

THE RUSHVILLE VILLAGE BOARD MEETING

June 14, 2021

DATE: 6/14/21

TIME: 7:00pm

PLACE: The Rushville Village Hall

PRESENT: Mayor Dave LeClair, Trustee Doug Rigby, Trustee Karen Gorton, Trustee Mark Fargo, Deputy Mayor Chandra Gilman, Clerk Jeannie Kesel, Deputy Clerk Joanne Burley, Code Officer Tim Pagel, , DPW Art Rilands, Reading Center Director Dodie Baker

Approximately 15 people attended the meeting (sign in sheet available at the Village Office)

A motion was made by Trustee Mark Fargo to open the Public Hearing for the Community Block Grant (CDBG) at 7:00pm. Trustee Karen Gorton made a 2nd. The motion was unanimously carried.

The Mayor explained that once 65% of the \$1,000,000 grant is spent a hearing is required. It is just a formality – the Village is required to have a public hearing, a sign in sheet and keep detailed records.

There were no comments, therefore, a motion to adjourn the public hearing at 7:05pm was made by Trustee Doug Rigby and a 2nd by Trustee Mark Fargo. The motion was unanimously carried.

The Mayor called the Board Meeting to order at 7:10 pm

RE: Salute to the Flag:

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

RE: Approval of Minutes:

The Mayor asked the Trustees if they had any corrections to the board minutes from the May 10, 2021 meeting. Deputy Mayor Chandra Gilman and Trustee Mark Fargo had a couple of minor changes. Trustee Doug Rigby made a motion to approve the May 10, 2021 minutes as amended. Trustee Karen Gorton made a 2nd to the motion. The motion was unanimously carried motion.

RE: Sewer Rate Study Presentation:

- Chuck Bastain and Tammy Bullis from Bernard P. Donegan, Inc. are here to present the findings of the Sewer Rate Study the Village hired them to do. The Mayor said that the Board is familiar with the sewer debt and the need to raise rates in the future. The study shows using Base Rate in 2027/28 the cash balance would be in the hole by \$40,000. Currently the sewer rate is \$110.00 per quarter. The sewer fund has approximately \$325,000 in the fund balance. The Village wants to maintain a healthy fund balance even if it means rising rates to pay for the new waste water plant. Chuck presented three options for rate increases along with a graph comparing the options. Chuck first presented the Village's current rate structure based on 363 units (takes into account the laundromat unit adjustment) at \$110 per unit, per quarter. He reviewed the three different options for rate increases along with the annual expenses estimating the fund balance at the end of each year. The third option is a gradual rate increase. Deputy Mayor Chandra Gilman asked if the Employee Benefits figure should be adjusted yearly instead of a constant figure for the next six years. She suggested that this figure be monitored. Trustee Mark Fargo asked about the payback on the debt. Chuck said it is a 30-year payback on the \$1.8M debt because the interest rate is zero. Principal Payment is \$64,000 annually. The Village will

THE RUSHVILLE VILLAGE BOARD MEETING

June 14, 2021

have to monitor the sewer expenses yearly to determine the rate increase necessary to maintain a positive fund balance each year. Chuck suggested possibly setting up a Sewer Reserve Fund. The Board will discuss a reserve for the 2022/2023 Budget.

RE: Mayors Report:

Mayor Dave LeClair gave his Mayor's report as follows:

- The Village won a \$38,000 Community Development Block Grant (CDBG) to study possible upgrades to the water plant aimed at potential filtration of Hazardous Algae Blooms (HABS) in the Village's water supply. An engineering firm will need to be hired. With the assistance of MRB, we are requesting Bernard P. Donegan's office to write the Request for Qualifications (RFQ) to begin the competitive bidding process.
- The American Rescue Act of 2021 was passed and signed by President Biden late March. It will provide monumental relief to individuals, organizations, and governments impacted by the COVID-19 Pandemic. The Mayor is not sure how much the Village will receive. It is based on population. We don't have many reimbursable costs. I will work with the clerks to see what costs would qualify. The money can be used for a lot of different things. Infrastructure jumped out at me. The payment will be 2 checks – one in 2021 and one in 2022. Yates County received a partial payment of \$2,419,529.00 and will be discussing distribution at their next finance meeting. Ontario County has received its first allocation of ARP federal funding. County Administrator, DeBolt will be working with the Board of Supervisors on developing a plan for allocation of those funds. The ARP funds received by the County are separate from the funding that Towns and Villages will be receiving directly from the federal government.
- On June 4th, Tim Pagel and myself along with Maria Rosato inspected the property at 9 Chapel Street. We found that the property is in substantial compliance, however, there is some more work that will need to be done in the next 60 days.
- No smoking on public property – The Board should discuss their viewpoints about smoking or the use of marijuana and cigarettes on village property. A local law could be written if the Board deems it necessary. Nothing has to be done immediately. The Mayor asked the Board if they wanted to take a wait and see approach. The law would be all inclusive on Village property. Deputy Mayor Chandra Gilman wanted to know how this would be enforced. The Mayor said that was a good point – you would have to call the police.
- Comprehensive Plan – In 2019, MRB provided a Comprehensive Plan proposal. The Board provided funding in the 2021/2022 Budget to be disbursed over the next 2-years for an update. Diana Smith, Business Development Director, and Matt Horn from MRB will attend the July Board meeting to make a presentation and answer questions. MRB was the original firm that provided the Comprehensive Plan and they have definitely been a good partner over the years. Deputy Chandra Gilman made contact with the Genesee Regional Planning Counsel. The Mayor is not sure where that will go; not sure if they will provide a bid for the Comprehensive Plan. Deputy Mayor Chandra Gillman will follow up on this and report back to the Board.
- Blue Sky Towers – The Village was approached by Blue Sky Towers to put a cell tower up on our property at 4340 Townline Road. They floated a contract by us which is usually the first step in the process. A title search was recently completed on the property. Unfortunately, you will see that the attached deed does not reflect an access easement to Townline Road. However, the map shows an older road, but there is no mention of it in the deed. The current drive/road is in a different location near the house at the bottom of the hill. In any

THE RUSHVILLE VILLAGE BOARD MEETING

June 14, 2021

- case, the issue needs a resolution even if there was not a cell tower proposal. Tom Blair will be looking into this matter. I spoke with Blue Sky and requested that they allow sometime for us to sort this out and they agreed. The Mayor suggested the he speak with the homeowner, Mr. Burgess, and see how he feels about this. At least have a discussion on updating the legal document for use of the driveway where it is located now. Also, there is no language found that grants the Village access, the easement, to Townline Road. At a minimum, something needs to be done. The Mayor said Blue Sky Towers offered a monthly rental fee of \$900.00. Trustee Mark Fargo suggested that maybe another company might offer a bigger monthly revenue stream. The Mayor said he reached out to other companies and the rental fee was in line with what other companies pay.
- The Mayor said as an FYI that before the meeting he reached out to Clay Lechning, the Acquisition Director for the Dollar General. They have made an offer on the Liebel buildings. They have received the offer and it is being review by their attorneys. Trustee Mark Fargo asked if Mr. Liebel is still in arrears. The Mayor says he owes us one mortgage payment and he still does not have insurance on the property. Up until now our insurance has cover the buildings under the Village's umbrella policy. These buildings are no longer vacant. He should have had this insurance policy in place when he closed. The Mayor said he has talked with Mr. Liebel and written him letters. Tom Blair has sent 2 default notices on the insurance and still no insurance. The Mayor has been working with the Village's insurance representative, Matt Tette from Storke Insurance. We will place the insurance on the buildings. The policy will possibly be in Mr. Leibel's name listing the Village as additional insured. The premium on the policy is \$4,100 per year - \$350/month plus a small administration fee will be added to his monthly mortgage invoice. The Mayor emailed Mr. Liebel today telling him that the Village will be placing the proper insurance on the buildings. Right now, there is not adequate insurance on these buildings. If someone got hurt or killed on the property or if the buildings burned to the ground there is not enough insurance coverage. The Mayor will keep the Board updated on this situation.
 - The Mayor shared with the Board that a resident from Shale Beach stopped in before the meeting with a picture of the dead tress by the Water Treatment Plant. He asked if the tress could be cut down at ground level and replaced with 3-4 bushes in between the stumps. Trustee Doug Rigby said that it would be good to put a few bushes in between the stumps to keep peace with the neighbors. After discussion a motion was made by Trustee Doug Rigby to plant 4 bushes in between the stumps. A second was made by Trustee Mark Fargo. The motion unanimously passed. The Mayor will work with Art on this.

RE: Deputy Mayor Report

- Yates County Planning Board update –
- Discussed the vote, boat storage, pole barns, a couple of new homes, applications proposing dog housing kennels, breeding kennels and the solar farm.
- Deputy Mayor Chandra Gilman wanted to bring up for discussion chickens in the Village. What has to happen in order to have chickens in the Village. The Mayor did not know of any problems having chickens in the Village. He will get a local law for the Board to review.
- Chandra mentioned that Village has budgeted to replace Mike's truck this year. Due to the current market conditions, it me be a good idea to replace it now while trade in values are high. The Mayor will work with Art on this.

THE RUSHVILLE VILLAGE BOARD MEETING

June 14, 2021

RE: Public Works Supervisor

Streets:

- Art has scheduled to pave Green Street in July with Ontario County. Also, he is going to pave a little at the end of Bassett Street. It's pretty rough at the Village limit. It should only take a day. He is planning on putting storm pipe in the ground on Union Street.
- It looks like progress is being made to get the double poles removed. There are about 12 poles. This has been a problem for several years.

Water:

- The Village needs to test for lead and copper this year. There are 6 houses that need to be tested. The Village supplies the sample bottles. After the homeowner collects the sample, the Village takes the sample to the lab. This test is done every three years for these properties.
- Art has sampled a couple of times for the PFOS. The cost is \$350 per quarter. After a year, it will be determined if testing needs to continue.

Cemetery:

- The guys are getting caught up with the moving. All three of them were mowing for a few days. Cemetery looked good for Memorial Day.

Sewer:

- Phase 2 has started. The contractor is struggling, lots of ground water and running sand. The contractor has not yet laid 100 feet of pipe. There will be extra costs. The Village has contingency funds. The goal is to keep the cost to the original contract amount.
- Finline came back to finish top soiling. They still have a little more to do.

RE: Fire Report:

- The Fire Chief, Paul Moberg said things have been quiet.
- They have one new member; Nate Burkholder will be voted in at their next meeting.
- Employee Assistance Program (EAP) – does the Village have this program. The members would rather talk with someone they don't know. Clerk, Jeannie Kesel will call the Village's benefits representative to see if the Village has this program.
- Foam equipment should arrive next week.
- No Rushville Days this year. Just the Chicken BBQ, no raffle.
- The church sale is August 20th and 21st.
- The Fire Department will come up with the cost for an addition. The Fire Department will pay for the addition.

RE: Reading Center Director:

- Dodie, Director was very excited to announce that the Library Budgets passed! She thanked everyone who worked very hard to make this happen. Rushville and Middlesex are now in the process of Chartering!
- Library book deliveries are running back to normal.
- The library has two public desktop computers and one chrome book laptop available for use. Set up for social distancing. Masks are required only if not fully vaccinated. Sanitizing hands still required.

THE RUSHVILLE VILLAGE BOARD MEETING

June 14, 2021

- The library will have new Large Print Collection out on Wednesday, June 16th.
- Our “Summer Fun” Children’s Program, “Tails and Tales” will be held outside at the library every Tuesday morning in July, 10-11:30am - we will have two story walks, crafts, games, reading, and snacks. Age groups: Babies to Pre-K, K-3rd and 4th-6th grades.
- It looks like our Summer Fun” Children’s Program will take place this year, activities outdoor. More information to follow as the time gets closer.

RE: Code Enforcement officer:

- Tim stated he has been working on the code violations at 9 Chapel Street. The home owners have made a lot of progress, the weed lot has been mowed down.
- Obtained required training through webinars
- 21 Douglas Drive basement is in construction.
- Working on Dollar General question.
- Working on Zoning Law for conflicts. Having a meeting with Mayor Dave LeClair on Friday, June 18th. Zoning for chickens – they are a farm animal but the Village could make an exception for chickens.

RE: Resolutions:

- Resolution - Adoption of the NYS Unified Solar Permit
A motion to adopt the Resolution to adopt the NYD Unified Solar Permit was made by Trustee Mark Fargo. A second was made by Deputy Mayor Chandra Gilman. The Board members voted as follows –

| | |
|-----------------------------|-----|
| Mayor David LeClair | Yes |
| Deputy Mayor Chandra Gilman | Yes |
| Trustee Mark Fargo | Yes |
| Trustee Doug Rigby | Yes |
| Trustee Karen Gorton | Yes |

The Mayor clarified that this resolution would allow a farmer to set up a solar farm.

New Business:

- A motion was made by Deputy Mayor Chandra Gilman to approve David Harrington as a new fire fighter of the Rushville Hose Company. A second was made by Trustee Mark Fargo. The motion was unanimously approved.

Old Business:

- No report this month

WWTP:

THE RUSHVILLE VILLAGE BOARD MEETING

June 14, 2021

A motion was made by Deputy Mayor Chandra Gilman and seconded by Trustee Doug Rigby to authorize payment of the Finline Pipeline invoice for \$74,356.72. The motion was unanimously carried.

Re Bills:

A motion was made by Trustee Doug Rigby and seconded by Deputy Mayor Chandra Gilman to authorize payment of the General bills in the amount of \$13,814.24. The motion was unanimously carried.

A motion was made by Trustee Mark Fargo and seconded by Trustee Doug Rigby to authorize payment of the Cemetery bills in the amount of \$672.80. The motion was unanimously carried.

A motion was made by Trustee Doug Rigby and seconded by Trustee Karen Gorton to authorize payment of the Water bills in the amount of \$11,761.66. The motion was unanimously carried.

A motion was made by Deputy Mayor Chandra Gilman and seconded by Trustee Doug Rigby to authorize the payment of the Sewer bills in the amount of \$4,337.09. The motion was unanimously carried.

A motion was made by Trustee Doug Rigby and seconded by Deputy Mayor Chandra Gilman to authorize the payment of the Capital Project bills which includes the Finline Pipeline bill in the amount of \$83,074.53. The motion was unanimously carried.

Public Comments:

Resident, Bill Button wanted to know the status of the Middlesex Water debt. The Mayor said Rushville and Middlesex split the \$7,500 cost for a water study performed by MRB. The study would evaluate water rate the Village pays and the rate Middlesex pays. MRB is near the completion and will present to the Board to review.

A motion to adjourn was made by Trustee Doug Rigby. A 2nd was received from Deputy Mayor Chandra Gilman. The motion was unanimously passed. The meeting was adjourned at 8:50 pm.

Respectfully submitted,

Jeannie Kesel, Clerk/Treasurer

THE RUSHVILLE VILLAGE BOARD MEETING
June 14, 2021