

THE RUSHVILLE VILLAGE BOARD MEETING

August 9, 2021

DATE: 8/9/21

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,

Absent: Reading Center Director Dodie Baker and Fire Chief Paul Moberg

Approximately 15 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 July 12, 2021 meeting. Trustee Mark Fargo had a minor change. Deputy Mayor Chandra Gilman made a motion to approve the July 12, 2021 minutes as amended. Trustee Doug Rigby made a 2nd to the motion. The motion was unanimously carried.

RE: American Rescue Plan Funds:

- Matt Horn from MRB Engineering spoke about the American Rescue Plan Funds. These funds will be paid directly to local governments from the Federal Government.
- The Village will receive \$68,000 via 2 installments – one this year and one next year. The Village will receive the funds upfront and will have until 2025 to spend the funds. These funds can be spent in three categories – 1) Lost revenues due to COVID (tricky formula) 2) COVID related expenses 3) Existing water, sewer or storm water infrastructural needs. These funds need to be segregated.
- Matt will help the Village through this process

RE: Comprehensive Plan:

- Diana Smith and Matt Horn from MRB Engineering presented information on updating the Village's Comprehensive Plan.
- An updated Comprehensive Plan is a litmus test for decision making. It is a strong foundation/tool for marketing the Village.
- Residents can see continuity and a strong vision for the Village
- Current plan does not meet zoning requirements
- This process creates community engagement with the vision of the Village. It also helps the community see new opportunities for the Village
- Getting started –
 - 1) Diana and Matt would meet with the Board to set up a steering committee
 - 2) Steering Committee – consists of stakeholders from the community – longtime residents, new residents, renters, home owners and different age groups

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- 3) Community Survey - will be available online and paper copies put throughout the Village
- MRB will do community events
- MRB has tools to get people engaged in this process if they are uncomfortable talking in large group settings. Diana feels MRB can ask the right questions to get community residents to offer up their opinions, which are very valuable in this process
- The cost is \$38,000 paid over two years. A motion to use MRB Engineering to update the Village's Comprehensive Plan for a cost of \$38,000 payable over two years was made by Deputy Mayor Chandra Gilman and seconded by Trustee Karen Gorton. The motion was unanimously carried.
- The Mayor, David LeClair signed the contract and gave it to Diana Smith. The Mayor said that he looks forward to the benefits that we might not see right now.

RE: Local Law #3 of 2021 – Permit and Regulate the Keeping of Chickens:

- The Mayor said this would be the final draft copy. If it looks good to move forward it will need a couple of things. It does change the language, just one word which changes zoning at the top in Section 5.0. The word "chickens" is crossed out. This draft will get a 239 Review at Yates County Planning Board this month, then comes back to our Planning Board for a recommendation to the Village Board. During this process the Village will have to schedule a public hearing. Then if the Board so moves, we will pass a local law. It's a typical model of what local towns and villages are doing.

RE: Water Rate Discussion:

- The Mayor gave each of the Board Members a memo which shows an example of proposed sewer and water rates.
- 3 engineers from MRB did a thorough study of the Village's and Middlesex's water rates.
- The report found that the Village's rates need to be increased to \$8.76 per thousand gallons with a minimum charge of \$52.56 per quarter for the first 6,000 gallons to avoid future budget shortfalls in the next several years. If the Village does nothing, by 2026 the Water Fund Balance will be close to zero.
- Trustee Mark Fargo said it is unfortunate of the timing of the rate increase with inflation on the rise
- The Mayor will notify Village residents in the next newsletter, on the website and by separate letter of a water rate increase this year.
- The report recommended the Village adopt a wholesale rate for Middlesex of \$7.45 per thousand gallons which represents a fair profit of 11.7% based on the cost for the Village to treat water plus debt service totaling \$6.58 per thousand gallons.
- The report recommended that Marcus Whitman School pay \$9.10 per thousand gallons. Their current contract says that their rate cannot exceed the inside Village rate which is \$8.76. The Mayor said that would have to be corrected.
- The Mayor would like to keep things moving along. The Village needs to get an Inter-Municipal Agreement (IMA) with the Town of Middlesex. He would like to write a letter to Middlesex indicating that the Village accepts MRB's report including the water rate of \$7.45 per thousand gallons of water from January 2019 to current. The Board was in full agreement for the Mayor to write the letter.
- The Mayor would like to resolve this by the end of this year.

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RE: Sewer Rates Discussion:

- The Mayor wanted to know what the Board members felt about the Sewer Options spreadsheets. He felt Option 2 and 3 were the strongest options. Option 3 is a more gradual approach. With this option, the Fund Balance would be around \$190,000 in 2026. If the Village does nothing, the sewer fund balance would be running out of money by 2026.
- The Mayor said the Sewer Law needs to be updated. It has not been updated since 1985.
- Trustee Mark Fargo said the Village needs to identify the total sewer units in the Village.
- Deputy Mayor Chandra Gilman suggested that the sewer rate go up to \$140 in the 1st Quarter of 2022 and then circle back and further analyze the sewer rate options before deciding the path forward.
- The Mayor will write a separate letter to the Village Residents letting them know that a sewer rate increase is coming.

RE: Mayor's Report:

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

- The Planning Grant Water System Evaluation – Request for Qualifications (RFQ) was sent out and the Village is within the 40-day response period. He expects to provide a recommendation to the Board Members at the September Board Meeting.
- The Village received an insurance dividend check in the amount of \$424.32 from Selective Insurance as part of the Northeast Municipal dividend Program. This program rewards the group because losses were low in 2017 and 2018.
- The Village received a Notice of Claim from a previous owner and the tenant. This claim alleges discrimination for water shut off requested by the new property owner. The water was shut off for a few days while the Village and the new property owner investigated a massive water leak. Water was turned back on immediately after that. This matter was turned over to our insurance company and Attorney Tom Blair. I would characterize this as a frivolous allegation. I will provide updates as needed.

RE: Deputy Mayor's Report

- In October the Fire Department contracts with Gorham and Potter come due.
- Deputy Mayor Chandra Gilman wanted to know if the Village could look into possibly various insurance policies including cost sharing with Yates County for Health Insurance. Jeannie will look into this.

RE: Public Works Supervisor:

Streets:

- Paving on Green Street and Bassett Street is completed. Thanks to Ontario County, Towns of Gorham and Middlesex. The Village has started fixing driveways and shoulders to edges of the new pavement.
- The Village has been using the Town of Middlesex boom mower to mow the hard spots along the streets.

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- Art said he is still working on having the double poles along Main Street removed. His last contact was two months ago. A work order number has been assigned to the request.

Water:

- The Village finally got lead and copper testing completed. It's a challenge getting some homeowners to do the sampling.
- We have to sample for PFOS this week. Next week we have to start sampling for Blue Green Algae. This will continue every week for a while.
- A new fire hydrant was installed at 10 Bassett Street.

Cemetery:

- With all the rain this summer, Mike and Keghan are helping Elvin mow. That is a couple days a week.

Sewer:

- All the underground piping is done. Genesee Valley still has some testing to do on the pipe and manholes. Both contractors have been working on restoration. Fineline is done, we'll see if the grass grows.
- Mike is checking tanks and some have to be pumped.
- Art has been having trouble with the lab, Life Sciences, processing samples correctly and getting the results in a timely manner. A sample was submitted on July 7th and the lab called on July 30th to say there was an error with the sample. The Village will end up with a non-compliant report. Art is going to look into another lab.

Village Hall:

- The roof is leaking and needs repair in several spots. Art is getting prices from contractors. Looks like it's going to be expensive – at least \$15,000. Art is getting three estimates – Tripodi, Kanga Roofing and Proctor. A motion to authorize a bid under \$20,000 to replace the roof and let Tim Pagel and Art Rilands review the bids and choose a contractor was made by Deputy Mayor Chandra Gilman and a second by Trustee Doug Rigby. The motion was unanimously carried.

RE: Fire Report:

- No Report

RE: Reading Center Director:

- No Report

RE: Code Enforcement officer:

- The new house on Douglas Drive is having difficulty finding framers
- Working on resolving life safety issues
- Follow up on Rosato, 9 Chapel Street – rescheduled for next week
- Inspection of projects in progress
- Working with Wells Fargo regarding maintenance of 4 Bryant Square.
- Obtaining required training through webinars

RE: New Business:

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- None

WWTP:

A motion was made by Trustee Doug Rigby and seconded by Deputy Mayor Chandra Gilman to approve the Certificate of Substantial Completion for Finline Pipeline for WWTP Phase 1. The motion was unanimously carried.

A motion was made by Deputy Chandra Gilman and seconded by Trustee Doug Rigby to approve Change Order GC-05 for \$27,773.00. 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 Genesee Valley Construction Invoice in the amount of \$70,632.50. 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 Finline Pipeline Invoice in the amount of \$57,565.84. The motion was unanimously carried.

A motion was made by Deputy Mayor Chandra Gilman and seconded by Trustee Karen Gorton to authorize payment of the General bills in the amount of \$8,353.99. The motion was unanimously carried.

A motion was made by Trustee Doug Rigby and seconded by Trustee Karen Gorton to authorize payment of the Cemetery bills in the amount of \$27.88. The motion was unanimously carried.

A motion was made by Deputy Mayor Chandra Gilman and seconded by Trustee Karen Gorton to authorize payment of the Water bills in the amount of \$3,755.02. 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 Sewer bills in the amount of \$6,419.66. 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 Genesee Valley Construction and Finline Pipeline bills in the amount of \$149,345.72. The motion was unanimously carried.

A motion to adjourn was made by Deputy Mayor Chandra Gilman. A 2nd was received from Trustee Doug Rigby. The motion was unanimously passed. The meeting was adjourned at 8:29 pm.

Respectfully submitted,

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Jeannie Kesel, Clerk/Treasurer