

RUSH TOWN BOARD  
Minutes of August 14, 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 August 14, 2013, at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

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

OTHERS

PRESENT:	Mark David	-----	Highway Superintendent, Resident
	Ansgar Schmid	-----	Resident
	Gerald Kusse	-----	Building Inspector, Resident
	Carol Barnett	-----	Resident
	Rita McCarthy	-----	Resident
	Kirsten Flass	-----	Library Director, Resident
	Michael Czora	-----	Dog Control Officer, Resident

I. OPEN FORUM

Supervisor Anderson opened the floor to anyone wishing to address the Town Board. He stated that 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 #123-2013**

Councilperson Riepe moved to approve the July 24, 2013, Minutes as presented by Town Clerk Pamela Bucci. Councilperson Frank seconded the motion.

Roll:

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

III. TRANSFER OF FUNDS

Supervisor Anderson reported that transferred were not required at this time.

IV. APPROVAL OF ABSTRACT

**RESOLUTION #124-2013**

Councilperson Steiner moved Be It Resolved, that having audited all the claims against the funds listed on Abstract #8-1 (#15), for vouchers #780 through #853, be allowed for payment in the amount of \$99,181.97. Councilperson Riepe seconded the motion.

Roll:

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

V. CORRESPONDENCE

Monroe County Sheriff Department B Zone – Supervisor Anderson received a report from B-Zone that car break-ins have been occurring in Mendon Ponds and Marketplace Mall; nothing to report in Rush.

State School of Industry – Office of Child Family Services – Supervisor Anderson as well as other officials has received an invitation to attend a presentation, tour and picnic on Wednesday, August 21, 2013 at 10 AM. They once were significantly involved in the community including agriculture and are now reviving their roots.

VI. REPORTS OF OFFICERS AND COMMITTEES

Councilperson Riepe, as liaison, attended both the Fire Commissioners and the Planning Board meeting.

Councilperson Steiner, as liaison, attended the Conservation Board meeting wherein they were in unanimous favor of supporting Local Law #3 of 2013.

Councilperson Woolaver, Zoning Board liaison, attended the workshop. Two setbacks applications have been set for public hearings and one use variance application was denied. Councilperson Woolaver asked if the Town had jurisdiction of advertisements on properties for sale, including incorrect advertising of property zoning. Supervisor Anderson will discuss correcting the sign with the property owner.

Town Clerk Bucci stated that the real estate office has been contacted to the incorrect zoning on the sign advertisement.

Highway Superintendent Mark David reported that the paving on Keyes Road was done and curing. Chipping has begun at the Transfer Station.

Code Enforcement Officer (CEO) Kusse had no report, however, commented on the inappropriately identified industrial advertising sign located on commercially zoned property. CEO Kusse had consulted with the attorneys for the town who confirmed that there are no parameters for the sale of property.

Attorney John Mancuso had no report.

## VII. OLD BUSINESS

A. Hydrofracking Update – Attorney Charles Steinman stated that he confirmed with Town Clerk Bucci that Local Law #3 of 2013 along with the long SEQR form under General Municipal Law 239m have been sent to the appropriate boards, towns and agencies. All interested parties have at least a 20 day of opportunity to comment. A public hearing has been set and advertised for August 28, 2013, at the Town of Rush. Attorney Steinman will prepare resolutions declaring the Town as lead agency for SEQR purposes, providing a negative declaration and resolution for favor or deny of Local Law #3 as presented. The Board may vote once the public is heard on August 28<sup>th</sup> or postpone it to another meeting.

B. Townwide Drainage Approval to Work Outside Right of Way – Supervisor Anderson stated that Highway Superintendent David has submitted 5 Temporary Easements to work in the Right of Way of parcels located on Rush West Rush Road and Five Points Road. Work being done will include ditch cleaning, grading of the open portion of the ditch and in some cases installing drainage tile, geotextile fabric and stone bedding in the open portion of the ditch which carries down stream flow to the retention pond. Highway Superintendent David will obtain signatures from property owners at 580 Rush West Rush Road, 144 Five Points Road, 242 Five Points Road, 232 Five Points Road, and agricultural fields north of 144 Five Points Road.

### **RESOLUTION #123-2013**

Supervisor Anderson moved to approve townwide drainage work performed by the Rush Town Highway Department, once Temporary Right of Entry documents are signed by parcel owners for Tax Parcel No. 220.01-1-1 (580 Rush West Rush Road), 220.02-2-34 (144 Five Points Road), 220.01-28.121 11 (242 Five Points Road), 220.01-1-29 (232 Five Points Road), 220.01-1-14.001 (agricultural fields north of 144 Five Points Road). Councilwoman Frank seconded the motion.

Roll:

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

Councilperson Riepe inquired about the basketball court bids. Highway Superintendent David stated that the specifications have been provided and 1 bid to date has been received although he is expecting additional.

OPEN FORUM:

Supervisor Anderson opened the floor for the audience to address to the Town Board.

ADJOURNMENT:

Having no comment from the audience and no further business to discuss, Supervisor Anderson moved to adjourn the meeting at 7:16 PM. Meeting adjournment was approved by common consent of all councilpersons present. As advertised, the budget workshop continued once the Town Board meeting was adjourned.

Respectively submitted,

Pamela J. Bucci  
Town Clerk