

RUSH TOWN BOARD  
Minutes of January 27, 2016

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Cathleen Frank at 7:00 PM on January 27, 2016, at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT:	Cathleen Frank	-----	Supervisor
	Daniel Woolaver	-----	Councilperson
	Rita McCarthy	-----	Councilperson, Deputy Town Supervisor
	Jillian Moore	-----	Councilperson
	Gerald Kusse	-----	Councilperson
	Pamela Bucci	-----	Town Clerk
	Joseph Picciotti, Esq.	-----	Town Attorney

OTHERS PRESENT:

Al Sweet	Resident
Cecil Palmer	Resident
Carol Barnett	Resident
Marianne Rizzo	Resident
Dick and Mary Knapp	Residents
Mark David	Highway Superintendent, Resident
Jim Bucci	Resident

I. PUBLIC COMMENT

Supervisor Frank opened the floor inviting anyone wishing to address the Town Board to come forward. All those speaking were asked to state their name and address for record keeping purposes.

Resident Carol Barnett read a prepared statement regarding a recent Town of Penfield land development moratorium and asked the Town Board for the same consideration regarding rezoning of 7262 West Henrietta Road.

Resident Marianne Rizzo agreed with Mrs. Barnett's statement.

II. APPROVAL OF MINUTES

**RESOLUTION #69-2016**

Councilperson Woolaver moved to approve the Organizational Minutes of January 6, 2016, as written by Town Clerk Bucci. Councilperson Moore seconded the motion.

Roll:

Councilperson Woolaver                      aye

Councilperson McCarthy	aye	
Councilperson Moore	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

III. APPROVAL OF MINUTES

**RESOLUTION #70-2016**

Councilperson McCarthy moved to approve the Regular Meeting Minutes of January 13, 2016, as written by Town Clerk Bucci. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Moore	aye	
Councilperson Kusse	abstain	
Supervisor Frank	aye.	carried.

Councilperson Kusse was not present at the January 13, 2016, Meeting.

IV. APPROVAL OF ABSTRACT

**RESOLUTION #71-2016**

Councilperson McCarthy moved that having audited all the claims against the funds listed on Abstract dated January 27, 2016, for vouchers 2016 59 through 2016 118 in the amount of \$107,990.44 they be approved. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Moore	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

V. REPORTS OF OFFICERS AND COMMITTEES

Councilperson Woolaver offered the following:

- No report.

Councilperson McCarthy offered the following:

- Attended the Renewable Energy Citizens Committee meeting. They are preparing their final recommendations to be presented at the March Town Board meeting.
- As liaison, attended the Library Board of Trustees meeting. They have received new NYS handbooks and are reviewing them for compliancy.

They are continuing to research the best use of Senator Funke's bullet funding; possibly on robotics.

Councilperson Moore offered the following:

- No report.

Councilperson Kusse offered the following:

- Attended the Recreational Agricultural Citizens Committee meeting. They will be preparing a report including property uses of Rush Riverside Refuge to be presented to the Town Board in March and they intend to have an open house event in May.

Town Clerk Bucci offered the following:

- Asked that the RACC request an open house date so that the Town Board can make a resolution to have it publicized.

Attorney Picciotti offered the following:

- No report.

Highway Superintendent David offered the following:

- No report.

Supervisor Frank offered the following:

- Attended Monroe County Community Development Block Grant (CDBG) meeting. The Town will be applying to Monroe County CDBG for handicapped accessible doors entering the library by the elevator and in between the court hallway and the elevator foyer. Monroe County CDBG will not fund doors that are only used for town business. An application will be submitted to Senator Rich Funke to include handicapped accessible door accessing town business areas and a well, septic system and roof for horse barn on the Rush Riverside Refuge property at 6565 East River Road, (former BOCES property).
- An additional advertisement for the open Town Justice position is requested. Justice James Beikirch has been assigned by the 7<sup>th</sup> Judicial District to fill the unexpired term of Justice Henry Kirch through March 31, 2016.

### **RESOLUTION #72-2015**

Councilperson McCarthy moved to direct the Town Clerk to place an additional advertisement for a Town Justice to fill the unexpired term of Justice Henry Kirch in the designated locations. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver                      aye

Councilperson McCarthy	aye	
Councilperson Moore	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

VI. OLD BUSINESS

A. Resolution to amend Resolution #207-2015 Speed Limit Reduction on Rush West Road – Councilperson McCarthy stated that Monroe County Department of Transportation requested additional language be added as an amendment to Resolution #207-2015 of December 23, 2015.

**RESOLUTION #73-2016**

Councilperson McCarthy moved to approve the request of the Monroe County Department of Transportation pursuant to Section 1622.1 of the Vehicle and traffic Law, to establish a lower maximum speed of 45 MPH from 55 MPH, along Rush West Rush Road, 0.7 mile section of roadway from the hamlet of West Rush to Route 15. Councilperson Moore seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Moore	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

VII. NEW BUSINESS:

A. Resolution to hire an Assessor's Clerk- Supervisor Frank noted that Assessor Dan Stanford has interviewed a number of candidates, including Rush residents and selected Laura Hammond-Conner.

**RESOLUTION #74-2016**

Councilperson McCarthy moved to approve Assessor Dan Stanford's appointment of Laura Hammond-Conner as Assessor Clerk beginning February 8, 2016 through December 31, 2016 at Step 2. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Moore	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

Supervisor Frank has received Historian Susan Mee's annual report for 2015.

Supervisor Frank shared that she has received interior lighting upgrade proposals for lighting within the Town Hall. Town Board members will receive a copy for their consideration.

Supervisor Frank and Recreation Supervisor Stephens requested Engineer Todd Ewell of CHA to provide a cost estimate in evaluating the buildings at the Rush Riverside Refuge property (formerly BOCES). A proposal was presented to the Town Board for their consideration.

Councilperson Kusse has read the proposal. In the area of scope, he suggested that the Board consider having CHA identify the load bearing walls in Building #1 and #9. Former Leasers have suggested the removal of walls. Engineering data was obtained by the Town at a previous date.

Councilperson McCarthy clarified that more than a visual evaluation be made on the Rush Riverside Refuge buildings.

B. Resolution to sign contract with Zoladz for mulching wood/brush at Transfer Station on Stonybrook Road – Supervisor Frank stated that Attorney Pavia has reviewed and approved the contract as written.

Councilperson Woolaver confirmed with Highway Superintendent David that the contract is for \$4,000.00 per grind. Highway Superintendent David stated that the price fluctuates. Last year's cost was \$5,000.00.

**RESOLUTION #75-2016**

Councilperson McCarthy moved to approve the wood waste management agreement between Zoladz and the Town of Rush for mulching wood and brush disposed of at the Transfer Station on Stonybrook Road in the amount of \$4,000. Councilperson Moore seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Moore	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

Supervisor Frank and Finance Director Reynolds are in the process of reviewing HVAC contracts for 2016. Daikin Applied, Kennedy Mechanical and Isaac Heating and Cooling have submitted proposals. All proposals include the pavilion and have been circulated to the Town Board for consideration.

Councilperson Moore requested a copy of the current Daikin Applied contract before making a decision.

Councilperson Woolaver has obtained three estimates for the library roof repair which include Highland Contractors, Elmer Davis Roofing and Allstate Roofing. Councilperson Woolaver recommended Highland Contractors. They did a thorough, full inspection and provided the lowest price. The shingles will be replaced and downspouts redirected to address leakage and previous pooling of water. The shingles are wet and the plywood underneath is rotted allowing water to seep in and travel.

Councilperson Moore asked if the shingles are covered under warranty. Councilperson Woolaver stated that the shingles are not the issue, however, workmanship needs improvement.

#### VIII. PUBLIC COMMENT

Supervisor Frank opened the floor to anyone wishing to address the Town Board.

Resident Dick Knapp praised Highway Superintendent David's selection of the Zoladz chipping company for quality, neat work done at the Transfer Station.

Resident Alvin Sweet congratulated the Town Board and Highway Superintendent David for quick results in getting the speed limit reduced and speed limit signs posted on Jeffords Road.

Resident Marianne Rizzo wished to re-address her concerns of the safety at the intersection of Route 15 and Rush-Henrietta Townline Road. She met with representatives from Senator Rich Funke, Congressman Chris Collins and Legislator Bill Nojay's offices. A traffic study was completed, however, a change was not recommended. Ms. Rizzo asked that the Town Board continue to support her safety concerns.

#### IX. ADJOURNMENT

There being no further business to conduct, the meeting was adjourned by Supervisor Frank at 7:30 PM. Meeting was adjourned by common consent.

Respectively submitted,

Pamela J. Bucci  
Town Clerk