

RUSH TOWN BOARD
Minutes of September 12, 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 September 12, 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
Kathryn Steiner ----- Councilwoman
Daniel Woolaver ----- Councilman
Pamela Bucci ----- Town Clerk
Frank Pavia, Esq. ----- Town Attorney

EXCUSED: Lisa Sluberski ----- Councilwoman

OTHERS

PRESENT: Carol Barnett ----- Resident
Ansgar Schmid ----- Resident
Dave Sluberski ----- Resident
Mark David ----- Highway Superintendent, Resident
Dave Sluberski ----- Resident
Pat Kraus ----- Resident, Member Conservation Board
Kathryn Hankins ----- Resident
Robert Kraus ----- Resident
John Morelli ----- Resident, Member Planning Board
Marianne Rizzo ----- Resident
Susan Woolaver ----- Resident, Member Conservation Board
John Felsen ----- Resident, Chair Planning Board
Rick Wurzer ----- Resident, Member Planning Board
Gerald Kusse ----- Code Enforcement Officer, Building Inspector

I. OPEN FORUM

Supervisor Anderson opened the meeting and explained the open forum process. The Town Board would either respond immediately to questions or topics presented during the meeting or respond to them at a future date.

II. APPROVAL OF MINUTES

RESOLUTION #131-2012

Councilwoman Steiner moved to approve the Minutes of August 22, 2012, as written by the Town Clerk. Councilman Woolaver seconded the motion.

Roll:

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

Councilman Riepe was excused at the August 8, 2012, meeting.

III. APPROVAL OF TRANSFER

RESOLUTION #132-2012

BE IT Resolved, that having audited all the unexpended balances of existing appropriations in the existing appropriations, unreserved fund or unanticipated Revenues, so move that transfer #6 through #10 in the amount of \$122,791.21 be allowed.

Roll:

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

*Transfer from the unexpended balance of an existing appropriation
General Fund*

Decrease Appropriations			Increase Appropriation		
Transfer #	Amount	Account	Description	Account	Description
6	1,000.00	A-1990.4	Supervisor Contingency	A-1620.49	Building, Water Damage
Transfer #	Amount	Account	Description	Account	Description
7	20,000.00	DA-5148.1	Service for other government contingency	DA-5130.1	Machinery; Personal Services
Transfer #	Amount	Account	Description	Account	Description
8	1,200.00	A-2025	Pavilion/Field Revenue	A-7140.1	Pavilion; Personal Services
Transfer #	Amount	Account	Description	Account	Description
9	500.00	A-2025	Pavilion/Field Revenue	A-7140.4	Pavilion Contractual
Transfer #	Amount	Account	Description	Account	Description
10	100,091.21	A-2680	Insurance recoveries	A-1620.49	Building, Water Damage

Transfer #6 provides for deductible on fire loss

Transfer #7 to Reallocate Highway Payroll budget per Mark David

Transfer #8, 9, 10 reflects higher volume of rentals; reflects higher volume of rentals; provides for estimate recover including \$78,000 additional records

Councilman Riepe moved Be It Resolved, that having audited all the claims against the funds listed on Abstract #9-1, for vouchers #947 through #1023, be allowed for payment in the amount of \$63,161.68. Councilwoman Steiner seconded the motion.

Roll:

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

IV. CORRESPONDENCE

Supervisor Anderson reported on the following:

Rush-Henrietta Homecoming Parade - All Town Board members have been invited to march in the Rush Henrietta Homecoming Parade, October 6th. All Board members are asked to respond to the request individually.

Monroe Community College Rush Rifle Range Schedule - Both the original and revised schedule have been posted to the town website.

NYS Department of Transportation – Announcement that both the entrance and exit ramps in Avon to and from NYS Route 390 are closed for construction. The detour is directed to Route 15. Information has been posted on the website.

V. REPORTS OF OFFICERS AND COMMITTEES

Councilman Riepe attended the Fire Commissioners August meeting. The budget is not approved. The Commissioners are concerned that the newsletter does not reach Honeoye Falls residents in Rush.

Town Clerk Bucci is knowledgeable of the ongoing issue and will contact the Honeoye Falls Post Master.

Councilman Woolaver stated that a Conservation Board meeting was not held, however, he attended a Pine Hill Cemetery meeting sponsored by the Rush Library hosted by Sue Mee and Selden Chase. A great amount of clean-up work has been done at the cemetery by volunteers.

Councilwoman Steiner attended the Library Board meeting. They are again planning a wine tasting fundraiser event. In the past, Magnolias at Wildwood Country Club has held the event. They will no longer be open at Wildwood and the Rabbit Room in Honeoye Falls has been tentatively booked for March 9, 2013. Next year, the Library's will be celebrating their 100th year and they are planning a gala. Copies of the Board's minutes will be forwarded to the Town

Board in the future. The Library Board requested that the pavilion restrooms be opened for an extended period, especially while events are taking place. Supervisor Anderson will follow-up with Library Director Kirsten Flass regarding specific timeframes.

Town Clerk Bucci reported that she has received the 2013 Tentative Budget from the Budget Officer on September 6, 2012.

Town Clerk Bucci received a resignation letter from Councilwoman Lisa Sluberski of her Town Board position effective October 1, 2012.

As required by Town Law, Town Clerk Bucci filed her monthly report with Supervisor Anderson. Revenues for the month of August amounted to \$16,186.40.

Code Enforcement Office Kusse had no report.

Highway Superintendent Mark David stated that county work is near completion and minor repair work is being done on town projects. A one-ton dump request went out for bid in August. The truck is registered and ready for work. The town-wide drainage project (West Henrietta Road and Hightech Drive) is complete by putting a concrete drainage inlet on the upstream side of West Henrietta Road tying it in with a 20' length pipe. On the downstream side of West Henrietta Road, 100' of pipe was replaced. A spot check on the existing pipe was clean and clear.

Supervisor Anderson reported the auditors met with the Finance Director, Town Clerk and himself to review the findings and recommendations of the February audit. The General accounting, Town Clerk's Office and Court Office were audited. A final report will be provided. A few minor structural changes are necessary and a formal municipal agreement between the Town of Rush and the Fire Department for fuel will be prepared.

VI. OLD BUSINESS

A. Town Hall Fire Update (Records Division) – Town Clerk Bucci, Records Management Officer, reported that all costs related to the fire damage have been supplied to the insurance company and the Town is awaiting final approval to start replacement of files including a digitized software system.

B. Bessie Hallock Manuscript Progress – Supervisor Anderson stated that quotes are being requested for the manuscript printing. All heir releases have been received. An exact number of copies to be printed will be established at a later date.

VII. NEW BUSINESS

A. Resolution for ADA Compliant Basketball Grant – Supervisor Anderson stated that the Monroe County 2011 Community Development Block Grant (CDBG) American with Disabilities Act (ADA) contract has been received and reviewed by the town attorney and highway superintendent.

RESOLUTION #133-2012

Councilman Woolaver moved to accept the Monroe County 2011 Community Development Block Grant (CDBG) for an American with Disability Act (ADA) Compliant Basketball Court Agreement with the Town of Rush in the amount of \$25,050.00. Councilman Riepe seconded the motion.

Roll:

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

B. Resolution to Dispose of Dump Truck and Snow Thrower – Highway Superintendent Mark David requests approval to dispose of a 1996 Ford F-350 1-ton dump truck and an 8 horse powered Snow Thrower from the Parks Department at a scheduled October 6 municipal auction.

RESOLUTION #134-2012

Councilman Woolaver moved to allow Highway Superintendent Mark David's disposal of a 1996 Ford F-350 1-ton Dump Truck and an 8 horse powered Snow Thrower from the Parks Department at a scheduled October 6, 2012, municipal auction. Supervisor Anderson seconded the motion.

Roll:

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

C. Resolution to bid the purchase of a new 9' Hydro-turn Snow Plow – Highway Superintendent Mark David requests approval to bid the purchase of a new 9' Hydro-turn Snow Plow. The plow will be mounted on the new Ford F-350 1-ton dump truck. Funds have been budgeted for the purchase under DA-5130.2 equipment account.

RESOLUTION #135-2012

Councilman Woolaver moved to allow Highway Superintendent David accept bids for the purchase of a new 9' Hydro-turn Snow Plow. The plow will be

mounted on the new Ford F-350 1-ton dump truck. Funds have been budgeted under Account DA-5130.2. Councilman Riepe seconded the motion.

Roll:

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

Supervisor Anderson closed the regular meeting in order to hold a public hearing that was both advertised and scheduled for 7:15 PM.

PUBLIC HEARING – 7:15 FARMLAND PROTECTION PLAN

Supervisor Anderson stated that both the Planning Board and CHA, Town Engineer, spent many hours working on the Farmland Preservation Plan.

Town Clerk Bucci read the Notice of Public hearing for the record. The Notice of the Public Hearing was published in the *Sentinel* and *Henrietta Post* on August 30, 2012.

NOTICE OF PUBLIC HEARING TO APPROVE THE SUBMISSION OF THE TOWN OF RUSH FARMLAND PROTECTION PLAN

PLEASE TAKE NOTICE, a public hearing will be held by the Rush Town Board, at the Rush Town Hall, 5977 East Henrietta Road, Town of Rush, New York, on the **12th day of September at 7:15 PM**, local time, for the purpose of approving the Rush Town Board's submission of the Town of Rush Farmland Protection Plan to New York State Department of Agricultural and Markets for final approval.

Copies of the Farmland Protection Plan are available for inspection at the Town Clerk's Office during normal business hours.

At such hearing any person may be heard in favor of or against the approval to submit the Town of Rush Farmland Protection Plan as proposed at the above time and date.

Supervisor Anderson declared the hearing open to the public and stated that an approved resolution was required in order for reimbursement of payment. The plan has been approved by Monroe County.

Resident Robert Kraus spoke of his support of the Farmland Protection Plan. The Plan will help in agricultural heritage, soil protection, land use and economics of farmland.

Resident Carol Barnett spoke in favor of the Farmland Protection Plan. It will favor economic growth and a survival program for the future.

Resident Pat Kraus voiced her support of the Plan and thanked all boards who worked to put the Plan together.

Resident Kathryn Hankins read the draft of the Plan on the website, read of the stakeholders and is in support of the Plan.

With no further comment, Supervisor Anderson closed the hearing at 7:20 PM.

RESOLUTION #136-2012

Councilman Riepe moved to approve the submission of the Town of Rush Farmland Protection Plan, as presented, to the New York State Agricultural and Markets for final approval. Councilman Woolaver seconded the motion.

Roll:

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

VIII. OPEN FORUM

Supervisor Anderson opened the floor to all wishing to address the Town Board and stated that an Executive Session will follow regarding a Planning and Town Board matter.

An audience member asked of the next steps in replacing a Town Board member. Supervisor Anderson received the resignation of Councilwoman Sluberski which is effective October 1, 2012. There will be no action taken until October 1, 2012. At that time, the Town Board will advertise to appoint a qualified person to fill the unexpired term.

Resident Susan Woolaver asked if the same political party would fill the position. Supervisor Anderson stated that under Town Law, a political party has no bearing in the replacement of a councilperson. The Town Board shall appoint a qualified town resident who is 18 years of age.

IX. EXECUTIVE SESSION

Supervisor Anderson moved to Executive Session at 7: 23 PM.

Supervisor Anderson reopened the meeting to the regular session at 7:27 PM.

RUSH TOWN BOARD
September 12, 2012

X. ADJOURNMENT

There being no further business, the meeting was adjourned by Supervisor Anderson at 7:27 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci
Town Clerk