

RUSHVILLE VILLAGE BOARD MEETING

October 18, 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, Deb Martin, Ruth Martin, and Carol Swartwood.

RE: Minutes

A motion was made by Trustee Jabaut and seconded by Trustee Field to adopt the minutes from the September 13, 2010 regular monthly meeting as printed. Unanimously carried.

RE: Art's Report

Copy of file.

Sewer

- Flow sensor at lift station is broke and needs to be replaced
- A motion was made by Trustee Sawers and seconded by Trustee Jabaut to purchase a new flow sensor for the sewer lift station. Unanimously carried.

Cemetery

- Finger Lakes Monument will finish the foundation work this week

Pump Station

- Been having difficulties with the chlorine residual at the lake. Running the 2nd chlorine pump does bring the residual to a normal level however now we are using chlorine at the inlet to control the zebra muscles and in the wet-well.

RE: Executive Session

A motion was made by Trustee Sawers and seconded by Trustee Jabaut to enter into executive session at 7:08pm to discuss the Martin property dispute. Unanimously carried.

Regular session was resumed at 7:26pm.

RE: Letter from Roy Grau, 39 Gilbert Street

Mayor Bagley shared a letter from Roy Grau. The letter first thanked the Village Board for passing the noise control local law however he would like the amendments to the open burning law rescinded. He stated that he is continuously bothered by smoke from his neighbors using the chimnea outdoor fireplaces the Board legalized.

The Board discussed this matter in detail and concluded that Mr. Grau is the only individual in the Village that complains about the amendment or has any issues with smoke. He is one resident out of hundreds of households.

RUSHVILLE VILLAGE BOARD MEETING
October 18, 2010

RE: Permissive Service Area Extension

Discussion took place regarding the water project and the need to extend the Village's permissive service area to encompass the properties that are connected to the transmission main.

A motion was made by Trustee Jabaut and seconded by Trustee Elwell to adopt and approve the Engineering report prepared by Chatfield Engineers to extend the Village of Rushville Permissive Service Area to include the lands set forth on the boundary description and map on file the Village Clerk. Unanimously carried.

The resolution in full is attached to these minutes.

RE: Water Improvement Project

Mayor Bagley shared with the Board that the Gorham Town Planning Board gave the project approval however they want the Village to fulfill the lake resident's request as budget allows. There is a meeting with Attorney Kenyon Friday at 9:00am to discuss the aftermath of the Planning Board's decision and what direction the Village should go in. All who are available should attend.

Discussion took place regarding the fencing. The Board was in agreement the entire property should be fenced along the perimeter and not just around the buildings.

RE: Zoning Law

Code Officer is still working on the changes. Mayor Bagley asked Trustee Sawers to see if he could get the project finished soon.

RE: Reading Center Director

The interview committee met with 4 candidates. One individual had to withdraw her application. The committee will continue to discuss and evaluate the other candidates.

RE: Cemetery

No discussion.

RE: Insurance

The Board reviewed the insurance summary provided. Discussion took place regarding insurance carriers and if in the future should the Village consider putting the insurance premium to bid to see if there is a better price out there.

RE: Water Use Local Law

A motion was made by Trustee Field and seconded by Trustee Sawers to authorize Attorney Kenyon to draft a new water use local law. Unanimously carried.

RUSHVILLE VILLAGE BOARD MEETING

October 18, 2010

RE: Creek Maintenance

A resident on Gilbert Street inquired on who is responsible for maintaining the creek. Discussion took place regarding a situation where the past mayor had the Village rebuild a retaining wall on their private property and the 2 neighboring properties. The current Board does not feel it is the Village's responsibility to deal with erosion or retaining walls. The Village's limited resources and man power was mentioned and that maintaining the creek could get very expensive. Property owners should maintain the portion of the creek that is considered their property. Other situations were mentioned such as what if there is property owner that does not care to maintain the area of the creek that is technically considered their property. What if there are water flow issues due to debris etc? Everyone agreed the Village should be able to assist in removing debris and trees but will not maintain creek bed and no retaining walls.

Art will contact DEC and other Village's regarding creek maintenance. He will prepare a suggested policy for next month's meeting.

RE: Trick or Treating Hours

A motion was made by Trustee Field and seconded by Trustee Elwell to set the Halloween Trick-or-Treating hours for Sunday, October 31st from 6pm-8pm. Unanimously carried.

RE: Outstanding Water Bill

The Village has had continuous issues with Mark and Patrice Cupp of 126 State Route 245 paying their water bill. In fall of 2008 the Village made a written agreement with them to make monthly payment to clear their \$3,000+ balance and the remaining amount would be cleared with their 2009 tax returns. This was done and through the course of 2009 they did pay their bill, though not regularly. In January 2010 they received approximately a \$1,000 water bill due to a leaking toilet and the fact the Board had just increased water rates significantly as planned for the water project. After the January billing the Board reduced the outside water rate from 2 ½ times to 1 ½ times because the rate was too high, over \$15/thousand. The Board discussed lower the Cupp's bill from January to the 1 ½ times rate. Also a final date to clear the water bill (or termination) was discussed.

A motion was made by Trustee Sawers and seconded by Trustee Jabaut to authorize the Clerk to adjust the January 2010 water bill for Account #043 Mark and Patrice Cupp to 1 ½ times the inside rate and instructed the Clerk to send Mr. & Mrs. Cupp a notice stating the water bill must be cleared by January 31, 2011 or their water connection will be terminated permanently. Unanimously carried.

RE: Marcellus Shale Drilling

Trustee Sawers shared his knowledge of the Marcellus Shale Drilling and what he has learned from reading and attending the meetings hosted by Yates County. The water consumption is astronomical and is huge concern. Every person and group seems to have a different opinion on the topic. Discussion took place in

RUSHVILLE VILLAGE BOARD MEETING

October 18, 2010

detail regarding this matter and the desire for Yates County to be prepared for the drilling when the companies arrive.

RE: Finger Lakes Ambulance

The Village received a request for support from Finger Lakes Ambulance in Clifton Springs. The FL Ambulance would like to submit an application to the NYS Department of Health to extend their service area to be able to respond to additional mutual aid calls.

A motion was made by Trustee Jabaut and seconded by Trustee Sawers to submit a letter of support to the Finger Lakes Ambulance to assist in their efforts of expanding their service area. Unanimously carried.

RE: Meeting Notice in Newspaper

Trustee Field informed the Clerk he did not see the monthly meeting notice printed in the Finger Lakes Times. The Clerk will look into this further.

RE: Bills

A motion was made by Trustee Elwell and seconded by Trustee Field to authorize payment of the general bills in amount of \$12,351.93 noting \$3,526.97 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 Jabaut and seconded by Trustee Elwell to authorize payment of the capital project bills in amount of \$2,505.03. No prior payments were 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 \$8,814.86. No prior payments were made. Unanimously carried.

A motion was made by Trustee Sawers and seconded by Trustee Jabaut to authorize payment of the sewer bills in the amount of \$7,272.74. No prior payments were made. Unanimously carried.

RE: Adjournment

A motion was made by Trustee Jabaut and seconded by Trustee Sawers to adjourn the meeting at 8:45pm. Unanimously carried.

Respectfully Submitted,

Jennifer Gruschow
Clerk-Treasurer