

Rush Town Board
April 25, 2007

A regular meeting of the Rush Town Board was held on April 25, 2007 at the Rush Town Offices, 5977 East Henrietta Road and was called to order at 7:00 p.m.

Present: Councilman Donald Knab
Councilman Richard Anderson
Councilman Thomas Doupe - late
Councilwoman Lisa Sluberski
Supervisor William Udicious

Others: Frank Pavia, Attorney for the Town of Rush
Joan Starkweather, Middle Road
Harvey Seymour, Middle Road
Pamela Bucci, West Henrietta Road

I Approval of Minutes

RESOLUTION #99

Councilman Anderson moved that the minutes of the regular Rush Town Board meeting of April 11, 2007 be approved as presented.

Roll: Councilman Knab aye
Councilman Anderson aye
Councilwoman Sluberski aye
Supervisor Udicious aye carried.

II Approval of Abstract

RESOLUTION #100

Councilman Knab moved BE IT RESOLVED, that having audited all the claims against the funds listed on the abstract, I move that all claims in the amount of \$17,394.21 be allowed for vouchers #364 through #407. Councilwoman Sluberski seconded the motion.

Roll: Councilman Knab aye
Councilman Anderson aye
Councilwoman Sluberski aye
Supervisor Udicious aye carried.

III Correspondence

1. Henry Corneles, P.E. re leaving firm of Corneles Engineering. Supervisor Udicious explained that the staff that the town has worked with in the past will be remaining with the firm.

IV Reports of Officers and Committees

1. Town Board -

Rush Town Board
April 25, 2007

Councilman Knab stated that he had forwarded to each Board member a description of the position of Coordinator of Emergency Preparedness. The description is very brief. After discussion the board agreed that at the next meeting they would determine if they wished to create the position, how much it would pay and how they wished to advertise for applicants.

Mrs. Starkweather asked what the Emergency Preparedness Coordinator did. It was explained that the person would coordinate the town's response to any disaster, natural or otherwise, as well as participate in the planning process for POD (Point of Distribution) and NIMS (National Incident Management System).

Councilman Anderson reported on the Planning Board meeting and the approval of an application by Cricket Communications to co-locate on an existing cell tower on the Moore farm. He also voiced the Planning Board's request for a reply to the Board's recommendations on Farmland Preservation and the requested rezoning of the Dorschel property on Routes 15 and 251. Supervisor Udicious stated that he would draft a memo to the Planning Board and address the Board's recommendations.

Councilwoman Sluberski reported on the POD meeting she attended in Honeoye Falls where a report was given on the exercise held at the Dome last month. She stated that the county felt that generally the exercise went well but that there were a number of areas that needed improvement. In particular there were a number of areas where more help would be needed were identified. The form that participants were asked to fill out will be revised. An individual from BOMAC has volunteered to help with strategy. A June training session is planned and it is hoped that each town will have names of individuals that can act as POD Managers and operation chiefs.

2. Supervisor - Supervisor Udicious stated that he has been receiving solicitation calls from energy suppliers and he gave the board the material received from NYSEG. He also stated that he has asked Pro Energy for additional information on rate policies.

Finance Director Reynolds replied to the FOIL request from the D&C for salary and benefit information on all town employees for the last five years. Since the town does not have the information in the format requested, a price for creating the records was given and no reply from the D&C has been received.

Rush Town Board
April 25, 2007

V Old Business

1. Planning Board/Zoning Board Training Requirements - Supervisor Udicious explained that as a result of the letter from ZBA Chair Don Van Lare regarding recommended forms that training might take, the matter has been referred to the Attorney for the Town for research.

Attorney Pavia explained that he felt the resolution passed by the Town Board was flexible enough in nature to allow most forms of education that were being proposed. He cautioned that the materials used for meeting the state requirement be from a recognized provider and not just any article written. Attorney Pavia stated that he would draft a memo to both Planning and Zoning with the results of his research.

2. Log Jam on Honeoye Creek - Supervisor Udicious stated that the required permit has been obtained from the DEC and would be passed on to Wolcott Construction. Attorney Pavia has drafted a release for the property owners to sign that will allow their properties to be crossed by the contractor in order to reach the creek and to address removing the jam.

3. Sports Field/Nature walk project - Supervisor Udicious explained that Councilman Anderson, Councilwoman Sluberski, Majed El Rayess, Recreation Supervisor Stephens and he had met last week to review the grant proposal since cost figures must be submitted for the grant before the town will be given a contract. The town must show the portion that will be provided in order to obtain the matching funds. Once a contract has been signed than any charges for the project can be charged against the funds.

4. Employee Manual - Supervisor Udicious reiterated that he was anxious to get this matter settled after over a year of working on the revision. The Library has submitted some items for the board's consideration now that the Highway Superintendent's concerns have been addressed. After discussion it was agreed that an effective date of the Revised Employee Manual will be Sept. 1st and that employees will be given at least 30 days to review the manual and implementation of any changes required can be made.

VI New Business

1. Board of Assessment Review - Supervisor Udicious stated that the resignation of Charles Hughes has been received and that there now is an opening on the Board of Assessment Review. The position will be advertised in the Newsletter and placed on the Website.

2. Disposal of Computer Equipment - Outdated computer equipment has been found in the basement that had previously

Rush Town Board
April 25, 2007

been used by the library. The equipment is no longer needed and Supervisor Udicious suggested that it be declared surplus equipment and donated to the State School at Industry.

RESOLUTION #101

Councilman Knab moved that the Supervisor be authorized to dispose of the surplus computer equipment that was formerly used by the Library and donate that equipment to the State School at Industry. Councilman Anderson seconded the motion.

Roll: Councilman Knab aye
Councilman Anderson aye
Councilman Doupe aye
Councilwoman Sluberski aye
Supervisor Udicious aye carried.

3. Property at 1911 Rush Scottsville Road - Supervisor Udicious stated that the Town Board needed to develop a plan for the use of the building at 1911 Rush Scottsville Road, at least in the short term. There is currently one tenant CP Ward, who is working on the Route 15 bridge reconstruction.

Councilman Knab suggested that a Phase I feasibility study be performed by the architect to determine any possible municipal use that the building could be used for and determine the cost of bringing the building up to current code standards for that use.

Supervisor Udicious stated that he would favor putting the property in the hands of a realtor to act as a rental agent and rent the apartments for a short term until a decision on the future use of the building is determined.

RESOLUTION #102

Councilman Knab moved that the Supervisor be authorize to enter into a contract with Majed Rayess to conduct a Phase I feasibility study of the structure at 1911 Rush Scottsville Road to determine its use as a municipal building.

Councilman Anderson seconded the motion.

Roll: Councilman Knab aye
Councilman Anderson aye
Councilman Doupe aye
Councilwoman Sluberski aye
Supervisor Udicious aye carried.

RESOLUTION #103

Councilman Knab moved that the Supervisor secure the services of a realtor to act as a rental agent to handle the renting of the apartments at 1911 Rush Scottsville Road on a short term basis. Councilman Anderson seconded the motion.

Roll: Councilman Knab aye
Councilman Anderson aye

Rush Town Board
April 25, 2007

Councilman Doupe	aye	
Councilwoman Sluberski	aye	
Supervisor Udicious	aye	carried.

Open Forum

Joan Starkweather of Middle Road asked if the nature trail would work in with the Linear Park. Supervisor Udicious stated that the trail would run along the edge of the town property, about 1 mile in length, and be similar to the Linear Park but since it was prone to flooding it may be just a cleared area.

In answer to Mrs. Starkweather's question on the new BAR member, she was told that it must be a town resident.

In reply to the status of the former Big M (Rush Market & Deli), Attorney Pavia stated that the matter was in litigation and could not be discussed.

Councilwoman Sluberski stated that she had received a complaint from a resident of Route 251 about the cars speeding in the area of the hamlet. The sheriff's department has been contacted and will treat the area as an area of interest and try to put patrol cars in the area at the times of the most frequent speeding. Any speed signs would need to be cleared with the NYS DOT since it is a state road.

Also, Councilman Sluberski suggested that a new survey be done to determine what residents would like to see developed in the area behind the town hall. She felt that the previous survey with only 250 responses was not a good sampling of the town residents.

Supervisor Udicious explained that the grant obtained to be used on the Phase I property development was based on the plan that now is approved. Any major change to the plan might result in the loss of those grant funds. The tennis courts were dropped from the plan, he explained, in order to reduce the project cost and allow it to be done with funds on hand. It is too late to go back now on Phase I.

Councilman Anderson asked approval to continue to investigate an energy audit of all town facilities that is being offered and that the application fee of \$400 will be returned if savings can be shown.

Councilman Anderson also volunteered as the liaison to the Planning Board to try and establish a dialog between the Town Board and the Planning Board on the best approaches to the preservation of agricultural land within the town.

Rush Town Board
April 25, 2007

Councilman Knab moved that as there was no further business that the Town Board meeting be adjourned. Councilman Anderson seconded the motion and the board was all in favor.

Time: 8:10 p.m.

Respectfully submitted,

Linda G. Henry
Rush Town Clerk