

RUSH TOWN BOARD
Minutes of November 12, 2008
Regular Meeting

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Udicious at 7:00 PM on November 12, 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, Deputy Town Supervisor
Richard Anderson ----- Councilman
Thomas Doupe ----- Councilman
Lisa Sluberski ----- Councilwoman
William Udicious ----- Supervisor
Pamela Bucci ----- Town Clerk
Frank Pavia ----- Attorney for the Town

OTHERS PRESENT: Dave Sluberski ----- Resident
Jon Volpe ----- Resident
Marge Williams ----- Resident
Richard Williams ----- Resident
Kirsten Flass ----- Resident, Library Director
Jack Mould ----- Resident
Gerry Kusse ----- Code Enforcement Officer

I. OPEN FORUM . Supervisor Udicious advised all present that Rules and Procedures for Town Board meetings were located at the side sign-in table. He then offered the floor for those present to address the board.

II. APPROVAL OF MINUTES . October 22, 2008

RESOLUTION #142-08

Councilman Knab moved that the Minutes of October 22, 2008, meeting be approved as submitted. Councilwoman Sluberski 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 #143-08

Councilman Anderson moved, **BE IT RESOLVED** that having audited all the claims against the funds listed on Abstract #11-1 in the amount of \$31,447.51 be allowed for vouchers #1172 through #1261. Councilman Doupe seconded the motion.

Roll:

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

IV. CORRESPONDENCE

A. Memorandum received from Zoning Board Chairman Donald Van Lare regarding possible changes to the Town Code, specifically Buildings.

B. In addition to Town Board Resolution #137 regarding the Museum of Transportation's request for property, the NYS Office of General Property Services requests that the Town make application to pursue ownership of property for \$1.00.

C. National Grid requested that an application be requested permitting placement of banners and/or decorations on the poles within the municipality. In previous years, the NYSDOT required the permit. Banners currently being placed on the poles belong to the Rush Lions Club. According to Attorney Pavia, the Lions Club is acting as an agent of town when placing the banners on the poles. The application will be reviewed by Attorney Pavia.

D. A local resident submitted a chart listing the number of dogs allowed in towns within the Counties of Monroe and Livingston. The resident requested the Town Board review the Town Code in reference to the number of dogs permitted in Rush.

E. Memorandum received by Clerk Bucci regarding the Town's credit card usage and procedure. The Director of Finance and Town Clerk noted that the controls currently used are adequate.

F. Supervisor Udicious acknowledged Clerk Bucci's receipt of a document signed by residents requesting the Town Board work with the Zoning Board to change Article 5, Section 120-57 (G) of the Town Code. Changes requested would allow residents to park campers, boats and trailers and/or similar vehicles in their driveways as long as they did not obstruct a motorist's view of other drivers pulling in and out of traffic. For the record, Councilman Knab noted that there were numbers on the top corner of each page.

V. REPORTS OF OFFICERS AND COMMITTEES

A. Councilman Anderson further provided information to the Board on his findings of pay in relation to other various boards and chairs in other area towns. According to the Finance Director, a general 3% increase is currently placed across the boards in the 2009 budget. Of that total, Councilman Anderson recommended that the sum be divided by three boards and that the chairman of each board receive an additional \$85.00. It will provide a separation between the chairs and regular members of each board. The Town Board will discuss Councilman Anderson's recommendation at the Organizational Meeting.

B. Councilman Doupe stated that the Zoning Board of Appeals and Planning Board members have received copies of the proposed Sign Ordinance. A workshop meeting will be coordinated with those boards in January. The Supervisor's secretary will schedule the workshop.

C. Clerk Bucci requested the board's approval to purchase a cash register in the amount of \$599.00 from Monroe Sale Register Inc. The Town Clerk Capital Outlay account has \$500.00 specified for the purchase. Other funds are available in the Town Clerk 2008 operating budget but additional funds in the amount of \$99.00 must be transferred.

RESOLUTION #144-08

Councilman Knab made a motion to authorize the Town Clerk to purchase a cash register in the amount not to exceed \$650.00 and that the Town Clerk request the Budget Officer's transfer of the appropriate funds from the current operating budget to complete the transaction. Councilman Doupe seconded the motion.

Roll:

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

VI. PUBLIC HEARING . 2009 Preliminary Budget

Proof of Notice having been furnished to all board members, Supervisor Udicious, closed the regular meeting at 7:15 PM and opened the Public Hearing of the 2009 Preliminary Budget.

Town Clerk Pamela Bucci read the legal notice posted for the hearing and certified that proper notifications had been made.

Supervisor Udicious noted that the Preliminary Budget has been available in the Town Clerk's Office since October 23. The tax rate for 2008 is \$4.24 per \$1,000 of Tax Assessed Tax Valuation (TAV) which includes the remodeling debt service for the Town Hall and Library. In 2009, the tax rate is proposed at \$4.40/\$1,000 TAV.

VII. OPEN FORUM

Supervisor Udicious opened the floor to any comments or questions on the 2009 Preliminary Budget.

Councilman Anderson added that there is no increase in the tax base for the town. There has been no new assessment nor new construction completed to add to the base. Budget increases are attributed to an increase in inflation, not in administration.

1. Resident Dave Sluberski questioned whether or not the Highway Department had been audited in relation to the budget. Supervisor Udicious stated that departments that handle money are audited but budgets are reviewed by the Town Board in the budget workshops. Mr. Sluberski requested the preliminary budget be placed on our website. Councilman Knab noted that the official copy is at the Town Clerk's Office but in the future a copy may be placed on the website.
2. Kirsten Flass stated that she provided cuts within the Library's budget and asked if the Town Board was satisfied with cuts made within other departments. Councilman Anderson stated that improvements were made in the Highway Department both in equipment and operations areas. Personnel costs, fuel, utilities and health insurance are the largest costs in the budget. Supervisor Udicious stated that the expectation for all department heads is to function at an appropriate level while keeping costs to a minimum. Councilman Doupe stated that most departments are flat, comprising of salary and possibly a professional association.
3. Dave Sluberski asked how and when a preliminary budget gets approved. Supervisor Udicious stated that the budget may be approved at this meeting but no later than December 20, 2008.

With all persons desiring to be heard, Supervisor Udicious closed the public hearing on the 2009 Preliminary Budget at 7:30 PM.

The regular meeting was reconvened.

VIII. OLD BUSINESS

A. Dam Repair Progress - Councilman Anderson provided a diagram of the work being done at the dam; seepage under the dam venting out through the apron. Drilling and pressure filling was accomplished to prevent further seepage. Voids were explored from the top to bottom of the dam to prevent the downstream migration of water. Next year the Board will be looking at additional ways to further stabilize and repair the dam.

B. Town Park Project Status . Supervisor Udicious reported that in complying with DEC regulations, hay has been placed on the park soil for protection through the winter. Work on the project has ended for the season and will resume in the spring.

IX. NEW BUSINESS

A. Approval of Bond for Tax Collector . In order to release the town and county tax bills into the tax collector's possession, the Town must approve the undertaking and provide a Certificate of Liability to the Monroe County Treasury.

RESOLUTION #145-08

Supervisor Udicious 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 as filed in the Town Clerk's Office:

Type of Undertaking: Public Official Liability/Employee Dishonesty
Insurance Company: Firemen's Fund Insurance Co.
Amount: \$250,000.00

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 Anderson seconded the motion.

Roll:

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

B. Rush Senior Citizens . General Policies & Operating Rules - Marge Williams, Rush Senior Citizens President, provided the Supervisor with the general policies and operating rules of their group for the Town Board's and attorney's review. Attorney Pavia stated that there were a few changes that needed to be discussed with the Seniors Group and there may not be a legal basis for the town board's or attorney's approval of the policies and rules. Mrs. Williams wished to have the Rush Senior Policies and Rules approved in time for the Rush Seniors' November meeting. The attorney for the town suggested meeting with Mrs. Williams immediately after the town board meeting.

X. OPEN FORUM . Supervisor Udicious opened the floor and offered it for anyone who wished to address the Board.

A. Resident Dave Sluberski requested the status of Stonybrook Pond's carp permit. Attorney Pavia has contacted the Department of Environmental Conservation in an attempt to relieve the town of the unnecessary expenses in relation to the pond and to move the matter forward.

Being no further business, Councilman Knab moved to adjourn the meeting at 7:50 PM. All councilpersons agreed.

With all attendees remaining, Supervisor Udicious re-opened the meeting at 7:52 PM to apprise the audience of additional correspondence related to the proposed budget.

Supervisor Udicious stated that the NYS budget calendar had changed for Monroe and Westchester County towns, allowing them to adopt budgets as late as December 20, 2008. The Board opted to wait until Mr. Udicious received a letter from Timothy Murphy, Office of Real Property Services (ORPS). The Office of Real Property Services (ORPS) requested that all towns adopt their budgets and forward a copy to them on or before December 1st. All other towns within Monroe County were adhering to the ORPS request.

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There being no opposition to the proposed Preliminary Budget, Supervisor Udicious motioned to adopt the Town of Rush 2009 Budget as presented. Councilman Knab seconded the motion.

Roll:

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

There being no further business, a motion was made by Councilman Knab and the meeting was adjourned at 7:55 PM by common consent of all councilpersons present.

Respectfully submitted,

Pamela J. Bucci
Town Clerk