

RUSH TOWN BOARD  
Minutes of March 27, 2013

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Richard Anderson at 7:00 PM on March 27, 2013, at the Rush Town Hall, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT: Richard Anderson ----- Supervisor  
William Riepe ----- Councilperson, Deputy Town Supervisor  
Kathryn Steiner ----- Councilperson  
Cathleen Frank ----- Councilperson  
Daniel Woolaver ----- Councilperson  
Pamela Bucci ----- Town Clerk  
John Mancuso, Esq. ----- Attorney for the Town

OTHERS

PRESENT: Mark David ----- Highway Superintendent, Resident  
Marianne Rizzo ----- Resident  
Ansgar Schmid ----- Resident  
Carol Barnett ----- Resident  
Dave Sluberski ----- Resident  
Jordan Kleiman ----- Resident  
Gerald Kusse ----- Building Inspector, Resident

I. OPEN FORUM

Supervisor Anderson opened the floor to anyone wishing to address the Town Board. All comments should be brief and any questions asked would be answered at that time or after research, responded to at a later date.

II. APPROVAL OF MINUTES

**RESOLUTION #77-2013**

Councilperson Riepe moved to approve the March 13, 2013, Minutes as presented by the Town Clerk. Councilperson Woolaver seconded the motion.

Roll:

|                        |     |          |
|------------------------|-----|----------|
| Councilperson Riepe    | aye |          |
| Councilperson Steiner  | aye |          |
| Councilperson Frank    | aye |          |
| Councilperson Woolaver | aye |          |
| Supervisor Anderson    | aye | carried. |

III. APPROVAL OF MINUTES

**RESOLUTION #78-2013**

Councilperson Riepe moved to approved the March 20, 2013, Minutes as presented by the Town Clerk. Councilperson Frank seconded the motion.

Roll:

Councilperson Riepe                    aye  
 Councilperson Steiner                aye  
 Councilperson Frank                  aye  
 Councilperson Woolaver             aye  
 Supervisor Anderson                 aye                    carried.

IV. TRANSFER OF FUNDS

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

| Decrease Appropriations |          |          | Increase Appropriation |          |                        |
|-------------------------|----------|----------|------------------------|----------|------------------------|
| Transfer #              | Amount   | Account  | Description            | Account  | Description            |
| 2                       | 8,300.00 | A-1990.4 | Supervisor Contingency | A-1355.4 | Assessment Contractual |

Transfer to cover legal costs for Burris case

**RESOLUTION #79-2013**

Councilperson Steiner moved BE IT Resolved, that having audited all the unexpended balance of existing appropriations, that transfer #2 in the amount of \$8,300.00 be allowed. Councilperson Riepe seconded the motion.

Roll:

Councilperson Riepe                    aye  
 Councilperson Steiner                aye  
 Councilperson Frank                  aye  
 Councilperson Woolaver             aye  
 Supervisor Anderson                 aye                    carried.

V. APPROVAL OF ABSTRACT

**RESOLUTION #80-2013**

Councilperson Steiner moved Be It Resolved, that having audited all the claims against the funds listed on Abstract #3-2, for vouchers #275 through #328, be allowed for payment in the amount of \$24,197.73. Councilperson Riepe seconded the motion.

Roll:

Councilperson Riepe                    aye  
 Councilperson Steiner                aye  
 Councilperson Frank                  aye  
 Councilperson Woolaver             aye  
 Supervisor Anderson                 aye                    carried.

## VI. CORRESPONDENCE

Monroe Community College Shooting Range @492 Stonybrook Road - Supervisor Anderson received updated shoot schedules that will be posted on the town website.

State Senator Ted O'Brien letter regarding C.H.I.P.S. (Consolidated Local Street and Highway Improvement Program) - Supervisor Anderson stated that Highway Superintendent Mark David received information from NYS advising him that C.H.I.P.S. monies would include an additional \$11,000 for the Town.

2013-2014 Basic STAR Notification – Supervisor Anderson read a message from the Office of Real Properties Services stating that the state budget included a proposal requiring all Basic STAR recipients to re-register with the State Tax Department in order to continue receiving the exemption. New York State will be notifying those existing STAR individuals required to re-register. Enhanced STAR recipients will not be impacted. The proposal is due to inappropriate or fraudulent exemptions being received. Additional details will be available from the State Tax Department.

Request for 30 Day Waiver – Mike Sweazy of Wildwood Country Club has requested that the Town provide a 30 day Waiver in filing the Wildwood Country Club's liquor license application to the Town Clerk. According to Town Clerk Bucci, by law all applicants must submit a copy of their application to her 30 days prior to sending their application to the State Liquor Authority. Mr. Sweazy submitted a letter of request stating that due to the timing of the new caterer transferring into quarters, Wildwood Country Club must possess their own liquor license.

The Town Board was in agreement in waiving the 30 day application notice in to the Town Clerk in applying for a NYS liquor license. Town Clerk Bucci will provide a letter to Wildwood Country Club waiving the notice.

## VII. REPORTS OF OFFICERS AND COMMITTEES

Councilperson Riepe attended the Rush-Henrietta School District community forum regarding the 2014 school budget. He also attended the Planning Board and Fire Commissioners meetings. In lieu of the Webster Fire Department first responder incidents of December 24, 2012, Councilperson Riepe asked if the Rush first responders would be carrying weapons. The Fire Commissioners have no policy for carrying weapons to an emergency call.

Councilperson Steiner stated that all members of the Town Board attended the School District 2014 school budget workshop meeting. Superintendent Kenneth Graham reported that the proposed school budget will increase 2.4%, more

than they would prefer to see, however compared to the other school districts, they rank as one of the lowest, #14 out of 17. The increase is estimated to be \$35 per \$100,000 land owner. Some programs that have been previously cut will be reinstated.

Councilperson Frank will be attending the next Library Board meeting, April 2.

Councilperson Woolaver had no report.

Town Clerk Bucci reported the following: (1) approximately \$401,000 in Town & County taxes for the Town of Rush remain to be collected, (2) In applying to NYS Town Clerk's Association for a scholarship towards attending the annual conference, Mrs. Bucci has been awarded a \$400 scholarship (3) Anne Dobbertin, town gardener, has resigned from her position to do some traveling during peak planting and decorating seasons, therefore, an open position has been advertised, (3) Monroe County Home Improvement Program applications are available in the Clerk's office as well as Yellow Dot kits which aid first responders in emergency situations.

Town Code Enforcement Officer/Building Inspector Gerald Kusse attended a required NYS training for his continued certification. Additional Training is required during September wherein an update of the Energy Code will be provided. The Energy Code training contains techniques and materials used in the construction of buildings, not energy audits.

Supervisor Anderson attended the monthly Supervisors Association meeting, where the topic of discussion was information technology governance presented by NYS auditors explaining audits and what is reviewed. The Town Clerk, Finance Director and Supervisor will be meeting with the town's Information Technology personnel to go over specific items.

Supervisor Anderson proudly announced that the Town Newsletter was published and received in the mail early this month. The amended submission schedule is providing timely deliveries.

#### VIII. OLD BUSINESS

A. Right to Farm Law Update – Supervisor Anderson is awaiting a response from the Planning Board Members regarding a Farm Advisory Committee.

B. Hydrofracking Moratorium Update – Supervisor Anderson stated that Local Law 1 of 2013 Extending the Moratorium was unanimously approved at the March 20, 2013, Public Hearing for a period of 6 months. All necessary filings have been completed with Monroe County and New York State.

IX. NEW BUSINESS

A. Highway Department Purchase of New ½ Ton Pick-up Truck – Highway Superintendent David requested the Town Board's authorization in purchasing a ½ ton pick-up truck under New York State Office of General Services (N.Y.S.O.G.S.) bid contract pricing. The anticipated revenue on the trade-in of the 2001 1500 series truck is approximately \$6,000.

**RESOLUTION #81-2013**

Councilperson Steiner moved to authorize Highway Superintendent Mark David's purchase of a new ½ ton Pick-up Truck under N.Y.S.O.G.S. bid contract pricing with 2013 budgeted funds in the amount not to exceed \$25,000.00 from Account DA-5130.2, Highway Capital Equipment Outlay. Councilperson Riepe seconded the motion.

Roll:

|                        |     |          |
|------------------------|-----|----------|
| Councilperson Riepe    | aye |          |
| Councilperson Steiner  | aye |          |
| Councilperson Frank    | aye |          |
| Councilperson Woolaver | aye |          |
| Supervisor Anderson    | aye | carried. |

B. Suburban Animal Hospital Boarding Contract – Supervisor Anderson noted that the boarding fee has increased \$1 per day, now \$12.00, and that benchmarking took place last summer. The terms and fees of the contract were read aloud.

**RESOLUTION #82-2013**

Councilperson Riepe motioned to authorize Supervisor Anderson enter into an annual contract with Suburban Animal Hospital for the boarding of dogs running at large in the Town of Rush. Councilperson Woolaver seconded the motion.

Roll:

|                        |     |          |
|------------------------|-----|----------|
| Councilperson Riepe    | aye |          |
| Councilperson Steiner  | aye |          |
| Councilperson Frank    | aye |          |
| Councilperson Woolaver | aye |          |
| Supervisor Anderson    | aye | carried. |

Although the contract has a fee for cats running at large, the Town of Rush Dog Control Office is solely responsible for dogs.

C. Appoint John Cherry to the Board of Assessment Review – Supervisor Anderson stated that interviews were conducted and a unanimous decision was made. This appointment will fill an expired term.

**RESOLUTION #83-2013**

Councilperson Steiner moved to appoint John R. Cherry to the Board of Assessment Review for a five year term commencing March 27, 2013 and ending September 30, 2017. Councilperson Frank seconded the motion.

Roll:

|                        |     |          |
|------------------------|-----|----------|
| Councilperson Riepe    | aye |          |
| Councilperson Steiner  | aye |          |
| Councilperson Frank    | aye |          |
| Councilperson Woolaver | aye |          |
| Supervisor Anderson    | aye | carried. |

D, Appoint Donald Root to Conservation Board – Supervisor Anderson stated that interviews were conducted and all decided that Mr. Root would make an outstanding addition to the Conservation Board. This appointment will fill an expired term.

**RESOLUTION #84-2013**

Councilperson Frank moved to appoint Donald P. Root to the Conservation Board for a five year term commencing March 27, 2013 and ending December 31, 2017. Councilperson Woolaver seconded the motion.

Roll:

|                        |     |          |
|------------------------|-----|----------|
| Councilperson Riepe    | aye |          |
| Councilperson Steiner  | aye |          |
| Councilperson Frank    | aye |          |
| Councilperson Woolaver | aye |          |
| Supervisor Anderson    | aye | carried. |

X. OPEN FORUM –

Supervisor Anderson opened the floor to anyone wishing to address the Town Board.

Resident Dave Sluberski asked how the Highway Department made out over the extended winter months.

Highway Superintendent David responded that the Department was currently at 80%.

XI. ADJOURNMENT

There being no further business, the meeting was adjourned by Supervisor

RUSH TOWN BOARD  
March 27, 2013

Anderson at 7:30 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci  
Town Clerk