

RUSH TOWN BOARD
Minutes of February 24, 2010
Regular Meeting

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor William Udicious at 7:00 PM on February 24, 2010, at the Rush Town Offices, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT:	Richard Anderson	----	Councilman, Deputy Town Supervisor
	Thomas Doupe	----	Councilman
	William Riepe	----	Councilman
	Lisa Sluberski	----	Councilwoman
	William Udicious	----	Town Supervisor
	Pamela Bucci	----	Town Clerk
	Frank Pavia, Esq.	----	Attorney for the Town
OTHERS PRESENT:	Kirsten Flass	-----	Library Director, Resident
	Dave Sluberski	-----	Resident
	Gerry Kusse	-----	Code Enforcement Officer, Resident

I. OPEN FORUM – Supervisor Udicious offered the floor to anyone wishing to address the board.

II. APPROVAL OF MINUTES

RESOLUTION #63-2010

Councilman Riepe moved to approve the Minutes of February 10, 2010, as submitted. Councilman Anderson seconded the motion.

Roll:

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

III. APPROVAL OF ABSTRACT #2-2

RESOLUTION #64-2010

Councilman Anderson moved, Be It Resolved, that having audited all the claims against funds listed on Abstract #2-2 in the amount of \$403,668.67 be allowed for vouchers #171 through #228. Councilman Doupe seconded the motion.

Roll:

Councilman Anderson	aye
Councilman Riepe	aye
Councilman Doupe	aye
Councilwoman Sluberski	aye

Supervisor Udicious aye carried.

III. CORRESPONDENCE

Supervisor Udicious read a letter dated February 16, 2010, from the Monroe County Department of Transportation announcing that a culvert replacement on Honeoye Falls #6 Road, between Five Points and Works Road and a bridge replacement to take place on Honeoye Falls #6 Road. Both projects are scheduled consecutively in May, 2010. Traffic will be rerouted to Route 15, NYS Route 5&20 and Oak Openings Road. A construction notification letter will be sent to area residents and information posted in the town newsletter as further details become available.

IV. REPORTS OF OFFICERS AND COMMITTEES

In continuing his investigation of New York State Energy Research and Development Authority (NYSERDA) for light emitting diode (LED) street lighting, Councilman Anderson found that there is no national standard yet. National Grid owns Rush's street lighting and capital would be necessary to change the street lighting to LED. An LED improvement by the town, would only affect town-owned property street lighting. Nationally, a capital improvement process is underway and Councilman Anderson will explore the town's eligibility.

Councilman Riepe attended the Planning Board meeting of February 16 and reported that the Rush Mart Application, 5946 East Henrietta Road, was approved with conditions.

Councilman Doupe reported that he attended the Zoning Board meeting and reported that the Rush Mart Applicant, 5946 East Henrietta Road, had applied for three variances, all of which were approved with conditions.

Councilman Doupe attended a meeting with the PinPoint Group, the Supervisor's Secretary Dawn Annunziata and Town Clerk Pamela Bucci regarding the town's website enhancements.

Code Enforcement Officer Kusse reported that he and Fire Marshall Rick Tracy completed an inspection of Diamond Limousine, 7272 West Henrietta Road, and a Certificate of Occupancy was issued for the two retail store fronts. They will be used as a place of worship. Parking will be monitored for emergency response egress and ingress.

There was a brief discussion regarding the possible purchase of the Dorschel properties located on Rush-Scottsville Road for place of worship use.

Library Director Kirsten Flass announced that the Rush Public Library received a legislative grant from Assemblymember Susan John for \$2,500. The grant will be used for the purchase of library materials.

Director Flass commended Code Enforcement Officer Kusse and Building Maintenance Supervisor Richard Schneider for taking the necessary weather precautions in temporarily protecting the circulation work area and her office from roof leaks pending the upcoming roof repair.

Town Clerk Bucci, at the request of the Town Board, has contacted Docuware and will be meeting with them next month.

Town Clerk Bucci requested authorization to expend budgeted funds to attend the annual New York State Town Clerk's Association Conference in Saratoga Springs, New York on April 25-28th, 2010.

RESOLUTION #65-2010

Councilwoman Sluberski made a motion to authorize the Town Clerk's expenditure of budgeted funds to attend the New York State Town Clerk's Association Conference in Saratoga Springs, New York on April 25th -April 28th. Councilman Anderson seconded the motion.

Roll:

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

Supervisor Udicious reported that the pedestal lights located at the front of the Town Hall are being repaired.

Supervisor Udicious forwarded information to the Board members regarding municipality websites for investigatory purposes.

V. OLD BUSINESS

A. Revised Procurement Policy – Councilwoman Sluberski suggested possible revisions to the procurement policy. Supervisor Udicious requested Attorney Steinman to review the Education Law regarding a Public Library's compliance with the Town's Procurement Policy. The Library Board of Trustees approves the Library's spending of budgeted funds. Councilman Anderson added that there may be a difference in expending capital versus operational funds and those aspects could be separated.

B. Completion of Pavilion Building – Supervisor Udicious has received a copy of the Pavilion Project contract and requests permission, pending attorney's approval, to sign it. The contract includes completion of the pavilion building in

the amount of \$81,800. The approved amount was the lowest bid accepted from the quotes received in 2009.

Councilwoman Sluberski stated that the board approved additional coating for the pavilion cement slab to sustain increment weather. Due to the unstable economy, the project should be postponed in case funds set aside need to be spent elsewhere. Councilwoman Sluberski added that the Board has requested departments to cut their costs and medical costs continue to rise.

Councilman Riepe suggested moving forward with the completion of the contract.

Councilman Anderson requested the expiration date of the quoted cost. Supervisor Udicious was unaware of an effective expiration date, however, costs of goods have been known to increase and there are no guarantees that the cost in completing the pavilion will decrease.

Councilman Doupe repeated that the Tower Construction bid was the lowest bid received in 2009. He added that, especially because of the state of the economy, enhancing a facility at a time when there may not be many vacationing options for residents.

Attorney Pavia stated that in order for the Board to authorize the project completion, the terms and conditions of the contract must be met.

Supervisor Udicious stated that if the contract is approved, completion would occur as soon as May, 2010, and the building could be used for the entire summer.

Councilman Anderson commented that construction costs are not known to decrease. He is in favor of completing the project now rather than later but suggested continuing efforts to find alternate fund sources.

RESOLUTION #66-2010

Councilman Anderson made a motion to authorize the Supervisor, pending attorney approval, to sign the Tower Construction contract for completion of the pavilion in the amount of \$81,800. Councilman Doupe seconded the motion.

Roll:

Councilman Anderson	aye	
Councilman Riepe	aye	
Councilman Doupe	aye	
Councilwoman Sluberski	nay	
Supervisor Udicious	aye	carried.

C. Community Development Block Grant – Supervisor Udicious stated that a \$17,000 grant has been submitted to Monroe County for the purpose of providing storage for loaned medical equipment for people that are temporarily disabled and also for the purchase of a hearing loop and sound system for the town's meeting room.

VI. NEW BUSINESS

At the request of Highway Superintendent King, an item of new business was removed, Agreement to Spend Town Highway Funds, and will be added at a future meeting.

A. Renewal of HVAC (heating, ventilation & air conditioning) Contract – Supervisor Udicious requested the board's permission to sign the contract with McQuay International. Maintenance is performed on a quarterly basis and the 2010 contract fee is \$4,576.00, unchanged from 2009.

RESOLUTION #67-2010

Councilman Anderson made a motion to authorize the Supervisor to sign an annual contract with McQuay International, 13600 Industrial Park Boulevard, Minneapolis, MN 55441. Councilman Doupe seconded the motion.

Roll:

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

VII. OPEN FORUM

Dave Sluberski asked if a large property, such as Dorschel Automotive, was sold as a house of worship, would the entire parcel be tax-free and treated as a not-for-profit parcel. Attorney Pavia responded that the Attorney General's Office handles properties on a case-by-case basis and the Department of Taxation in determines to what extent the property is being utilized. The state also deems that churches are for the public good.

Dave Sluberski asked for the status on fixing the library roof. Supervisor Udicious responded that the materials are on stand-by for a 2-3 day uninterrupted weather period.

Resident Sluberski also inquired about the town's website direction. Councilman Doupe responded that the town is contracted with The Pinpoint Group for enhanced flexibility. The website has a significant amount of information on it and

it will be made more user friendly for the public. The website will not be redesigned.

Councilman Anderson added that the virtual municipality information received by the town board will also be reviewed.

Attorney Pavia reiterated that the initial emphasis and focus of the board is making the website more user friendly and always providing public access to the information. That will be the platform used for the board's determination of what additional enhancements, if any, are needed.

Dave Sluberski asked Councilman Doupe to compile a list of what he determined to be user friendly.

Councilman Doupe stated that the Town is working with an expert in the industry in providing advice as well as incorporating the feedback received by residents.

Dave asked for a plan on how families will be able to use the recreational facilities.

Councilman Anderson stated that a plan is being devised by himself, the Recreation Supervisor, other departments, as well as legal counsel. Policies are scheduled to be approved and in place before it is time to use the fields.

Kirsten Flass asked if the Town had a plan of funding for equipment to be used with and on the fields as well as equipment necessary for inside the pavilion area.

Councilman Anderson is collecting specific data and uses both inside and outside. A source of funding is not readily available for inside the pavilion. Field use equipment may be available. The funds budgeted for the pavilion does not include equipment for inside the facility.

Councilman Anderson added that until the completing the pavilion was approved, there had been only preliminary discussions of what could be used in the building. Supervisor Udicious added that the Town Board would like to use the space for as many functions as possible and will devise a list based on that.

Kirsten Flass asked for department head discussions on the possible uses of the inside of the pavilion. Supervisor Udicious welcomed any ideas and comments to be forwarded to the Board.

Supervisor Udicious motioned to adjourn the meeting and asked the board to

Rush Town Board
February 24, 2010

remain for a short attorney-privilege conversation. By common consent by all councilpersons present, the meeting be adjourned at 7:45 PM.

Respectfully submitted,

Pamela J. Bucci
Town Clerk