

THE RUSHVILLE VILLAGE BOARD MEETING/PUBLIC HEARING

April 12, 2021

DATE: 4/12/21

TIME: 7:00 pm

PLACE: The Rushville Village Hall

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

Approximately 20 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 March 8, 2021 meeting. Trustee Mark Fargo had a couple of minor changes. Trustee Mark Fargo made a motion to approve the March 8, 2021 minutes. Trustee Doug Rigby made a 2nd to the motion. The motion was unanimously carried.

The Mayor asked the Trustees if they had any corrections to the Budget Workshop minutes from the March 31, 2021 Budget Workshop meeting. Trustee Mark Fargo had a couple of minor changes. Trustee Doug Rigby made a motion to approve the March 31, 2021 Budget Workshop minutes. Trustee Karen Gorton made a 2nd to the motion. The motion was unanimously carried.

RE: GBT Realty Group:

- Bob Gage, Senior Vice President of Net Lease Development was here tonight to present to the Board a proposal to develop a parcel in the Village into a dollar type store.
- The store is Dollar General. GBT Realty is the largest developer for Dollar General. They are looking to purchase 5.45 acres carved out of current active prime farmland and build a 10,640 square foot store. Their property is currently zoned R1 and they propose to have it zoned to C1.
- There will be 43 parking spaces due to local zoning law, usually they build 35 spaces. They will be looking for a variance from the Village for the difference. The business generates about 10 cars per hour. DOT will do a preliminary traffic study
- Trustee Mark Fargo asked Bob, Why Rushville? Bob said this type of community is ideally what Dollar General is looking for. The end user picks the location and GBT Realty moves forward to purchase the land.
- GBT Realty buys and owns the land and the building and Dollar General leases the building.
- Dollar General is the largest retailer in the US by the number of stores. It generates \$1.2 million of profit per year.
- Trustee Mark Fargo said the change in the zoning concerns him. Spot zoning can open a can of worms down the road.
- Trustee Karen Gorton asked – What if the store is not profitable? Dollar General would have a 15-year lease with 5-year options. Dollar General has a 30-year plan to be in Rushville.

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- Mayor – tonight is informational only. GBT Realty may come back next month. There are many steps in this process - applications, variances and different board approvals before the board would vote on this store. The Mayor believes the Dollar General would be very beneficial for the Village, but he would like to see it downtown. He is not in favor (personally) of rezoning. Some properties are available in C2 districts.
- Dollar General's goal is to get a store every 5 miles.
- Trustee Doug Rigby thinks it's a good location for the store.
- Trustee Karen Gorton felt across the street from Rushco would be a good location.
- The Mayor asked if they considered outside the Village toward Potter as a possible location. He said that they might be able to get water and sewer to that location.
- Bob Gage said that the retailer really wants to come to Rushville and they are willing to look at other locations, not committed to this site only.
- The Mayor said it would be nice if the store could stay in a C1 or C2 district. He does not want to see a zoning change.
- Bob Gage – Dollar General does their best to buy American goods. They would sell beer and cigarettes if they can get the proper licenses. They plan is to hire 12 employees – 6 FT and 6 PT. The manager and assistant manager for the store would be someone from the community.

RE: Mayors Report:

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

- The Mayor attached the Village's policy regarding taking comments from the public during our meetings. This serves as a friendly reminder that public comments are welcomed. The public should wait until asked to submit their comments.
- Additional information was provided to the board members on Marijuana legalization in order to begin a discussion on potential impacts to the Village. Under the law, the Village can opt out of having a dispensary located in Rushville. However, a Permissive Referendum would be needed this calendar year. Excise tax sharing would only pertain to a dispensary located in the Village. Law enforcement agencies across the state oppose such legislation referring to Marijuana as the "gateway drug".
- Blue Sky Towers have expressed an interest in locating a cell tower on Village owned property on Townline Road where the old water plant and tank are located. A typical "boiler plate" agreement is attached for preliminary board review. Blue Sky Towers have proposed \$900 per month rent payments with lease terms in 10 year increments with an option and right to provide a one-time payment of \$125,00 for an exclusive 99 year lease. The Mayor feels this offer looks really, really low. He feels the Village can negotiate a really good revenue stream. A copy of this contract has been forwarded to our attorney, Tom Blair.

The Mayor asked if there were any comments from the audience.

- David Bradshaw suggested that the land being considered for the Dollar General could be used to build new houses since it is already zoned residential.
- Jamie Landcastle brought up that it is important that the Comprehensive Plan be updated because it has been 60 years since it was last updated.

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RE: Public Works Supervisor

Sewer:

- The new sewer jetter is at the dealer in Rochester. We'll take delivery in a couple of weeks. Payment will be made by the grant.
- Hopefully the contractor will be back in the next couple of weeks to topsoil and seed all excavations from work performed during Phase 1.

Water:

- Mike has been changing out some water meters
- Looks like our "lost water" is down from previous years. We've lubed all the fittings on the fire hydrants. We'll flush hydrants later this year.

Barn:

- No report this month.

Cemetery:

- Some cleanup has been started, more needs to be done. There was some storm damage with the recent winds, that has also been cleaned up.

Streets:

- Most of the spring cleanup has been completed. Parking lot still needs to be swept.

RE: Budget:

- The Village Board completed the budget workshop on March 31, 2021.
- Joanne, Deputy Clerk asked if any board members had any comments to the budget.
- There was discussion that the Comprehensive Plan has not been updated since 1965. This plan is a road map of how the Board and residents want the Village to be zoned and how they want the Village of look like for the future. An updated plan would put the Village in a good position for grants. An updated Comprehensive Plan is now a requirement for new grant applications. Over the next two years, \$19,000 has been budgeted each year to update this plan. The Mayor said Tom Harvey from Ontario County might be able to give advice during this process. The Planning Board will take the lead with MRB's assistance along with public input.
- The board discussed budgeting \$20,000 for a fire truck. It was also discussed of possibly setting up a reserve fund for this. A reserve fund could be set up and the Village could put \$20,000 in for the next 3 years. In the 2024 election put a vote on the ballot to spend the money in that reserve fund to purchase a fire truck.
- A motion was made by Trustee Mark Fargo to approve the tentative 2021/2022 Budget and set the date for April 26 ,2021 at 5:30pm to approve the budget and a second by Trustee Karen Gorton. The motion was unanimously carried.

RE: Village Hall Report:

- No report this month

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RE: Fire Report:

- The Fire Chief, Paul Moberg said 2 out of the 3 trucks have needed significant repairs.
- The Fire Department had training for Emergency Vehicle Operator.
- There were 3 inquiries on the used rescue truck this week. Paul said that he lowered the price to \$19,000.
- Chicken BBQ is planned for May 22, 2021.
- Memorial Day Parade will be a drive around like last year.
- The grant the Fire Department applied for will not be awarded until July.

RE: Reading Center Director:

- Joanne LeClair, Board Secretary presented the report for the Reading Center
- Dodie Baker, Director was attending a virtual meeting with the MWCSO School Board. Dodie, Sabra and Ruth would talk to the public and the School Board to explain why they would be asking for more money.
- "Why is this year's Library Vote so important"? The Middlesex and Rushville Reading Centers need this funding to meet NYS Minimum Standards and to become chartered public libraries within the State Education Department. Both Reading Centers will lose valuable services and support through New York State if they cannot meet these standards, **including possible closures.**
- In a collaborative effort; Gorham Library, Middlesex & Rushville Reading Centers and both Library Systems will create a postcard that will be mailed out to all registered voters. Posters will be hung around the MWCSO District.

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.
- Working on grant from NYSERTA for interior lights for all buildings.
- Inspection of projects in progress.
- Answered questions from Jacob Carter regarding the potential site of a dollar type store.
- Tim has been working on required training through webinars.

New Business:

- Resolution Reinspection Fee – Local Law
A motion to sponsor a Resolution \$100 Reinspection Fee – Local Law & Schedule a Public Hearing on May 10, 2021 at 6:40pm was made by Trustee Doug Rigby and seconded by Trustee Mark Fargo. The motion was unanimously carried.
- Resolution to amend Local Law 1986 Sewer Use for Laundromats
A motion to sponsor a Resolution to amend Local Law 1986 Sewer Use for Laundromats & Schedule a Public Hearing on May 10, 2021 at 6:45pm was made by Trustee Karen Gorton and seconded by Trustee Mark Fargo. The motion was unanimously carried.
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Old Business:

- No report this month

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WWTP:

A motion was made by Trustee Mark Fargo and seconded by Trustee Doug Rigby to authorize payment for the Change Order GC-04 (Manhole Extension) for \$4,100.00. The motion was unanimously carried.

A motion was made by Trustee Doug Rigby and seconded by Trustee Karen Gorton to authorize payment to Finline Pipeline for \$29,732.45. The motion was carried with a majority vote. Trustee Mark Fargo abstained

Re Bills:

A motion was made by Trustee Doug Rigby and seconded by Trustee Mark Fargo to authorize payment of the General bills in the amount of \$17,153.72. 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 \$659.24. 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 \$6,979.05. The motion was unanimously carried.

A motion was made by Trustee Mark Fargo and seconded by Trustee Doug Rigby to authorize the payment of the Sewer bills in the amount of \$4,551.41. The motion was unanimously carried.

A motion was made by Trustee Doug Rigby and seconded by Trustee Karen Gorton to authorize the payment of the Capital Project bills in the amount of \$13,173.28. The motion was unanimously carried.

A motion to adjourn was made by Trustee Doug Rigby. A 2nd was received from Trustee Karen Gorton. The motion was unanimously passed. The meeting was adjourned at 8:32 pm.

Respectfully submitted,

Jeannie Kesel, Clerk/Treasurer

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