

RUSH TOWN BOARD  
Minutes of February 27, 2008  
Regular Meeting

The meeting of the Rush Town Board was called to order by Supervisor William Udicious at 7:00 PM on February 27, 2008, at the Rush Town Offices, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

Present: Donald Knab, Councilman  
Richard Anderson, Councilman  
Thomas Doupe, Councilman  
Lisa Sluberski, Councilwoman  
William Udicious, Supervisor  
Pamela Bucci, Town Clerk

Others Present: Charles Steinman, Attorney for the Town  
Majed El Rayess, Architect  
Joe Pullen, Civil Engineer

I. OPEN FORUM . Supervisor Udicious invited anyone in the audience to address the Board.

On the request of Councilwoman Sluberski, Supervisor Udicious read a letter to the Town Board dated February 27, 2008, from David Sluberski regarding his position on disapproval of the replacement of 2 highway department trucks.

II. APPROVAL OF MINUTES . February 13, 2008

**RESOLUTION #73**

Councilman Knab moved that the minutes of February 13, 2008, meeting be approved with the correction on page 5 of Councilwoman Sluberski's title of Councilwoman. Councilman Doupe seconded the motion.

Roll:

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

III. APPROVAL OF ABSTRACT

**RESOLUTION #74**

Councilman Anderson moved that having audited all the claims against the funds listed on Abstract #4 in the amount of \$361,651.90 be allowed for vouchers #208 through

#265 with the exception of voucher #229 which will be further researched. Councilman Knab seconded the motion.

Roll:

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

IV. CORRESPONDENCE

A. Scottsdale Insurance Company - notification of claim for the deductible amount of \$5,000.00 regarding the Weaver vs. Town of Rush lawsuit.

B. Frontier Communications letter of February 22, 2008, regarding possibilities of town-wide wireless internet access. Frontier will schedule a meeting with the Supervisor.

C. Supervisor Udicious requested NYSDOT replacement costs of Route 15A bridge located over the area of the Honeoye Creek dam as well as traffic study costs in lieu of the dam's replacement and/or emergency repairs. Monroe County will need the data in order to seek funding for the project.

V. REPORT OF OFFICERS AND COMMITTEES

A. Councilman Knab . After attending the annual Association of Towns meeting in New York City, requests attendance at the Finger Lakes Building Officials Association (FLBOA) meeting in March 2008 to continue updating building credentials as well as guaranteeing ample Town code enforcement back-up.

**RESOLUTION #75**

Supervisor Udicious moved that Councilman Knab be granted permission to attend the Finger Lakes Building Officials Association meeting in March 2008 to continue his building official credentialing. Councilman Doupe seconded the motion.

Roll:

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

Councilman Knab also made arrangements for defective sprinkler heads to be replaced within the next few weeks. A lighting repair call is in progress.

B. Councilman Doupe . Thanked the Town Board for also providing for his attendance at the annual Association of Towns meeting in New York City. Town Clerk Bucci requested Councilman Doupe's assistance, as liaison to the Library

Board of Trustees, in soliciting the Trustees review of its approval of abstract process.

C. Councilwoman Sluberski . Monroe County Sheriff's Department alerted the Supervisor's office that there is a Level 3 Sex Offender living in 14543 country. The Rush-Henrietta School District mails the exact notification to all residents in the district. The notification has been posted on town's website and the town clerk's bulletin board.

D. Supervisor Udicious acknowledged that a public hearing will be held by the Rush Town Board on March 12, 2008, at 7:15 PM, for the purpose of considering revisions to a local law providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code in compliance with the requirement of Part 1203 of the State code.

Notification was received that the Rush Market & Deli, 5946 East Henrietta Road, Rush, will go to auction on March 21, 2008, at 10:15 AM at the Monroe County Office Building, Rochester.

#### VI. OLD BUSINESS

New York State has awarded the Town matching grant monies in the amount of \$100,000.00 for the development of the property located in the back of the Town Hall. The matching \$100,000.00 will come from appropriate current town funds. Majed El Rayess of El Rayess Architects along with civil engineer Joe Pullen presented a drawing and explanation of the proposed development of the recreational area in the back of the town hall. Revisions have been made in consideration of the Department of Environmental Conservation, (DEC), changes in flood plain specifications. An under-drain system, referred to as a rain garden, will be created and underground utilities will be kept in close proximity to the sidewalk areas.

Supervisor Udicious has recently requested additional Community Development Block Grant (CDBG) monies toward building of restrooms.

#### **RESOLUTION #76**

A motion was made by Councilman Knab and seconded by Councilman Anderson to accept the development concept presented by Majed El Rayess, of El Rayess Architects, and to proceed, utilizing the grant monies awarded.

Roll:

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

## VII. NEW BUSINESS

1. Highway Department's request for replacement of 2 pick-up trucks . A replacement flow chart was presented and purchase explanation given according to the 15-5 year capital equipment replacement plan. Superintendent King explained the usage and maintenance on current trucks as well as the reasons warranting scheduled replacements.

A state bid system exists enabling towns to use a 2-year cycle of purchasing and auctioning new pick-up trucks thus saving capital. Councilman Anderson requested Superintendent King's invitation of the agency plan at a future meeting.

### **RESOLUTION #77**

Councilman Knab made a motion to authorize Superintendent King's replacement of 2 Highway Department pick-up trucks according to the capital equipment replacement plan. Councilman Doupe seconded the motion.

Roll:

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

Supervisor Udicious noted that two tables and podium are needed to complete the Courtroom renovations. Resident Contractor Keith Eggleston who has completed the previous renovations, submitted a quote of \$2,950.00.

### **RESOLUTION #78**

Councilman Knab made a motion to approve Resident contractor Keith Eggleston's construction of two court room tables and a podium for an amount not to exceed \$3,500.00. Councilman Doupe seconded the motion.

Roll:

Councilman Knab	aye	
Councilman Anderson	abstained	
Councilman Doupe	aye	
Councilwoman Sluberski	aye	
Supervisor Udicious	aye	carried.

## VIII. OPEN FORUM

Supervisor Udicious invited anyone in the audience to address the Board.

IX. EXECUTIVE SESSION

Supervisor Udicious motioned to move the meeting into Executive Session at 7:55 PM to discuss a pending litigation matter of a code violation.

Councilman Knab moved to return to regular session of the meeting at 8:10 PM.

The Board returned to regular session and the meeting was adjourned at 8:15 PM by common consent of all board members.

Respectfully submitted,

*Pamela J. Bucci*

Pamela J. Bucci  
Town Clerk