

RUSH TOWN BOARD
Minutes of May 28, 2014

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Richard Anderson at 7:00 PM on May 28, 2014, at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT:	Richard Anderson	-----	Supervisor
	Kathryn Steiner	-----	Councilperson
	Daniel Woolaver	-----	Councilperson
	Cathleen Frank	-----	Councilperson, Deputy Town Supervisor
	Rita McCarthy	-----	Councilperson
	Pamela Bucci	-----	Town Clerk
	John Mancuso, Esq.	-----	Attorney for the Town

OTHERS PRESENT:

	Mark David	-----	Highway Superintendent, Resident
	Mark Bankes	-----	Resident
	Kirsten Flass	-----	Resident, Library Director
	Dick Knapp	-----	Resident
	Gerry Kusse	-----	Code Enforcement Officer, Resident
	Carol Barnett	-----	Resident

I. OPEN FORUM

Supervisor Anderson welcomed all to the meeting and opened the floor to anyone wishing to address the Town Board. If an answer is readily available, it will be addressed. Those requiring research will be answered at a later date.

Resident Carol Barnett encouraged all to obtain a Rush Reader sign and post it in their yard. They are available in the Library, free of charge.

Library Director Kirsten Flass stated that the signs support the Rush Summer Reading Program as well as the Library's 100th anniversary. Signs are available while they last.

Resident Dick Knapp complimented the Highway crew that performed the Spring clean-up, he was very appreciative of a fantastic job.

II. APPROVAL OF MINUTES

RESOLUTION #98-2014

Councilperson Steiner moved to approve the Minutes of May 11, 2014, as submitted by Town Clerk Pamela Bucci. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson Steiner	aye	
Councilperson Frank	aye	
Councilperson McCarthy	aye	
Supervisor Anderson	aye	carried.

III. APPROVAL OF TRANSFER

A transfer of funds is unnecessary at this time.

IV. APPROVAL OF ABSTRACT

RESOLUTION #99-2014

Councilperson Steiner moved Be It Resolved that having audited all the claims against the funds listed on Abstract #11 for vouchers #2014 553 through #2014 602 are allowed for payment in the amount of \$24,653.49. Councilperson Frank seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson Steiner	aye	
Councilperson Frank	aye	
Councilperson McCarthy	aye	
Supervisor Anderson	aye	carried.

V. CORRESPONDENCE

Supervisor Anderson received and discussed the following:

Monroe County Sheriff's Office – Zone B – The Monroe County Sheriff Department reported no incidents in Rush.

Monroe County Rush Rifle Range Schedule – The rifle shooting schedule update was placed on the town website.

Monroe County Parks - County Executive Maggie Brooks has presented the historic Dentzel Menagerie Carousel riding schedule at Ontario Beach Park in Charlotte. Wristbands are provided for all day; \$5.00. Kids under 12 can enjoy the ride daily.

Incoming Correspondence – Supervisor Anderson stated that when correspondence is received anonymously unsigned, it will not become part of the public record and after a while will be filed accordingly. All public hearing correspondence will become part of the record once the public hearing is held.

VI. REPORTS OF OFFICERS AND COMMITTEES

Councilperson Woolaver attended the dedication of the war veteran's grave. Thank you to Town Historian Susan Mee and all those involved. He also attended the American Red Cross blood drive.

Councilperson Steiner attended the Recreational Agricultural Committee meeting, having 3 original members present. Town Recreation Supervisor Patricia Stephens was invited to attend. Unless approved by the Town Board and advertised, citizen committee meetings are not public. Agenda items include appointing a new committee chair, appointing a secretary to take notes and scheduling a firm monthly meeting date. Town Clerk Bucci has added meeting dates to the clerk's calendar. Councilperson Steiner will be contacting all members for their continued commitment.

Councilperson Frank attended the Fire Commissioners meeting and reviewed a mock-up of a new sign. As liaison, she also attended the Planning Board meeting where 3 projects were discussed.

Councilperson McCarthy had no report.

Code Enforcement Officer Gerry Kusse noted that the town's previous contracted insurance company required a playground inspection every 2 years. Supervisor Anderson stated that the playground was inspected by the new insurance company thus producing the findings for corrections. However, a follow-up of assurance will be done by Supervisor Anderson.

Code Enforcement Office Gerry Kusse also stated that a 4 month Temporary Certificate of Occupancy has been issued for the event barn located at 7272 West Henrietta Road. Jim Kolb, as agent, appeared before the Planning Board. Within their authority, the Planning Board has provided Mr. Kolb with a check list of items to complete for final plan approval and requested the Code Enforcement Officer (CEO) issue a Temporary Certificate of Occupancy permit. CEO Kusse stated that the applicant and its agent have been informed that if all items on the list are not completed within the 4 month timeframe, enforcement steps of prohibition will take place.

Highway Superintendent Mark David stated the slope around the basketball court has been topsoiled, an upgrade to the septic tank has been done and is

awaiting approval from the Monroe County Department of Health. It will then be filled.

Town Clerk Bucci stated the Town Clerk Monthly report was submitted to the Supervisor with revenues for the month of April in the amount of \$14,071.81.

Library Director Kirsten Flass extended the invitation to participate in the Library's 100th Year Birthday Gala at the Wildwood Country Club June 7, 7 – 9:30 PM. Tickets are only \$10.

VII. OLD BUSINESS

A. Background Check Update – Supervisor Anderson stated that the town attorneys have prepared background check policy verbiage. Town Board members are to respond with additional comments or changes so that it may be adopted at the next Board meeting. Supervisor Anderson inquired whether the Library would be interested in adopting the same policy. Library Director Flass agreed to be part of the conversation.

B. Monroe County Water Easement Update – Supervisor Anderson stated that Agreement with Monroe County for the Irondequoit Bay South Central Pure Waters District – Industry Pump Station and Force Main Easement has been signed and will be filed in the County Clerk's Office. A sewage evacuation pump was built as a state provided service. Once the property was town-owned, an easement was necessary in order for Monroe County to maintain the pipe.

C. Insurance Recommendation Update - All town property was evaluated including the Highway Department. Findings revealed recommendation to add appropriate age signage on the playground. Like age-appropriate swings are only allowed in the same bay. Both issues will be rectified.

D. Modification of the Dorschel Rezoning Application Update – Rush Associates LLC has submitted a modified application. A public hearing is scheduled for June 25, 2014 at 7:30 PM. With ample time for review, both the Planning and Zoning Boards and appropriate agencies have received a copy of the modified application. In this case, neighboring towns are not required to be notified directly of the public hearing. It is extremely unlikely that a Town Board would vote on a rezoning the same evening. All input must be reviewed by the Town Board including discussion at the public hearing. Town Clerk Bucci has published the notice in compliance with the law. A notice of public hearing sign will be posted.

RESOLUTION #100-2014

Councilperson Steiner moved to authorize Supervisor Anderson to enter into an agreement with Monroe County, Irondequoit Bay South Central Pure Waters District, to be designated lead agency on the Environmental Agency form. Councilperson Frank seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson Steiner	aye	
Councilperson Frank	aye	
Councilperson McCarthy	aye	
Supervisor Anderson	aye	carried.

VIII: NEW BUSINESS

A. Time Warner Franchise Agreement – Supervisor Anderson stated that Time Warner is now merging with Comcast. The topic was discussed at the Supervisor's Meeting and they have contacted Monroe County regarding a smarter town combined contract with the County versus individual town contracts.

Additionally, at the Supervisor's meeting, Supervisor Anderson spoke with a County member regarding the snow and ice tax item that appeared on the 2014 Town and County taxes. A property tax assessment is applied to the towns for the snow and ice contract with Monroe County. For Rush, the smallest town in the County, the 2014 represented a payback of undercharges for the past year contract agreement with Monroe County. One-third of the town's Highway Department's workforce maintains the County roads in Rush. Monroe County will provide an assessed value of this charge in the coming year so that Rush can prepare the 2015 budget appropriately.

B. Solar Project Update – A Memorandum of Understanding Agreement has been drafted with the Fire Department allowing the developer to include the Fire Department specifics and obtain the appropriate quotes.

C. New York State Museum of Transportation – A letter has been prepared by the attorneys for the town covering the museum's request. All Board members have been provided a copy. In the event the Museum wishes to negotiate the terms of the lease agreement, it will occur at a later date.

RESOLUTION #101-2014

Councilperson Steiner moved to allow Supervisor Anderson to endorse the letter and begin negotiations with the New York state Museum of Transportation, 6393 East River Road, Rush New York, town-owned property. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson Steiner	aye	
Councilperson Frank	aye	
Councilperson McCarthy	aye	
Supervisor Anderson	aye	carried.

IX. OPEN FORUM

Code Enforcement Officer Kusse stated that displaying the Rush Town Public Library sign in one's yard, A Rush Reader, does not require a permit.

Resident Carol Barnett inquired about the Dorschel lawn sign for the public hearing. Town Clerk Bucci stated, although it is not required, a notice will be posted at the proposed rezoning site prior to the public hearing.

XI. ADJOURNMENT

There being no further business, the meeting was adjourned by Supervisor Anderson at 7:30 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci
Town Clerk