

RUSH TOWN BOARD
Minutes of November 9, 2011
Regular Meeting

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Deputy Town Supervisor Richard Anderson at 7:00 PM on November 9, 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
Pamela Bucci ----- Town Clerk
John Mancuso, Esq. ----- Attorney for the Town

EXCUSED: William Udicious ----- Supervisor

OTHERS

PRESENT: Mark David ----- Highway Superintendent, Resident
Gerry Kusse ----- Code Enforcement Officer/
Building Inspector, Resident
Kirsten Flass ----- Library Director, Resident
Dave Sluberski ----- Resident
Jim Bucci ----- Resident
Kathryn Steiner ----- Resident
Dan Woolaver ----- Resident
Jack Mould ----- Resident

I. OPEN FORUM

Deputy Town Supervisor Anderson noted that Supervisor Udicious was not in attendance due to a scheduled Section V Sports Banquet in which the Supervisor is an honorary Hall of Fame member. In continuing the meeting, the floor was offered to anyone wishing to address the Board.

Resident Dave Sluberski stated that in reviewing the new business agenda items, he recommended not extending the lease agreement on the cell tower.

IV. APPROVAL OF ABSTRACT

RESOLUTION #150-2011

Councilwoman Sluberski moved, Be It Resolved, that having audited all the claims against the funds listed on Abstract #11-1, for vouchers #1203 through #1263, that they are allowed in the amount of \$40,037.85. Deputy Town Supervisor Anderson seconded the motion.

Roll:

Councilman Riepe	aye	
Councilman Simon	aye	
Councilman Sluberski	aye	
Deputy Supervisor Anderson	aye	carried.

V. CORRESPONDENCE

Deputy Town Supervisor Anderson received correspondence from the Monroe County Water Authority (MCWA) regarding 300 Rosewall Lane. The correspondence was read aloud in its entirety. It referenced a return of unused monies to Patricia Weaver due to the withdrawal of her application to extend into the county water system which signifying that a well system will be used to obtain water.

VI. REPORTS OF OFFICERS AND COMMITTEES

Councilman Riepe had no report.

Councilman Simon reported that applications were not submitted for review and both the Planning Board and Zoning Board of Appeals meetings were cancelled.

Councilwoman Sluberski attended the Library Board of Trustees meeting and reported that although it is fairly new, the amount of e-books and audio books checked out of the library has considerably increased. Library Director Flass stated that all e-books are available including the Kindle version.

Highway Superintendent David had no report.

Code Enforcement Officer Kusse had no report.

Library Director Flass had no report.

Town Clerk Bucci reported that her warrant to collect school taxes had ended and that \$3,700,417.32 was received and posted. Further

payments will be accepted by Monroe County Treasury through November 18, 2011.

The Clerk's Office collected \$7,386.89 in revenues for October with the majority of revenue being generated from the Building and Recreation departments.

Three Freedom of Information requests were received regarding permits issued and or closed and elected officials' salaries.

VII. OLD BUSINESS

A. Status of Camera Installation in Stairwell Serving the Library – Day Automation has installed cameras in the stairwell, with one camera needing repositioning and an installation of a cable and viewing monitor. Installation should be completed by the end of November. Library Director Flass was informed of the status and is looking forward to having security access.

VIII. NEW BUSINESS

A. Audit of Town Offices – Deputy Town Supervisor stated that Finance Director Reynolds, Supervisor Udicious and he interviewed 2 firms for professional services. An audit falls under Professional Services which does not require a request for quotes, however, quotes were sought. Finance Director Reynolds recommended Ray Wagner's firm. Although Wagner's quote was more costly, the proposal provided a more detailed examination of transactions. The finance, clerk/tax collector and court offices will be audited in compliance with NYS mandate standards after the 1st of January. Conducting a full audit of these offices has been an agenda item for Supervisor Udicious and good timing at the end of his retiring supervisory term of office. An amount of \$10,000.00 has been budgeted for audit purposes and will be encumbered for 2012.

Councilman Simon asked about the different quoted ranges in cost of the audit, \$7,300.00 to \$9,300.00, to which Deputy Town Supervisor Anderson responded that Wagner's firm provided a more in-depth review of records which would meet the state mandated standards.

RESOLUTION #151-2011

Councilwoman Sluberski made a motion to approve entering into an agreement with Ray Wager, CPA to conduct an audit of the finance, clerk/tax collector and court offices after January 1, 2012, for an amount not to exceed \$9,500.00. Councilman Riepe seconded the motion.

Roll:

Councilman Riepe	aye	
Councilman Simon	aye	
Councilman Sluberski	aye	
Deputy Supervisor Anderson	aye	carried.

B. Request for Reinstatement of Citizens Committee – Deputy Town Supervisor Anderson stated that the Town Board moved at the October 26th meeting, Resolution #147-2011, to reconvene the Citizens Committee pending attorney review and recommendation in regard to the article in the Democrat & Chronicle on missing artifacts. A guideline has been presented by the attorneys for the town. A copy of the guideline will be forwarded to the Committee members. Attorney Mancuso suggested making a slightly different revision from the attorney/client privilege correspondence sent to the Town Board. Deputy Town Supervisor Anderson directed the revision be forwarded to Town Clerk Bucci for distribution to the Citizen Committee members: Kathryn Hankins, Karen Hopkins and Sue Mee.

Councilman Riepe stated that although he had voted to reconvene the Citizens Committee at a previous meeting, he had not viewed the attorney's guidelines and he was not in favor of moving forward with re-establishing the Citizens Committee.

C. Resolution to Approve Bonding for Town Clerk, Deputy Town Clerk and Finance Director – Town Clerk Bucci requested a required resolution authorizing bonding. The resolution is required in order for the Tax Collector to accept the warrant and undertaking involved in the collection of taxes. The bonding also covers collection of other town monies by the Deputy Town Clerk, who must act together with and in the absence of the town clerk in collection of fees and taxes. The Finance Director is also covered in the bonding for the collection of town funds. A Certificate of Insurance is on file in the Town Clerk's Office. Both the Certificate of Insurance and Resolution are due to Monroe County Treasury by December 2, 2011.

RESOLUTION #152-2011

Deputy Town Supervisor Anderson moved be it RESOLVED, that the Town Board of the Town of Rush hereby approves the surety, form and amount of the official undertaking for the faithful performance of the duties of the Town Clerk and Tax Collector, Deputy Town Clerk and Finance Director, as filed in the Town Clerk's Office:

Type of Undertaking: Public Official Liability/Employee Dishonesty
Insurance Company: AXIS Insurance Company/St. Paul Travelers

Amount: \$250,000.00 – Town Clerk/Tax Collector
 \$250,000.00 – Deputy Town Clerk
 \$125,000.00 – Finance Director

A true copy of this Resolution shall be affirmed to the undertaking to indicate this Board's approval thereon in accordance with the Town Law §25. Councilman Simon seconded the motion.

Roll:

Councilman Riepe	aye	
Councilman Simon	aye	
Councilman Sluberski	aye	
Deputy Supervisor Anderson	aye	carried.

D. Response to Crown Castle – Deputy Town Supervisor Anderson stated that Crown Castle wishes to extend the lease of the cell tower located on town property past its expiration date of 2022. All town board members have voiced a response not to extend the lease prematurely. It would not benefit the town. A response will be forwarded to Crown Castle stating that the town has no interest in renegotiating the cell tower lease at this time.

IX. OPEN FORUM

Deputy Town Supervisor Anderson opened the floor to anyone wishing to address the board.

Resident Jim Bucci (present Rush Fire Chief) requested that the Fire Commissioners receive a copy of the letter from the Monroe County Water Authority relating to Mrs. Patricia Weaver's property.

X. ADJOURNMENT

There being no further business, the meeting was ended at 7:20 PM and approved by common consent of all councilpersons present.

Respectfully submitted,

Pamela J. Bucci
Town Clerk