

RUSH TOWN BOARD
Minutes of July 22, 2015

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Cathleen Frank at 7:00 PM on July 22, 2015, at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

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

OTHERS PRESENT:

Marianne Rizzo	Resident
Dave Sluberski	Resident
Sandra B. Sluberski	Resident
Mary Knapp	Resident
Jim Bucci	Resident
Adrienne L. Davis	Resident
Mark David	Resident, Highway Superintendent

I. OPEN FORUM

Supervisor Frank opened the floor inviting anyone wishing to address the Town Board to come forward. All those speaking were asked to state their name and address for record keeping purposes.

Resident Carol Barnett read aloud her request and reasoning why the Town Board should deny the Rush Associates rezoning application of 7262 West Henrietta Road and discontinue any further review. For the record, a copy of her statement was provided to the Town Board and Town Clerk.

Resident Marianne Rizzo agreed with Carol Barnett's position, including the letter from Mr. Gerringer of the DOT.

Adrienne Davis of Zion Daminion Global Ministries attended the Town Board meeting in order to introduce herself, let all know that they are located on Phelps Road, Rush and that their services are on Saturday evenings at 6 PM. As of August 1st, services will be changing from Saturday to Sunday evenings at 6 PM.

Resident Dave Sluberski asked who was responsible in removing the large tree lodged on the Honeoye Creek dam.

Highway Superintendent Mark David responded that either Mother Nature will take care of it, or once the water recedes and the highway work is complete and crew available, it can be chain sawed and removed. It is currently too dangerous for crew members to remove it.

Resident Marianne Rizzo is concerned about safety at the intersection of Rush-Henrietta Townline Road and West Henrietta Road because of its limited visibility. In years past, a motor vehicle death occurred at the intersection.

Highway Superintendent Mark David noted that the hill needs to be lowered, announced that it is a state road and it has been brought to the attention of the NYSDOT.

Rush Fire Department Chief James Bucci stated that although there have been accidents at the location including a death, near misses are not reportable. The death accident being referred to occurred because the child was in the front seat and not properly restrained.

Chief Bucci further stated that the flyovers off West Henrietta Road also create safety hazards. The Fire Department was adamant in having the public contact senators in removing or changing the flyovers in becoming more safe.

Supervisor Frank stated that contacting Senator Rich Funke, 55th District, may provide a proper procedure in changing and or making the intersection of Route 15 and Rush-Henrietta Townline Road safer.

II. APPROVAL OF MINUTES

RESOLUTION #126-2015

Councilperson Steiner moved to approve the Meeting Minutes of July 8, 2015, as written by Town Clerk Pamela Bucci. Councilperson Woolaver seconded the motion.

Roll:

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

III. TRANSFER OF FUNDS

RESOLUTION #127-2015

Councilperson Steiner moved, be it resolved, that having audited all of the unexpended balance of existing appropriations, transfers #8 through #9 in the amount of \$17,000.00 be approved. Councilperson McCarthy seconded the motion.

Roll:

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

IV. APPROVAL OF ABSTRACT

*Transfer from the unexpended balance of an existing appropriation
 General Fund*

Decrease Appropriations			Increase Appropriation		
Transfer #	Amount	Account	Description	Account	Description
8	13,000.00	DA-5110.400	Town Roads/Maintenance to relocate Highway budget per Mark David	DA-5112.400	Town Roads/Construction Contractual
9	4,000.00	A-1900.400	Supervisor Contingency to cover roof and gutter repair	A.1620.400	Building Contractual

RESOLUTION #128-2015

Councilperson Steiner moved Be It Resolved that having audited all the claims against the funds listed on Abstract dated July 22, 2015 for vouchers #2015 727 through #2015 791 be allowed for payment in the amount of \$92,263.07. Councilperson McCarthy seconded the motion.

Roll:

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

V. REPORT OF OFFICERS AND COMMITTEES:

Councilperson Woolaver offered the following report:

- The Zoning Board of Appeals met to review a pool placement application.
- The Zoning Citizen's Committee met.

Councilperson Steiner offered the following report:

- The Conservation Board met, reviewed 1 application and asked that the bats at the former BOCES property be removed humanely.
- The Recreation Agricultural Citizen's Committee met and asked what and why is the Highway Department dumping on the former BOCES property.

Highway Superintendent Mark David stated that the Highway Department does not have a dump site. The area used may have been previously used as a dump site. In time it will be top soiled and brought back to ground.

Councilperson McCarthy offered the following report:

- No report.

Councilperson Moore offered the following report:

- The Planning Board entertained a special permit application for a dog kennel facility in a residential area. It was denied.

Town Clerk Bucci offered the following report:

- No report.

Highway Superintendent Mark David offered the following:

- The honey bees have been professionally removed from the former BOCES property, Building 7 and relocated to Brighton. Although 1 found dead, no other bats were found in the classroom building.
- Monroe County projects will commence on Five Points Road this Friday.

Attorney Mancuso offered the following:

- No report.

Supervisor Frank offered the following report:

- Valerie Mertsock has submitted her resignation to the Town Clerk. She has accepted a full time job. An ad for her replacement is requested.

RESOLUTION #129-2015

Councilperson Steiner moved to authorize the Town Clerk to place an advertisement for the Secretary to Supervisor position with a return deadline date of 3 weeks. Councilperson Woolaver seconded the motion.

Roll:

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

VI. OLD BUSINESS

A. Former BOCES Property Name Discussion – Supervisor Frank stated that the name of the property should represent the features of the property.

Councilperson Steiner noted that the RACC wishes of naming the property Rush Genesee River Reserve was based on being bordered by the river and keeping the town in its name.

Discussion continued amongst the Town Board.

Resident James Bucci suggested that the property name be associated with what the property offers which will draw people to it.

Supervisor Frank utilized a white board in space mapping a perfect name. Suggested features of the property were written. Councilperson McCarthy will suggest water features, Supervisor Frank stated that Rush would be the place used in the name, Councilperson Steiner would provide additional descriptors and Councilperson Moore offered to provide features.

All were advised that use of the name Park would restrict its use and possible grant funding.

B. Evaluate and Compare Options and Prices for former BOCES property signage – Supervisor Frank stated that the Town Board received 3 quotes from the New York State Department of Corrections, Monroe Sign and Brimar for signage for the former BOCES property which ranged from \$1,200 to \$350. The town's insurance company made recommendations regarding the rules and favored keeping them simple and noted where rules must state strictly stated as prohibited, i.e. hunting prohibited. The rules were also reviewed by the attorneys for the town.

Councilperson Woolaver stated that having no formal name of the property and the probability of obtaining additional signs in the future and purchasing the signs at the lower price would be most cost effective at this time.

Supervisor Frank reviewed with the Town Board all rules presented by the Recreation Agricultural Citizen's Committee.

Councilperson Steiner questioned whether or not the property was currently open to the public. Supervisor Frank answered, yes, it is town property, open to the public. A map of the property is available on the town website.

Supervisor Frank questioned the position of the bus being used by the Rush Fire department training facility and asked if it would be possible, as a public safety measure, to relocate it on or off the property or fence it in.

Fire Chief James Bucci stated that there is no safety concern, however, removing it and or fencing it would be discussed with the department. A fence company has already been contacted as well as signage discussed. There is no fluid in the bus and it is stationery in the area. Fire Chief Bucci and Supervisor Frank will discuss further.

Councilperson Steiner asked if the property is posted.

RESOLUTION #130-2015

Supervisor Frank moved to accept Brimar, t4 Outwater Lane, Garfield, New Jersey 07026 quote for 15 trail and 4 rule signs in the amount of \$350.00. Councilperson Woolaver seconded the motion.

Roll:

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

VII. NEW BUSINESS

A. Purchase Authorization for Court Printer – Supervisor Frank stated that the Court requests the purchase of a HPLaserjet printer in the amount of \$399.00. Budgeted funds are available in Account A.1110.4. The present printer is inoperable.

RESOLUTION #131-2015

Councilperson Steiner moved to allow the Court Office to purchase an HPLaserjet printer with budgeted funds in an amount not to exceed \$400.00 from Account A.1110.4. Councilperson McCarthy seconded the motion.

Roll:

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

B. Hire Public Sector HR Consultants LLC to Review Employee Handbook - Supervisor Frank noted that the Employee Handbook required updating and requests authorization to hire a consultant to review the manual.

Supervisor Frank stated that she and Finance Director Don Reynolds recently participated in a webinar in reference to the Division of Local Government and Accountability. Sections of the town's current Employee Handbook should be updated to include new compliance regulations, employee benefits, personnel policies and or procedures. Director Reynolds highly recommended Public Sector HR Consultants Inc. who have presented at state conferences. The Handbook has not been professionally reviewed in over 17 years.

RESOLUTION #132-2015

Councilperson Steiner moved to authorize the Supervisor's to hire Public Sector HR Consultants LLC to review the current Town Employee Manual to provide recommendations for improvements and modifications for a fee of \$1,850.00.

Roll:

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

C. Letter of Support for Henrietta Water Extension – Supervisor Frank has been requested by Henrietta Town Supervisor Jack Moore to submit a letter in support for a Henrietta Water Extension. Supervisor Moore is submitting a grant for water south on East River Road and east on Rush Henrietta Townline Road. If the grant is funded, the water line will end on Rush Henrietta Townline Road which is at the southeast corner of the former BOCES property. At this juncture, if the grant is secured by the Town of Henrietta, the estimated cost for the Town of Rush to extend the water main through the town's property is approximately \$20,000. Supervisor Frank read her letter of support which included Rush's goal and interest in supplying water to the former BOCES property.

VIII. OPEN FORUM -

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

Resident Dave Sluberski stated, in reference to naming the former BOCES property, that an earlier suggestion of naming it after a single person be rethought. A plaque bearing their name and located on the property would be more beneficial and representative of their contribution. Many people in Rush, current and deceased, have contributed to this Rush property. Because the town is in the preliminary stages in developing the property, the naming of it should be done after its use is developed.

In reference to the signs for the property that have been revised by the Town Board, he believed that Mr. Meister, who is local, be given another opportunity to present a bid before making the Board make a final approval.

Resident Marianne Rizzo is concerned about hunting and safety of persons on the property. She is concerned about spacing the posted signs. A deer stand was removed. Camp fires areas were also discussed including a proper fire pit.

Highway Superintendent David stated that the property is posted and whether or not the signs are visible, the property is private and hunting is prohibited. Hunters are trespassers. Printed aluminum signs have been previously and currently suggested.

Supervisor Frank will contact the NYSDEC who are the authorized officials regarding suggested posting signage. The Monroe County Sheriff's Department does periodically patrol the property.

IX. ADJOURNMENT

There being no further business to conduct, the meeting was adjourned by Supervisor Frank at 8:10 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci
Town Clerk