

## **RUSHVILLE VILLAGE BOARD MEETING**

**February 8, 2016**

TIME: 7:00 PM

PLACE: Rushville Village Hall

PRESENT: Mayor Jon Bagley

Trustees: Charles Elwell, Timothy Jabaut, David Masters, John Sawers

ATTENDANCE: Jen Gruschow, Amanda Lee, Art Rilands, Mike Pierre, Reggie O'Hearn, Dodie Baker, Janet Landcastle, Anne Grover, Amanda Grover, Travis Grover, Pat Sawers, Kim Payne, Marla Lapin, Bob Walker, Chandra Gilman, Jonnette Keneston.

### Public Hearing

Re: Opening the Public Hearing

Mayor Jon Bagley opened the public hearing at 7:00pm for Local Law No. 1-2016: Real Property Tax Exemptions for Property Owned by Persons Age 65 or over.

Re: Local Law No. 1-2016

Mayor Jon Bagley explained to the public the details and purpose of the local law. In 2009 a (Yates) County wide initiative was carried out to encourage all municipalities to pass the same real property tax exemptions for persons age 65 or over and for veterans. This allows for all persons across the County, regardless of what municipality they live in, to receive the same exemptions. The Village has been asked to review and consider increasing the sliding income scale that qualifies a person age 65 or over for the real property tax exemption. A person with an income of \$11,000 or less; currently receives a 50% tax exemption. The proposed local law would increase that to \$14,000 at 50%. The proposed sliding scale continues to \$22,399 at 5%. The question of how many people qualify in the Village was asked from the public. Clerk Jennifer Gruschow noted that there are only 2 people in the Village that currently qualified for the program. Another question was asked if the residents on the Ontario County side will receive the same exemptions. Clerk Gruschow answered yes.

RE: Closing the Public Hearing

With no additional discussion, Mayor Jon Bagley closed the public hearing at 7:04.

### Regular Monthly Meeting

RE: Calling the Meeting to Order

Mayor Jon Bagley called the regular monthly meeting to order at 7:04pm.

Mayor Bagley asked for a moment of silence to recognize the passing of local Historian Jim Rice.

RE: Approval of Minutes

The Board reviewed the minutes from the January 11, 2015 Board Meeting. A motion was made by Trustee David Masters and seconded by Trustee Charles Elwell to approve the minutes, noting a minor correction in the Bills section of the minutes. The motion was unanimously carried.

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RE: Amanda & Travis Grover – Sewer Expansion

A copy of the letter submitted by Amanda & Travis Grover is on file with the Village Clerk.

Mayor Bagley asked the Amanda and Travis Grover if they have anything to add other than what was written in the letter. The letter detailed a request to consider sewer expansion outside the Village limits to service 20 townhouse style homes. The proposed site is located at the parcel just west of 87 State Route 245.

Travis reviewed their intentions to build 20 townhouse style housing rental units, each having 3 bedrooms for a maximum bedroom count of 60. They understand the sewer expansion would be completed at their own expense.

Trustee Elwell asked if the 20 homes would be built in more than one unit. The Grovers answered yes. They are planning to build 4 units, each with 5 townhouses.

Elwell asked if they have spoken to the Town of Middlesex yet. Amanda answered they have spoken to the Town generically about it. The site has been approved for residential use.

Discussion took place regarding the need for approval from NYS DEC regarding the sewer district expansion and accepting additional sewer flows. Village Clerk Gruschow asked if the Grovers would be willing to reduce the number of units if the sewer flows required it. Amanda replied mostly likely no. They need a certain number of units to turn a profit but are working to complete their cost analysis. Travis Grover asked what the process is for finding out if the current sewer system could handle the addition of these proposed 20 units. Public Works Supervisor Art Rilands answered that the Village would need to get the DEC involved. May even need a surveyor involved to make sure it could physically work with the land grades.

Further discussion took place regarding line location and Travis Grover clarified that the current sewer main stops at the old doctor's office in front of 59 Gilbert Street.

Trustee Dave Masters questioned if the homes would be rented at market rate. Amanda Grover confirmed, all market rate units, no low income. There is too much of a demand for market rate in this area.

Clerk Gruschow noted to the Grovers that when the School connected to the sewer, the Village sewer plant needed to be upgraded, which was done at the School's expense. What are the thoughts on that? Amanda responded they would need to develop their cost analysis first.

Final discussion took place regarding the use of a private system if public connection was not possible.

The Village informed the Grovers that DEC will be contacted and Clerk Gruschow will be in contact with them.

RE: Public Works Report: Public Works Supervisor Art Rilands

PWS Rilands shared with the Board that there is a leak in the roof at the Village Hall. There was a discussion on the need for repairs and gutters. PWS Rilands reported that the height of the building is an issue. Rilands estimates the cost to be at \$6K-\$7K for the shingled part of the roof. Jason Marks of Marks Construction is going to look at the project and develop an estimate for the Village.

The DEC came out for their annual inspection of the sewer plant. There were some minor issues discussed; such as needing to have our temperature gauge calibrated by a certified

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company. DEC is concerned about the continued infiltration. They may change the infiltration issues from a *concern* to a *violation*, which would involve a fine for excess flows.

Trustee Sawers would like to know if progress has been made on the Townline Road water leak. Rilands reported that he did find residual chlorine when testing the wet area, so it is Village water that's leaking. The Village has 2 options: Have NY Rural Water come out again to listen for the leak, or start at the house and start digging.

Castle Street Apartments is having sewer blockage issues. It is between the tank and the building so it is the property owner's responsibility. Village personnel attempted to help but there's grease, so it makes it hard to see with the camera. There was a contractor there to try to clean the grease from the pipe.

Mayor Bagley mentioned to the Board that PWS Rilands suggested it might be a good idea to keep the old F550 until the sidewalk project is complete, so we aren't putting the heavy concrete in the new truck. All agree this is a good idea.

RE: Fire Department Report: Fire Chief Art Rilands

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

Mayor Bagley asked if the fire department sold all of their chickens from the Super Bowl chicken BBQ. Rilands answered, yes.

RE: Reading Center Report: Director Dodie Baker

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

RE: Code Enforcement Officer Report: Reggie O'Hearn

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

9 Chapel Street is still in continued violation. Trustee Elwell asked CEO O'Hearn if he thinks we are any closer to a resolution. O'Hearn stated that the occupants did do some clean up but the property is still not in full compliance.

RE: Adoption of Local Law #1-2016

A motion was made by Trustee Charles Elwell to adopt Local Law #1-2016, seconded by Dave Masters. The motion was unanimously approved.

RE: John Zimmerman

Tabled until next meeting.

RE: 2016/2017 Budget Preparations and Proposals

Mayor Bagley would like to set up a meeting with the Finance Committee. It was scheduled for Monday, February 15 @ 10:00am.

RE: Cathodic Protection Corrosion Control System

Mayor Bagley explained the Cathodic Protection Corrosion Control System involves an electronic pulse that is sent into the metal of the tank that helps slow rust and corrosion. PSW

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Rilands shared the cost seems to be increasing by approximately \$40 a year. He inquired on the cost increase and was able to have the 2016 contract remain at the 2015 cost.

A motion was made by Trustee Timothy Jabaut and seconded by Trustee John Sawers to accept the cathodic protection agreement submitted by Corrpro, Inc at a cost of \$780. The motion was unanimously carried.

RE: Residential Use of Flushable Wipes

Rilands reported that there have been issues with residents using “flushable” wipes, and plugging the sewer lines between the homes and the tanks. The wipes don’t break down and disintegrate as they are supposed to do. When there is an issue the Village has to dig open the tank to ensure there is not a problem with the tank. Recently most of the issues have been a result of these flushable wipes, but the Village has still spent hours on the problem to ensure the responsibility is not ours.

Mayor Bagley proposed a fine for the use of the wipes. Trustee Jabaut mentioned that there was just an entire building in Geneva backed up because of these. A section will be added to the next newsletter informing the residents.

A motion was made by Trustee Timothy Jabaut to impose a \$150 service charge if the Village is called to a home for a sewer blockage; and if such blockage is the result of the actions of the homeowner, such as use of flushable wipes. The motion was seconded by Trustee Charles Elwell. The motion was unanimously carried.

RE: Tax Cap Local Law Override

Mayor Bagley introduced the proposed Local Law No. 2-2016 for the Tax Cap Override for the 2016/2017 Fiscal Year Budget. Clerk Gruschow explained to the public the purpose and need for the tax cap override. When New York State passed the 2% tax cap, the law was put together hastily and without detail as to the consequences for administrative or clerical errors. The law states a budget cannot be expensed at more than 2% of the previous year. It does not detail what is to happen in the instances of emergency public infrastructure repairs or what is to happen to a budget miscalculation error from a previous year that would then compound each year until such “paper” error was discovered. Each could increase budget expenses by more than 2% and it is unknown what fines and monetary consequences would be issued by the State. It is at the advice of the Village Attorney, which the Village Board has complied with since the passing of the 2% tax cap, to pass the legislative override to avoid the unknown and unclear mandates of New York State.

A motion was made by Trustee Dave Masters to set a public hearing for Monday, March 14, 2016 at 7:00pm. The motion was seconded by Trustee Timothy Jabaut. The motion was unanimously carried.

RE: Bills

A motion was made by Trustee Charles Elwell and seconded by Trustee Dave Masters to authorize payment of the general bills in the amount of \$5,239.94. The motion was unanimously carried.

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A motion was made by Trustee Timothy Jabaut and seconded by Trustee John Sawers to authorize payment of the cemetery bills in the amount of \$37.38. The motion was unanimously carried.

A motion was made by Trustee Dave Masters and seconded by Trustee Timothy Jabaut to authorize payment of the water bills in the amount of \$7,744.84. The motion was unanimously carried.

A motion was made by Trustee Charles Elwell and seconded by Trustee Jon Sawers to authorize payment of the sewer bills in amount of \$3,083.20. The motion was unanimously carried.

RE: Public Comments

None comments were offered.

Re: Additional Village Business

Code Enforcement Officer Reggie O'Hearn would like an amendment to Article 7.2 F5 regarding the set back of 75feet. O'Hearn would like to take that 75ft requirement out, and just put in a buffer.

A motion was made by Dave Masters to send this proposal to the Planning Board for their review. The motion was seconded by John Sawers. The motion was unanimously carried.

RE: Adjournment

A motion was made by Trustee Timothy Jabaut and seconded by Trustee Charles Elwell to adjourn the meeting at 7:32pm. The motion was unanimously carried.

Respectfully Submitted,

Jennifer Gruschow  
Clerk-Treasurer

Amanda Lee  
Deputy Clerk-Treasurer