

RUSH TOWN BOARD
Regular Meeting
Minutes of January 22, 2014

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Richard Anderson at 7:00 PM on January 22, 2014, at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT: Kathryn Steiner ----- Councilperson
Daniel Woolaver ----- Councilperson
Cathleen Frank ----- Councilperson, Deputy Town Supervisor
Rita McCarthy ----- Councilperson
Pamela Bucci ----- Town Clerk
Frank Pavia, Esq. ----- Town Attorney

EXCUSED: Richard Anderson ----- Supervisor

OTHERS

PRESENT: Mark David ----- Highway Superintendent, Resident
Selden Chase ----- Resident
Bill Riepe ----- Resident
Tim McCarthy ----- Resident
Carol Barnett ----- Resident
Kirsten Flass ----- Library Director, Resident
Robert Kuhls ----- Resident
Al Sweet ----- Resident

Prior to the meeting taking place, Deputy Town Supervisor Frank asked if there were any persons present awaiting a public hearing. None were present. A public hearing was not advertised and therefore would not be occurring.

I. OPEN FORUM

Deputy Town Supervisor Frank welcomed all to the meeting and offered the floor to anyone wishing to address the Board.

Resident Selden Chase presented his concerns: (1) request for an audio system for all public to hear all persons speaking; (2) request that the Town change their wording on the personal vehicle of the Code Enforcement Officer's truck to read Building Inspector so that it's more friendly than confrontational; (3) suggest a Citizens Committee to review the Zoning Code for adjusting purposes. Having gone through the variance process, he believes the setback requirements for variances are concerning.

II. APPROVAL OF MINUTES

RESOLUTION 2-2014

Councilperson Steiner moved to approve the Minutes of December 30, 2013 as submitted by Town Clerk Bucci. Councilperson Woolaver seconded the motion.

Roll:

Kathryn Steiner	aye	
Daniel Woolaver	aye	
Cathleen Frank	aye	
Rita McCarthy	aye	carried.

III. APPROVAL OF MINUTES

RESOLUTION 3-2014

Councilperson Steiner moved to approve the Regular Town Board Minutes of January 8, 2014, as presented by Town Clerk Bucci. Councilperson McCarthy seconded the motion.

Roll:

Kathryn Steiner	aye	
Daniel Woolaver	aye	
Cathleen Frank	aye	
Rita McCarthy	aye	carried.

IV. APPROVAL OF MINUTES

RESOLUTION 4-2014

Councilperson Steiner moved to approve the Organizational Minutes of January 8, 2014, as presented by Town Clerk Bucci. Councilperson Woolaver seconded the motion.

Roll:

Kathryn Steiner	aye	
Daniel Woolaver	aye	
Cathleen Frank	aye	
Rita McCarthy	aye	carried.

V. TRANSFER OF FUNDS

RESOLUTION 5-2014

Councilperson Steiner moved, BE IT Resolved, that having audited all the unreserved, unanticipated revenues and unexpended balances of existing appropriations, I move that transfer #37 through #58 in the amount of \$15,969.21 be allowed. Councilperson Woolaver seconded the motion.

BUDGET TRANSFERS/ADJUSTMENTS 1/22/2014 - 2013 FUNDS

Transfer from the unexpended balance of an existing appropriation'(s).

General Fund

Transfer Number	Amount	Decrease Appropriation		Increase Appropriation	
		Account	Description	Account	Description
37	560.93	A.1990.4	Supervisor Contingency To cover Y/E Variance	A.1220.1	Supervisor Personal Services
38	108.66	A-1355.4	Assessor Contractual To cover Y/E Variance	A.1355.1	Assessor Personal Services
39	1,497.54	A.1410.2	Town Clerk Capital Outlay To cover Y/E Variance	A.1410.1	Town Clerk Personal Services
40	24.69	A.1310.2	Finance Director Capital Outlay To cover Y/E Variance	A.1310.4	Finance Director Contractual
41	786.88	A.1410.2	Clerk Capital Outlay To cover Y/E Variance	A.1440.4	Engineer Contractual
42	117.28	A.9030.8	Fringe Benefits State Retirement To cover Y/E Variance	A.5132.4	Garage Contractual
43	42.71	A-9030.8	Fringe Benefits State Retirement To cover Y/E Variance	A.5182.4	Street Lighting Contractual
44	508.49	A-9030.8	Fringe Benefits State Retirement To cover added Pumping	A.7140.4	Pavilion Contractual
45	2.00	A-9030.8	Fringe Benefits State Retirement To cover Rounding	A.8020.1	Planning Personal Services
46	0.02	A-9030.8	Fringe Benefits State Retirement To cover Rounding	A.9710.7	Town Hall Bonds Interest

Highway Fund

Transfer Number	Amount	Decrease Appropriation		Increase Appropriation	
		Account	Description	Account	Description

47	5,082.12	DA.5140.1	Misc/Brush/Weeds	DA.5130. 1	Machinery
			Personal Services		Personal Services
			To reallocate Highway Budget per Mark David		
48	1,420.78	DA.5142.1	Town Snow Removal	DA.5130. 1	Machinery
			Personal Services		Personal Services
			To reallocate Highway Budget per Mark David		
49	1,469.00	DA.9040.8	Fringe Benefits	DA.9010. 8	Fringe Benefits
			Workers Compensation		State Retirement
			To cover final Dec Retirement Invoice		

BUDGET TRANSFERS/ADJUSTMENTS 1/22/2014 - 2013 FUNDS Continued

Transfer from the unexpended balance of an existing appropriation'(s).

**Library
Fund**

Transfer Number	Amount	Decrease Appropriation		Increase Appropriation	
		Account	Description	Account	Description
50	31.00	L-9030.8	Fringe Benefits	L.9010.8	Fringe Benefits
			Social Security		State Retirement
			To Cover minor Y/E variances		
51	2.41	L-9030.8	Fringe Benefits	L.9050.8	Fringe Benefits
			Social Security		State Unemployment
			To Cover minor Y/E variances		
52	55.08	L-9030.8	Fringe Benefits	L.9060.8	Fringe Benefits
			Social Security		Health Cost
			To Cover minor Y/E variances		
53	967.69	L.7410.1	Library	L.7410.4	Library
			Personal Services		Contractual
			To Cover Y/E Contractual Variance		
54	300.00	L.7410.2	Library	L.7410.4	Library
			Capital Outlay		Contractual
			To Cover Y/E Contractual Variance		
55	208.37	L.9030.8	Fringe Benefits	L.7410.4	Library
			Social Security		Contractual
			To Cover Y/E Contractual Variance		
56	27.80	L.7410.42	Gas/Electric from Town	L.7410.4	Library
			Contractual		Contractual
			To Cover Y/E Contractual Variance		

57	23.76	L.9055.8	Fringe Benefits Disability Insurance To Cover Y/E Contractual Variance	L.7410.4	Library Contractual
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Appropriation of unreserved fund balance or unanticipated revenues

General Funds Transfer Number	Amount	Account	Description	Account	Description
58	2,750.00	L-0599	Fund Balance Appropriated To Cover Y/E Contractual Variance	L.7410.4	Library Contractual

Roll:

Kathryn Steiner	aye	
Daniel Woolaver	aye	
Cathleen Frank	aye	
Rita McCarthy	aye	carried.

VI. CORRESPONDENCE

Monroe County Sheriff Report-Zone B: Deputy Town Supervisor Frank stated that the Monroe County Sheriff's Report described all criminal actions occurring in Zone B were in the Town of Henrietta.

VII. REPORT OF OFFICERS AND COMMITTEES

Councilperson Steiner had no report.

Councilperson Woolaver, as liaison, attended the meeting and reported 2 decisions were made. He also attended the Planning Board meeting wherein the Comprehensive Plan was discussed.

Councilperson McCarthy reported that the Library Board of Trustees meeting was cancelled.

Town Clerk Bucci had no report.

Code Enforcement Officer/Building Inspector Gerry Kusse had no report.

Highway Superintendent Mark David reported that operations were moving as weather commands.

Deputy Town Supervisor Frank reported that she and Councilperson McCarthy attended the Association of Towns 3 day training sessions for newly elected

officials at the Double Tree in Henrietta. As liaison to both, she also attended both the Planning Board and Fire Commissioners meetings. Deputy Town Supervisor Frank noted that to get a clearer understanding of the abstract procedural process, all vouchers were reviewed.

VIII. OLD BUSINESS

Pure Waters at town-owned 100 acres of previous Industry property – Although Attorney Pavia and Supervisor Anderson spoke earlier, Attorney Mancuso was presented with a copy of a map submitted by Monroe County showing the proposed easement area. The easement runs along the railroad tracks at Henrietta town line and Route 251. A review will be done once Monroe County prepares a legal description. This property was previously State land, with a reserved easement for utility purposes. Its location had not been previously specified. The map and description will provide the exact easement location.

IX. NEW BUSINESS

Highway Superintendent Advocacy Day Meeting – Albany – Highway Superintendent David stated that he would be attending an Advocacy Day Meeting in Albany which will require one overnight stay.

RESOLUTION #6-2014

Councilperson Steiner moved to approve Highway Superintendent's overnight stay in Albany, New York to attend an Advocacy Meeting. Councilperson McCarthy seconded the motion.

Roll:

Kathryn Steiner	aye	
Daniel Woolaver	aye	
Cathleen Frank	aye	
Rita McCarthy	aye	carried.

A. Court Document Audit pursuant to Town Law §123 – Deputy Town Supervisor Frank asked for two board volunteers to audit the Court Office records as required. Councilpersons McCarthy and Steiner will perform the Rush Court audit.

B. Preliminary Solar Proposal - Deputy Town Supervisor Frank and Supervisor Anderson met with Larsen Engineering regarding an updated feasibility study. The town is awaiting answers to outstanding or additional questions.

C. Assessor's Office Purchase of Computer - Deputy Supervisor Frank received a request from Assessor Dan Stanford for a new computer. The current computer was purchased prior to 2009. Funds are available in the Assessor's budget.

RESOLUTION #7-2014

Councilperson Woolaver moved to authorize the Assessor to purchase a computer through the PinPoint Group for an amount not to exceed \$1,100.00 with funds from the Assessor's budget, A1355.200. Councilperson Steiner seconded the motion.

Roll:

Kathryn Steiner	aye	
Daniel Woolaver	aye	
Cathleen Frank	aye	
Rita McCarthy	aye	carried.

X. OPEN FORUM

Resident William Riepe asked if the audit by the NYS Comptroller's Office would include an audit of the Court and why would the Town Board be additionally required to audit the Court. Deputy Town Supervisor Frank stated that the Court would be included in the Comptroller's audit.

Town Clerk Bucci stated that the Town Board is required pursuant to Town Law and as a requirement under the Unified Justice Court Act. The NYS Comptroller's audit is separate.

Deputy Town Supervisor Frank stated the NYS Comptroller's audit is currently being conducted.

Councilperson Steiner inquired about parking on roads during snow removal months. Highway Superintendent David stated that on-street parking is prohibited on roads between the months of November 1 through April 15.

Councilperson Woolaver inquired about the report from Chair of the Recreational Agricultural Citizens Committee (RACC). Deputy Town Supervisor Frank stated that Supervisor Anderson received a note from Chair Jerry Horton that he had been very ill and has asked for an extension. Councilperson Woolaver noted his frustration and that the report is done but the Board has not received it as promised. Councilperson Steiner, liaison, to the RACC reported that a preliminary report may have been submitted to the Supervisor. Deputy Town Supervisor Frank will request that the report be presented by another member of the Committee.

RUSH TOWN BOARD
January 22, 2014

XI. ADJOURNMENT

There being no further business, the meeting was adjourned by Councilperson McCarthy at 7:30 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci
Town Clerk