

RUSH TOWN BOARD  
Minutes of May 12, 2010  
Regular Meeting

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor William Udicious at 7:00 PM on May 12, 2010, at the Rush Town Offices, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT:           Richard Anderson           ----- Councilman, Deputy Town Supervisor  
                  Thomas Doupe           ----- Councilman  
                  William Riepe           ----- Councilman  
                  Lisa Sluberski           ----- Councilwoman  
                  William Udicious       ----- Town Supervisor  
                  Pamela Bucci           ----- Town Clerk  
                  Charles Steinman, Esq. ----- Attorney for the Town

OTHERS PRESENT:  Jeremy Tuke           ----- NYS Railroad Museum  
                  David Schiderick       ----- NYS Railroad Museum  
                  Dan Woolaver           ----- Resident

I. OPEN FORUM – Supervisor Udicious pointed out that the Rules and Procedures pamphlet was at the sign in table. He then opened the floor to anyone wishing to address the board.

II. APPROVAL OF MINUTES

**RESOLUTION #89-2010**

Councilwoman Sluberski moved to approve the Minutes of April 28, 2010, as submitted. Councilman Riepe seconded the motion.

Roll:

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

III. APPROVAL OF ABSTRACT #5-1

**RESOLUTION #90-2010**

Councilman Anderson moved, Be It Resolved, that having audited all the claims against the funds listed on Abstract #5-1 in the amount of \$30,602.84 be allowed for vouchers #496 through #556. Councilman Doupe seconded the motion.

Roll:

Councilman Anderson       aye

RUSH TOWN BOARD

May 12, 2010

Councilman Riepe	aye	
Councilman Doupe	aye	
Councilwoman Sluberski	aye	
Supervisor Udicious	aye	carried.

IV. CORRESPONDENCE

Supervisor Udicious referenced a historical sign in the Town of Rush located at the Livingston County line. Findings from an investigation prove that the sign does have a misspelled word on it, Carolinas. Consideration, at a later date, will be given in correcting the historical sign.

V. REPORTS OF OFFICERS AND COMMITTEES

Councilman Anderson noted that he has received a lengthy proposed grant package for health foundation. The Town is considering possibilities in funding for tennis courts and basketball courts to be located on the town park property.

Councilman Riepe attended an Eagle Scout ceremony in the city of Rochester honoring Steven Catapano of Rush. Mr. Catapano is a member of oldest Rochester oldest Boy Scout Otetianta Council. As an adopted practice, the Town Board presented a plaque and letter of congratulations to Eagle Scout Steven Catapano.

Councilman Doupe stated that due to scheduling conflicts, the court audit date has been changed and a report will be given at a later date.

Councilman Doupe announced that the Pinpoint Group has provided a website drop down for review and feedback would be appreciated. This is part of the initial reorganization of the town's website.

Councilwoman Sluberski reported that Letty Laskowski has been appointed to the Library Board of Trustees, replacing Jason Smith and that the Board requests an update on the roof repair. Supervisor Udicious stated that the roof would be repaired shortly.

Clerk Bucci reported that the annual NYS Town Clerk's Conference in Saratoga, New York was a beneficial learning and teaching tool. Due to NYS cuts, the Agricultural & Markets division of dog licensing and its state database will be defunct at the end of 2010. Costs of licensing, producing and purchasing tags, mailing license renewals, among other administrative responsibilities will become each town's responsibility. Clerk Bucci will be meeting with Williamson Law Books in order to find a solution of tracking dogs.

RUSH TOWN BOARD

May 12, 2010

Clerk Bucci is working on an agreement with JP Morgan Chase Bank and will be installing a credit card machine in the near future.

Supervisor Udicious provided the following updates:

Drainage Easement on Five Points Road – Easement plan presented to owners by the Highway Superintendent. If agreed to by the resident, the town will build a retention pond on their property to fix the drainage.

Dam Report – Larsen Engineering will be furnishing the required data in hopes of obtaining the dam funding. Additional information will be reported when available.

Resident Notification - Resident Rick Spencer requested that the Town Board make notification of public hearings to residents a mandatory requirement of the Town Code. Clerk Bucci previously informed the Board that it is not a legal requirement but the Town Clerk's office adheres to its own policy of informing residents that are within 500 foot radius of the property being addressed.

Board members Anderson, Doupe and Supervisor Udicious stated that the policy being practiced is effective. All public notices are posted in the local papers, website and town clerk's bulletin board. In addition, the Town plans to purchase public notice signs.

Test Monitoring Well - Sentinel Technologies, Inc. has requested permission to conduct a test well site on the property located at 1911 Rush Scottsville Road. Supervisor will notify Sentinel Technologies of acceptance and requirements provided by the attorneys for the town.

Request for change in wording of Rush Town Code - Zoning Board Chairman Don Van Lare requested the word "buildings" be changed to "structures" in the Zoning Code, §120-06B, 120-16C, and any other part of Article 120 that could be affected. Changing the wording is helpful for representation of heights of buildings over 35 feet. At a later date, a public hearing must be held to propose changing the wording.

Smoke-Free Park Facility – A request has been made to establish the Rush Town Park as a smoke-free area. Supervisor Udicious asked for consideration and/or decision on this suggestion. Councilman Doupe requested that Recreation Supervisor Patricia Stephens review other area park facility policies regarding a smoke-free area.

VI. OLD BUSINESS:

A. Facilities Agreement/Permit for: (a) Rush Town Park Pavilion (b) Stonybrook Park - Supervisor Udicious consulted with Attorney Steinman regarding homeowner's insurance policy coverage. Councilman Anderson stated that the Town's insurance carrier recommends that the homeowner provide a copy of their policy including blanket coverage. Attorney Steinman will reformat the agreement.

Councilman Riepe would like a future change in the pavilion agreement to be used by Rush residents only.

**RESOLUTION #91-2010**

Councilman Doupe motioned to approve the Rush Town Park Pavilion and Stonybrook Park agreements and permits as written. Councilman Anderson seconded the motion.

Roll:

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

B. Construction Status of the Pavilion – The completion date is still scheduled for Memorial Day, May 31, 2010.

Councilwoman Sluberski stated that although we recently had very high winds, the contractor should be reminded to secure the safety fence when leaving the work area.

C. Revised Procurement Policy - Councilman Riepe and Supervisor Udicious suggested minor additional changes on the Purchasing Policy. There were no objections.

**RESOLUTION #92-2010**

Councilman Riepe motioned to approve the Procurement Policy, Procurement Purchasing Policy and Procurement Policy Compliance as amended. Councilman Anderson seconded the motion.

Roll:

Councilman Anderson	aye
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RUSH TOWN BOARD

May 12, 2010

Councilman Riepe	aye	
Councilman Doupe	aye	
Councilwoman Sluberski	aye	
Supervisor Udicious	aye	carried.

VII. NEW BUSINESS:

A. National Railway Historical Society (Rochester Chapter), Request for Easement (100 acre Office of General Services (OGS) Property transfer to town– The Society’s Jeremy Tuke and David Schiderick discussed their easement request and information surrounding their potential use of the parcel. Supervisor Udicious provided an area map. Of mention, Senator Alesi had presented legislation which approved conveying all property to the National Railway organization; however, Governor Patterson required further review before signing the document.

B. Purchase of Laptop for Assessor’s Office – Four quotes have been solicited for an office laptop to aid in assessor field work as well as Grievance Day. Assessor Dan Stanford has requested the purchase of a HP laptop in the amount of \$1,010.00. Both Councilman Doupe and Anderson have been consulted and reviewed its capabilities. Money is available in the budget.

**RESOLUTION #93-2010**

Councilman Doupe made a motion to approve Assessor Dan Stanford’s purchase of an HP Laptop in the amount of \$1,010. Councilman Riepe seconded the motion.

Roll:

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

C. Contract with Suburban Animal Hospital – The contract allows the Dog Control Officer (DCO) to bring dogs at large to their facility for an agreed period of time and fee. All fees are paid by the dog owner.

**RESOLUTION #94-2010**

Councilman Anderson made a motion to allow the Supervisor to enter into a contract with Suburban Animal Hospital for the purpose of housing dogs at large for an extended period of time and fee. Councilwoman Sluberski seconded the motion.

Roll:

RUSH TOWN BOARD

May 12, 2010

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

VIII. OPEN FORUM – Supervisor Udicious opened the floor to anyone wishing to address the board.

IX. EXECUTIVE SESSION

Supervisor Udicious moved to adjourn to Executive Session at 7:55 PM for the purpose of discussing a counteroffer in the purchase of Hart's Field, 0 Rush Scottsville Road. Councilman Doupe seconded the motion.

Roll:

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

Councilman Doupe re-opened the meeting for final adjournment. By common consent by all councilpersons present, the meeting was adjourned at 8:05 PM.

Respectfully submitted,

Pamela J. Bucci  
Town Clerk