

RUSH TOWN BOARD  
Minutes of December 12, 2012  
Regular Meeting

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Richard Anderson at 7:00 PM on December 12, 2012, at the Rush Town Hall, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT:	Richard Anderson	-----	Supervisor
	William Riepe	-----	Councilman, Deputy Town Supervisor
	Kathryn Steiner	-----	Councilwoman
	Cathleen Frank	-----	Councilwoman
	Daniel Woolaver	-----	Councilman
	Pamela Bucci	-----	Town Clerk
	John Mancuso, Esq.	-----	Town Attorney

OTHERS

PRESENT:	Mark David	-----	Highway Superintendent, Resident
	Gerald Kusse	-----	Building Inspector, Code Enforcement Officer
	Carol Barnett	-----	Resident
	Ansgar Schmid	-----	Resident
	Kirsten Flass	-----	Library Director, Resident

I. OPEN FORUM

On behalf of the Town Board and himself, Supervisor Anderson wished all a happy holiday and a safe traveling season.

Supervisor Anderson continued, opening the meeting and explained the open forum process. The Town Board would either respond immediately with facts at hand or research for the answer and provide an answer at a later date.

Resident Carol Barnett reported that the Rush Citizens Working Committee (CWC) on Hydrofracking would like to present a report and recommendation to the Town Board by mid-January. They have been working hard and would also like to invite the public to a committee meeting and hold a 2nd informational Q/A meeting. Advertising for them was discussed. Town Clerk Bucci will coordinate with CWC Co-chair Carol Barnett.

Supervisor Anderson commended Ms. Barnett and the Committee for their hard work on behalf of the town.

II. APPROVAL OF MINUTES

**RESOLUTION #168-2012**

Councilman Riepe moved to approve the Minutes of November 28, 2012, as submitted by the Town Clerk. Councilwoman Steiner seconded the motion.

Roll:

Councilman Riepe	aye	
Councilwoman Steiner	aye	
Councilman Woolaver	aye	
Councilwoman Frank	aye	
Supervisor Anderson	aye	carried.

III. APPROVAL OF TRANSFER

None to report.

IV. APPROVAL OF ABSTRACT

**RESOLUTION #169-2012**

Councilwoman Steiner moved, Be It Resolved, that having audited all the claims against the funds listed on Abstract #12-1, for vouchers #1318 through #1368, they are allowed for payment in the amount of \$12,619.86. Councilman Riepe seconded the motion.

Roll:

Councilman Riepe	aye	
Councilwoman Steiner	aye	
Councilman Woolaver	aye	
Councilwoman Frank	aye	
Supervisor Anderson	aye	carried.

Supervisor Anderson added that the annual contribution to NYS employee retirement which occurs once per year has been included on the abstract in the amount of \$145,632. It covers Town Hall, Highway and Library employees. The state billing cycle runs April 1, 2012 through March 31, 2013. A pre-payment provides a discount of approximately \$1,320.

The bond principle and interest payments are also included on the abstract for the town hall and water districts. Payments are made in June and December on interest and once a year in December on principle.

An expenditure of \$831.56 for the Rush Town Newsletter occurs 6 times per year. Quotes from other vendors have been received and are substantially higher than our current newsletter cost. Getting news to the community in the most effective and cost efficient manner is the town's goal.

## V. CORRESPONDENCE

Monroe Community College Public Safety Facility - Rifle Range at Stonybrook Road, 492 Stonybrook Road – Supervisor Anderson stated that the Rifle Range schedule has been received and the Supervisor's Secretary Valerie will post it to the town website.

Zoning Board Annual Report – Supervisor Anderson stated that Zoning Board Don Van Lare submitted their Annual Report. It was read aloud in its entirety and included an 87.8% applicant approval rate, i.e., 4 approved, 3 approved with restrictions; 0 denied and 0 pending. The entire board has their required accredited training, they requested implementation of the sign ordinance and suggested to the Town Board that the creation of a hamlet district in the new comprehensive plan be created in order to provide relief to existing residents presently zoned commercial.

Property and Casualty Insurance – Supervisor Anderson reported that although the town encountered a damaging \$250,000 fire in 2012, the town's insurance coverage is held to a 5% increase and the town is well within the budgeted amount. The cost is \$57,000 per year. A quote package is sought on an average of every 2-3 years.

## VI. REPORTS OF OFFICERS AND COMMITTEES

Supervisor Anderson requested that all liaisons to Boards report only the decisions of their respective Boards so that there are no inconsistencies. Details of the meetings will be reported in the Minutes which are the official record.

Councilman Riepe stated the Commissioner's Election was held on December 11<sup>th</sup> with a large turnout.

Councilwoman Steiner attended the Library Board of Trustees meeting and reported that November circulation was down slightly, the annual Book Sale was down and attributed to not hosting the Election Day on town grounds. The Library Board inquired about a stipend.

Supervisor Anderson stated that although the Board has researched town appointed board stipends, additional research would need to be done regarding Library Board of Trustees which are not appointed by the Town Board. The Library would also need to budget, if approved.

Councilman Woolaver attended a Conservation Board meeting. Applications for Creekside Drive, Hellman re-subdivision and HiTech Drive properties were reviewed.

Town Clerk Bucci stated that appointment letters were sent to all board members with expiring terms. Of those, Julia Lederman of the Conservation Board, Kelly Pruden of the Zoning Board and John Felsen of the Planning Board have indicated their interest to continue on the Board. Paul Fien of the Board of Assessment Review has not made a full commitment at this time. The Board of Assessment review Board term runs from September to September. As Councilman Woolaver stated, Jerry Tallo has voiced his desire to resign from the Conservation Board, however, a formal letter has not been submitted.

All yearly department appointment letters have also been sent to staff returnable by December 21.

Town Clerk Bucci attended a Regional Meeting of the New York State Town Clerk Association where Gail Fischer of the NYS Archive Association spoke on Disasters and the responsibility of all Town Clerks as Record Management Officers, in specific regard to Storm Sandy hitting New York. Lori Mithen, Association of Towns Counsel also spoke regarding Town Clerk and Town Board legal responsibilities.

Town Clerk Bucci reported that replacement fire cabinets have been delivered for the receipt of 50 boxes of files associated with the March 5, 2012, fire in the records vault. Laserfiche has been installed on the server and 4 hours of training completed.

Town Clerk Bucci received a Report from NYS Department of Agriculture and Markets for a Satisfactory Review of all Dog Control Officer records. Twenty-four dogs were seized in 2012.

Town Attorney John Mancuso had no report.

Code Enforcement Officer/Building Inspector Gerry Kusse had no report.

Highway Superintendent Mark David reported that a stone base was put on the ADA compliant basketball court. NYSDEC inspected the bulk storage tank with flyer colors.

Supervisor Anderson received an e-mail from Councilman Woolaver requesting the status of the Recreational Agricultural Citizens Committee. Supervisor Anderson stated that issues regarding committees' status should be discussed at the Town Board meeting. Both the Citizens Working Committee on Hydrofracking, chaired by volunteers Carol Barnett and Jordan Kleiman and the Recreational Agricultural Citizens Committee, chaired by volunteer Jerry Horton

were formed and members appointed by Town Board resolution. Supervisor Anderson will be happy to contact Jerry Horton on the Board's behalf.

#### VII. OLD BUSINESS

Right to Farm Law – Supervisor Anderson requested further comments from the Board. Examples have been distributed to the Planning Board for review and comment.

Councilman Riepe, Councilwoman Steiner and Councilman Woolaver favored the Town of Gorham Right to Farm example.

Attorney John Mancuso stated that the purpose of the Right to Farm Law is specific to the Town, therefore, the Town may decide on how restrictive or broad the law is designed.

Supervisor Anderson will forward the Town Board's opinion to the Planning Board.

#### VIII. NEW BUSINESS

A. Receipt of Agricultural and Farmland Protection Plan Letter – Supervisor Anderson received an approval letter from Darrel Aubertine, Commissioner, NYS Department of Agriculture and Market which was read in its entirety and included recommendations. The Agricultural and Farmland Protection Plan was adopted by the Town Board on September 12, 2012, and Monroe County Agricultural Protection Board on March 23, 2012. Supervisor Anderson has forwarded the letter to Planning Board Chair John Felsen and asked that they be the lead on recommendations for adaption to the Plan. Once the Planning Board makes a recommendation, the Town Board will advertise for Farmland Advisory Committee applicants. The committee will include 2 farmers and 1 interested party.

B. Monroe County Emergency Management (Super Storm Sandy) – Supervisor Anderson stated that there was an effort put forth to get reimbursement aid for Sandy's relief, however, Monroe County's threshold of \$2.5 million in damages was not met.

C. Library Roof Repair – Supervisor Anderson reported that the library roof has been repaired. A new transformer was installed by a qualified electrician.

D. Request of Assessor to attend Real Estate Principles Class – Assessor Dan Stanford has requested permission to spend \$520.00 of 2013 budgeted funds to attend an on-line class, which covers a 6 month timeframe, on Real Estate Principles.

**RESOLUTION #170-2012**

Councilwoman Steiner moved to approve Assessor Dan Stanford expenditure of \$520.00 in 2013 budgeted funds to attend an on-line class, Real Estate Principles. Councilwoman Frank seconded the motion.

Roll:

Councilman Riepe	aye	
Councilwoman Steiner	aye	
Councilman Woolaver	aye	
Councilwoman Frank	aye	
Supervisor Anderson	aye	carried.

E. Resolution to Purchase Assessor's Office Laptop – Assessor Dan Stanford requested a resolution for the purchase of a new computer, including software and accessories for the Assessor's Office in the amount of \$1,366.00. The new computer quote has been provided by The Pinpoint Group.

Councilman Riepe asked about pricing of computers. Supervisor Anderson explained that The PinPoint Group is contracted with the Town of Rush and finds the best suitable equipment to meet the needs of the department as well as finding the best price available which includes accessibility to state bids.

**RESOLUTION #171-2012**

Councilwoman Steiner motioned approve the Assessor's purchase of a Laptop from The Pinpoint Group in an amount not to exceed \$1,500.00. Budgeted funds will be used for both the 2012 and 2013 approved budgets. Councilwoman Frank seconded the motion.

Roll:

Councilman Riepe	aye	
Councilwoman Steiner	aye	
Councilman Woolaver	aye	
Councilwoman Frank	aye	
Supervisor Anderson	aye	carried.

**IX. OPEN FORUM**

Supervisor Anderson offered the floor to anyone in the audience wishing to address the Board.

Kirsten Flass, Library Director and Resident, thanked both the Town Board for allowing the Library to erect a Library sign in the front of the building and the Highway crew for installing it. Additionally, in regard to the newsletter issues, Director Flass thanked Town Clerk Pamela Bucci and the Supervisor's Secretary

Valerie Mertsock for being so diligent and pressing for a positive and timely outcome.

Resident Carol Barnett added that Advanced Quick Printing may be another option in printing the newsletter. Supervisor Anderson stated that the Town did seek a quote from Advanced Quick Printing, however, of all the quotes received the Genesee Valley Pennysaver provides the most economical cost for the quantity and number of issues printed for the town. Town Clerk Bucci stated that Advanced Quick Printing is being used, at a best price, on other purchases of the town.

X. ADJOURNMENT

There being no further business, the meeting was adjourned by Supervisor Anderson at 7:45 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci  
Town Clerk