

RUSH TOWN BOARD
Minutes of February 25, 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 25, 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
	Lisa Sluberski	----	Councilwoman
	William Udicious	----	Supervisor
	Pamela Bucci	----	Town Clerk
	Frank Pavia	----	Attorney for the Town

EXCUSED:	Thomas Doupe	----	Councilman
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OTHERS PRESENT:	David Sluberski	----	Resident
	Al Simon	----	Resident, Planning Board member
	Kevin Quinlan	----	Assessor
	Deborah Curran	----	Assessor's Clerk
	Gerald Kusse	----	Resident, Building Inspector
	Kirsten Flass	----	Resident, Library Director
	Dick Andrews	----	Resident
	David Vaughn	----	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.

David Sluberski, as resident and leader of the Rush Democratic Committee, read a letter to the Board regarding the potential purchase of the Stevens Connor American Legion Post.

II. APPROVAL OF MINUTES – February 11, 2009

RESOLUTION #85-09

Councilman Knab made a motion to approve the February 11, 2009, Minutes as written. Councilman Anderson seconded the motion.

Roll:

Councilman Knab	aye
Councilman Anderson	aye
Councilwoman Sluberski	aye

Supervisor Udicious aye carried.

III. APPROVAL OF ABSTRACT

RESOLUTION #86-09

Councilman Anderson moved Be It Resolved, that having audited all the claims against the funds listed on Abstract #2-2 in the amount of \$329,642.03 be allowed for vouchers #174 through #237. Councilwoman Sluberski seconded the motion.

Roll:

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

IV. CORRESPONDENCE

Fire Marshall Rick Tracy forwarded an inventory to the Monroe County Water Authority of locations of hydrants in Rush warranting height increases.

V. REPORTS OF OFFICERS AND COMMITTEES

A. Code Enforcement Books – Councilman Knab, at the Association of Towns meeting, again requested that they provide an additional set of code books for the Town of Rush Fire Marshall.

B. Attendance/Voting Delegate – Councilwoman Sluberski stated that there were 18 legislative resolutions voted on at the Association of Towns meeting, only one was defeated; Resolution No. 8 – Gross Receipts Tax for Towns. Of mention, Resolution No. 12 - Road Preservation Bonds - does not apply to farm equipment. Ms. Sluberski will distribute copies of all resolutions voted upon at the meeting to the Board.

D. Energy Audit – Mr. Kusse attended a New York State Power Authority meeting about clean energy initiatives which conducts energy audits in schools and municipalities at no cost. Mr. Kusse proposed having a clean energy audit done at the Town of Rush. Mr. Udicious mentioned that the 2004 Town Hall revitalization was partially reconstructed with NYSEDA energy efficiency standard grant monies and that he would contact the NYS Power Authority on performing an audit of the town hall, library and highway department.

E. National Grid Power Outage Scheduled – Clerk Bucci reported that National Grid has scheduled a power outage for Thursday, February 26th in Creekside Drive, Perry Hill, East River and Fishell Road areas of town. Each customer will be contacted by National Grid.

F. 2009 Town and County Taxes – Of the \$3,827,617.57 town and county taxes to be collected, Clerk Bucci has collected the town tax portion of taxes and has forwarded a check to this supervisor in full satisfaction of the 2009 town tax warrant.

G. Organization Meeting Minutes - The budget officer noticed that salaries for the Planning, Zoning and Conservation Board members were incorrectly recorded in the 2009 Organizational Minutes. Ms. Bucci stated that they will be corrected for record keeping purposes. The correct figures were approved at the Organizational meeting.

H. Conference Attendance – Clerk Bucci requested authorization to attend the annual New York State Town Clerk's Association Conference in Rochester, New York on April 26th - 29th, 2009. Funds are budgeted for the conference.

Resolution #87-09

Supervisor Udicious made a motion to authorize the Town Clerk's attendance at the New York State Town Clerk's Association Conference in Rochester, New York on April 26th – 29th, 2009, utilizing budgeted funds. Councilwoman Sluberski seconded the motion.

Roll:

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

I. Court Audit – Councilman Knab requested a copy of audit procedures from the New York State Government Accountability Office. Once the procedures are received, a date will be set by both Councilman Knab and Doupe for the court office audit.

VI. OLD BUSINESS

A. Intermunicipal Agreement between the Highway Department and Monroe County – The agreement has been reviewed as acceptable by Attorney Frank Pavia. A listing of all available equipment for use will be shared once parties' lists are compiled.

Resolution #88-09

Councilman Knab made a motion to authorize the Supervisor to sign the Intermunicipal Agreement between the Rush Highway Department and Monroe County. Councilman Anderson seconded the motion.

Roll:

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

B. Request for Assessor's Clerk Office Furniture – Decision to purchase new office furniture will be deferred to another date.

C. Plan for Response to Legion Post Proposal - Attorney Pavia sent a revised proposal for review by the Town Board. Based on all feedback received, on or before May 1st, the board will decide on whether to proceed with the purchase of the American Legion Post or end all discussions. A letter of response date will be forwarded to the Stevens-Connor American Legion Post.

Resolution #89-09

Councilman Knab made a motion to authorize the Supervisor to enter into an agreement with the El Rayess Architects for the purpose of a feasibility study of the Stevens-Connor American Legion Post in an amount not to exceed \$1,200. Councilman Anderson seconded the motion.

Roll:

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

VII. NEW BUSINESS

A. Town-wide Re-assessment – Mr. Udicious read an e-mail from a Rush town resident in regard to his re-assessment. Mr. Udicious clarified that the Town Board has no leverage over the Assessor and that although the position is appointed by the Town Board, assessors are governed by New York State and the Office of Real Properties. The tax rate for Rush is based on an estimate of expenses and revenues for the coming year. With rising property assessments, an increase of tax revenue is given to the town which affects the town tax rate.

Assessor Kevin Quinlan gave an overview of the New York State town-wide re-assessment. The equalization rate is the determining factor in assessments. Rush's current equalization rate is 93.24%. As far as New York State was concerned, anything 95% and above was considered to be 100% equalization. Once the equalization rate falls under 95%, a town can no longer be considered 100%. The State provides \$5.00 per parcel to the towns that are at 100% equalization.

In 2006, the Town of Rush entered into an agreement with New York State to do annual assessment updates through 2013. According to the contract, New York

State dictates that disclosure notices must be sent and reassessments must be done.

Mr. Quinlan further explained that if Henrietta is at a true 100% equalization rate and Rush is not, the rates will impact the Rush-Henrietta School district causing the same assessed value property in Rush to pay 8% higher school taxes based on the lower equalization rate. The effect also trickles down to Monroe County taxes.

All residents have an opportunity to discuss their re-assessment and show cause for a correction with the Assessor. Further grievances will be heard by the Board of Assessment Review.

B. Shared Work Program – Councilman Anderson elaborated on a newspaper clipping related to NYS unemployment and a reduced work week creating a win-win situation for both employer and employee. With rising costs, budget cuts and no longer an unexpended balance, the board must consider all options. The Town of Rush is eligible for the shared work program which provides full-time employees a 20% reduction breaking down to a shorter work week and thus avoiding possible lay-offs. Individuals have the right to file a partial claim for unemployment. Councilman Anderson will investigate options to be considered.

C. Appointments to Zoning Board of Appeals and Planning Board – Al Simon has been appointed to fill Dan Taylor's unexpired term on the Zoning Board. Scott Strock has been appointed to fill Al Simon's unexpired term on the Planning Board. Both terms are effective March 2, 2009.

On previous dates, both Dan Taylor and Al Simon submitted letters of resignation to the Town Clerk.

A position remains open on the Board of Assessment Review.

Resolution #90-09

Councilman Knab motioned to appoint Al Simon as a member of the Zoning Board of Appeals to fill the unexpired term of Dan Taylor, 3/2/09 through 12/31/09. Councilwoman Sluberski seconded the motion.

Roll:

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

Councilman Anderson was unable to attend the interview process.

Resolution #91-09

Councilman Knab motioned to appoint Scott Strock as a member of the Planning Board to fill the unexpired term of Al Simon, 3/2/09 through 12/31/09. Councilwoman Sluberski seconded the motion.

Roll:

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

Councilman Anderson was unable to attend the interview process.

IX. OPEN FORUM – Supervisor Udicious offered the floor for those present to address the board.

Resident Dave Sluberski asked for clarification on items discussed at the evenings meeting and suggested additional job openings be posted on the town's website.

There being no further business, Councilman Knab motioned to close the meeting and it was adjourned at 8:10 PM by common consent of all councilpersons present.

Respectfully submitted,

Pamela J. Bucci
Town Clerk