

RUSH TOWN BOARD
Minutes of June 11, 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 June 11, 2014, at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

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

OTHERS PRESENT:

	Mark David	-----	Highway Superintendent, Resident
	Al Sweet	-----	Resident
	Gerry Kusse	-----	Code Enforcement Officer, Resident
	Carol Barnett	-----	Resident

I. OPEN FORUM

Supervisor Anderson welcomed all to the meeting and opened the floor to anyone wishing to address the Town Board. If an answer is readily available, it will be provided. Those requiring research will be answered at a later date.

II. APPROVAL OF MINUTES

Town Clerk Bucci made the clarification that duplicated verbiage was included on the Minutes of May 28. The duplication has been deleted, copies have been redistributed to the appropriate parties and the website has been updated to reflect the corrected Minutes.

RESOLUTION #102-2014

Councilperson Steiner moved to approve the Minutes of May 28, 2014, as submitted by Town Clerk Pamela Bucci. Councilperson Woolaver seconded the motion.

Roll:

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

III. APPROVAL OF TRANSFER

A transfer of funds is unnecessary at this time.

IV. APPROVAL OF ABSTRACT

RESOLUTION #103-2014

Councilperson Steiner moved Be It Resolved that having audited all the claims against the funds listed on Abstract of June 11, 2014 for vouchers #2014 603 through #2014 680 excluding 644, 656, and 663 which were duplicates are allowed for payment in the amount of \$60,797.06. Councilperson Frank seconded the motion.

Roll:

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

V. CORRESPONDENCE

Supervisor Anderson received and discussed the following:

NYS Transportation Museum – Jim Dierks of the Museum received the Town's positive letter responding to the lease renewal. Robert Achilles of the Museum will be requesting a discussion of long-term arrangements. Supervisor Anderson will be meeting with the Museum representatives for further negotiations.

BOCES – Brett Walker – A letter of thanks was received from Brett Walker. Students involved in the BOCES program continue to perform ground maintenance of cutting the grass on the property. Building Inspector Gerald Kusse is informed of their schedule. A picture of the group of kids was provided.

Farmland Protection Manager, David Mean, NYS Agricultural and Markets – Proposals for farmland protection implementation projects. An easement model will be reviewed by Attorney Frank Pavia. A new maximum cost of 87% when landowners require a local match. The local municipality previously provided the 80% match. The landowner now receives a tax deductible contribution which acts as the town's match and becomes more beneficial the greater the amount of acreage. Supervisor Anderson made the project available to any one of the town board members who wish to spearhead it.

Monroe County Sheriff's Office – Zone B – The Monroe County Sheriff Department reported an incident that occurred on Keyes Road. A solicitor, without a permit and stating that he was selling magazine subscriptions to raise

funds for a sick mother, physically assaulted a resident. The person was arrested and arraigned in the Henrietta Town Court. Be aware that soliciting is prohibited in Rush without a permit issued by the Town Clerk.

VI. REPORTS OF OFFICERS AND COMMITTEES

Councilperson Woolaver attended the 100th year anniversary Rush Public Library gala which was very nice.

Councilperson Steiner also attended the 100th year anniversary Rush Public Library gala. As liaison, also attended was the Conservation Board meeting. Two applications were reviewed.

Councilperson McCarthy also attended the 100th year anniversary Rush Public Library gala.

Councilperson Frank attended the 100th year anniversary Rush Public Library gala which was great.

Supervisor Anderson also enjoyed the 100th year anniversary Rush Public Library gala. All attendees appeared to have a good time.

Town Clerk Bucci provided the Supervisor with a check in the amount of \$19,079.64 which represents interest collected from 2014 Town and County taxes. The total is roughly \$5,000 more than last year. The unpaid balance represents roughly \$142,100. Collection will continue at Monroe County Treasury.

Supervisor Anderson stated the Historian Susan Mee has written a book about Rush. Both the attorney for the town and Town Clerk Bucci has discussed sale of the book. Unfortunately, the town not being a commercial enterprise, it cannot sell goods and services for private and commercial purposes. Supervisor Anderson suggested that the Friends of the Library may be able to sell copies. With the Board's permission, Supervisor Anderson will inform Susan Mee of the town's position and suggest that she discuss it with the Friends of the Library. Town Board members were in agreement.

Building Inspector/Code Enforcement Officer Gerry Kusse stated at this time of year, houses in foreclosure require outside property maintenance. Tensions run high of residents with adjoining properties. CEO Kusse stated that he continues to pursue contacting banks in order to get the lawns mowed. As a last resort, the Highway Department has cut lawns; however, that is a time cost and an added charge to a taxpayer's bill.

Highway Superintendent David stated that tall grass on town and county the roadsides are maintained by the town highway department, however, state roads are under the state's jurisdiction. The highway crew is currently mowing right of ways in Rush. If the highway crew is in the vicinity and know of a tall grass safety issue, the crew will mow it.

Town Clerk Bucci inquired of how taxpayers are notified of added cost to their tax bill. Highway Superintendent David stated that the Finance Director receives the bill and forwards it to the appropriate agency.

Highway Superintendent David's crew will be surface treating county and town roads.

Both Supervisor Anderson and Superintendent David are continuing their review of the road building design criteria. Private drives will need an agreement available at the time of subdivision. Attorney Pavia stated that all private roads in subdivisions are maintained by the developer until the last lot is sold.

VII. OLD BUSINESS

A. Background Check Update – Supervisor Anderson stated that the town attorneys have provided an update to be incorporated into the Employee Manual.

RESOLUTION #104-2014

Councilperson Steiner moved to revise the Employee Manual to incorporate a Background Check provision. Both Town Hall and Library employees will be included in the provision. Councilperson Woolaver seconded the motion.

Roll:

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

B. Insurance Recommendation Update – As recommended, a second toddler swing has been ordered and an RFQ (request for quote) has been submitted for the signage recommended. Compliance is nearing completion.

C. Modification of the Dorschel Rezoning Application Update – Town Clerk Bucci displayed the Notice of Public Hearing sign that will be erected at 7262 West Henrietta Road.

Highway Superintendent David inquired about the responsibility of cost associated in posting a sign of notice of public hearing.

Attorney Pavia stated that both site plan and subdivision approval are different from a rezoning application. Only the costs associated with site plan or subdivision are reimbursable. There is no authority for reimbursement of a rezoning application. If a rezoning is granted, costs involved in a site or subdivision plan are reimbursable. The cost of a public hearing sign could be included at that point. Rezoning is a legislative act. Site plan and subdivision are administrative actions carried out by a Planning Board.

D. Time Warner Franchise Agreement – Supervisor Anderson stated that the agreement has been reviewed and the attorneys for the town have proposed suggested amendments to it. The topic will be discussed further at the Monroe County Supervisor’s Meeting and feedback will be reported.

E. Zoning Code Citizen's Committee Update – Supervisor Anderson stated that the deadline for applications has passed. The Board requested a 5 person board and 7 residents have applied. All Board members have been asked to provide their recommendations. Supervisor Anderson will provide the administrative decision of members selected for the committee at the next meeting.

VIII: NEW BUSINESS

A. Resolution to Renew Contract with The PinPoint Group, Inc.– Town Clerk Bucci stated that the contract is unchanged from previous years, including an hourly rate and is a revolving type contract. Funds are held for the benefit of IT use as the Town Hall employees require service, consulting and IT purchases. The amount of the contract is \$5,000.00. Finance Director Don Reynolds, who is involved in the town's IT process, also favors renewal of the contract.

RESOLUTION #105-2014

Councilperson Steiner moved to authorize Supervisor Anderson to renew the contract with The PinPoint Group, Inc. in the amount of \$5,000.00 from funds allocated in A.1620.43. Councilperson McCarthy seconded the motion.

Roll:

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

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IX. OPEN FORUM

Resident Carol Barnett asked for a broader explanation of the farmland preservation related to funds available from the State and whether or not they are grant funds.

Supervisor Anderson has asked the town attorneys to communicate with other towns on these grant funds. There are different formats that weren't previously available, however, because Rush has a farmland protection planning process, they are useful grants. The advantage is for those farms having many contiguous acres surrounded by no housing development.

X. ADJOURNMENT

There being no further business, the meeting was adjourned by Supervisor Anderson at 7:35 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci
Town Clerk