

RUSH TOWN BOARD MINUTES  
October 12, 2016

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Cathleen Frank at 7:00 PM on October 12, 2016, at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT:	Cathleen Frank	-----	Supervisor
	Rita McCarthy	-----	Councilperson, Deputy Supervisor
	Daniel Woolaver	-----	Councilperson
	Jillian Coffey	-----	Councilperson
	Gerald Kusse	-----	Councilperson
	Pamela Bucci	-----	Town Clerk
	John Mancuso, Esq.	-----	Attorney for the Town

OTHERS PRESENT:

Dick Knapp & Mary	-----	Residents
Al Sweet	-----	Resident
Bill Gaffney	-----	Resident
Carol Barnett	-----	Resident

I. PUBLIC COMMENT

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

Resident Bill Gaffney requested the Town Board's purpose in seeking to review or change the Zoning Code. Mr. Gaffney suggested that the Town Board inform all appointed board member what goal was sought in forming a citizen's advisory committee in order for the Board to make responsible decisions for the community. Mr. Gaffney is not in support the changes proposed.

Resident Carol Barnett asked if the 2017 Preliminary budget was available on the town website and whether a copy could be available in the Rush Public Library.

Town Clerk Bucci stated that the 2017 Preliminary budget is on the town website. A copy will be placed in the Rush Public Library.

II. APPROVAL OF MINUTES

**RESOLUTION #168-2016**

Councilperson McCarthy moved to approve the September 28, 2016, Town Board Minutes as written by Town Clerk Bucci. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye	carried.

III. APPROVAL OF ABSTRACT

**RESOLUTION #169-2016**

Councilperson McCarthy moved that having audited all the claims against the funds listed on Abstract 19 for #2016-989 through #2016-1038, they be allowed for payment in the amount of \$44,064.65. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye	carried.

IV. REPORTS OF OFFICERS AND COMMITTEES

Councilperson Woolaver offered the following:

- No report.

Councilperson McCarthy offered the following:

- Acknowledge Code Enforcement Rick Tracy's assistance in having the owner of the former Rush Market to complete the parcel clean up.

Councilperson Coffey offered the following:

- No report.

Councilperson Kusse offered the following:

- Attended the Conservation Board meeting wherein they reviewed 3 applications.

Town Clerk Bucci offered the following:

- Varidesk is working well. Deputy Town Clerk Featherman has requested a purchase of the same unit. Request to purchase a second varidesk for the Town Clerk's Office with funds available.
- September monthly report has been accepted by Supervisor Frank along with a check in the amount of \$8,173.01 representing town revenue. Additional checks amounting to \$2,591.69 in revenue have been disbursed to state agencies.
- School taxes have been collected in the amount of \$3,953,357.34 with another \$651,000 remaining.
- Justice Doupe has completed his Unified Court System required continuing education and has filed the paperwork in my office.
- November 1<sup>st</sup> is the last day to postmark a request for a general election absentee ballot. November 7<sup>th</sup> is the last day to apply in person at the Board of Election for an absentee ballot.
- Although I was out of state, the Fall Festival was a success.

Town Attorney Mancuso offered the following:

- No report.

Supervisor Frank offered the following:

- Supervisor Frank will be out of state and Councilperson Jillian Coffey will be out of the country for the October 26 Town Board meeting.
- Acknowledged John Frew, Town Maintenance, did excellent work in painting the town hall building doors red.
- Striping of parking spaces is complete and LEDTOMMORROW has installed longer-lasting, energy-efficient lighting in the town hall's parking lots.

#### IV. CORRESPONDENCE

No correspondence.

#### V. OLD BUSINESS

A. Status Update on the energy saving options for 1911 Rush Scottsville Road – Supervisor Frank requested an update from Councilpersons Kusse and Woolaver.

Councilperson Kusse provided draft copies to the Town Board regarding retaining heat in the Town Hall building, however, it is open to suggestions. Air sealing and insulation is the main concern. Boiler equipment, window treatment, upgrading was not included in the draft.

Discussion amongst Councilpersons continued regarding R60 insulation and previous bids of contrast which covered additional insulation.

Supervisor Frank asked Councilperson Kusse to obtain three competitive bidding estimates.

Councilperson McCarthy asked if the estimates could be obtained prior to the approaching cooler weather season.

Councilperson Kusse stated that only inside work would be necessary but should be started prior to severe weather.

B. Update on proposed Zoning Code changes – Supervisor Frank has rescheduled a joint meeting of the Town, Planning, Zoning and Conservation Board members to review the Zoning Citizens Advisory Committee's proposed amendments to the zoning code. All Town Board members would be assigned different sections to review and discuss jointly at the meeting. Having all boards present will provide a complete scope on the interpretation, direction of the community and the enforcement of the code.

Councilperson Kusse added that he has different opinions about the process but believes there are items that need attention. Based on what he has heard from community feedback, there is not much support for the proposed changes. Some items proposed have never been problems in the past such as the sign ordinance. In some cases, zones throughout town may be necessary.

Councilperson Woolaver, as liaison, stated that the Citizen Advisory Committee was selected by the Town Board through an advertisement for any interested members of the community and was formed with citizens with a variety of backgrounds. The Committee met over the course of a year's time. The ideas they proposed were regarding matters that actually occur in town or need modification. One of the items discussed was the cumbersomeness of the sign chart. The joint meeting to discuss the proposals to the zoning code is a good idea.

Councilperson McCarthy stated that, being a 3<sup>rd</sup> year member of the Board, the suggestions of the Zoning Citizen's Advisory Committee seemed reasonable on first review, however, separate board members are subject matter experts. The Citizen's Advisory Committee's was formed by a Town Board and their work should be given its due respect.

Supervisor Frank stated that the thirty-three proposed modifications will be divided between Town Board members. The items board members agree to be considered changed will be addressed with the subject matter board member experts. Proposed changes that the Town Board agrees should be changed in

the Town Code, Zoning Chapter will be brought before the community in a public hearing.

VIII. NEW BUSINESS

A. Resolution to schedule the 2017 Preliminary Budget – Supervisor Frank stated that the public hearing for the 2017 budget is set for October 26<sup>th</sup>, 2016 at 7:15 PM.

**RESOLUTION #170-2016**

Councilperson Woolaver moved to schedule a public hearing for the 2017 Preliminary Budget for Wednesday, October 26, 2016, at 7:15 PM in the offices of the Rush Town Hall, 5977 East Henrietta Road, Rush, New York 14543. Councilperson McCarthy seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye	carried.

B. Resolution to schedule Zoning Workshop – Supervisor Frank stated that she wished to schedule a workshop on November 9, 2016, to review with all other appointed board members the Zoning Citizen's Advisory Committee's proposed changes to the zoning code. The joint meeting will follow the Town Board meeting at 7:30 PM.

**RESOLUTION #171-2016**

Councilperson McCarthy moved to schedule a joint workshop between the Town, Zoning, Planning and Conservation Boards' members on Wednesday, November 9, 2016, following the scheduled Town Board meeting from 7:30 PM until 9:00 PM to discuss proposed changes presented by the Zoning Citizen's Advisory Committee. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye	carried.

C. Amending Resolution #157-2016 – Supervisor Frank stated that Resolution #157-2016 of September 14, 2016 required a resolution for a different grant amount. The amount must be changed from \$32,000.00 to \$30,000.00.

**RESOLUTION #172-2016**

Councilperson McCarthy moved to authorize Justice Donald Knab, Jr., to submit a Justice Court Assist Program Grant application to the NYS Office of Court Administration for an amount of not to exceed \$30,000.00 for renovations to the Rush Town Court offices. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye	carried.

D. Review acoustics proposal for pavilion – Supervisor Frank received an acoustics proposal that was distributed to the Board. The pavilion floor is 1,437 square feet.

Board members discussed providing a sound barrier which included spraying the ceiling with sound condensing material at a cost of \$7,200 or building a drop ceiling for a cost of \$8,600.

Councilperson Coffey noted that for safety reasons, spending funds to fix the condensation that is creating a slippery floor should be done prior to putting funds into decreasing the sound in the pavilion.

E. Rochester and Genesee Valley Railroad Museum track use - Supervisor Frank received a request for an additional 100 feet of track use north of the end of its easement which is associated with the Rochester and Genesee Valley Railroad Museum.

Attorney Mancuso will further research the lease and easement agreements.

F. Resolution to purchase a Varidesk – Supervisor Frank *stated* that Town Clerk Bucci has requested a Varidesk purchase for Deputy Town Clerk Shivaun Featherman. A Varidesk allows a person to either stand or sit while working on a computer.

**RESOLUTION #173-2016**

Councilperson McCarthy moved to allow Town Clerk Bucci to purchase a Veridesk for Deputy Town Clerk Featherman for an amount not to exceed \$500.00. Councilperson McCarthy seconded the motion.

Roll:

Councilperson Woolaver	aye
Councilperson McCarthy	aye

Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye	carried.

IX. PUBLIC COMMENT

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

Resident Gaffney stated that the towns' boards and Code Enforcement Officer should be present at the joint workshop meeting, however, the public should not be allowed to speak at the meeting. They should only be allowed to speak during a public hearing.

Resident Carol Barnett stated that she was a member on the Zoning Citizen's Advisory Committee and is supportive of all the boards providing their input regarding the committee's proposals during the joint workshop. Comments from the Zoning, Planning and Conservation Board members should not be only accepted in written format. Mrs. Barnett suggested that all boards have at least a liaison present at the joint workshop and that previous comment from the public hearing be included in the Town Board's decision process.

Supervisor Frank stated that the public is invited to the joint meeting, however, the public will only be permitted to speak at a scheduled public hearing.

X. ADJOURNMENT

There being no further business to conduct, the meeting was ended by Supervisor Frank at 7:25 PM. The meeting was adjourned by common consent.

Respectfully submitted,

Pamela J. Bucci  
Town Clerk