

RUSH TOWN BOARD
Minutes of February 11, 2009
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 February 11, 2009, 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:	William Riepe	----	Resident
	David Vaughn	----	Resident
	Jeanne Bowman	----	Resident

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 – January 14, 2009

RESOLUTION #82-09

Councilman Knab made a motion to approve the January 14, 2009, Minutes as written. 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 MINUTES – January 28, 2009

RESOLUTION #83-09

Councilman Knab made a motion to approve the January 28, 2009, Minutes as written. Councilman Doupe seconded the motion.

Roll:

Councilman Knab	aye
Councilman Anderson	aye

Councilman Doupe	aye	
Councilwoman Sluberski	aye	
Supervisor Udicious	aye	carried.

IV. APPROVAL OF ABSTRACT

RESOLUTION #84-09

Councilman Anderson moved Be It Resolved, that having audited all the claims against the funds listed on Abstract #2-1 in the amount of \$32,525.07 be allowed for vouchers #118 through #173. Councilman Knab seconded the motion.

Roll:

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

V. CORRESPONDENCE - None to Report.

VI. REPORTS OF OFFICERS AND COMMITTEES

A. A brief update on the Quality Communities Grant Project regarding the Greenway Trail was given by Councilman Anderson. Chapters will be formulated and the sub-committee will be reconvening by the end of March.

B. Attorney Frank Pavia informed the Board of New York State's submission of its last round of funding in the amount of \$150M to assist municipalities through the Restore Program. The funding provides municipalities with funding to restore buildings that have become abandoned, contaminated and/or dilapidated. Letter of Intents are to be submitted on or before March 9th for consideration. Councilman Anderson will discuss the criteria required for such funding with Attorney Pavia. Individual homes are not covered under this municipality funding and the program promotes a public/private relationship.

C. Supervisor Udicious reported that although the Phase II Study of the Rush Market & Deli property at 5946 East Henrietta Road is complete, he is not aware of its results.

D. Audit Inspection – Councilmen Doupe and Knab will be conducting an audit of the Rush Town Court. A date will be determined at the next board meeting.

E. Supervisor Udicious stated that the Crown Castle contract regarding the co-location of Verizon on the town's cell tower has been signed and forwarded to the town attorneys at Harris Beach PLLC for final review.

F. Recreation Report – A monthly recreation department report was distributed to all board members by Recreation Supervisor Patricia Stephens.

VII. OLD BUSINESS

A. Steven Connors American Legion Post - Rental income and yearly expenditure data continues to be collected. Attorney Pavia recommends an environmental audit assessment be done. Considerations of the building were discussed. Attorney Pavia will reword the proposed resolution to expand on the authority of the Supervisor and to cover due diligence and other activities.

B. Phase I Study of 100 Acres of State-owned property – The National Railway Historic Society Board of Trustees agreed to share the \$1,200 cost of the Phase I study. Attorney Pavia has reviewed and approved the agreement to proceed with the Phase I study. Supervisor Udicious will contact the Railway Society.

VIII. NEW BUSINESS

A. Review of Plans for ADA Compliant Restrooms and Pavilion - Supervisor Udicious introduced Majed El Rayess of El Rayess Architects who reviewed in detail a Restroom and Pavilion facility drawing. The structure is a typical pole barn structure including restrooms. It is hoped to be a green building, utilizing energy efficient fixtures. The first area includes restrooms and a mechanical room, the second area is an enclosed room area and the third area would be an open outside area. All areas would eventually be roofed. The Town has secured \$55,000 in ADA compliant grant monies for the project. Bids will be requested for the full project as well as quotes broken down in 3 different sections. Acquiring quotes in sections make the project easier to divide when requesting grants. Although the foundation is close to a flood plain, soil was redistributed last year, with the approval of the Department of Environmental Conservation (DEC), to raise the area where a proposed facility would be best located. Mr. El Rayess strongly suggested pouring a concrete slab for the entire area, creating a more stable flooring and less tracking of soil into the restroom or hall areas. Roofing the entire area would provide a seamless roof and allow a shelter from the weather when the property is in use.

B. Shared Service Agreement for Highway Department with Monroe County – The agreement will be reviewed by Attorney Pavia. Additional Exhibit information is required.

C. Planned Unit Development (PUD) and Sign Ordinance Workshop Results – A productive meeting was held on Saturday, January 31, 2009, with all town boards. Revisions of the PUD draft will be distributed by the Town Clerk. Planning Board member John Morelli created a flow chart based on the discussions of the PUD.

The Sign Ordinance discussion will be continued in a workshop scheduled for Saturday, March 7, 2009, 9 AM at the Rush Town Hall.

C. Response to Letter in regard to change in Zoning Law (re: James Bucci letter of 12/16/08) – Supervisor Udicious stated that the Town Board will request the response of both Zoning and Planning boards' in order to reply to the resident's request.

D. Request for Office Furniture from Assessor – Area will be reviewed by board members before a decision is made.

IX. EXECUTIVE SESSION

Supervisor Udicious made a motion to adjourn to executive session at 7:50 PM to discuss an attorney-client matter.

On the motion of Supervisor Udicious, the meeting was returned to regular session at 8:30 PM.

There being no further business, a motion was made by Councilman Knab and the meeting was adjourned at 8:31 PM by common consent of all councilpersons present.

Respectfully submitted,

Pamela J. Bucci
Town Clerk