

RUSH TOWN BOARD MEETING  
FEBRUARY 23, 2011

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 23, 2011, 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/Collector
	John Mancuso, Esq.	-----	Attorney for the Town

OTHERS

PRESENT:	Mark David	-----	Highway Superintendent, Resident
	Kathryn Capella-Hankins	-----	Resident

1. OPEN FORUM

Supervisor Udicious opened the floor to anyone wishing to address the board.

Resident Kathryn Cappella-Hankins elaborated on ADA compliant contact agencies and training programs that are offered to identify needs within a public building/facility. Ms. Cappella-Hankins distributed a Cornell University trainer network pamphlet to the Town Board.

Mrs. Cappella-Hankins also asked for an update on the historian museum artifacts.

Supervisor Udicious responded that an initial request concerning the artifacts came from Mrs. Jean Yawman, Ms. Terry Irvine and Mr. Selden Chase. A meeting was held on February 9 with all parties including Deputy Supervisor Richard Anderson and Frank Pavia, Esq. A mini-list will be furnished to the town as follow-up to the items in question.

II. APPROVAL OF MINUTES

**RESOLUTION #61-2011**

Councilwoman Sluberski moved to approve the Minutes of February 9, 2011, as presented by the Town Clerk. Councilman Doupe seconded the motion.

Roll:

Councilman Anderson

aye

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

### III. APPROVAL OF ABSTRACT

Councilman Anderson asked Town Clerk Bucci to explain the Time Warner franchise, Voucher #217. Town Clerk Bucci explained that the Town has an agreement with Time Warner allowing them access to the town's right-of-way in providing their cable services to Rush residents. Time Warner pays the town a franchise fee. By Office of Real Properties law, a portion of the Time Warner taxes owed is paid for by the town. Both Time Warner and the Town are responsible parties for payment of taxes.

### **RESOLUTION #62-2011**

Councilman Anderson moved, Be It Resolved, that having audited all the claims against the funds listed on Abstract #2-1, for vouchers #170 through #232, be allowed in the amount of \$380,554.25. Councilman Riepe seconded the motion. Roll:

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

### IV. CORRESPONDENCE

Supervisor Udicious reported that a letter from attorneys for the town has been sent to the present owner and former owner of 790 Rush West Rush Road. The letter requests payment of an outstanding public hearing subdivision applicant bill incurred by former owner Gerald Dietz'. The fees owed amount to \$382.75.

### V. REPORTS OF OFFICERS AND COMMITTEES

Councilman Anderson had no report.

Councilman Riepe had no report.

Councilman Doupe had no report.

Councilwoman Sluberski had no report.

Highway Superintendent David reported that the Highway Superintendents met with Assemblyman Harry Bronson of the 131<sup>st</sup> District. Assemblyman Bronson sits

on the Assembly Committee for Transportation and was very receptive to the information provided.

Town Clerk Bucci reported that a smooth transition has occurred in transferring the Time Warner internet connection from Monroe County to the Town.

Supervisor Udicious thanked Councilman Thomas Doupe for his service to the Town and Town Board over the last 7 years. He will be leaving his term as Councilman and starting his new role as Rush Town Justice effective March 1, 2011. Mr. Doupe will be taking judge training in Syracuse in early April 2011 and will be sitting on the bench thereafter.

Supervisor Udicious raised the possibility of offering an additionally hourly, ½ day, monthly meeting time rates to rent the pavilion. Councilman Anderson, as liaison to the Recreation Department, offered to compile cost data and make a recommendation to the Board.

Supervisor Udicious requested findings of a court audit report from Councilwoman Sluberski and Councilman Riepe by March 23<sup>rd</sup>. A checklist will be provided to the councilpersons as well as the 2007 audit results done by Eldredge, Fox & Poretti.

Fire Marshal Rick Tracy and Code Enforcement Officer Kusse have requested Automated External Defibrillator (AED) equipment for the pavilion.

Code Enforcement Officer Kusse has completed a course of erosion and sediment control from the NYSDEC.

Councilman Doupe supplied the Town Board with a recommendation of improvement to our security system. It will be reviewed and discussed at the next Board meeting.

## VI. OLD BUSINESS

A. Initial Farmland Protection Meeting Results – Councilman Anderson reported that the initial meeting included a full house of farm owners and stakeholders. A farmland questionnaire has been developed and results will be shared. An inventory of land was discussed, including the fact that 80% of Rush farmland is considered prime farmlands. A Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis will also be done.

Councilman Anderson stated that there are 2 classifications used for farmland. The Assessor's Office requires an agricultural inventory to grant an agricultural

exemption, however, a clear calculation of how the 2 systems fit has not yet been discussed. Two additional Municipal Agricultural and Farmland Protection Plan meetings have been scheduled for March 8 and April 12 at 7:30 PM, Rush Town Hall. All information will be added on the town website and the meeting dates published.

VII. NEW BUSINESS

A. Mileage Rate for 2011, 0.51 from 0.50 – Supervisor Udicious stated that the IRS issued an optional standard mileage rate of 0.51.

**RESOLUTION #63-2011**

Councilman Anderson moved to amend the Organizational Meeting Minutes, Resolution #42-2011 and authorize mileage reimbursement to be set at \$0.51 per mile as set by the 2011 United States Government Internal Revenue Service optional standard mileage rate effective January 1, 2011. Councilman Doupe seconded the motion.

Roll:

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

B. Interview Schedule for Town Board Opening – Interviews have been scheduled with the Town Board applicants on March 9, 2011, 6:00 PM.

C. Planned Use of 100 Acres – Former Office of General Services Property (OGS) – A decision on whether to allow the previous farmer to continue farming the land previously owned by OGS or open the farming opportunity to the farming community will be discussed at the next Board meeting. A formal proposal would be required for permission to farm the land.

Councilman Riepe asked John Mancuso, Esq., whether or not bids should be submitted to farm the 100 acre parcel. Attorney Mancuso will research the pre-existing farming use of the property and the question at hand.

D. Scrap Material Policy – Highway Superintendent David submitted a proposed Scrap Materials Policies and Procedures that has been reviewed by Attorney Frank Pavia. A recommendation is requested by the Town Board at the next meeting.

A discussion took place on particulars. Additionally, Supervisor Udicious questioned where the policies and procedures should be housed.

VIII. OPEN FORUM

Supervisor Udicious opened the floor to anyone wishing to address the board.

Kathryn Cappella-Hankins noted that disposing of computers and scraps must be done through a specific process. Formation of a policy and procedure manual should be followed and documented for both disposing of town property and purchasing property.

Supervisor Udicious and Councilman Anderson stated that the Town does have set policies and procedures including a procurement policy for making purchases.

IX. ADJOURNMENT

There being no further business, a motion was made by Councilman Riepe that the meeting be adjourned at 7:45 PM was approved by common consent of all councilpersons present.

Respectfully submitted,

Pamela J. Bucci  
Town Clerk