

RUSH TOWN BOARD  
Minutes of July 27, 2011  
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 July 27, 2011, 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
	William Riepe	-----	Councilman
	Alexander Simon	-----	Councilman
	Lisa Sluberski	-----	Councilwoman
	William Udicious	-----	Town Supervisor
	Meribeth Palmer	-----	Deputy Town Clerk
	Frank Pavia, Esq.	-----	Attorney for the Town

OTHERS

PRESENT:	Mark David	-----	Highway Superintendent, Resident
	Gerry Kusse	-----	Code Enforcement Officer/Building Inspector, Resident.
	Daniel Woolaver	-----	Resident
	Kathy Steiner	-----	Resident
	Douglas Mitchell	-----	G-Gauge representative*
	Joseph Murrel	-----	G-Gauge representative
	Dinah Mayer	-----	G-Gauge representative
	Bruce Mayer	-----	G-Gauge representative

\*G-Gauge (Genesee G Gauge Railway Society, Rochester, New York)

I. OPEN FORUM

Supervisor Udicious offered all those present to sign in. The floor was then open to anyone wishing to address the board.

II. APPROVAL OF MINUTES

**RESOLUTION #111-2011**

Councilwoman Sluberski moved to approve the Minutes of June 13, 2011, as presented by the Town Clerk. Councilman Simon seconded the motion.

Roll:	Councilman Anderson	aye
	Councilman Riepe	aye
	Councilman Simon	aye
	Councilwoman Sluberski	aye



Roll:

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

#### V. CORRESPONDENCE

Supervisor Udicious received correspondence from the New York State Department of Taxation and Finance regarding the Office of Real Property Tax Services. The letter certifies that on July 19, 2011, the State Office of Real Property Tax Services has established the final equalization rate of 100% for the Town of Rush. Other Monroe County municipalities were included in the report and all were at 100% except for The Town of Pittsford at 101.69%, the Town of Riga at 97% and the Town of Webster at 89%. Maintaining a 100% equalization rate qualifies the Town of Rush for a rebate per parcel, this rebate was received last month.

Traffic update from the New York State Department of Transportation regarding the construction on Interstate 390. Beginning August 1, 2011 pavement grinding will begin. Southbound long term lane closure will be in place, one lane will be closed until work is completed. August 3, 2011 northbound pavement grinding begins with one lane closed until work is completed. The northbound on ramp from Route 15 will be closed for this work. The detour of Route 15 to the Lehigh Station Road back to Interstate 390 will be in effect.

#### VI. REPORTS OF OFFICERS AND COMMITTEES

Councilman Anderson stated that the Town has entered into a 1 year contract to have local Farmer Dan Chase hay/mulch and brush hog the areas around the buildings on the newly acquired BOCES property. In return, Mr. Chase will be able to take the hay. To date the hay has been harvested and the grounds have been brush hogged. There will be additional mulching and herbicide will be applied. Councilman Anderson attended the Library's Friday night outdoor concert in the Gazebo and stated that it was very a nice venue.

Councilman Riepe attended the Rush Board of Fire Commissioners meeting July 19, 2011. Councilman Riepe complimented the Rush Fire Department on a successful Carnival and Parade. Councilman Riepe also attended the Planning Board meeting on July 19, 2011.

Councilman Simon attended the July 14, 2011 Rush Zoning Board of Appeals meeting.

Councilwoman Sluberski reported the Library Board held their August meeting early in order to facilitate their annual budget reports.

Rush Highway Superintendent Mark David reported that his department has finished the replacement of Honeoye Falls #6 Road culvert and it has been viewed and approved by the Monroe County engineers. Mr. David stated that the overall job came in under budget and was finished ahead of deadline. Stone and oil has been applied to Rush West Rush Road, Middle Road and Rush Henrietta Town Line Road. This application needs a 3 day cure time and then the roads will be swept.

Code Enforcement Officer/Building Officer Gerald Kusse had no report.

Deputy Town Clerk Palmer had no report.

#### VII. OLD BUSINESS

A. Additional Cameras for Security – Supervisor Udicious is anticipating that the additional cameras will be installed by the end of August. This will greatly improve the security in the building. A monitor will also be furnished to the Library. A mirror will also be installed on the second floor allowing the library to view from their window an area that was previously a blind spot.

#### VIII. NEW BUSINESS

A. School tax service - The Rush Town will now receive a payment of \$1000.00 per year for providing tax collecting services for the Rush Henrietta School Central School District. The Town will continue to be reimbursed for postage costs.

B. Agreement proposal with the Genesee G Gauge Railway Society (GGGRS) for temporary storage of equipment – The Town Attorney has drawn up an agreement that has been reviewed by the Town Board and is now available for the GGGRS to review. This proposed agreement will allow the GGGRS to store equipment for up to 6 months in one of the newly acquired BOCES buildings for an agreed upon fee.

C. New York Museum of Transportation (NYMT) request for a new agreement – The NYMT has been operating at their present site since 1973. The NYMT has been functioning under a lease agreement initially with the OCGS of NYS and then under BOCES from 1991. In 2009 this lease was renewed for an additional 5 years through June of 2014. The Town of

Rush is honoring the current lease agreement. NYMT is requesting a new lease agreement with additional requests. The Town Board discussed the agreement and will not be making any changes. The Town Board will notify NYMT by letter of their decision. The Town Board will also request that NYMT make any requests for change to the agreement 1 year prior to expiration (June of 2013). Deputy Clerk Palmer will provide the Town Board with a copy of the current agreement for review.

D. Internal Audit of the Town Clerk, Finance and Court areas – The Town budgets money for yearly auditing. The Town would like to include all offices and departments that handle or are involved with finances. The Town has received estimates acquired from 2 outside agencies and Town Board members will be asked to review the estimates in the near future. Town Law does not require the Town to use competitive bidding for professional services. Completion of the audits is expected by the end of the year.

E. Resolution of drainage problem located at 1758 Middle Road – Highway Superintendent Mark David has requested permission from the Town Board to allow his department to work outside of the town right of way on the resident's property to address the drainage swale clean up. Town Attorney Frank Pavia stated that a signed agreement would be appropriate. Rush Highway Superintendent Mark David will send Mr. Pavia a draft for his review.

**RESOLUTION #115-2011**

Supervisor Udicious made a motion to give the Rush Highway Department permission to work outside of the town right of way conditioned upon the signed agreement from the property owner at 1758 Middle Road. Councilwoman Sluberski seconded the motion.

Roll:

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

Supervisor Udicious noted that each drainage issue is different. The procedure is to have drainage issues reviewed by Code Enforcement Officer Gerry Kusse first. Mr. Kusse also holds the title of Flood Plain Administrator and together with Rush Highway Superintendent Mark David they will determine if there is a problem, the cause and how to correct it.

**RESOLUTION #116-2011**

Supervisor Anderson made a motion to authorize Supervisor Udicious to enter into an agreement with the GGGRS prior to the next Town Board meeting conditioned upon Town Attorney approval. Councilwoman Sluberski seconded the motion.

Roll:

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

IX. OPEN FORUM

Supervisor Udicious opened the floor to anyone wishing to address the board.

Supervisor Udicious stated that the Board would be adjourning to attorney client privileged discussions.

X. ADJOURNMENT

There being no further business, Supervisor Udicious motioned to adjourn. The meeting was ended at 8:30 PM which was approved by common consent of all councilpersons present.

Respectfully submitted,

Meribeth Palmer  
Deputy Town Clerk