

RUSH TOWN BOARD  
Minutes of December 29, 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 29, 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
	Daniel Woolaver	-----	Councilperson
	Kathryn Steiner	-----	Councilperson
	Rita McCarthy	-----	Councilperson
	Cathleen Frank	-----	Councilperson, Deputy Town Supervisor
	Pamela Bucci	-----	Town Clerk
	John Mancuso, Esq.	-----	Town Attorney

OTHERS PRESENT:

Mark David	Resident, Highway Superintendent
Kathryn Hankins	Resident
Joan Starkweather	Resident
Harvey Seymour	Resident

I. OPEN FORUM

Supervisor Anderson welcomed all to the meeting and on behalf of all the Town Board wished all a happy holiday season and prosperous New Year. He further opened the floor to anyone wishing to address the Town Board.

Resident Kathryn Hankins, on behalf of Dave Sluberski and the Rush Democrats wished to recognize Supervisor Anderson for his combined 8 years on both the Town and Planning Boards. His service is appreciated and he is well respected.

Supervisor Anderson acknowledged the compliment and commented that it is time for him to do something different.

**RESOLUTION #172-2014**

Councilperson Steiner moved to amend Resolution #163 of November 26, 2014, Minutes. There were no corrections to be made. The open forum portion of the official recording was again reviewed and the Minutes were accurately worded. Remove the words as corrected and replace with as submitted. Supervisor Anderson seconded the motion.

Roll:

Councilperson Woolaver	aye
Councilperson Steiner	aye

Councilperson Frank                    aye  
Councilperson McCarthy                aye  
Supervisor Anderson                    aye    carried.

**RESOLUTION #173-2014**

Councilperson Steiner moved to amend Resolution #165 of December 10, 2014. Voucher 1343 was included and not excluded in the approved amount; \$55.99 was included in a wired payment amount. Supervisor Anderson seconded the motion.

Roll:

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

II. APPROVAL OF MINUTES

**RESOLUTION #174-2014**

Councilperson Steiner moved to approve the Minutes of December 10, 2014, as written 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

**RESOLUTION #175-2014**

Councilperson Steiner moved be it resolved that having audited all the unexpended balance of existing appropriations, moved that transfers 26 through 32 in the amount of \$5,356.00.

**BUDGET TRANSFERS 12/29/2014 - 2014 FUNDS**

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

**General Funds**

Transfer Number	Amount	Decrease Appropriation		Increase Appropriation	
		Account	Description	Account	Description
26	891.00	A.7110.100	Parks	A.8160.400	Transfer
			Personal Services		Station
			To Reallocate Parks/Highway Budget per Mark David		Contractual

27	55.00	A.5010.200	Highway Administration Capital Outlay To Reallocate Parks/Highway Budget per Mark David	A.5010.400	Highway Administration Contractual
28	230.00	A.7110.100	Parks Personal Services To Reallocate Parks/Highway Budget per Mark David	A.5010.400	Highway Administration Contractual
29	1,000.00	A.7110.100	Parks Personal Services To Reallocate Parks/Highway Budget per Mark David	A.5132.400	Highway Garage Contractual

**Highway Funds**

Transfer Number	Decrease Appropriation			Increase Appropriation	
	Amount	Account	Description	Account	Description
30	980.00	DA.5148.100	Services to Other Govts Personal Services To Reallocate Highway Budget per Mark David	DA.5140.100	Brush/Weeds Personal Services
31	700.00	DA.5130.400	Machinery Contractual To Reallocate Highway Budget per Mark David	DA-5130.200	Machinery Capital Outlay
32	1,500.00	DA.5148.100	Services to Other Govts Personal Services To Reallocate Highway Budget per Mark David	DA.5130.100	Machinery Personal Services

Roll:

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

IV. APPROVAL OF ABSTRACT

**RESOLUTION #176-2014**

Councilperson Steiner moved Be It Resolved that having audited all the claims against the funds listed on Abstract of December 29, 2014 for vouchers #2014 1368 through #2014 1429 is allowed for payment in the amount of \$231,154.63. Councilperson Woolaver 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:

Department of Public Health – A request for nominee to serve on the Monroe County Environment Management Council has been received. Supervisor Anderson, as in the past, will approach Conservation Board Chair Dave Watson to serve on the council.

## VI. REPORTS OF OFFICERS AND COMMITTEES

Councilperson Woolaver stated that the Zoning Citizens Committee (ZCC) met and discussed different time limits for boats, trailers, and campers and suggested using an official complaint form. The agricultural Right to Farm Act information will be recirculated to Councilperson Woolaver from Attorney Mancuso to be shared with the ZCC. There is some confusion of the members regarding different zoning classifications compared to the current town map and Code book.

Supervisor Anderson stated that a complaint form is currently being tested and then explained that the RB (Restricted Business) is a designated abbreviation zone, however, at the time that it was included in the Code, residents in the area south of Exit 11 zone were against rezoning the area to RB.

Councilperson Steiner had no report.

Councilperson Frank stated, as liaison, had attended both the Planning Board and Fire Commissioners meeting.

Councilperson McCarthy had no report.

Town Clerk Bucci reported the following (1) received a Freedom of Information Request, as did Town Clerks across the State regarding infrastructure records of water, sewer and utility lines including maintenance of them throughout the town. The request was too broad and all records were in the custody of the Monroe County Water Authority RG&E and NYSEG. In discussing the request with Monroe County Town Clerks Association, Town Supervisors Association and Highway Superintendents, the request was denied; (2) Planning and Zoning Board application decisions for 2014 have been placed on the town website; (3) Applications for the 2015 Conservation tree, Shrub & Program through Monroe County are available at the counter. The order deadline is March 10; (3) A warrant to collect taxes has been received, \$1,672,709 for town and \$2,810,894

for county; (4) NYS Agricultural and Markets has filed a Municipal Shelter Inspection report for the town's dog shelter, Suburban Animal Hospital, which has passed inspection with a satisfactory rating.

Highway Superintendent Mark David is in possession of the 2015 dump truck and is making the appropriate modifications for the season.

Attorney John Mancuso had no report.

VII. OLD BUSINESS

A. Solar Energy Update – Supervisor Anderson reported that Larsen Engineers are awaiting an appointment with National Grid for an evaluation.

B. Proposed Ice Rink on Top of Basketball Court Update – Highway Superintendent David commented that the operation is on hold until the insurance company approves a rules sign and coverage.

VIII. NEW BUSINESS

A. Reappointment of Gerrit Koppers to the Zoning Board of Appeals – Supervisor Anderson stated that Gerrit Koppers has agreed to be reappointed to the Zoning Board of Appeals for a 5 year term.

**RESOLUTION #177-2014**

Supervisor Anderson moved to reappoint Gerrit Koppers to the Zoning Board of Appeals for a five year term commencing January 1, 2015 through December 31, 2019. Councilperson McCarthy seconded the motion.

Roll:

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

B. Reappointment of David Watson to the Conservation Board – Supervisor Anderson stated that Dave Watson has agreed to be reappointed to the Conservation Board for a 5 year term.

**RESOLUTION #178-2014**

Supervisor Anderson moved to reappoint Dave Watson to the Conservation Board for a five year term commencing January 1, 2015 through December 31, 2019. Councilperson Frank seconded the motion.

Roll:

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

C. Reappointment of Jerry Justice to the Board of Assessment Review – Supervisor Anderson stated that Jerry Justice has agreed to be reappointed to the Board of Assessment Review for a 5 year term.

**RESOLUTION #179-2014**

Supervisor Anderson moved to reappoint Jerry Justice to the Board of Assessment Review for a five year term commencing October 1, 2014 through September 30, 2018. Councilperson Steiner seconded the motion.

Roll:

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

D. Reappointment of Scott Strock to the Planning Board – Supervisor Anderson stated that Scott Strock has agreed to be reappointed to the Planning Board.

**RESOLUTION #180-2014**

Supervisor Anderson moved to reappoint Scott Strock to the Planning Board for a five year term commencing January 1, 2015 through December 31, 2019. Councilperson Woolaver seconded the motion.

Roll:

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

E. CHA AGREEMENT – Supervisor Anderson stated that the CHA Engineering Agreement has a change in billing of combining job classifications. Discussion will be postponed until the next meeting.

F. 2015 Amendatory Agreement – All Seasons County/Town Work Agreement – Highway Superintendent Mark David commented that the Agreement is a standard 1 year extension of work of the 10 year agreement for county and town roads which allows town to do summer road maintenance for the county

including roadside mowing and dead animal pick-up. The fringe rate increased over last year 3.62%.

**RESOLUTION #181-2014**

Councilperson Steiner moved to authorize the Supervisor to enter into a 2015 Amendatory Amendment for All Seasons County/Town Work which includes a fringe rate increase of 3.62% to be paid per labor hour for 2015. 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.

XI. ADJOURNMENT

There being no further business to conduct, the meeting was adjourned by Supervisor Anderson at 7:23 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci  
Town Clerk