

THE RUSHVILLE VILLAGE BOARD MEETING/PUBLIC HEARING

March 8, 2021

DATE: 3/8/21

TIME: 7:00 pm

PLACE: The Rushville Village Hall

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

Approximately 12 people attended the meeting (sign in sheet available at the Village Office)

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.

RE: Approval of Minutes:

The Mayor asked the Trustees if they had any corrections to the board minutes from the February 8, 2021 meeting. Deputy Chandra Gilman and Trustee Mark Fargo had a couple of minor changes. Trustee Mark Fargo made a motion to approve the February 8, 2021 minutes. Deputy Chandra Gilman made a 2nd to the motion. The motion was unanimously carried.

RE: Mayors Report:

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

- The Emergency Preparedness Plan is required to be completed by April 1, 2021. Deputy Mayor Chandra Gilman has prepared a final copy for approval. A motion to accept the Emergency Preparedness Plan was made by Trustee Mark Fargo and a second by Trustee Doug Rigby. The motion was unanimously carried.
- Middlesex Water Dispute – A copy of the February 13, 2021 agreement signed by Wayne Dunton is attached along with the MRB proposal. The agreement includes the following points – 1) the Town of Middlesex will tender a one-time payment of \$22,748.00. 2) the payment shall be calculated on the difference of \$5.85/1000 and \$5.35/1000 with the latter rate being used for water supply services provided by the Village of Rushville from October 1, 2016 through December 31, 2018. 3) The payment will be tendered as soon as the Mayor signs the agreement. 4) Once the check is received the Village of Rushville releases any claims against the Town of Middlesex during this period. 5) Both parties agree to negotiate a new agreement, does not release any claims after January 1, 2019 through December 31, 2020. 6) Both parties shall enter into a cost sharing agreement, 50/50, pertaining to the engineering services of MRB Group, which shall study the Village of Rushville water supply operations, maintenance, costing, and billing within and outside of the Village of Rushville and the Town of Middlesex relating to the period of January 1, 2019 through the present. 7) The Village's attorney, Tom Blair, has reviewed and approved the MRB proposal. A motion to approve the Town of Middlesex and Village of Rushville Agreement regarding the 7 points listed was made by Deputy Mayor Chandra Gilman and a seconded by Trustee Mark Fargo. The motion was unanimously carried. Trustee Mark Fargo thanked everyone involved in the resolution.

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- A motion to approve the letter dated February 25, 2021 from MRB Group to contract with them for professional services for an engineering water study for the Village of Rushville/Town of Middlesex was made by Trustee Doug Rigby and seconded by Deputy Mayor Chandra Gilman. The motion was unanimously carried. The Mayor signed both letters.
- Dollar Store – Jacob Carter from GBT Realty Corporation has been in contact with the Village about an alternate location for the store. The Mayor anticipates a preliminary application for re-zoning will be submitted by the April 12, 2021 meeting. At that meeting the Mayor may propose a motion on the floor to allow the application process to move forward or not. If a Board member made a motion, and there was no second to the motion, then the process would terminate. However, if the majority of the Board voted to approve the process, then a formal application could be submitted after that triggering Public Hearings, SEQR Lead Agency designation, and Planning Board recommendations. The Mayor would anticipate a lengthy review process and reimbursable costs. The Mayor will conference with Attorney Blair to see if the Village could secure a retainer.
- Finger Lakes Woodworking (aka Martin Building) – Attorney Blair sent a default notice to Jim Liebel resulting from non-payment of insurance premiums and lapse of coverage. Timely mortgage payments have been a minor issue. We are hoping that his business model improves to avoid future enforcement. The building/property is still insured under the Village’s umbrella policy according to our broker, Matt Tette from Stork Insurance. Premium costs will be charged back to Mr. Liebel.
- Deputy Mayor Chandra Gilman has joined the Yates County Planning Board.
- The Ontario County Probation Department sent the Village a letter concerning the multiple losses from burglaries at the bulk water station. The Mayor replied with the cost of damages and money lost. The Probation Department was inquiring on community service. Art Rilands said community service is too difficult to monitor.
- The Mayor attached the 2021 Legislative Program. The Mayor and the Deputy Mayor Chandra Gilman virtually attended the meeting on February 11, 2021. Some highlights -The CHIPS (Consolidated Street and Highway Improvement Program) is being cut by \$34K statewide, however, there are no cuts for Yates and Ontario Counties. \$500M will be allocated for wastewater and water infrastructure; that could benefit Rushville if we elect water plant upgrades to better control HAB’s (Hazardous Algae Blooms).
- The Mayor shared with the Board the Cannabis Regulation Act – The Executive Budget would legalize adult use of cannabis for those 21 years of age and older. County governments and cities with a population over 100,000 would have the authority to opt out which would allow them to prohibit an establishment or operation involving the cultivation, processing, distribution and sale of adult-use cannabis within their jurisdiction. The proposed law also expressly preserves the authority for any municipality to regulate the time, place and manner of licensed adult-use cannabis retail dispensaries within their boundaries. In addition to a wholesale THC-based tax and cannabis retail surcharge, the sale of adult-use cannabis product would be subject to State and local sales and use taxes. We should begin thinking and planning for local impacts to Rushville. If we choose, under the law we can regulate hours of operation and location of dispensing stores only. It would be considered retail and will be allowed in the C1 and C2 District within the village unless the County opts out. Cannabis would be highly regulated like beer and cigarettes. Farmers will be able to grow/farm cannabis.

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The Mayor asked if there were any comments from the audience. No Comments.

RE: Public Works Supervisor

Water:

- Finished painting at the water plant
- The portable RPZ (Reduce Pressure Zone) for first hydrants was tested. We've been checking for any water leaks around the village.
- All other RPZ have been tested.

Barn:

- We've been cleaning and organizing the barn. Still have a couple of pieces of equipment to service.

Cemetery:

- No report this month

Streets:

- Sand and Salt usage is down a little from last year
- Potholes are starting to show up, will fix them next week.

RE: Budget:

- The Mayor asked the board to start thinking about the budget. We will want to prepare a tentative budget. The Mayor asked the Board Members if they had any things they would like to be included in the budget, for example, sidewalk work, brush clean-up day, or any other community improvements.
- The Mayor would like the Finance Committee, Trustee Karen Gorton and Trustee Mark Fargo, to meet with Jeannie and Joanne to review the tentative budget.
- The Mayor would also like the Village Board then to meet to review the budget before the next board meeting. A final budget will need to be approved at the May meeting.
- Deputy Mayor Chandra Gilman asked if the baseball fields will be used by the MW Youth League.
- The Mayor suggested that some sidewalks might be updated each year for the next 4-5 years.
- Deputy Mayor Chandra Gilman suggested that it might be advantageous to replace the trucks this year because their trade in values might be higher now.

RE: Village Hall Report:

- No report this month

RE: Fire Report:

- The Fire Chief, Paul Moberg said COVID vaccine has been offered to everyone that wanted the vaccine.
- Tanker 2332 needs some work. Yates County Highway is helping with the maintenance muffler, inspection, etc.
- Annual Refresher Training is completed.
- EMS Program – 7 last month.

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- An addition to the Fire House is on Paul's wish list.
- The fire truck is still for sale – 1 inquiry last week.
- The grant should be awarded July 15, 2021.

RE: Reading Center Director:

- The library purchased a Webcam to do virtual meetings, workshops and Dodie will do a "story time" and put it on line.
- Dodie and Dawn will be attending a virtual summer workshop on March 9, put on by STLS. Also, a workshop on March 15 on Programming.
- The library was gifted some new hardcover books and children's books and a DVD series from our friend, Ruth, at the Gorham Library.
- March 18th at 5:00pm via go-to-meeting all three library Directors, STLS, PVLS and some library board members are meeting to discuss the MWCSO libraries vote. Topics – newsletters, community groups they can speak to leading up to the vote, generate a list of library supporters, and letters to the editor from people in the community in support of the vote.
- The new circulating Large Print collection is now available.

RE: Code Enforcement officer:

- Tim stated he has been working on the code violations at 9 Chapel Street. An Order to Remedy has been sent.
- He responded to a complaint at Castle Street Apartments.
- 1203 Report is completed
- The sale of the Morganti property is pending.
- Responded to Jacob Carter from GBT Realty Corp. questions regarding another location for a possible dollar type of store. Tim got a map from Tom Harvey, Ontario County Planning Director. The land being considered for the Dollar Store is not in the flood plain.
- Tim is working on pricing for some dumpsters for a possible Clean-Up Day.

New Business:

- Karen Sprentall – New Trustee for the Library – A motion to name Karen Sprentall to the Library as a new Trustee was made by Deputy Mayor Chandra Gilman and seconded by Trustee Mark Fargo. The motion was unanimously carried.

Old Business:

- No report this month

WWTP:

A motion was made by Deputy Mayor Chandra Gilman and seconded by Trustee Doug Rigby to authorize payment for the Change Order GC-03 for \$112,576.06. The motion was unanimously carried.

Re Bills:

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A motion was made by Trustee Doug Rigby and seconded by Trustee Karen Gorton to authorize payment of the General bills in the amount of \$13,634.66. The motion was unanimously carried.

A motion was made by Deputy Mayor Chandra Gilman and seconded by Trustee Doug Rigby to authorize payment of the Cemetery bills in the amount of \$580.50. 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 \$6,252.93. 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 \$3,521.92. 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 in the amount of \$7,129.14. The motion was unanimously carried.

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 8:45 pm.

Respectfully submitted,

Jeannie Kesel, Clerk/Treasurer

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