

RUSH TOWN BOARD  
Minutes of June 9, 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 June 9, 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:	David Sluberski	-----	Resident
	Gerry Kusse	-----	Resident, Code Enforcement Officer
	Kirsten Flass	-----	Resident, Library Director
	Jeffrey Starkweather	-----	Resident
	Marjorie Kirch	-----	Resident, Historian

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

II. APPROVAL OF MINUTES

**RESOLUTION #104-2010**

Councilwoman Sluberski moved to approve the Minutes of May 26, 2010, with amendments 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. TRANSFER OF FUNDS

**RESOLUTION #105-2010**

Councilman Anderson moved that BE IT RESOLVED that having audited all the unexpended balances of existing appropriations in the GENERAL funds, I move that transfer #14 in the amount of \$1,000.00 be allowed. Councilman Doupe seconded the motion.

Roll:

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

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

Decrease Appropriations			Increase Appropriation		
Transfer #	Amount	Account	Description	Account	Description
14	1,000.00	A-1990.4	Supervisor Contingency	A-1620.44	Building, Cleaning & Waste

Transfer to cover rug purchase

IV. APPROVAL OF ABSTRACT #6-1

**RESOLUTION #106-2010**

Councilman Anderson moved that having audited all the claims against the funds listed on Abstract #6-1 in the amount of \$199,509.80, be allowed for vouchers #611 through #679. Councilman Doupe seconded the motion.

Roll:

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

V. CORRESPONDENCE

Supervisor Udicious referenced a memorandum received by Recreation Supervisor Patricia Stephens. Use of the new town park fields is being sought; especially for soccer programs.

Mrs. Amanda McNelly contacted Supervisor Udicious by email. She has offered the Girl Scouts' services in planting, painting, digging and campaigning for donated materials and the like. Supervisor Udicious stated that John Barrett appeared before the board regarding Eagle Scout projects. Clerk Bucci suggested that scouts may be able to rebuild or make barrels located at the cemetery entrance next to Chase's. Supervisor Udicious will contact the girl and boy scouts regarding this possible project. Councilwoman Sluberski asked if a landscaping plan had yet been developed for the pavilion area. A plan has not been developed. A scout approached Councilwoman Sluberski regarding building a boat launch.

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VI. REPORTS OF OFFICERS AND COMMITTEES

Councilman Anderson attended a meeting with Genesee Finger Lakes Planning Council regarding creating a draft for a Blueway Project involving water and overlaying it with the Lehigh Trail (Greenway Project). An informal presentation will be held on June 15 and Councilman Anderson is planning on attending.

Councilman Riepe will be meeting with Resident Bill Meister regarding cemetery signs and the cost involved. Councilman Anderson asked about cemeteries on private property and whether or not signage could be affixed on it without special privilege. Attorney Steinman stated that abandoned cemeteries are accessible and a maintenance responsibility of the town.

Councilwoman Sluberski reported that the Conservation Board met and is referring their comments to the Planning Board.

Code Enforcement Officer Gerry Kusse stated that the building of the town park pavilion and library roof alterations are both nearing completion.

Library Director Kirsten Flass noted that the Library had a successful garage sale fund raiser. Director Flass thanked the Board for the use of the parking lot to conduct the sale.

Clerk Bucci reported that she'd received a resignation letter from Gardener Don Bock effective June 29, 2010. Mr. Bock has done a superb job in keeping Rush beautiful. An interim gardener, Anne Dobbertin, has been hired to continue the gardening.

Clerk Bucci provided a monthly report of revenues to the Supervisor. May revenues amounted to \$6,909.23. A check is submitted to the Supervisor at every month end. As Tax Collector, taxes collected amounted to 3,847,982.85; town's portion \$1,580,234.00; county taxes portion \$2,267,748.85. A report will be generated to the Board to include FOIL (freedom of information) requests received.

Clerk Bucci has met with Business Automation Services, including Deputy Meribeth Palmer and Code Enforcement Officer Gerry Kusse, to review their software package and discuss the possibility of upgrading current software packages for Town Clerk and Integrated Property System.

The possibility of taking payments of credit/debit cards is being discussed and a contract is being reviewed by the attorney for the town.

Clerk Bucci also stated that many residents have inquired about the Rush Business & Information Directory. It continues to be updated with current information.

Councilwoman Sluberski asked that the Clerk's informational report be put in written form and forwarded to the Board.

Supervisor Udicious discussed payment to the Board of Assessment Review members for their time devoted to reviewing grieved assessments. An email was circulated to all supervisors within the county on their payment policy.

The Town is now the official owner of the 100 acres located next to the NYS Railroad & Transportation Museum and the Genesee River. A copy of the deed has been distributed to all board members. Supervisor Udicious requested a letter of specific uses of the property. State wording of the deed related to recreational use will be discussed with the attorney for the town.

VII. OLD BUSINESS:

A. Court Audit Status – Councilmen Doupe and Riepe have conducted the court audit. Councilman Anderson asked if there was a response to the recommendations. Responses received were that clerks are directed by each judges to record matters in different ways, however, both systems provide the same result. Both the 2009 and 2010 audit recommendations were the same.

Supervisor Udicious will furnish the required auditing correspondence to the appropriate department in Albany.

**RESOLUTION #107-2010**

Councilman Richard Anderson moved that the Court Audit of 2010 be accepted as submitted. Councilwoman Sluberski seconded the motion.

Roll:

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

B. Municipal Agricultural and Farmland Planning Grant - Grant has been signed and submitted. Councilman Anderson received information from John

Brennan, administrator for the Farmland Protection Grant for New York State. There will be a roundtable discussion with the American Farmland Trust whereby appropriate filling out and filing standard voucher, written report form, budget grid form, etc. will be presented. The Town's intent is to have the grant completed by Clough Harbour.

C. Crown Castle Co-Location on Cell Tower Request - Supervisor Udicious stated that the attorney for the town has reviewed the request and is recommending a change in the agreement.

D. Clough Harbour & Associates Proposal to Upgrade Comprehensive Plan – Supervisor Udicious commented that the contract for \$6,500 in updating the comprehensive plan was signed on June 8, 2010, and the town is awaiting a fully-executed agreement.

E. Sentinel Technologies Monitoring Well at 1911 Rush-Scottsville Road – Supervisor Udicious stated that the monitoring well has been placed on the property. It is not visibly detected.

VIII. NEW BUSINESS:

A. Appointment of Town Historian – Supervisor Udicious stated a Step rate had not been formally stated at the previous board meeting. Supervisor Udicious recommended an annual pay at Step 3, \$3,295.00.

**RESOLUTION #108-2010**

Councilman Anderson made a motion to approve the Historian's annual salary of \$3,295.00, Step 3. Councilman Riepe seconded the motion.

Roll:

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

B. Historian Report – Historian Margie Kirch thanked the Board for the opportunity to serve as the historian. Mrs. Kirch shared her observations and provided pictures of the office to the Town Board. Because of the time already dedicated to organizing the office and meeting with previous Historian Jean Yawman, Resident Sue Mee, as well as other persons, she has exhausted 40 hours. In all fairness, Mrs. Kirch realizes that the previous historian had been called to serve lengthy duties for the country on separate occasions and was not able to organize all the materials when

away. Historian Kirch is requesting an upfront approval of 100 hours to continue setting up the office and organizing the data collected.

Supervisor Udicious noted that monies are available in the Contingency fund to support the request. Projects such as this including additional field time/picture taking in the Assessor's office have been approved and supported through the contingency fund in the past.

**RESOLUTION #109-2010**

Councilman Doupe made a motion to authorize up to an additional 100 hours at a rate of \$12.67 per hour to Marjorie Kirch for continued organization of the Historian's Office. Councilman Riepe seconded the motion.

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

C. Clough Harbor proposal to Update Site Development Detail – Code Enforcement Officer Gerry Kusse explained that updates occur in the NYS Building Code, i.e. storm sewers, gutters, hammerheads, culdesacs, that are not reflected in the Town Code. Town Code specifications do not support current compliance requirements. Clough Harbor will update the detail for the Town Code materials.

Supervisor Udicious stated, with no objections received by the Planning Board, they are in support of hiring Clough Harbor to provide an update to the Rush Town Code related to site development detail.

**RESOLUTION #110-2010**

Councilman Anderson made a motion to approve hiring Clough Harbor to perform a proposed updated site development detail to replace the current specifications in the Rush Town Code for \$2,600.00. Councilman Riepe seconded the motion.

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

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

Resident Dave Sluberski requested an update of the property located at 5946 East Henrietta Road (previous Rush Market & Deli). Supervisor Udicious hesitated to make an official update but stated that the current owner informed him that progress would be made within the next couple weeks.

XI. ADJOURNMENT

Supervisor Udicious moved to adjourn the meeting and requested that the Board remain for the purpose of discussing an attorney/client privileged matter. By common consent of all councilpersons present, the meeting was adjourned at 7:45 PM.

Respectfully submitted,

Pamela J. Bucci  
Town Clerk