

RUSH TOWN BOARD  
Minutes of December 14, 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 December 14, 2011, at the Rush Town Offices, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT:	William Udicious	-----	Supervisor
	Richard Anderson	-----	Councilman, Deputy Town Supervisor
	William Riepe	-----	Councilman
	Alexander Simon	-----	Councilman
	Lisa Sluberski	-----	Councilwoman
	Pamela Bucci	-----	Town Clerk
	Frank Pavia, Esq.	-----	Attorney for the Town

OTHERS

PRESENT:	Mark David	-----	Highway Superintendent, Resident
	Gerry Kusse	-----	Code Enforcement Officer/ Building Inspector, Resident
	Dan Woolaver	-----	Resident
	Kathy Steiner	-----	Resident
	Richard Tracy	-----	Fire Marshal

I. OPEN FORUM

Supervisor Udicious welcomed all to sign in and review the rules of a Town Board meeting. He then offered the floor to anyone wishing to address the Board.

II. APPROVAL OF MINUTES

**RESOLUTION #158-2011**

Councilman Simon moved to approve the Minutes of November 23, 2011, as submitted by the Town Clerk. Councilman Simon seconded the motion.

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

III. TRANSFER OF FUNDS

*Transfer from the unexpended balance of an existing appropriation*

*General Fund*

Transfer #	Amount	Decrease Appropriations		Increase Appropriation	
		Account	Description	Account	Description
34	1000.00	A-1110.1	Court Personal Services	A-111.4	Court contractual
35	1000.000	A-7020.1	Recreation Personal Services	A-7020.4	Recreation contractual
36	69.00	A-1310.4	Town Clerk Contractual	A-8510.4	Beautification Contractual
37	500.00	A-1440.4	Engineering Contractual	A-1355.4	Assessment Contractual
38	500.00	A-1440.4	Engineering Contractual	A7140.4	Pavilion contractual

#34 To cover unanticipated Judge training; #35 To cover supplies for higher after-school census; #36 To cover slight overage in Beautification; #37 To cover assessment legal; #38 To cover additional pavilion utility and other costs

**RESOLUTION #159-2011**

Councilman Anderson moved Be It Resolved, that having audited all the unexpended balances of existing appropriations in the GENERAL funds, that transfer #34 through #38 in the amount of \$3,069.00 be allowed. Councilman Riepe seconded the motion.

Roll:

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

IV. APPROVAL OF ABSTRACT

**RESOLUTION #160-2011**

Councilman Anderson moved, Be It Resolved, that having audited all the claims against the funds listed on Abstract #12-1, for vouchers #1320 through #1396, that they be allowed in the amount of \$280,848.12. Councilman Riepe seconded the motion.

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 Zoning Board of Appeals Chairman Donald Van Lare reporting that there were 11 applicants during the year as follows: 5 approved; 1 approved with restrictions; 4 applicants withdrew; 1 pending; 0 denied. All members of the Zoning Board have the required accredited training. Chair Van Lare added that zoning issues regarding sign ordinance needed implementation. Supervisor Udicious will contact Chair Van Lare regarding reference to the adopted sign ordinance.

VI. REPORTS OF OFFICERS AND COMMITTEES

Councilman Anderson had no report.

Councilman Riepe reported that the Fire Commissioner Elections occurred last evening.

Councilman Simon had no report.

Councilwoman Sluberski provided a note of interest regarding the offices of Rush Family Medicine closing. Dr. Charles Maskiell confirmed that they have outgrown their space and will be relocating to Red Creek, Calkins Road in Henrietta.

Code Enforcement Officer Kusse had no report.

Highway Superintendent David had no report, however, explained the Snow and Ice Contract.

Fire Marshal/Emergency Management Coordinator Richard Tracy had no report.

Town Clerk Bucci received the Town Code Design Criteria text mark-up from Todd Ewell, Engineer for the Town, and provided a copy to Frank Pavia, Esq.

The Town Clerk Monthly report was presented to Supervisor Udicious with November revenues collected of \$11,630.58 with the majority of it attributed to afterschool payments and retiree healthcare premiums received.

The 2012 Organization Meeting has been scheduled for Tuesday, January 3<sup>rd</sup> at 7 PM at the Town Hall.

New York State Agricultural and Markets Animal Health Inspector completed the inspection with Dog Control Officer Czora. Nineteen dogs were seized within the town.

Freedom of Information requests were received regarding the American Legion property on Pinnacle Road, the Dorschel property on West Henrietta Road as well as an assortment of requests for town meeting schedules for 2012.

Town Clerk Bucci requests a modified resolution to the previous Resolution #132-2009 and #81-2010 for accredited hours for Planning and Zoning Board members. Additional approvals for attendance hours at town workshops are requested. Attorney Pavia will draft a resolution for the next town board meeting.

While attending a Monroe County Town Clerk and Tax Collector and Receivers meeting and training session, the towns of Rush and Sweden were provided General Codes ECode360 for a 6 month free trial basis. All other 17 towns in the County utilize the ECode360. Town Clerk Bucci would like to invite General Code to make a presentation at a Town Board meeting within the next 6 months.

Supervisor Udicious stated that both newly elected town board officials will be attending the training for newly elected officials at the Double Tree Inn Conference Center in January.

Supervisor Udicious suggested that Code Enforcement Officer/Building Inspector Kusse is covered by Fire Marshal Richard Tracy when he is unavailable for an extended length of time. Wheatland's inspector has covered for Rush from time to time in the past at no charge, however, the town does not expect that as a normal practice. Fire Marshal Tracy does not have coverage of his duties as Coordinator of Emergency Preparedness and Fire Marshal including Point of Dispensing Coordinator. Supervisor Udicious suggested adding a coverage person for Richard Tracy. A former board member and previous fire marshal and building inspector has approached the town as a possible back up person to Rick Tracy. Supervisor Udicious stressed that payment for services would not be provided unless the service was needed.

The costs involved in having a covered person would include cost of books and yearly recertification. Certification occurs yearly by taking 40 hours of training.

Code Enforcement Officer Kusse stated that yearly certification and training is approximately \$300. Fire Marshal Tracy added that costs of supplying books would add an additional \$400 - \$500.

Fire Marshal Tracy stated an annual POD review meeting is scheduled in December. The Federal Government requires review every 5 years. In the event of a POD situation, information would be presented in at least 48 hour advance notice. Fire Marshal Tracy opined that a coverage person for that position may not be necessary in relation to a respond time. The POD Manual identifies the responders jobs not a specific person that is responsible, however, the Town Supervisor would be the main contact. Councilwoman Sluberski stated that Honeoye Falls Mayor Rick Milne is the Coordinator of the POD Plan.

#### VI. OLD BUSINESS

A. Status of Camera Installation in Stairwell Serving the Library – The cameras installed can be viewed with the existing monitors in the Library for their areas of security interest. Once a quote is received and the switch installed, viewing will occur.

Councilwoman Sluberski asked why it was not included in the original quote. Supervisor Udicious stated that in further reviewing the current systems, a special switch connection is required.

#### VI. NEW BUSINESS

A. Plans for Use of Former BOCES Property (215 Acres) and Former GOS Property (100 Acres) – Supervisor Udicious stated that 4 to 5 farmers provided written and verbal interest. At this time a Request for Proposal (RFP) should be developed for farmers submitting separated quotes as follows: (1) 100 acres quote; (2) 215 acres quote; (3) 315 acres. Councilman Anderson stated that the 215 acres may lend itself to development work, specifically agriculturally. Flexibility should be provided in regard to longer term of an agricultural plan. Areas of the parcel have been agriculturally neglected for a number of years.

Councilman Riepe asked whether or not the Rush Fire Department has contacted the Town further about the building being used for training purposes. Councilman Anderson stated that Chief James Bucci

contacted him regarding a key to the building. Code Enforcement Officer Kusse has the key.

Councilman Anderson and Attorney Pavia will interface on the RFPs.

B. 2012 Amendatory Agreement – All Seasons County/Town Agreement – Highway Superintendent Mark David requests the town's approval of the agreement with Monroe County regarding seasonal roadwork and fringe rates. Superintendent David has reviewed and approves of the agreement.

**RESOLUTION#161-2011**

Councilwoman Sluberski moved to authorize the Supervisor to enter into the 2012 Amendatory Agreement – All Seasons/County/Town Work Agreement with Monroe County Department of Transportation for seasonal roadwork and fringe rates. Councilman Anderson seconded the motion.

Roll:

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

B. Safety/Security Light to be installed at Pavilion – Supervisor Udicious has received comments regarding additional lighting needed in the Pavilion sidewalk area. Dr. Watson Electric has been contacted and installation of a dusk to dawn light has been provided in the area.

On the subject of the Pavilion, Supervisor Udicious stated that a person who previously rented the Pavilion requested that the Town develop a policy of 1<sup>st</sup> come, 1<sup>st</sup> called for the following year rental. Town Clerk Bucci explained to the caller that, in fairness to the entire community, the Town Board approved a yearly rental policy. Councilwoman Sluberski added that she also received a call from a member of the same family stating that they understood the policy and enjoyed their day of rental.

VIII. OPEN FORUM

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

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IX. ADJOURNMENT

There being no further business, the meeting was ended at 7:40 PM and approved by common consent of all councilpersons present.

Respectfully submitted,

Pamela J. Bucci  
Town Clerk