

# THE RUSHVILLE VILLAGE BOARD MEETING

## MAY 13, 2024

DATE: 5/13/24

TIME: 7:00pm

PLACE: The Rushville Village Hall

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

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 Organization Meeting minutes from the April 15, 2024 meeting. With there being no corrections, Deputy Mayor Karen Gorton made a motion to approve the April 15, 2024 Organization Meeting minutes. Trustee Doug Rigby made a 2<sup>nd</sup> to the motion. The motion was unanimously carried

The Mayor asked the Trustees if they had any corrections to the board minutes from the April 15, 2024 meeting. With there being no corrections, Trustee Cheryl Hilton-Vadner made a motion to approve the April 15, 2024 minutes. Deputy Mayor Karen Gorton made a 2<sup>nd</sup> to the motion. The motion was unanimously carried.

**RE: Public Comments:**

- Linda Phillips from Ontario County Planning Department introduced herself. She gave a brief outline on the schedule for updating the Zoning Codes – 12-15 month project. Areas she suggested the Village look at are new mix use areas, apply new districts to the map, set up procedures for submissions and match regulation to what already exists. Linda said a Steering Committee should be set up. It should consist of Planning, Zoning, and Village Board members. Also, residents and members from local businesses. The kick off meeting will be June 20<sup>th</sup> at 7:00 pm at the Village Hall.
- Jeff Friend from Lyons National Bank spoke on the bank's philosophy of investing in the communities where their branches are located. The bank has already invested \$10,000 in two businesses in the Village. He said that the deposits the bank takes in gives the bank the opportunity to lend money back out into the community. He said the bank was willing to offer competitive rates on monies the Village would deposit into Lyons National Bank. Jeannie, Clerk/Treasurer, asked the Board if they wanted to move the Village's deposits from NYCLASS to Lyons National Bank. \$250,000 would be deposited into the checking and money market accounts, the balance would be invested in CD's. Jeannie said interest rates might be headed down as the year goes on, making a fixed CD interest rate a good investment.

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A motion to move the money from NYCLASS to Lyons National, deposit \$250,000 in the checking and money market accounts and the balance in secured CD's was made by Deputy Mayor Karen Gorton and a second from Trustee Cheryl Hilton-Vadner.

There was a rollcall vote –

Trustee Doug Rigby	Yes
Deputy Mayor Karen Gorton	Yes
Trustee Cheryl Hilton-Vadner	Yes
Trustee Chandra Gilman	Yes
Mayor Art Rilands	Yes

The motion carried unanimously.

- Jeff Graff, Attorney from Graff Law Offices from Clifton Springs introduced himself. He represents 20 municipalities and has over 25 years in municipal law. The village is considering Jeff as our new Village Attorney. He represents a lot of municipalities in our area. The Mayor asked if his rates had changed from his proposal in February. Jeff said that those rates are good through 2024. The Mayor also asked if the contract was for 1 year. Jeff said that the municipality usually appoints him for 1 year, but it's on a contractual basis. It's a personal relationship. If the Village decides to stop using his services, then Jeff would only charge for the time spent on Village business. Jeff also said that he does not practice litigation. If something were to arise, Jeff could recommend at least 2 names. The firms would probably be out of Rochester. Trustee Cheryl Hilton-Vadner asked what was the procedure to switch attorneys. The Mayor said that the Village could use Jeff Graff for any new business and Tom Blair would finish up the existing business.

A motion to retain Jeff Graff, as the Village Attorney was made by Trustee Cheryl Hilton-Vadner and seconded by Trustee Doug Rigby. The motion carried unanimously.

- Planning Board Chair, Ed Gilman said that the Planning Board unanimously approved the subdivision to combine Village property with Lyons National Bank property.

### RE: Mayor's Report:

- The Mayor said it looks like the Village is going to get an additional \$51,000 in grant money for the Water Treatment Plant Upgrade.
- Neal's state sewer test is scheduled and Chris is working on his water license.
- The Mayor is going to have the department heads be the first person to sign their respective bills. They should be the ones to verify that the bill is correct.
- The Mayor is looking ahead at summer projects. The sewer I&I problem will need to be high on the list and the lead and copper water service line inspections will also be a priority. With this work load, some projects might not get done. The Board might want to think about hiring a part time person for the summer or just let some of the work go until next

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year. Part of the guys work load is checking all septic tanks each year. There are about 250 tanks to check. All the water main valves (about 55) need to be operated, as well as all the 40 hydrants. These are time consuming projects.

- The Mayor asked if there was an update on the new website. Trustee Chandra Gilman said she asked Ted Baker to get some pictures for the website. Jeannie, Clerk, said that she would follow up with Ted.
- Library – The Mayor said he feels it is time to release the library funds to the library. Jeannie handed out a summary. The Mayor said that Tom Blair has not gotten back to the Village on the real estate.

The Mayor asked for a motion to release the library funds to the library. A motion was made by Deputy Mayor Karen Gorton and seconded by Trustee Doug Rigby.

There was a rollcall vote –

Trustee Doug Rigby	Yes
Deputy Mayor Karen Gorton	Yes
Trustee Cheryl Hilton-Vadner	Yes
Trustee Chandra Gilman	No
Mayor Art Rilands	Yes

The motion carried.

### RE: Deputy Mayor's Report:

- With the few discussions we have had regarding payments to Art for additional work he performs for the Village, I accept Chandra's view point that a mayor cannot receive a salary in addition to his mayor's remuneration. Thanks Chandra! On April 6<sup>th</sup>, the Village Office received a call from a homeowner who no longer had water. Art and Neal responded at noon and determined that there was a water main break in a pipe that was approximately 90 years old. They proceeded to repair the break and finished at 11:30pm, a total of 11.5 hours of work. If the Village had to outsource this repair, the costs would have been as follows:
  - o BrownRock: \$450 per hour. Estimated time to repair would have been at least 6 to 8 hours with a total cost to the Village of between \$2,700 and \$3,600.
  - o Zimmerman Excavating: Excavator and labor at \$225 per hour, excavator delivery fee \$200. Estimated time to repair, based on 6 to 8 hours, would have been between \$1,565.

With the upcoming Water Treatment Plant Upgrade quickly approaching, I feel, and I hope we all do, that the knowledge and experience that Art can bring to this project would be invaluable. Additionally, the residents of the Village would receive the benefit of his expertise in this area, ensuring that the Plant Upgrade is successfully completed in a reasonable time frame, without additional costs to the Village. The estimated number of hours to oversee this project would be approximately 100 hours. Based on this information, I would like each member of the Board of Trustees to express their opinion on whether we should:

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- 1) Temporarily increase Art Rilands' salary as Mayor by \$5,000 for the 2024-2025 fiscal year. This compensation would be used for unforeseen events occurring and for Art to oversee the Water Treatment Plant Upgrade;
- 2) Give Art Rilands a stipend of \$5,000 for the 2024-2025 fiscal year. This compensation would be used for unforeseen events occurring and for Art to oversee the Water Treatment Plant Upgrade;
- 3) Do not increase the Mayor's salary and/or offer a stipend to Art Rilands for the above.

Deputy Mayor Karen Gorton made a motion to increase Art's salary \$5,000 for the 2024-2025 budget and revert his salary back to the normal salary in 2025-2026 budget. Trustee Cheryl Hilton-Vader seconded the motion.

There was a rollcall vote –

Trustee Doug Rigby	No
Deputy Mayor Karen Gorton	Yes
Trustee Cheryl Hilton-Vadner	Yes
Trustee Chandra Gilman	No
Mayor Art Rilands	Abstained

The motion failed

### RE: Public Works Supervisor:

#### Streets:

- The flags are up along Main Street and Gilbert Street, as well as the library, park, fire department, and the cemetery. Banners should be up this week. All streets and the parking lot have been swept clean of winter grime. Trimmed some trees in the business district to keep them from hitting the buildings and impeding the new restaurant sign.

#### Water:

- I got Chris signed up for a lab class at the end of the month, which is the final piece he needs before meeting with DOH to get certified as a water plant operator. Assisted Middlesex with a main break on Monday, May 6<sup>th</sup>.

#### Cemetery:

- We had to take down one smaller tree that was falling into a driveway. There was one cremation burial. Elvin has been busy with clean up, mowing, and trimming. Geraniums will be picked up and planted this week around the flagpole. Flags have been installed on all military graves.

#### Sewer:

- Chris has signed up for his 2-week Basic Operations class at SUNY Morrisville. Next opening was not until the beginning of December. I take my ABC exam on May 28<sup>th</sup>. We have been doing tank inspections. Repairing RAS pump at the plant, was leaking oil. We flushed the sewer beds, which is needed a couple times a year. Installed UV lights for the season.

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### **Miscellaneous:**

- Chris and Keghan got the front step of the Village office demoed and repaired. It came out pretty good. We will paint to match after the concrete has had ample time to cure. We have been mowing everywhere, trying to keep up with very healthy grass. Chris installed new basketball nets and trimmed briars at the park. Chris painted over graffiti under and on the guardrails of the park bridge. We cleared a downed tree from the trail that broke one of the benches.

### **RE: Fire Report:**

- Chief Adams said they responded to 5 calls for service in the month of April. Four incidents were in Rushville fire district and one was in the Middlesex fire district.
- Our 4 Basic Exterior Firefighting Operations students all passed the final exam. The Chief has ordered 4 sets of personal protective equipment gear (PPE) for them.
- The state grant application was filed April 28<sup>th</sup>. It was a joint venture with the Middlesex and Potter fire companies. The award will happen sometime in the fall. Jim said Rushville put in for \$37,000 of equipment.
- Jim was proud to announce that Rushville has their first female Assistant Fire Chief, Rhyne Maas. She officially took office on the 15<sup>th</sup> of April. She has 10 years in the fire service.
- The Chief's report is attached.

### **RE: Library Director:**

- No Report

### **RE: Code Enforcement Officer:**

- Issue Permits
- Inspection of projects in progress
- Inspect Phase 5 of Mosaic project
- Look at feasibility of growing cannabis in the Document building
- Training via Webinars
- Working with the church on a new sign

### **RE: Public Comments:**

- Dave Bradshaw wanted to recap the board's position - voting down to pay Art Rilands for the water emergency. Prices from two outside firms were obtained and if another emergency would occur, it could cost the Village significantly to hire an outside firm. Dave mentioned that the Village has a unique situation because Art Rilands was in charge of the Water and is now the Mayor. Dave feels that Art has a certain skill set that could potentially save the Village money. Dave said he had 2 points. One – he mentioned that Trustee Chandra Gilman was opposed to the motion to pay Art because of the legalities. Trustee Chandra Gilman said that she presented an Attorney General Opinion which said a Trustee/Mayor cannot serve as an elected official and work as an employee for the municipality. Two – Dave believes the Village Board and the Mayor are all trying to work

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- together to save the Village money. He wanted to know if a motion could be made, if it is deemed legal, to put Art on a retainer with a maximum amount approved if another emergency arises. If no emergency arises, then the retainer money will not be touched. Dave wanted to know if this was a possibility. Clerk Jeannie said it would have to be a stipend or salary increase. Legally an individual cannot be a Trustee/Mayor and work for the municipality simultaneously, but it is legal to raise the salary of a Trustee/Mayor. She said that is why Deputy Mayor Karen Gorton presented a stipend or raise the Mayor's salary because Art would not be working under two different titles for the Village.
- Dave LeClair wanted to echo what Dave Bradshaw said and realized that this issue is done, but he felt that this was a missed opportunity. He said that Art has a unique skill set and a unique knowledge of the Village. He knows where every pipe is laid in the Village. Dave felt the \$5,000 pay increase was reasonable and legal. He felt it was not a lot of money compared to what it could cost the Village if an emergency arises and the Village has to hire an outside firm.

### RE: Clerk:

- Jeannie told the Board that the Village will need to pay the taxes by the end of May on the Liebel building to keep it out of tax sale.

A motion was made by Deputy Mayor Karen Gorton and seconded by Trustee Doug Rigby to pay the back taxes on the Liebel property. The motion was unanimously carried.

- Jeannie presented a list of budget transfers.
- A motion was made by Trustee Chandra Gilman and seconded by Trustee Doug Rigby to accept the budget transfers. The motion was unanimously carried.

### RE: Bills:

A motion was made by Trustee Doug Rigby and seconded by Deputy Mayor Karen Gorton to authorize payment of the General bills in the amount of \$16,779.65. The motion was unanimously carried.

A motion was made by Trustee Doug Rigby and seconded by Trustee Chandra Gilman to authorize payment of the Cemetery bills in the amount of \$58.67. The motion was unanimously carried.

A motion was made by Deputy Mayor Karen Gorton and seconded by Trustee Doug Rigby to authorize payment of the Water bills in the amount of \$26,310.04. The motion was unanimously carried.

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A motion was made by Trustee Doug Rigby and seconded by Deputy Mayor Karen Gorton to authorize the payment of the Sewer bills in the amount of \$67,582.82. The motion was unanimously carried.

A motion to adjourn the meeting was made by Trustee Cheryl Hilton-Vadner and seconded by Deputy Mayor Karen Gorton. The motion was unanimously passed. The meeting was adjourned at 8:58 pm.

Respectfully submitted,

Jeannie Kesel, Clerk/Treasurer