

THE RUSHVILLE VILLAGE BOARD MEETING

March 11, 2024

DATE: 3/11/24

TIME: 6:00pm

PLACE: The Rushville Village Hall

PRESENT: Mayor David LeClair, Deputy Mayor Chandra Gilman, Trustee Doug Rigby, Trustee Cheryl Hilton-Vadner, Clerk Jeannie Kesel, Code Officer Tim Pagel, DPW Art Rilands, Temporary Public Works Supervisor Neal Curtis, Fire Chief Jim Adams and Library Director Dodie Baker, Trustee Karen Gorton absent

Approximately 22 people attended the meeting (sign in sheet available at the Village Office)

The Mayor called the joint meeting of the Village Board and the Library Board to order at 6:00pm.

- Brian Hildreth from STLS and Tom Blair, Village Attorney, joined this joint meeting. The Library is now chartered and the next steps are how to transfer the library monies and whether it is advisable to sell the building to the library. Tom Blair said it is important to follow the wills that have left money to the library. Some of these funds are restricted, only the interest can be spent and other funds are available to be spent at the library board's discretion. The Attorney General's Office approved pulling \$200,000 from the Cemetery in March 2012 - \$50,000 was for an addition to the Reading Center, \$50,000 for a community facility and \$100,000 for sidewalks. Currently, there is \$62,000 of unspent money - \$50,000 for an addition to the Library and \$12,000 for sidewalks. Tom Blair suggested that the Village write to the Comptroller's Office asking for an opinion regarding transferring the monies to the Library. Tom would like to review the wills to see if there are any limitations, restrictions, or rights of reversion. He sees no issues with the Village selling the building to the Library, as they are now officially chartered through the NYS Education System. He suggested the following

Research the title abstract

Make sure there are no liens on the property

A new survey is necessary prior to making an addition to the building.

The Village needs an opinion from the State Comptroller before a decision to sell or not is made.

Trustee Karen Gorton asked what would happen if the Library were to close in the future.

Tom said Rights of Reversion would apply. The assets would revert back to the Village.

Deputy Mayor Chandra Gilman asked if the Village should draw up an IMA (Inter Municipal Agreement) between the Village and the Library for services that Village will offer (i.e. lawn moving and snowplowing) the Library at a reasonable rate. Tom suggested that this would be a good idea. The Library may decide to hire these services out privately.

Closed the Public Hearing at 6:42 pm.

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

RE: Salute to the Flag:

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

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RE: Approval of Minutes:

The Mayor asked the Trustees if they had any corrections to the board minutes from the February 8, 2024 meeting. There were a few corrections. Trustee Doug Rigby made a motion to approve the February 8, 2024 minutes, as corrected. Deputy Mayor Chandra Gilman made a 2nd to the motion. The motion carried.

RE: Public Comments:

- Jeff Borsman was here from MRB Engineers. Just wanted to know if the Board Members had any questions regarding the Water Plant Upgrade Project.
- 3 representatives were here from Lyons National Bank. Tom Kime, President, Steve DeRaddo, Executive Vice President and Jeff Friend, Senior Vice President. Tom Kime said Lyons National has grown to a \$2B bank, it is a community bank, has had record earnings for the past 19 years, they are a rural bank with many branches in the area, probably one of the few banks around that still does a lot of agriculture lending, number 1 business lender and mortgage lender in many of their markets. Lyons is a conservative bank and has a lot of reserves (being financially strong). Lyons gives out a lot of donations in the communities where they have branches. They also help entities get grants and funding. Lyons already has a couple of grants lined up for things in Rushville. Lyons National has an offer on the bank with a few contingencies that the bank needs to make happen. The bank also has an option on the property next to the bank. They want to put up a drive through, an ATM, and a night drop. The bank will have an advisory board which is made up of members from the community. There is a piece of property with a right-of-way behind the Village Office that the bank would like buy from the Village for the drive up. Lyons National will pave the whole area and fix up the building. Further discussion needs to occur to finalize this transaction. Lyons National will draw up the offer, get the survey map and pay for all the legal bills.

RE: Resolution 8-2024 Calling for an Increase in Aid and Incentives for Municipalities (AIM)

- A motion for the approval of Resolution 8-2024 Calling for an Increase in Aid and Incentives for Municipalities (AIM) was made by Trustee Doug Rigby and seconded by Deputy Mayor Chandra Gilman.

There was a rollcall vote –

Trustee Doug Rigby	Yes
Trustee Karen Gorton	Absent
Trustee Cheryl Hilton-Vadner	Yes
Deputy Mayor Chandra Gilman	Yes
Mayor David LeClair	Yes

The motion carried.

RE: Mayor's Report:

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- Planning Board – I am appointing Adam Mincer to the Planning Board subject to Board approval. Adam lives on Warren Street and I have known him for many years. He is civic minded and I am confident he will be a good fit. That completes the Planning Board. ZBA still needs one member. Subject to the Mayor and Board approval, I will be happy to fill that seat after leaving office.

A motion to appoint Adam Mincer to the Planning Board was made by Trustee Cheryl Hilton-Vadner and seconded by Deputy Mayor Chandra Gilman. The motion unanimously carried.

- We are providing some budget sheets to begin your review of the 2024/2025 budget. I am pleased to inform you that Tina DeNigro, CEO of Local Government Support Services, LLC, Rushville's accounting firm will be at our special meeting on March 21st at 4:00 pm to review preliminary budget and to answer questions. Personally, I have questioned the use of AFB (Appropriated Fund Balance) in our budgets and the bottom line. I have prepared the attached summary sheet dating back 15 years about the use of appropriated fund balance. We need a better understanding how this affects cash balances, and I am confident Tina will be able to assist us.
- Liebel – The short story is that the process is suffering some minor delays due to ministerial errors made by one or both attorneys at closing between August and November of 2020. It basically revolves around allegations that a different survey map was attached to the mortgage signed by Mr. Liebel. As such, Mr. Liebel filed a motion to dismiss which is ridiculous and will not hold up in court, but is causing a delay. We are represented by Erica Masler, an extremely bright, intelligent attorney from Hancock-Estabrook. I attended court on March 5th and she is working through this with the Court. Mr. Liebel's attorney was unprepared and has not properly filed the cross-motion so it was adjourned to April 2nd. I am pleased to report that I negotiated lower legal fees with the firm.
- Lyons Bank – Final surveys are being done by Jeremy Years. The bank will need legal access to drive over the Village ROW out back to access the drive-through. Mike Roulan, attorney, is representing the bank. I asked Mike if he would prepare all the necessary documents including easements and any board resolutions needed so that Tom Blair can review those documents prior to presenting them to you. This will minimize or eliminate our legal bills.
- Park Grant – You may recall that I made an application for a Yates County Planning Grant in the amount of \$47,585.00. I expect that we will get awarded some amount yet to be determined by the Committee reviewing all the applications in Yates County. Our goal of this grant is aimed at building a Performance Pavilion in the Village Park. According to Jeff Ayers, Yates County Planning director, a decision should be made this month. I think it would be a good idea to form a park committee that I will be happy to serve on. The Lions Club has pledged \$5,000 for the project.
- Zoning Update – At the May 13th meeting, Linda Phillips from Ontario County will be attending our Board meeting to kick-off the zoning update. A committee made up of Trustees, along with PB and ZBA members will be needed moving forward.
- Eclipse – the Eclipse will take place on April 8th, the date of our next Board meeting. Do you still want to have the meeting on that day? It was agreed to move the April board meeting to April 15th.
- Historical Marker – In the ROW on Bill Farnham's property located at the corner of North Main Street and Railroad Avenue is the Marcus Whitman Historical Marker which is

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deteriorated. I was asked by a member of the Village History staff if we could assist in the restoration. My research concludes that other municipalities have taken the sign to Apex Machinery in Penn Yan (315-536-3229) where they will sandblast the surface and apply the blue paint. Then it will be sent to Palmateer Auto Collision for application of the yellow paint. The combined cost is \$450. We will need some help from our DPW staff to remove the sign and transport it. Further, I will discuss payment with the History staff to see if that is something they can help with.

RE: Deputy Mayor's Report:

- None – there was not a quorum for the Yates County Planning Board to meet. Deputy Mayor Chandra Gilman said the board is looking for members. If anyone knows of someone who might be interested in joining this board please reach out to the Yates County Planning Board or Deputy Mayor Chandra Gilman.

RE: Public Works Supervisor:

Water:

- We had the annual inspection of the cathodic protection system done at the water tower last week. Everything looks good. The generator has been repaired and should be good to go.

Streets:

- We had Liddiards take down a dead tree at 10 Green Street. We have been out a couple of times sanding and plowing, as needed.

Sewer:

- Neal said he successfully completed his 2-week Basic Operations class at SUNY Morrisville. He will now send in an application to DEC to get signed up to take the ABC exam for his certification. We've been doing some septic tank inspections and pumping as needed. We did manhole inspections on all manholes within the system. We now have a baseline for inspections and have a few that we will check during high flow situations.

Cemetery/Trail:

- We started doing cleanup of limbs and debris around the cemetery. The guys had to clean up a few trees that had fallen across the trail from the wind over the last couple of weeks.

Miscellaneous:

- We have cleaned up a large tree that had fallen into the creek behind the firehouse. All three generators have been inspected and serviced.

RE: Fire Report:

- Chief Adams said they responded to 8 calls for service in the month of February. Six were in our district, one was in the Middlesex fire district, and one in the Crystal Beach fire district.

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- We participated in three training drills in February. We trained on the use of our self-contained breathing apparatus.
- We had our monthly fire company meeting with 20 members in attendance.
- We hosted the Rushville Lions Club dinner/meeting.
- We had our annual Super Bowl chicken barbecue and it was a success. We sold out in less than 1 hour. Our next barbecue will be on the Saturday of the weekend BEFORE the Memorial Day weekend.
- The coordinator has asked that the fire companies have staffing in house for the eclipse on April 8th. They feel there will be a significant increase in foot traffic and vehicle traffic.
- Rushville is teaming up with Middlesex and Potter fire departments to go for a fire grant. Jim was contacted by Allen Williams, fire commissioner from the Middlesex Fire Department. I will be putting in a request for \$35,127.00. This would equip 6 fire fighters and get 15 extra helmets with shields. Helmets, coats, and boots have a 10 year NFPA expectation.
- There are new NYS "stipends" for fire training classes. The BEFO class would pay \$750 and the Fire Officer 1/IFO would pay \$1,000 after successfully completed each class. 3 firefighters who completed both classes last fall would be eligible for \$1,250 each.
- The Chief's report is attached.

RE: Reading Center Director:

- Dodie and Dawn will be planning the activities around the April 8th Total Eclipse. The Library has the approval from Mayor Dave to hold this gathering in the Village Park. We are planning some fun activities to go along with the theme and we will have glasses to hand out for that day. Please contact the Library.
- Wee Wonder Storytime is Tuesday, March 26, 2024 from 10-11 am. Stories, snacks and craft.
- The next Wee Wonder Storytime is Tuesday, January 30th from 10-11 am. - stories, snacks & a craft. Storytime is held the last Tuesday of each month.
- A list of our 2024 Library Board meetings are posted at the Library. The meetings will be held March – December, the 3rd Monday of each month at 7 pm at the Library (35 South Main Street, Rushville). To accommodate all who may attend the March 18th meeting, it will be held at 7:30 pm in the Village Meeting Room at the Village Offices, 1 South Main Street.
- Children's "take home" craft kits are available.
- Check us out on the Mabel D. Blodgett Memorial Library Facebook page and the new website – rushvillelib.org.
- Dawn and Dodie continue to attend virtual webinar meeting for several different programs and library continuing education.
- Lynn McGill, President introduced the Library Board members.

RE: Code Enforcement Officer:

- Issue Permits
- Inspection of projects in progress
- Inspect Phase 4 of Mosaic Project
- Work on completing 1203 report for census bureau

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- Submit completed Hazard Mitigation plan worksheets
- Morganti burning issue
- Look at potential uses for Gorham Road property
- Look at feasibility of growing cannabis in Document building
- Rushville Clean Up Day is Saturday, July 20th

RE: Clerk:

- Jeannie presented the budget worksheets for the 2024/2025 budget. She reminded the Board that the budget is our best guess as to our income and expenses for the upcoming year. Tina DeNigro from our accounting firm will be here on March 21st for the budget workshop. The Mayor touched on Appropriated Fund Balance. The Village pulls from that each year to create our budget, but once the year is closed out all of the Appropriate Fund Balance might not be necessary.
- NYSCLASS (which includes Cemetery, Reading Center, History Room, Village Savings and Checking) earned \$6,767.36 of interest for the month of February - YTD - \$14,010.51.

RE: Bills:

A motion was made by Deputy Mayor Chandra Gilman and seconded by Trustee Doug Rigby to authorize payment of the General bills in the amount of \$15,586.25. The motion was unanimously carried.

A motion was made by Trustee Doug Rigby and seconded by Deputy Mayor Chandra Gilman to authorize payment of the Water bills in the amount of \$5,899.62. The motion was unanimously carried.

A motion was made by Trustee Doug Rigby and seconded by Trustee Cheryl Hilton-Vadner to authorize the payment of the Sewer bills in the amount of \$7,590.19. The motion was unanimously carried.

A motion to adjourn was made by Deputy Mayor Chandra Gilman. A 2nd was received from Trustee Cheryl Hilton-Vadner. The motion was unanimously passed. The meeting was adjourned at 8:22 pm.

Respectfully submitted,

Jeannie Kesel, Clerk/Treasurer

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