

RUSH TOWN BOARD
Minutes of May 28, 2008
Regular Meeting

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Udicious at 7:00 PM on May 14, 2008, at the Rush Town Offices, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT:	Donald Knab	-----	Councilman
	Richard Anderson	-----	Councilman
	Thomas Doupe	-----	Councilman
	Lisa Sluberski	-----	Councilwoman
	William Udicious	-----	Supervisor
	Pamela Bucci	-----	Town Clerk
	Frank Pavia, Esq.	-----	Attorney for the Town

OTHERS PRESENT:	Seldon Chase	----	Resident
	Kirsten Flass	----	Resident & Library Director
	Dave Sluberski	----	Resident

I. OPEN FORUM . Supervisor Udicious invited anyone in the audience to address the Board.

A. Seldon Chase sought the Board's assistance in seeking the date of the bicycle race that comes through the southern part of the Town of Rush and requested that the route be changed. Bicyclists have taken county roads Rush West Rush Road and Five Points Road and town road Stonybrook Road in the past. The Chase farmers bail and transfer 100 acres of hay and straw on 5 ton wagons through these roads. Stopping the wagons is disruptive and presents an accident risk. Supervisor Udicious will contact the Monroe County Sheriff's Office. Councilman Knab previously discussed the race with Fire Commissioner Robert Faugh. They concurred that the Fire Department/EMS should be advised of the race taking place and road closures. Permits may be required.

B. Dave Sluberski presented a recording device proposal and his resume for review of the town board and town clerk. CD copies of the May 14, 2008, Town Board recording were also distributed.

II. APPROVAL OF MINUTES . May 14, 2008

RESOLUTION #96-08

Councilman Knab moved that the Minutes of May 14, 2008, meeting be approved. Councilman Anderson seconded the motion.

Roll:

Councilman Knab	aye
Councilman Anderson	aye

Councilman Doupe	aye	
Councilwoman Sluberski	aye	
Supervisor Udicious	aye	carried.

III. APPROVAL OF ABSTRACT

RESOLUTION #97-08

Councilwoman Doupe stated **Be It Resolved**, that having audited all the claims against the funds listed on Abstract #10 in the amount of \$35,520.84 be allowed for vouchers #508 through #566. Councilman Anderson seconded the motion.

Roll:

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

IV. CORRESPONDENCE . None to report.

V. REPORT OF OFFICERS AND COMMITTEES

A. Councilman Knab stated that the ballasts for the front outside lights of the Town Hall are backordered and that a solution for electrical feed to the roof should be in place before October.

B. Councilman Anderson discussed the restoration and funding of the Honeoye Falls Creek dam. The Town's request to FEMA for disaster mitigation monies has resulted in an unfavorable response.

The Farmland Preservation Committee met and is researching alternatives.

The Greenway Project Steering Committee will be meeting on May 29 at the Town Hall to review excerpts of pertinent documents.

Proposed Agriculture Tax Exemption Questions relating to Monroe County and School Tax Burden . Attorney Pavia has referred the questions to a tax attorney within his firm and will respond to the Town by the Rush Agriculture Committee meeting on June 10th.

C. Councilwoman Sluberski . The Summer Camp Program is not filling up with Rush children as quick as in previous years and the Recreation Supervisor requests the Board's permission to charge non-residents full cost per child for the program. Supervisor Udicious had previously given the department permission to match the Monroe County summer camp program grant. So that a proper determination could be made, Councilman Knab asked for a written request outline.

A parent has requested permission to register their child in next year's Rush Afterschool Program. The child has severe food allergies and requires immediate attention. Attorney Frank Pavia was asked whether or not the town would be covered under the Good Samaritan Law in this matter. Attorney Pavia requested Supervisor Stephens to obtain written information from the parent in order to make a decision.

D. Rush Rifle Range - The Rifle Range is coordinated through Monroe Community College. The monthly calendar as well as schedule changes are submitted to the Town Supervisor and are forwarded by MCC to residents upon their request. An unscheduled "flash bomb" drill occurred. Supervisor Udicious and Code Enforcement Officer Kusse contacted and visited the Range, respectively. All unscheduled "flash bombs" were cancelled. Pursuant to the town's agreement with the Range, all exercises are to be reported immediately to the Town. Rules are now been posted on the grounds.

E. The Town Clerk's Office will be closed on June 4th to attend required training of the New York State Department of Environmental Conservation Automated Licensing System.

VI. OLD BUSINESS

1. Rush Senior Group (By-Laws, General Policy) Requested Amendments . Attorney Frank Pavia suggested that the by-laws created in 1966 and amended in 2000 be converted to general membership policies governed by the Town Board. Councilwoman Sluberski will relay Mr. Pavia's position to the Seniors Group.

VII. NEW BUSINESS

1. Employee Manual Proposed Amendments . Changes to the Employee Manual were presented, discussed and tabled for continued discussion at a future meeting.

2. Proposed Schedule for 2009 Budget . Budget Officer Donald Reynolds distributed a 2009 Budget Deadlines Schedule to all department heads and Town Board members.

3. Proposed Location of the Library Gazebo . The gazebo is proposed to be located west of the covered ditch at the back entrance to the library. As a safety precaution, the Library Board of Trustees recommended electric be fed to the gazebo. The gazebo will be inspected pursuant to code. The Town will waive the building fee.

4. Mendon Foundation Request . Request for support of the Mendon Foundation's Grant application for grant funding of the Lehigh Valley Trail Extension and Enhancement Project.

RESOLUTION # 97-08

Supervisor Udicious moved WHEREAS, since 1992 the Mendon Foundation has worked hard to enhance the natural resources in the Towns of Mendon and Rush, and

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to promote the rich cultural heritage of the communities in and adjacent to Southeastern Monroe County; and

WHEREAS, the Mendon Foundation was successful in obtaining a total of \$1,300,000 to create the Lehigh Valley Trail in the mid 1990s; and

WHEREAS, the Lehigh Valley Trail, paralleling the Erie Canal Trail is a major part of the developing Genesee Region Trails network and contributes to the recreational opportunities of the 3,500 residents of the Town of Rush; and

WHEREAS, the Mendon Foundation is currently seeking a grant under the federal SAFTEATEA-LU grant program to support the trail development of the Lehigh Valley Trail; and

WHEREAS, the Town Board now wishes to fully support the efforts of the Mendon Foundation in securing funding for the development of the Lehigh Valley Trail and the recreational offerings for the Town of Rush residents.

NOW, BE IT RESOLVED, that the Town Board of the Town of Rush hereby adopts this Resolution in of support the Mendon Foundation and its grant application under the federal SAFTEATEA-LU program for the funding of further development of the Lehigh Valley Trail.

BE IT FURTHER RESOLVED, that the Town Supervisor be, and hereby is, authorized and directed to record and publish this Resolution in a manner duly warranted.

Councilman Knab seconded the motion.

Roll:

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

VIII. OPEN FORUM

Supervisor Udicious invited anyone in the audience to address the Board.

Resident David Sluberski made a comparison comment regarding previous year's costs' of Henrietta Recreation programs versus Rush Recreation programs and the additional but nominal cost to all non-Henrietta residents. Also, in the past, Boy Scouts have not been allowed to circulate information within the school as the district recreation programs have in the past.

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Dave Sluberski listened to the Town Board meeting minutes of May 14, 2008, and gave his opinions and concerns of basic legislative minute recording and the necessity of the town to move forward in its recording of and availability to meetings.

Kirsten Flass questioned Clerk Bucci about taking minutes. Clerk Bucci responded on the official minute taking process and form in which they must be kept.

IX. EXECUTIVE SESSION

Supervisor Udicious motioned to move the meeting into Executive Session at 8:10 PM to discuss potential code violations possibly leading to litigation.

Supervisor Udicious moved to return to regular session of the meeting at 8:27 PM.

With no further business, a motion was made by Councilman Knab and the meeting was adjourned at 8:30 PM by common consent of all board members.

Respectfully submitted,

Pamela J. Bucci

Pamela J. Bucci
Town Clerk