

RUSHVILLE VILLAGE BOARD MEETING
November 19, 2012

TIME: 7:00 PM

PLACE: Rushville Village Hall

PRESENT: Mayor Jon Bagley

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

ATTENDANCE: Art Rilands, Todd Conaway, Chandra Gilman, Dodie Baker, Pam & Larry Brown, and Helen Dunlop

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 Sawers and seconded by Trustee Jabaut to adopt the minutes from the regular monthly meeting held on October 19, 2012 as printed. Unanimously carried.

RE: Public Works Supervisor – Art Rilands

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

Streets: To combat the rusting of the F550, Art is going to have a rust protection spray put on the truck by Jeff Russell who owns Krown Rust Protection. Everyone Art has talked to has said that it is a good product and it works well. Trustee Jabaut shared that Ontario County has had their trucks done and are also pleased with the results.

Further discussion took place regarding the purchase of a mini excavator with the Town of Gorham. Mayor Bagley discussed the purchase with Supervisor Lightfoote and they agreed on a 75/25 split, leaving the Village's cost at around \$12,500, which would be put into next year's fiscal budget. The Town of Gorham stated they can pay the full price and the Village can reimburse them next summer after the start of the new fiscal year.

RE: Smoking Policy – Employee Handbook

PWS Art Rilands asked the Board to reconsider the current policy in the employee handbook regarding smoking in Village owned vehicles and equipment. Currently the handbook allows it and he asked for it to be changed. Discussion took place regarding the resale value of the vehicles and the over all cleanliness. The Board agreed that smoking in vehicles lowers the resale value and it is almost impossible to remove the smell of cigarette smoke.

A motion was made by Trustee Sawers and seconded by Trustee Elwell to amend the employee handbook and prohibit smoking in all Village owned vehicles and equipment. Unanimously carried.

RE: Fire Department

No report was provided.

Art shared that the air compressor has been installed. This was paid for primary through grant funding that Jim Santee was able to secure. Additionally the

RUSHVILLE VILLAGE BOARD MEETING
November 19, 2012

Department has not done anything with the brush truck. The State bid list has not yet been released which they need before they can proceed with purchasing a new pick up truck.

RE: Rushville Community Christmas

Pam Brown shared that she and a group of residents have continued organizing the Christmas event that was discussed at the October meeting. They are working at securing performers for the event and will also be doing a food drive before the event. They plan to leave bags on doorsteps on December 1st and will be picking up the bags from homes on December 8th. All donations, including the “admission fee” food item for the event will be given to the Friendship House. In addition to the musical performers, the fire department has agreed to be involved and Santa will arrive on a fire truck. There will also be hot cocoa and cookies available.

RE: Reading Center Director – Dodie Baker

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

Dodie shared that she has been very busy at the Reading Center and plans on doing an ornament making session the day of the Community Christmas event at the Reading Center from 10:00am-12:00noon. Dodie also discussed with the Board the idea of treating her volunteers to dinner for all their help and to show some appreciation for their dedication. If the Board approved, she could utilize the Reading Center money so it would not be expense on the budget. The Board agreed with the idea. The volunteers are very crucial to the operation of the Reading Center and an appreciation dinner is a nice idea.

RE: Code Enforcement Officer – Reggie O’Hearn

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

Discussion took place regarding the assessment of fines for the demolition of the garage at 20 Gilbert Street. Reggie suggested a \$500 fine, \$250/week as stated in the Zoning Law, for the 2 weeks of non-compliance past her September 10th due date to have the buildings removed. It was near the end of the month when the Village moved forward with removing the buildings since she failed to do so. Peggy Fuller will be invoiced for all costs incurred by the Village, including dumpsters, equipment use, operator time, contractor invoices, and the agreed upon \$500 fine.

RE: Deputy Clerk-Treasurer

Mayor Bagley shared that he and the Clerk interviewed Laura Fleig for the position. They agreed she would be a good fit and would be able to pick up the material in a timely manner. The Board had previously approved the hiring of a Deputy Clerk. They agreed upon an hourly wage for Ms. Fleig at \$12.50/hour with no benefits.

RUSHVILLE VILLAGE BOARD MEETING
November 19, 2012

RE: Relevy of Unpaid Taxes

A motion was made by Trustee Jabaut and seconded by Trustee Field to relevy all unpaid Village taxes in accordance with the list provided by the Village Clerk-Treasurer & Tax Collector. Unanimously carried.

RE: Town of Gorham Fire Agreement

A motion was made by Trustee Sawers and seconded by Trustee Elwell to authorize Mayor Bagley to sign the 2013 fire agreement with the Town of Gorham. Unanimously carried.

RE: Town of Gorham Reading Center Agreement

A motion was made by Trustee Sawers and seconded by Trustee Elwell to authorize Mayor Bagley to sign the 2013 reading center agreement with the Town of Gorham. Unanimously carried.

RE: Water Improvement Project

The Board reviewed the change orders that were submitted by Wind-Sun Construction and Blackmon-Farrell Electric. Both are for deducts in the amounts of approximately \$10,000 and \$17,000 respectively. The change orders have been reviewed and approved by Chatfield Engineers.

A motion was made by Trustee Field and seconded by Trustee Jabaut to authorize Mayor Bagley to sign the change orders for Contract A and Contract D, each for a deduction in the approximate amounts of \$10,000 and \$17,000, respectively. Unanimously carried.

Discussion took place regarding the time extension request submitted by Wind-Sun Construction. It became very apparent, after little progress over the summer months, that Wind-Sun Construction was not going to meet the substantial completion date of October 31st. Even after several requests, Wind-Sun waited until the last minute to submit the time extension letter. Mayor Bagley met with Paul Chatfield and Attorney Bill Kenyon to review a plan of action regarding the lack of work by Wind-Sun and whether or not a time extension should be granted. The Board discussed the matter and agreed it was best to keep the project moving and any legal action would halt any progress that was being made. Paul Chatfield provided a letter to the Board outlining stipulations and recommending a time extension be granted based on Wind-Sun meeting the stipulations and deadlines outlined in the letter. Chatfield's recommendations were agreed upon however the April 30th deadline would need to be March 30th so the Clerk has sufficient time to close out the financial documents with Lyons National Bank and Rural Development. Final payment approval would need to be at the April board meeting.

A motion was made by Trustee Sawers and seconded by Trustee Field to authorize a time extension for Wind-Sun Construction based on the recommendations of Paul Chatfield of Chatfield Engineers, with the exception of the April 30th deadline be moved to March 30th and that liquidated damages would only

RUSHVILLE VILLAGE BOARD MEETING
November 19, 2012

be eliminated if Wind-Sun were to meet all the deadline dates given. Unanimously carried.

This resolution in full is attached to these minutes.

RE: Sidewalk Plan
Tabled.

RE: Terry Button Water Connection
Tabled.

RE: Sewer Beds
Tabled.

RE: Tobacco Free Public Locations

At October's meeting, Helen Dunlop from the Finger Lakes Tobacco Action Coalition asked the Board to consider making all public locations tobacco free, including outdoor locations such as parks. The Board discussed the idea and Trustee Sawers and Trustee Jabaut agreed to take on the task. They will learn more about the program and get feedback from residents.

RE: Water Connection at Bay Farms

Art shared with the Board that there is a water connection at the Bay Farm that needs to be repaired and is not up to Health Department standards. A letter will be sent to the Bays with a deadline to remedy the problem. Further discussion occurred regarding the need for the Bays to understand they cannot continue to treat the public water system as their own private well. They have done several things without Village approval and have completed projects without Art's approval even when he has told them inspections need to be done. The situation needs to be addressed before there is a problem.

RE: Back Up Water Operator for Town of Middlesex

Department of Health has mandated the Town of Middlesex to appoint a back up water operator. They have asked for Art to serve in this role.

A motion was made by Trustee Field and seconded by Trustee Elwell to authorize Art Rilands to act as a back up operator for the Town of Middlesex. Unanimously carried.

RE: Charity Fund Recipients

Discussion took place regarding who would receive a gift from the Blodgett and Jones Charity Funds this holiday season. Mayor Bagley expressed desire to give the gifts at Thanksgiving instead of Christmas this year since the money can be used towards food and other items instead of toys etc. Mayor Bagley shared he knows of one family in need that lives over the laundry mat. They work hard and are always honest they just can't seem to get ahead. There is also another

RUSHVILLE VILLAGE BOARD MEETING

November 19, 2012

individual who lost all his belonging in a trailer fire and has nothing. Trustee Elwell and Trustee Sawers shared that a resident on Bassett Street needs a life alert system. She lives alone and has fallen several times. She does not have good family support even though she deserves it.

A motion was made by Trustee Elwell and seconded by Trustee Sawers to give charitable gifts in the amount of \$500 to the Nudd Family, Jim Myers, and Dolores Lee. Unanimously carried.

RE: 2013/2014 Budget Preparation

Mayor Bagley shared with the Board he would like to start budget preparation early since the Clerk will be on maternity leave for the month of March. He asked that the committees get together before the next meeting and have ideas ready for discussion.

RE: Health Insurance Representative and Plan Options

The Clerk shared with the Board she was approached by Dan Botsford of Optima Benefits Group about acting as the Village's health insurance broker. She believes it would be a good idea to have an agent to refer to, just as the Village does with the standard liability and auto insurance. Also she asked if the Board would approve an alternative plan option as long as it is not more expensive than the current plan being offered.

A motion was made by Trustee Field and seconded by Trustee Sawers to approve Dan Botsford of Optima Benefits Group as the health insurance broker for the Village of Rushville and to allow for a second plan option providing it does not exceed the cost of the current plan that is now offered. Unanimously carried.

RE: Executive Session

A motion was made by Trustee Sawers and seconded by Trustee Jabaut to enter into executive session to discuss property acquisition at 8:10pm. Unanimously carried.

The Board returned from executive session at 8:45pm.

RE: Phase I Environmental Study

A motion was made by Trustee Jabaut and seconded by Trustee Sawers to authorize a Phase I Environmental Study to be conducted by Labella Associates on the property behind the Village Hall that was believed to be owned by Ralph Martin Tire, but is now known to be legally owned by the Village of Rushville. Unanimously carried.

RE: Bills

A motion was made by Trustee Sawers and seconded by Trustee Jabaut to authorize payment of the general bills in amount of \$20,412.12, noting \$212.55 had already received payment due either to prior authorization or a due date prior to the board meeting. Unanimously carried.

RUSHVILLE VILLAGE BOARD MEETING
November 19, 2012

A motion was made by Trustee Field and seconded by Trustee Jabaut to authorize payment of the capital project bills in amount of \$166,196.77. No prior payments were made. Unanimously carried.

A motion was made by Trustee Elwell and seconded by Trustee Sawers to authorize payment of the cemetery bills in the amount of \$4,458.00. 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 \$14,460.78, noting \$7.10 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 Elwell and seconded by Trustee Sawers to authorize payment of the sewer bills in amount of \$10,885.77. No prior payments were made. Unanimously carried.

NOTE: NYS Employer Retirement contributions were paid.

RE: Adjournment

A motion was made by Trustee Field and seconded by Trustee Jabaut to adjourn the meeting at 8:55pm. Unanimously carried.

Respectfully Submitted,

Jennifer Gruschow
Clerk-Treasurer