by Trustee Field and seconded by Trustee Jabaut to authorize payment of the general bills in amount of \$26,676.66 noting \$274.86 had already received payment due either to prior authorization or a due date prior to the board meeting. Note: The annual insurance premium is due. Unanimously carried.

A motion was made by Trustee Elwell and seconded by Trustee Sawers to authorize payment of the capital project bills in amount of \$2,120.33 noting \$111.15 had already received payment due either to prior authorization or a due date prior to the board meeting. Unanimously carried.

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A motion was made by Trustee Jabaut and seconded by Trustee Elwell to authorize payment of the cemetery bills in amount of \$73.35. No prior payments were made. Unanimously carried.

A motion was made by Trustee Field and seconded by Trustee Sawers to authorize payment of the water bills in amount of \$6,184.96. No prior payments were made. Unanimously carried.

A motion was made by Trustee Jabaut and seconded by Trustee Field to authorize payment of the sewer bills in the amount of \$4,275.90. No prior payments were made. Unanimously carried.

RE: Adjournment

A motion was made by Trustee Elwell and seconded by Trustee Field to adjourn the meeting at 8:50pm. Unanimously carried.

Respectfully Submitted,

Jennifer Gruschow  
Clerk-Treasurer