

# THE RUSHVILLE VILLAGE BOARD MEETING

## FEBRUARY 10, 2025

DATE: 2/10/25

TIME: 7:00pm

PLACE: The Rushville Village Hall

**PRESENT:** Deputy Mayor Karen Gorton, Trustee Doug Rigby, Trustee Cheryl Hilton-Vadner, Trustee Chandra Gilman, Clerk Jeannie Kesel, Code Officer Tim Pagel, Public Works Supervisor Neal Curtis, Fire Chief Jim Adams, Absent Mayor Art Rilands

Approximately 5 people attended the meeting (sign in sheet available at the Village Office)

The Deputy Mayor called the Board Meeting to order at 7:00 pm

**RE: Salute to the Flag:**

The Deputy Mayor asked everyone to rise and join in the Pledge to the Flag.

**RE: Approval of Minutes:**

The Deputy Mayor asked the Trustees if they had any corrections to the board minutes from the January 13, 2025 meeting. There being no corrections, Trustee Cheryl Hilton-Vadner made a motion to approve the January 13, 2025 minutes. Trustee Doug Rigby made a 2<sup>nd</sup> to the motion. The motion unanimously carried.

The Deputy Mayor asked the Trustees if they had any corrections to the Budget Workshop minutes from the January 27, 2025 meeting. There being a couple of corrections, Trustee Doug Rigby made a motion to approve the January 27, 2025 Budget Workshop minutes with corrections. Trustee Cheryl Hilton-Vadner made a 2<sup>nd</sup> to the motion. The motion unanimously carried.

The Deputy Mayor asked the Trustees if they had any corrections to the Special Meeting minutes from the January 31, 2025 meeting. There being a couple of corrections, Trustee Cheryl Hilton-Vadner made a motion to approve the January 31, 2025 Special Meeting minutes with corrections. Trustee Doug Rigby made a 2<sup>nd</sup> to the motion. The motion unanimously carried.

**RE: Ed Gilman, Planning Board Chairman:**

- No Report

**RE: Public Comments:**

- None

**RE: Mayor's Report:**

- Rodger Ciancaglini, who lives across from where the water leak was on Douglas Drive, came into the office recently. He has had a lot of water problems in his side yard for several years. He hired a contractor this past summer to contain the problem. Since the water leak was

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repaired, his yard has dried up. Now he would like \$7,000 from the Village to help with the cost of the contractor. I asked him if we could wait until spring and see how his yard is then. Rodger is ok with that. Deputy Mayor asked the Board what their feeling was on this situation. The Board discussed if his wet yard was related to the leak across the street. Trustee Doug Rigby said the water in Rodger's side yard has been a problem for years. They tabled it until early spring to assess the situation.

### **RE: Deputy Mayor's Report:**

- Congratulations to Neal on the birth of his daughter.
- There is a budget workshop on Monday, February 24 at 5:00 pm.
- Library – After reviewing the email correspondence regarding the “conveyance” of the Mabel D. Blodgett Reading Center to the Mabel D. Blodgett Library. Brian Hildreth from STLS said the Board of Regents would NOT have to approve the gift/transfer of the library property. The attorneys should follow up with the Attorney General if their approval is needed.
- Jim Liebel Update – Jeannie spoke to the Yates County Treasurer's office to see if Mr. Liebel paid his outstanding tax bill which was due Friday, January 31<sup>st</sup>. She was told that he paid with a business check rather than with a Bank Check. Jeannie suggested they contact his bank to see if the funds were available in his account. Unfortunately, at that time, there were not funds to cover the check. Accordingly, following normal procedure, the Treasurer's Office deposited Mr. Liebel's check. On Tuesday, February 4<sup>th</sup>, Mr. Liebel went back to the Treasurer's Office with cash to cover his outstanding tax bill, but at that point, the Treasurer would not accept his cash payment because it was past the due date of January 31<sup>st</sup>. Jeannie was told today that the check was returned for Non-Sufficient Funds. Since this is a complicated issue, Eric Mansler, Rushville's attorney, asked if she could confer with another attorney, Edward Carni. Mr. Carni served as an Associate Justice of the Appellate Division. Fortunately for us, Mr. Carni is doing this Pro Bono and will not be charging the Village his normal \$500 per hour rate. Ed contacted Attorney Scott Falvey (Attorney for Yates County) to see whether the county would accept Mr. Liebel's cash payment for his past due taxes, unfortunately he said no, not at this time. Therefore, the Tax Sale process would be in effect.
- Judge Cook – Judge Cook has ruled in favor of the Village of Rushville to continue with the foreclosure process on Mr. Liebel. This will need to occur within 90 days.
- Local Law #1 of 2025 – Karen believes the Village should amend Section IV: Determinations and Grant of Power of Overcome Incompatibility: #2 to the following “The Village Board hereby determines that it would not be contrary to public policy to hire Mayor Art Rilands during the absence of both full time Department of Public Works Supervisor and Public Works Maintenance Assistant in emergency situations while Mayor Rilands simultaneously continues to serve in his elected position of Mayor of the Village of Rushville. Trustee Chandra Gilman wanted to know what hourly rate the Town of Gorham would charge the Village to step in and help out. She also felt that the Town of Gorham would be able to step in for an emergency. Neal Curtis said they are taught different systems at school, but Town of Gorham has a different system than the Village's. There would be a learning curve to get familiar with the Village's systems. Trustee Cheryl Hilton-Vadner and Trustee Doug Rigby felt this law needed to be amended.

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### **RE: Public Works Supervisor:**

#### **Streets:**

- We continue to have to sand and/or plow 3-4 times a week. I have been monitoring street lights that are out. Jeannie has been reporting the outages to NYSEG. The Mayor has written a letter to NYSEG in Geneva. The lights are slowly getting repaired.

#### **Water:**

- We received a tier 3 violation from DOH for not submitting our monthly report by the due date for December 2024. I had all the testing completed and the report uploaded to the computer, but I guess I didn't email it to DOH. A letter explaining this violation will be sent along with the next round of water bills to satisfy their notification requirements. Chris should be meeting with DOH within the next month to hopefully get his water license. We had our backflow prevention devices tested for their annual certifications.

#### **Sewer:**

- We upgraded the microscope at the plant so we can better monitor the bugs without having to go to Gorham to use theirs. Chris goes for his sewer exam on March 10<sup>th</sup>.

#### **Miscellaneous:**

- We had to replace the sump pump in the basement of the Village Hall. We continue to service equipment and get the mowers ready for an early spring. We had one full burial. We ordered some uniforms for me and the guys in the field so that we are more easily identifiable to the public.

### **RE: Fire Report:**

- Chief Adams' report is attached.
- The Fire Department wanted to thank Neal and Chris for getting the parking lot plowed and salted for the Super Bowl BBQ. It was a success.
- The Pumper Truck is out of service. It will be in for service soon.

### **RE: Code Enforcement Officer:**

- Issue Permits
- Inspection of projects in progress
- Training via Webinars
- Had more conversations regarding Rubin Drive with Justin Waking from Beardsley Engineering. Letter needs to be sent from them regarding annexation of the property.
- Had conversations regarding the Lindquist property. They have applied for a grower's license
- Worked on the 1203 Report
- Attended the DEC webinar on new wetland regulations

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### RE: Clerk:

- Jeannie presented two pages of the Employee Handbook which were corrected from the last meeting. Jeannie will present the amended Employee Handbook at the next meeting for the Board to vote on.

### RE: Public Comments:

- Trustee Chandra Gilman reminded everyone that on March 18, 2025 there will be a Town Referendum with voting at the Town of Potter firehouse from 2:00 pm to 8:00 pm. There will be 2 subjects to vote on. The Town Board has unanimously decided to ask the voters in Potter to approve the positions of the Superintendent of Highways and the Town Clerk as appointed positions instead of elected positions.

### RE: Bills:

A motion was made by Trustee Doug Rigby and seconded by Trustee Cheryl Hilton-Vadner to authorize payment of the General bills in the amount of \$17,785.05. The motion was unanimously carried.

A motion was made by Trustee Chandra Gilman and seconded by Trustee Doug Rigby to authorize payment of the Cemetery bills in the amount of \$603.15. The motion was unanimously carried.

A motion was made by Trustee Doug Rigby and seconded by Trustee Chandra Gilman to authorize the payment of the Water bills in the amount of \$11,558.09. The motion was unanimously carried.

A motion was made by Trustee Cheryl Hilton-Vadner and seconded by Trustee Chandra Gilman to authorize the payment of the Sewer bills in the amount of \$6,975.46. The motion was unanimously carried.

A motion to adjourn the meeting was made by Trustee Doug Rigby and seconded by Trustee Chandra Gilman. The motion was unanimously passed. The meeting was adjourned at 8:02 pm.

Respectfully submitted,

Jeannie Kesel, Clerk/Treasurer

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