

RUSHVILLE VILLAGE BOARD MEETING

September 12, 2011

TIME: 6:45 PM

PLACE: Rushville Village Hall

PRESENT: Mayor Jon Bagley

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

ATTENDANCE: Art Rilands, Reggie O'Hearn, Chandra Gilman, Pam Brown, Jamie Landcastle, and Janet Landcastle

PUBLIC HEARING

RE: Opening the Public Hearing

Mayor Bagley opened the public hearing at 6:45pm pursuant to the Village of Rushville Property Nuisance Abatement Law (Local Law No. 2-2005) regarding the unsafe accessory structure on the property located at 20 Gilbert Street, owned by Peggy Fuller.

RE: Comments from Property Owner or Representative

Mayor Jon Bagley acknowledged that Ms. Peggy Fuller was not present and asked if anyone in the audience was present on her behalf. No representation was present.

RE: Comments from the Public

Mayor Jon Bagley opened the floor for comments from the public relating to the unsafe structure (barn) at 20 Gilbert Street.

Ms. Janet Landcastle of 24 Gilbert Street expressed her concern about the barn. She stated it was unfortunate that the Village had to get involved but the barn needs to come down.

Code Officer Reggie O'Hearn shared with the Board that he talked with Ms. Fuller and she thought she had someone to take it down, but no longer believed that would be happening. Code Officer O'Hearn explained that the Board could hire a contractor to demolish the barn or it could be done by Village personnel.

Mr. Jamie Landcastle of 7 North Main Street asked the Board if it was going to be contracted out how many bids would they receive before hiring a contractor. The Board responded they would seek out 3 quotes.

General discussion took place regarding access to the property with equipment. It was believed by many, that Karen Gorton, owner of the property behind 20 Gilbert Street, would allow access through her property.

RE: Closing of the Public Hearing

With no further comments, Mayor Jon Bagley closed the public hearing at 6:59pm.

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REGULAR MONTHLY MEETING

RE: Calling the Meeting to Order

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

RE: Minutes

A motion was made by Trustee Field and seconded by Trustee Sawers to adopt the minutes from the public hearing, regular monthly meeting and special meeting as printed. Unanimously carried.

RE: Public Hearing for Adoption of Official Zoning Map

The official zoning map has been reviewed by both County Planning Boards and now needs to be adopted by the Village Board.

A motion was made by Trustee Sawers and seconded by Trustee Jabaut to set a public hearing for the adoption of Local Law 3-2011: Official Zoning Map, for Monday, October 17, 2011 at 6:45pm at the Village Hall. Unanimously carried.

RE: Decision on Property Nuisance Abatement

Discussion took place regarding the cost of hiring a contractor versus the Village utilizing their own manpower and equipment and doing it in-house. Public Works Supervisor Art Rilands stated he could take the barn down, but he would need to rent an excavator and would need 2 roll-off dumpsters for debris. Additional discussion also took place regarding notifying the neighbors of when the barn would be demolished.

A motion was made by Trustee Jabaut and seconded by Trustee Field to demolish the unsafe structure at 20 Gilbert Street pursuant to the authority granted in Local Law No. 2-2005: Property Nuisance Abatement. The Village will complete the task in-house and will invoice the owner, Peggy Fuller for all costs incurred. Demolition will take place after October 1, 2011. If after this ruling, Ms. Fuller shows intent to demolish the building herself, such matters must be discussed with Public Works Supervisor Art Rilands beforehand. Unanimously carried.

RE: 15 North Main Street – Sewer Unit Reduction

The building at 15 North Main Street is currently owned by Caroline DeVinney. Ms. DeVinney submitted a letter asking for her sewer units to be reduced because the building consists of 1 store front and 2 buildings which equates to 2.6 units, not the 3.2 units currently being charged.

A motion was made by Trustee Jabaut and seconded by Trustee Elwell to reduce the sewer units accordingly for 15 North Main Street from 3.2 units to 2.6 units. Unanimously carried.

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RE: Roy Grau, 39 Gilbert Street – Complaint

Roy Grau of 39 Gilbert Street submitted a letter to the Clerk, addressing the Board on the amendment to the open burning law. Mr. Grau's disapproval of the amendment to the open burning law is well known. The amendment allows for the use of commercially manufactured campfire pits with a smoke stack. The Board discussed his complaint however, chose not to act because he is the only resident that complains about the amendment to the law.

RE: Public Works Supervisor – Art Rilands

Streets - Sidewalk project is completed for this year, installed over 1,000 feet.
Water – The Village had an inspection from the Department of Health. One customer on the transmission line is not complying with the mandate to have their backflow device tested. It must be done or the Village could be fined. The Board instructed the Clerk to send a letter stating the device is to be tested or the water will be shut off.

RE: Fire Department

Surrounding local fire departments are sending manpower to the flooded areas in the Southern Tier. The Rushville Fire Department is planning on sending a group.

RE: Reading Center Director – Dodie Baker

Mayor Bagley asked the Board for their opinion regarding Art's idea to add curbing and parking off of Bassett Street and to put in a sidewalk. There was initially some confusion on where the parking and sidewalk would be. Discussion took place regarding this topic and Art was asked to submit a drawing to the Reading Center Board. Further discussion took place about the property line and the "No Parking" signs out back. Art will take down the "No Parking" signs and install new signs that say "Parking for Reading Center Patrons Only".

Director Dodie Baker shared with the Board she would like to donate 1 children's book per library that has been devastated by the recent flooding. She also plans to spread the word and ask for additional donations from the community.

RE: Filing of the 2010/2011 Annual Update Document

A motion was made by Trustee Sawers and seconded by Trustee Field to accept the Annual Update Document for the fiscal year beginning June 1, 2010 and ending May 31, 2011, as filed with the Office of the State Comptroller, and prepared by the Raymond F. Wager, CPA and the Village Clerk-Treasurer. Unanimously carried.

RE: NYS DOT – Sidewalks

Item has been tabled.

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RE: Water Improvement Project

Mayor Bagley shared that he and Art met with Jason from Chatfield Engineers. The Village now has a new project timetable and will soon have a new project cost estimate. It is expected that the Village will be able to bid the project next month if there are no problems with Department of Health. The plan is to put the project to bid soon so the building can be constructed this year and the filters can be ordered, which have a lead time of 6 months. Mayor Bagley also shared he is meeting with the residents of Shale Beach Drive on Thursday, September 15th at 7pm. Any Trustee is welcome to join him.

RE: Sidewalk Plan

Mayor Bagley shared that he, Art, and the Clerk took a walk down Gilbert Street to examine the condition of the sidewalks. It appears that the south side of the street would be easier and less costly for sidewalk installation. Art measured several areas and there are still 3800 feet of sidewalk to be installed. This includes one side of Gilbert, Main Street to Castle Street Apartments, one side of Bassett, unfinished areas on South Main Street, and from the Reading Center on South Main to Rubin Drive.

Discussion took place on who is now responsible for the sidewalks and the current trip hazards. Additional discussion took place regarding the need to trim the trees on the corner of Green and Warren Street.

RE: Tree Planting

There is enough money in the budget to purchase and plant 8-9 trees. Art's initial thought is Warehouse Street and Douglas Drive. He will utilize help from Tad Gerace.

RE: Sidewalk Reimbursement Standards

Discussion took place on whether or not the Village would reimburse homeowners if they wanted to install their own sidewalk. Art will put together a policy to be reviewed at next month's meeting.

RE: Accessories for Grasshopper Mower

A motion was made by Trustee Jabaut and seconded by Trustee Field to purchase the cab and snow blower for the Grasshopper Mower. Unanimously carried.

Trustee Field mentioned that Cemetery worker, Andrew Paulison has done a great job and the Village should entice him to stay on for the next mowing season.

RE: Bills

A motion was made by Trustee Field and seconded by Trustee Jabaut to authorize payment of the general bills in amount of \$46,568.60, noting \$110.70 had already received payment due either to prior authorization or a due date prior to the board meeting and also noting the increased amount due to street paving, the

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insurance premium and completion of the annual update document. Unanimously carried.

A motion was made by Trustee Jabaut and seconded by Trustee Elwell to authorize payment of the cemetery bills in amount of \$871.54, noting \$11.78 had already received payment due either to prior authorization or a due date prior to the board meeting

A motion was made by Trustee Jabaut and seconded by Trustee Sawers to authorize payment of the water bills in amount of \$6,549.20. No prior payments were made. Unanimously carried.

A motion was made by Trustee Elwell and seconded by Trustee Field to authorize payment of the sewer bills in amount of \$5,512.89. No prior payments were made. Unanimously carried.

RE: Adjournment

A motion was made by Trustee Field and seconded by Trustee Elwell to adjourn the meeting at 8:00pm. Unanimously carried.

Respectfully Submitted,

Jennifer Gruschow
Clerk-Treasurer