

RUSH TOWN BOARD
Minutes of December 10, 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 December 10, 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
	Cathleen Frank	-----	Councilperson, Deputy Town Supervisor
	Daniel Woolaver	-----	Councilperson
	Kathryn Steiner	-----	Councilperson
	Rita McCarthy	-----	Councilperson
	Pamela Bucci	-----	Town Clerk
	John Mancuso, Esq.	-----	Town Attorney

OTHERS PRESENT:

Mark David	Resident, Highway Superintendent
Dave Sluberski	Resident
Nick Donofrio	Resident
Carol Barnett	Resident
Kathryn Hankins	Resident
James Bucci Jr.	Resident
Dick Knapp	Resident
Mary Knapp	Resident

I. OPEN FORUM

Supervisor Anderson welcomed all to the meeting and opened the floor to anyone wishing to address the Town Board. Those being heard were asked to state their name and address.

Resident Nick Donofrio presented a Petition signed by neighbors to the Town Board requesting that the storm drainage area on Delia Trail which has caused ponding of water over the past 26 years and has tree growth in it to be cleared and or the trench dredged by the town. The boundaries were described. The property bordering the storm drain is privately owned open land. Both the property owner Joe Biondo and Highway Superintendent Mark David have been consulted regarding the ongoing problem.

Highway Superintendent David stated that he had discussed the drainage with Mr. Donofrio and Joe Biondo. Superintendent David promoted obtaining neighbor's collaboration in proceeding with the request. A Town Board

approval and an easement would be required to perform the work on private property.

Supervisor Anderson requested Attorney Mancuso to prepare an easement with specifics.

Resident Dave Sluberski stated that a correction in his statement included on page 8 of the November 26 Town Board Minutes regarding documented versus public information needed correction. Additionally, a bunch of questions were submitted to the Town Board and Mr. Sluberski asked for the process in obtaining an answer to them.

Supervisor Anderson stated that the Town Board would get back to Mr. Sluberski.

Resident Carol Barnett inquired about the Energy Advisory Committee Proposal presented to the Board on November 26 by Jordan Kleiman and Bob Powers.

Supervisor Anderson stated that he had asked the Board for comments to proceed forward. Once comments are received, they can proceed.

II. APPROVAL OF MINUTES

RESOLUTION #163-2014

Councilperson Steiner moved to approve the Minutes of November 26, 2014, as corrected by Town Clerk Pamela Bucci. Councilperson McCarthy seconded the motion.

Roll:	Councilperson Woolaver	aye
	Councilperson Steiner	aye
	Councilperson Frank	abstained
	Councilperson McCarthy	aye
	Supervisor Anderson	aye carried.

III. APPROVAL OF TRANSFER

RESOLUTION #164-2014

Councilperson Steiner moved, be it resolved that having audited all the unexpended balance of existing appropriations, I move that transfers #21 through #25 in the amount of \$14,485.25 be approved. Councilperson Frank seconded the motion.

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

BUDGET TRANSFERS 12/10/2014 - 2014 FUNDS

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

General Funds

Transfer Number	Decrease Appropriation			Increase Appropriation	
	Amount	Account	Description	Account	Description
21	7,650.00	A.1990.4	Supervisor Contingency Transfer to cover Boces Property Maint.	A.1620.21	Buildings-Internal Sources Capital Outlay
22	4,600.00	A.1990.4	Supervisor Contingency Transfer to cover Bball Fence remainder	A.1620.22	Buildings-Grant Sources (Partial) Capital Outlay
23	2,100.00	A.7020.4	Recreation Contractual Transfer to reallocate Recreation Budget	A.7020.1	Recreation Personal Services
24	4.00	A.9760.800	Fringe Benefits Medical Insurance Transfer to cover minor overage	A.1910.400	Townwide Insurance
25	131.25	A.1990.4	Supervisor Contingency Transfer to cover Radio Installation	A.3410.4	Fire Protection Contractual

IV. APPROVAL OF ABSTRACT

RESOLUTION #165-2014

Councilperson Steiner moved be it resolved that all funds listed on Abstract of December 10, 2014 for vouchers #2014 1316 through 2014 1367 (excluding 2014 1343) be allowed for payment in the of \$338,327.10. Councilperson McCarthy seconded the motion.

Roll:

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

Supervisor Anderson noted that the annual retirement premium payment is included in the abstract for pre-payment in order to save 5%.

V. CORRESPONDENCE

Supervisor Anderson received and discussed the following:

Monroe County Sheriff's Department – Rush had no incidents to report, however, the public should be aware that thefts are occurring in unlocked buildings and cars in towns around the County. Captain Wagner met with Supervisor Anderson and indicated that they have proactively selected the 10 most dangerous intersections in towns. A Rush intersection is not in the top 10, however, most dangerous intersection are the Routes 251/390 and 15/390 interchanges. Supervisor Anderson called on Fire Chief Bucci, in the audience, regarding accidents in those particular areas which he agreed.

Supervisor Anderson stated that another intersection of concern is Rush-Henrietta Townline Road and Route 15; he will investigate if that was on the Town of Henrietta listing.

Disaster Awareness Planning – A disaster awareness training is being offered to the public on January 5th at the Scottsville facility. A training session will be held on January 7th in Elmira. Course modules include hazards and vulnerabilities, values of partnerships, etc. The public is invited. Disaster Coordinator Rick Tracy and Supervisor Anderson will be attending.

Resident Complaint – Amy Shubach submitted a complaint of fees charged in connection with her application of a development subdivision. Engineer Todd Ewell of CHA responded in writing to Mrs. Shubach. The information will be forwarded to the Town Board and a full response will be provided to Amy Shubach.

VI. REPORTS OF OFFICERS AND COMMITTEES

Councilperson Woolaver stated that he attended Town Historian Sue Mee's presentation of the 150th anniversary of St. Joseph's Church.

Councilperson Steiner, as liaison, attended the Conservation Board meeting where they reviewed site plans. Also attended was the 150th anniversary presentation of St. Joseph's Church.

Councilperson Frank attended both the November Fire Commissioner meeting and Planning Board meeting. The Planning Board public hearing was extended. Councilperson Frank also met with Capstone to get a different review of the town's IT environment, disaster recovery and support.

Councilperson McCarthy attended the meeting with Capstone. She also attended the Library Board of Trustees meeting. The seating area in the library is complete. Trustee Jack Mould has resigned from the Board after 20 years of service and a going away party was held.

Town Clerk Bucci reported that the (1) November monthly revenue report and check was submitted to the Supervisor in the amount of \$13,618.74 attributed to afterschool and pavilion rentals. State revenue collected amount to \$882.90 which included NYSDEC revenue of approximately \$23.10; (2) received a letter of resignation from Supervisor Richard Anderson effective January 2, 2015. His family dynamics have changed and his schedule needs to be modified to accommodate them; (3) as a notary public, Town Clerk Bucci provided services in the town parking lot, at resident homes, and after hour requests from home. A resident who just moved in to Rush but was admitted to the hospital requested a marriage license. They intended to be married on 12/13/14 at 15:16 hours and asked if I would provide a marriage license to them; the first marriage license issued at a hospital.

Highway Superintendent David had no report.

Code Enforcement Officer Kusse stated that he continues to receive complaints of hunting occurring at 6565 East River Road. The Conservation Officers have asked if the town wishes to prosecute when violators are found.

Town Attorney Mancuso had no report.

VII. OLD BUSINESS

A. Solar Energy Update – Supervisor Anderson met with Larsen Engineers at 6565 East River Road. The power company was not present. Data was collected so that a response could be provided to the power company.

B. Retirement Healthcare Update – Supervisor Anderson reported that the proposed increase of 16% was presented to all retirees who have all enrolled in the program. A cash equivalent was not taken.

C. 239m Agreement - Attorney John Mancuso previously circulated an inter-municipal agreement between the Town of Rush and Monroe County. The agreement originated from Monroe County. The purpose is to exempt the town from certain land use applications to Monroe County Planning Department that are truly local in nature. A schedule of items is attached to the Agreement. Items included pose an administrative burden for both the County and the Town. It exempts those items from having to be referred to the County for approval.

A Short-Environmental Assessment Form, unlisted action, has been prepared under the State Environmental Quality Review Act. Attorney Mancuso walked the Board through the form for its completion.

Councilperson McCarthy asked for clarification of the addendum. Attorney Mancuso stated that Monroe County is interested in reviewing applications where the applicant's property abuts a state road or highway and large projects, not typical 1 family residential matters.

RESOLUTION #166-2014

Councilperson Steiner moved to authorize the Supervisor to sign page 4 of Part I of the Short Environmental Assessment Form affirming its accuracy and agree that the proposed action will not result in any significant adverse environmental impacts. Councilperson Woolaver seconded the motion.

Roll:

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

Attorney Mancuso reviewed Part II, Impact Assessment by the Town Board. It determines whether or not there is a potential small, moderate or large environmental impact associated with entering into the agreement. Questions were reviewed and addressed. Part III is a Determination of Significant Impact which states that the Board believes that there is no impact to the environment associated with the agreement and they would adopt a negative declaration. A resolution is required.

RESOLUTION #167-2014

Councilperson Steiner moved that the Town Board deems Part II, Impact Assessment as an unlisted action and resolves to issue a negative declaration for the 239m Agreement. Councilperson McCarthy seconded the motion.

Roll:

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

RESOLUTION #168-2014

Councilperson Steiner moved to authorize the Town to enter into the 239m Agreement with Monroe County and allow the Supervisor to execute it, subject to finalization by the Attorney for the Town. Councilperson McCarthy seconded the motion.

Roll:

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

VIII. NEW BUSINESS

A. Proposed Ice Rink on Basketball Court – Supervisor Anderson stated that Highway Superintendent David has contacted Mendon regarding their rink and also received a quote from Raven Engineered FILMS. Funds to cover the cost will be obtained from the Supervisor Contingency Fund. The quote received amounts to \$1,750.00. Minor hardware costs will also be required.

Councilperson McCarthy inquired about maintenance. Highway Superintendent David stated that his crew or town crew would maintain the rink. A snow blower with tracks is recommended.

Councilperson Steiner inquired about signage. Supervisor Anderson will consult with the insurance carrier about signage and any required coverage over and above the basketball court coverage.

RESOLUTION #169-2014

Councilperson Steiner moved to approve the purchase of an Ice Rink from Raven Engineered Films, 500 12th Street SE, Madison, South Dakota 57042 for an amount not to exceed \$2,000.00 from the Supervisor's contingency fund. Purchase is contingent upon insurance requirements and legal review. Councilperson Woolaver seconded the motion.

Roll:

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

B. Energy Advisory Committee – Supervisor Anderson noted that an Energy Advisory Committee Proposal was submitted by Jordan Kleiman and Bob Powers representing a Sustainable Rush.

C. Renewal of Standard Bulk Mailing Permit – Town Clerk Bucci stated that a Standard Bulk Mailing Permit is required to send the Town's newsletter. The cost is \$220.00, a \$30.00 increase from last year.

RESOLUTION #170-2014

Supervisor Anderson moved to allow the Town Clerk to advertise for resident volunteers for an Energy Advisory Committee (EAC). Councilperson Woolaver seconded the motion.

Roll:

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

The number of persons on the committee will be determined at a later date.

RESOLUTION #171-2014

Councilperson Steiner moved to allow Town Clerk Bucci to purchase a United States Postal Service bulk mailing permit in the amount of \$220.00. Councilperson McCarthy seconded the motion.

Roll:

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

OPEN FORUM -

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

Resident Dave Sluberski agreed with the recommendation of placing a safety sign at the Rush rink. A picture of rules posted at RIT skating rink will be forwarded to Recreation Supervisor Patricia Stephens for suggested wording.

Resident Dave Sluberski reported that he attended the Board of Education public hearing regarding Veteran exemptions. They will vote on it January 6, 2015.

Supervisor Anderson stated that the Rush Town Assessor attended the Rush Henrietta School Board public hearing which is strictly a School Board decision. The Town has no taxing authority.

Resident Kathryn Hankins recommended that the Town have a bench at the skating rink in order to put skates on.

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Supervisor Anderson commented that Recreation Supervisor Stephens is working on both obtaining a bench and obtaining a protection shelter.

XI. ADJOURNMENT

There being no further business to conduct, the meeting was adjourned by Supervisor Anderson at 7:50 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci
Town Clerk