

RUSH TOWN BOARD
Minutes of June 13, 2012
Regular Meeting

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Richard Anderson at 7:00 PM on June 13, 2012, at the Rush Town Hall, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT: Richard Anderson ----- Supervisor
William Riepe ----- Councilman, Deputy Town Supervisor
Lisa Sluberski ----- Councilwoman
Kathryn Steiner ----- Councilwoman
Daniel Woolaver ----- Councilman
Pamela Bucci ----- Town Clerk
Frank Pavia, Esq. ----- Town Attorney

OTHERS

PRESENT: Carol Barnett ----- Resident
Ansgar Schmid ----- Resident
Kathryn C Hankins ----- Resident
Marianne Rizzo ----- Resident
Joan Starkweather ----- Resident
Jeffrey H. Starkweather ----- Resident
Seldon Chase ----- Resident
Jim Wilkins ----- Resident

I. OPEN FORUM

Supervisor Anderson opened the meeting and welcomed anyone wishing to address the Town Board.

II. APPROVAL OF MINUTES

RESOLUTION #105-2012

Councilwoman Sluberski moved to approve the Minutes of April 25, 2012, as amended by the Town Clerk. Councilman Riepe seconded the motion.

Roll:

Councilman Riepe	aye	
Councilwoman Sluberski	aye	
Councilwoman Steiner	aye	
Councilman Woolaver	aye	
Supervisor Anderson	aye	carried.

III. APPROVAL OF ABSTRACT

A transfer of Funds is not required at this time.

RESOLUTION # 106-2012

Councilman Riepe moved, Be It Resolved, that having audited all the claims against the funds listed on Abstract #6-1, for vouchers #573 through #640, that they be allowed in the amount of \$104,625.60. Councilwoman Sluberski seconded the motion.

Roll:

Councilman Riepe	aye	
Councilwoman Sluberski	aye	
Councilwoman Steiner	aye	
Councilman Woolaver	aye	
Supervisor Anderson	aye	carried.

Supervisor Anderson stated that voucher #590 payable to Tricom Communications for \$603.98 will be reimbursed by the Insurance company.

IV. CORRESPONDENCE

NYS Department of Lifeline Telephone Program – Supervisor Anderson stated that the program services low-income customers. Qualified customers must either have income below 135% of the federal poverty guidelines and participate in a federal programs such as Medicaid, Food Stamps, etc. The entire correspondence is on the town website.

NYS Office of Real Property Tax Services (ORPTS) – Supervisor Anderson received correspondence from the taxing organization informing Rush that as of June 12, 2011, we have established a 100% equalization rate which affects school taxes. If the rate falls below 100% equalization, the Rush-Henrietta School District may request additional levied taxes from the Town of Rush.

Senator Alesi Legislation re-establishing a Star Exemption on School Taxes - Supervisor Anderson has not received confirmation of this legislation passing. It is currently in the Senate and must go to the Assembly before it becomes law.

Correspondence from Reporter on Law 360 – Governor Cuomo plans to limit gas drilling to a few counties within New York State – Supervisor Anderson stated that the article published in the *New York Times* states that the law is restrictive to Broome, Chemung, Chenango, Steuben and Tioga Counties. The law would only give permission to those towns that agree to the drilling and would be restricted from drilling in the areas in Catskills and nationally designated areas. Drilling would only be permitted at 2,000 feet or more.

Monroe County Grant Update of Basketball Court Project – Supervisor Anderson will be receiving a new contract between Rush and Monroe County for the

approved basketball court. The agreement will be a 50/50 match of funds and will expire one year from its signing.

Correspondence from Resident Bill Chase and family – Supervisor Anderson stated that he met with both Bill and Selden Chase. A letter was read aloud to the audience from Bill Chase and family regarding their observations, concerns and opinions relating to Town codes being overregulated for businesses and residents due to past administration's adoption of local laws. They do not agree with the handling of specific zoning, planning, town board and code enforcement issues. Request for an explanation of the codes was also included.

Supervisor Anderson stated that a response will be presented, including some correction of inaccuracies listed in the correspondence. In addition, a copy of the letter has been forwarded to the Town Board and will be forwarded to the Planning and Zoning Boards requesting their formal input. When the Town Board reconvenes, their input will be included and a decision will be made on whether or not to form a committee to review the Town Codes for possible changes that are both fair to all and enforceable.

V. REPORTS OF OFFICERS AND COMMITTEES

Councilman Riepe had no report. Meetings that he is liaison were to take place at a later date in the month.

Councilwoman Sluberski had no report. Meetings that he is liaison were to take place at a later date in the month.

Councilman Woolaver reported that the Conservation Board reviewed an application at Biondo Court to open a doggie day care. The Board saw no environmental issues and wanted a limit of 2 to 3 dogs. Councilman Woolaver asked when the Town Board would be forming an Industry property committee, and a hydrofracking committee. He also stated that Townline Garage is going to move. They appeared to be operating the same as they have over the past 10 years and in February received a number of citations. Councilman Woolaver further asked the Board if a Building Inspector annual report was published anywhere, such as the town website. He also stated that the Town Code says it is supposed to be published somewhere.

Supervisor Anderson stated that a re-advertising may take place before a committee is formed. All applicant information was kept in the paperwork in the records room vault and is currently with Document Reprocessors.

Building Inspector Kusse responded that the report is readily available. A fixed date has not been established, however, segments of the report have been

placed periodically in the newsletter. The annual report is not located on the town website. Supervisor Anderson stated that a report of building department operations is on a separate departmental system.

Councilwoman Steiner met with the Library Board who is discussing signage for the front of the Library and additional shelving. Supervisor Anderson added that he also met with Library Director Flass regarding the signage and they will be providing a proposal.

Town Clerk Bucci reported that the Supervisor's Monthly report was filed with Supervisor Anderson for the month of May with revenues in the amount of \$13,176.65 mostly attributed to the Recreational Department and Pavilion payments. Town and County taxes for 2012 warrant period ended May 31 with an unpaid balance of slightly more than \$163,000.00 which the County will continue collecting through August. In August, the County proceeds with a tax sale followed by a tax lien. Delinquent notes are sent by the County to the property owners every 3 months.

The Town Hall Clerk's Office, Court Office and Library entertained 5 classes of 2nd graders from Monica Leary School for a learning Field Trip on June 5 and 7. A unscheduled test of the panic button system at the Town Hall proved effective by Monroe County Sheriff's Department response.

Town Clerk Bucci stated that the Office of NYS Comptroller's Office requires that all elected and appointed officials entered in the retirement system provide a 3 month record of activities to the Town Clerk within 180 days of taking office. Finance Director Reynolds calculated the time recorded into a specific formula that is provided by the Comptroller's Office. A formal table is provided below and Town Clerk Bucci submits a report based on the hours recorded.

RESOLUTION #107-2012

BE IT RESOLVED, that the Town of Rush hereby approves and establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

STANDARD WORKDAY RESOLUTION

Retirement
 Resolution
 -July 2012

Participates

Title	Soc sec #				Work (Hrs/Day)	Term Begins/Ends	Time Keeping	based on Record of Activities	Days/Month	
	First	Last	Last 4	Reg #					Tier 1 Member	Activities Submitted
Elected Officials										
Supervisor	Richard	Anderson	██	██	6	01/1/12-12/31/13	N	22.06		
Town Clerk/Tax Collector	Pamela	Bucci	██	██	7	01/1/12-12/31/15	N	23.80		
Highway Superintendent	Mark	David	██	██	8	01/1/12-12/31/15	N	23.08		
Town Justice	Tom	Doupe	██	██	6	01/1/12-12/31/15	N	9.58		
Town Board Member	Lisa	Sluberski	██	██	6	01/1/10-12/31/13	N	3.10		
Appointed Salaried Full Time										
Library	Kirsten	Flass	██	██	7	01/1/12-12/31/12	N	23.45		
Appointed Salaried Part Time										
Assessor	Dan	Stanford	██	██	6	10/15/09-9/30/13	N	12.44		
Building Insp./Code Enf. Officer	Gerald	Kusse	██	██	6	01/1/12-12/31/12	N	23.28		
Fire Marshal/Emerg. Coord.	Richard	Tracy	██	██	6	01/1/12-12/31/12	N	8.72		
Director of Fin./Budget Officer	Donald	Reynolds	██	██	6	01/1/12-12/31/12	N	18.33		
Planning Board Chair	John	Felsen	██	██	6	01/1/08-12/31/12	N	1.44	X	
Planning Board Member	John	Morelli	██	██	6	01/1/11-12/31/15	N	1.00		
Conservation Board Member	Julia	Lederman	██	██	6	01/1/08-12/31/12	N	0.25		
Appointed Hourly Full Time										
Deputy Town Clerk	Meribeth	Palmer	██	██	7	01/1/12-12/31/12	Y			
Appointed Hourly Part Time										
Recreation Supervisor	Patricia	Stephens	██	██	6	01/1/12-12/31/12	Y			
Supervisor's Secretary	Valerie	Metsock	██	██	6	04/30/12-12/31/12	Y			
Court Clerk	Sally	Newell	██	██	6	01/1/12-12/31/12	Y			
Court Clerk	Stephanie	Davis	██	██	6	01/1/12-12/31/12	Y			
Assessor Clerk	Colleen	Statskey	██	██	6	01/1/12-12/31/12	Y			

Roll:

Councilman Riepe aye
 Councilwoman Sluberski aye
 Councilwoman Steiner aye

Councilman Woolaver	aye	
Supervisor Anderson	aye	carried.

Supervisor Anderson added that the law states that all employees in the retirement system must prepare an activities record of 3 consecutive months of time and submit it within 150 days and no later than 180 days of being elected or appointed to the Town Clerk.

VI. OLD BUSINESS

A. Town Hall Fire Update – Supervisor Anderson reported that air-conditioning/heating unit will be installed in the vaulted records room next week. The Town Clerk, Document Reprocessors and Supervisor met regarding Phase I of the document process and will be proceeding to Phase II. Phase II includes categorizing 94 boxes of documents to be returned in a cleaned and formatted arrangement of the Town's choice. Negotiations with the insurance company will continue.

B. General Code - Town Clerk Bucci requested feedback on the agreement to accept Ecode360 proposal and possible resolution to accept. The program allows the public to access the Code directly by going to the town website. The Code sections will continue to be available in paper format.

Supervisor Anderson is in favor of the Ecode360 proposal which will provide a more cost effective way to provide the Code to Boards and the public.

RESOLUTION # 108-2012

Councilwoman Sluberski motioned to approve the Supervisor's entering into an agreement with General Code for the eCode360 Program for an amount not to exceed \$1,300.00. Councilman Riepe seconded the motion.

Roll:

Councilman Riepe	aye	
Councilwoman Sluberski	aye	
Councilwoman Steiner	aye	
Councilman Woolaver	aye	
Supervisor Anderson	aye	carried.

C. Monroe County Smoke Free Sign Approval - Supervisor Anderson has been authorized by the Town Board to place smoke-free playground area signs on town property. Signs will be provided at no charge and will be installed by the Town Highway Department. Smoking and Health Act Coalition of Monroe County (SHAC) supplied 3 options of sign choices which were read aloud. The Board unanimously selected Option C which reads Town of Rush, Smoke-free

Playground. Please respect the health of our children; courtesy of the Smoking and Health Action Coalition of Monroe County. Supervisor Anderson will place the order.

D. Monroe County Youth Grant (Project Care) and 2012 Summer Camp Budget – The Project Care Program grant offered has been cut by Monroe County which now offer a \$702.00 contribution. Supervisor Anderson requested Recreation Supervisor Stephens to make a possible adjustment to the town program to meet the budget. The Town budgeted this program at \$1,208, however, Mrs. Stephens adjusted the program, cutting elements from the program resulting in a reduction in staff so that the Program will require a \$848 contribution. Supervisor Anderson stated that the Program is viable to the community and sought the Board's approval.

Resolution # 109-2012

Councilwoman Sluberski motioned to approve the Supervisor's entering into a grant agreement with Monroe County for a Youth Project Care Program, providing a reimbursement to the Town in the amount of \$702.00 and the use of budgeted program funds in the amount of \$848.00. Councilman Riepe seconded the motion.

Roll:

Councilman Riepe	aye	
Councilwoman Sluberski	aye	
Councilwoman Steiner	aye	
Councilman Woolaver	aye	
Supervisor Anderson	aye	carried.

E. Appointment to Conservation Board – Supervisor Anderson stated that the Town Board conducted interviews and an offer was accepted by Susan Woolaver. Councilman Woolaver abstained from the interviews.

RESOLUTION #110-2012

Supervisor Anderson moved to approve the appointment of Susan Woolaver to the Conservation Board filling an unexpired term effective June 1, 2012 through December 31, 2013. Councilwoman Sluberski seconded the motion.

Roll:

Councilman Riepe	aye	
Councilwoman Sluberski	aye	
Councilwoman Steiner	aye	
Councilman Woolaver	abstained	
Supervisor Anderson	aye	carried.

VII. OPEN FORUM

Resident Jeffrey Starkweather asked what the process was in forming the Hydrofracking Committee. The timeframe of forming a committee to accomplish a task during the moratorium period is of concern.

Supervisor Anderson answered that 2 person were volunteering to steer the committee. The Town Board is empowered to appoint a citizens committee at any time. At this time, a balance of tasks to be accomplished is in place and a committee will be formed as soon as possible.

Katherine Cappella-Hankins asked that public hearings information be provided to the public in more ways than the town website in order to keep updated on town matters. The comprehensive plan has too many pages on it to sort through and have an understanding of the town; it should be small as other towns. Mrs. Hankins also suggested that all board chairs be present at Town Board meetings to report on the happenings at their meetings. The Rush Town Board liaisons report at the Town Board meetings. She appreciates the reports provided by both Mr. Woolaver and Mr. Riepe as liaisons to their liaison appointed boards.

Attorney Pavia stated that all public hearings by law are published in the town's specified newsletter, the town website, the town clerk's bulletin board and are included in the town minutes.

Councilman Riepe stated that in order to get the most up-to-date information, persons should attend the meetings and view the publicized agendas ahead of time so that they are informed. Councilman Riepe will continue to report what has occurred but cannot inform residents of outcomes before they occur or of future items; they just aren't yet available.

Supervisor Anderson stated that an important item to remember is that the Planning and Zoning Board do not work for the Town Board. Although they are appointed by the Town Board, they make decisions based solely on the Town Code.

Resident Marianne Rizzo stated that when she moved into Rush, she felt more information was available and was more informed. Brainstorming to create a stronger communication is needed in order to strengthen the community.

Supervisor Anderson welcomed a visit to his office.

Supervisor Anderson believes that great strides have been made in placing items on the website the same day that they are received. The June/July

newsletter is 16 pages and costs of printing and mailing continue to rise. The two biggest contributors of programs are the Library and Recreation Department who put as much information in the newsletter as possible given the time constraints and they do a great job of it. Finding better ways to communicate with the public and keeping the costs down is a priority while realizing that not everyone uses a computer.

Town Clerk Bucci added that the newsletter is a great tool and the cost of printing it in house versus outsourcing it, is more costly. Supervisor Anderson added that all legal notices, public hearings, meeting notices and minutes are available at the legally allowable time. There is a timeframe window of posting information to the public.

Carol Barnett suggested that the moratorium information should be more publicized.

Supervisor Anderson added that providing information in a timely manner and within the legal timeframe is required by law. There are items that may not be available during a specified timeframe and cannot be placed in all locations before they occur.

Resident Kathryn Cappella-Hankins can provide suggestions and provide them to the Supervisor. Reference was made to the word of mouth chain circulated around town.

Supervisor Anderson stated that anyone wishing to know the facts of happenings in the town is welcome to come into the Town Hall.

XIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:50 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci
Town Clerk