

RUSH TOWN BOARD
Minutes of February 24, 2016

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Cathleen Frank at 7:00 PM on February 24, 2016, at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT: Cathleen Frank	-----	Supervisor
Daniel Woolaver	-----	Councilperson
Rita McCarthy	-----	Councilperson, Deputy Town Supervisor
Jillian Coffey	-----	Councilperson
Gerald Kusse	-----	Councilperson
Pamela Bucci	-----	Town Clerk
John Mancuso, Esq.	-----	Town Attorney

Town Clerk Bucci noted that Councilperson Jillian Coffey has recently married and has changed her name from Moore to Coffey.

OTHERS PRESENT:

Mark David	-----	Resident, Highway Superintendent
Carol Barnett	-----	Resident
Dick & Mary Knapp	-----	Residents
Phil D'Alessandro	-----	Town Building Inspector
Joan Dupont	-----	Resident

I. PUBLIC COMMENT

Supervisor Frank opened the floor inviting anyone wishing to address the Town Board to come forward. All those speaking were asked to state their name for record keeping purposes.

No comment from the audience.

II. APPROVAL OF THE MINUTES

RESOLUTION #81-2016

Councilperson Woolaver moved to approve the Minutes of February 10, 2016, as written by Town Clerk Pamela Bucci. Councilperson McCarthy seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

Councilperson Woolaver stated that there is an additional charge not mentioned during the February 10, 2016, Town Board meeting and an

amendment is in order. The roof bid includes an additional cost of \$55 per sheet of plywood if it is found to be in need of replacement.

RESOLUTION #82-2016

Councilperson Woolaver moved to amend Resolution **#79-2016** approval of Highland Contractors, 620 South Clinton Avenue, Rochester, New York 14620 bid of February 10, 2016, for replacement work on the library roof for an amount not to exceed \$13,278.00. Councilperson McCarthy seconded the motion.

Roll:

Councilperson Woolaver		aye	
Councilperson McCarthy	aye		
Councilperson Coffey	aye		
Councilperson Kusse	aye		
Supervisor Frank	aye.		carried.

III. APPROVAL OF ABSTRACT

RESOLUTION #83-2016

Councilperson Woolaver moved that having audited all the claims against the funds listed on Abstract dated February 24, 2016, for vouchers 2016 157 through 2016 202 be allowed for payment in the amount of \$25,783.65 be approved. Councilperson McCarthy seconded the motion.

Roll:

Councilperson Woolaver		aye	
Councilperson McCarthy	aye		
Councilperson Coffey	aye		
Councilperson Kusse	aye		
Supervisor Frank	aye.		carried.

IV. REPORT OF OFFICERS AND COMMITTEES

Councilperson Daniel Woolaver offered the following:

- No report; Zoning Board of Appeals did not meet.

Councilperson Rita McCarthy offered the following:

- As liaison attended the Library Board of Trustees meeting. A gazebo concert series is planned for the summer. Items for purchase with Senator Funke's bullet aid funding have been approved.
- Attended the Renewable Energy Citizens Committee meeting. A formal report will be submitted in April.
- Thanks to Town Clerk Bucci for the labor-intensive public hearing minutes of February 10, 2016.

Councilperson Jillian Coffey offered the following:

- Attended the Fire Commissioners meeting; Planning Board did not meet.

Councilperson Gerald Kusse offered the following:

- As liaison, attended the Recreational Agricultural Citizens Committee for the Rush Riverside Refuge. The committee will be submitting a report soon. Publicity events are planned for March, April and May.

Town Clerk Bucci offered the following:

- January Revenue Monthly Report was submitted to the Supervisor with a check in the amount of \$7,094.26.
- Asked that Councilperson Kusse remind the Recreational Agricultural Citizen Committee to coordinate obtaining Town Board approval for public events.

Councilperson Kusse noted that the Recreational Agricultural Citizen's Committee has been advised of the required approvals in hosting a public event.

Town Attorney Mancuso offered the following:

- No report.

Town Highway Superintendent David offered the following:

- Met with Senator Rich Funke and Assemblyman Bill Nojay advocating for highway funding.
- Will be attending Advocacy Day in Albany March 6th and 7th. Rush will be paring with downstate. Extra monies may be available with C.H.I.P.S. (Consolidated Local Street and Highway Improvement Program).

Councilperson McCarthy asked if C.H.I.P.S. monies would be going to replacement of bridges.

Highway Superintendent David stated that some C.H.I.P.S. monies will likely be allocated for those items.

Building Inspector D'Alessandro offered the following:

- Reviewing plans, issuing permit applications and receiving multiple inquiries from potential buyers interested in allowed uses in Rush as well as real estate permit history.
- A property owner has made significant alterations without permits to his parcel and the Department of Health has raised concerns. A shell foundation is proposed for the site. Planning Board Chair John Felsen and Attorney John Mancuso have been consulted regarding the alterations and possible ramifications of noncompliance.

Supervisor Frank offered the following:

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- A Parks District was established in 1987 and funds were collected from property owners in the Biondo Court/Delia Trail neighborhood. The park did not materialize and the property has now been sold.
- A process of distribution of funds was discussed with Attorney Mancuso.

Attorney Mancuso stated under Town Law, dissolving districts requires a special procedure. If the Town Board, after a public hearing, determines that it is in the public's best interest to dissolve the district, three criteria must be met. There must be (1) a three year lapse since the establishment, (2) no improvements constructed, (3) no outstanding indebtedness associated with the district. A surplus of \$3,500 exists. If a majority is met to dissolve the park district, the monies will become the property of the town to do whatever it feels appropriate, recreational or otherwise.

V. OLD BUSINESS:

A. None.

VI. NEW BUSINESS

A. Resolution to purchase a new pick-up truck - Highway Superintendent David requested authorization to replace a 2005 pick-up truck having 107,000 miles with a 2016 ¾ ton pick-up truck through the N.Y.S.O.G.S. Mini-Bid Award from Webster Ford, Inc., d/b/a Henderson Ford (WBE). Specifications are placed on line and emailed to potential dealers in a broad area. The piggy-back contract was higher.

RESOLUTION #84-2016

Councilperson Woolaver moved to authorize Highway Superintendent David to purchase a 2016 ¾ ton pick-up truck through the N.Y.S.O.G.S. Mini-Bid Award from Webster Ford, Inc., d/b/a Henderson Ford (WBE) in an amount of \$30,132.10 with funds allocated from account DA.5130.4. Councilperson McCarthy seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

B Resolution to sell 2005 Chevy 2500 series Pick-up - Highway Superintendent David requested authorization to auction the 2005 Chevy 2500 Pick-up Truck during the spring of 2016.

RESOLUTION #85-2016

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Councilperson Woolaver moved to authorize Highway Superintendent David to sell the 2005 Chevy 2500 Pick-up at auction during the spring of 2016. Councilperson McCarthy seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

C. Resolution for HVAC Maintenance Contract for 2016 – Supervisor Frank noted an additional proposal for heating and air conditioning was received from Pipitone Enterprises, LLC and distributed.

Councilperson Woolaver weighed all proposals but favored Pipitone Enterprises, LLC proposal for service and contract fee.

Councilperson Kusse stated that the proposals were hard to follow without a bid metric, however, Pipitone Enterprises, LLC provided a close metric to the town's needs and it is a NYS Certified Woman Owned Business Enterprise.

Councilperson McCarthy noted that Pipitone Enterprises, LLC was highly recommended by the Rush Fire Department.

RESOLUTION #86-2016

Councilperson Woolaver moved to authorize the Supervisor to sign an annual contract with Pipitone Enterprises, LLC, 25 East Buffalo Street, Churchville New York 14428 commencing March 1, 2016 through March 1, 2017 for \$2,150.00. Councilperson Kusse seconded the motion.

Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

VII. PUBLIC COMMENT

Supervisor Frank opened the floor to anyone else wishing to address the Town Board.

Resident Carol Barnett asked Highway Superintendent Mark David for the meaning of C.H.I.P.S.

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Highway Superintendent David responded that it is a highway improvement program based on a State formula.

ADJOURNMENT

There being no further business to conduct, Supervisor Frank adjourned the meeting at 7:25 PM. The meeting was adjourned by comment consent of all councilpersons present.

Respectfully,

Pamela J. Bucci
Town Clerk