

RUSH TOWN BOARD  
Minutes of July 8, 2015

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Cathleen Frank at 7:00 PM on July 8, 2015, 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
Kathryn Steiner	-----	Councilperson
Rita McCarthy	-----	Councilperson, Deputy Town Supervisor
Jillian Moore	-----	Councilperson
Pamela Bucci	-----	Town Clerk
John Mancuso, Esq.	-----	Town Attorney

OTHERS PRESENT:

Marianne Rizzo	Resident
Dave Sluberski	Resident
Bethany Choate	Resident, Member of
Mark Herbeger	Resident, member of
Bill Gaffney	Resident
Dick and Mark Knapp	Residents
Carolee and Robert Powers	Residents, Members of

I. OPEN FORUM

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 and address for record keeping purposes.

II. APPROVAL OF MINUTES

**RESOLUTION #124-2015**

Councilperson Steiner moved to approve the Meeting Minutes of June 24, 2015, with a correction on Page 5, 7<sup>th</sup> bullet point, changing the word negative to positive, as written by Town Clerk Pamela Bucci. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye
Councilperson Steiner	aye
Councilperson McCarthy	aye
Councilperson Moore	aye
Supervisor Frank	aye. carried.

III. TRANSFER OF FUNDS

**RESOLUTION #125-2015**

Councilperson Steiner moved, be it resolved, that having audited all of the unexpended balance of existing appropriations, transfers #7 in the amount of \$530.36 be approved. Councilperson McCarthy seconded the motion.

Roll:

Councilperson Woolaver	aye
Councilperson Steiner	aye
Councilperson McCarthy	aye
Councilperson Moore	aye
Supervisor Frank	aye. carried.

#### IV. APPROVAL OF ABSTRACT

##### **RESOLUTION #126-2015**

Councilperson Steiner moved Be It Resolved that having audited all the claims against the funds listed on Abstract dated June 24, 2015 for vouchers #2015 689 through #2015 726 be allowed for payment in the amount of \$30,999.28. Councilperson McCarthy seconded the motion.

Roll:

Councilperson Woolaver	aye
Councilperson Steiner	aye
Councilperson McCarthy	aye
Councilperson Moore	aye
Supervisor Frank	aye. carried.

#### V. REPORT OF OFFICERS AND COMMITTEES:

Councilperson Woolaver offered the following report:

- No report.

Councilperson Steiner offered the following report:

- The Conservation Board will be meeting on July 9 due to last week's holiday.

Councilperson McCarthy offered the following report:

- The Library Board of Trustee's has approved the Library Director's budget for submission to the Town Board. They are seeking another Library Board member.

Councilperson Moore offered the following report:

- No report.

Town Clerk Bucci offered the following report:

- Ten submissions were received by the deadline of July 7 in naming the former BOCES property. They were read aloud as follows: River

Woodland Center, Riverside Meadowland, Horseshoe Park, Rush RAC Complex, John Costello Heritage, Rush Heritage escape, Riverside Center, Rush Heritage Complex, Rush Heritage Landing and Rush Genesee River Reserve.

Code Enforcement Officer/Building Inspector Gerald Kusse offered the following:

- The electricity is turned on at the previous BOCES campus, 6565 East River Road. There are bats in Building that will need to be removed. Although signs are posted, toilets are not to be used. A porta-potty is on site.

Highway Superintendent Mark David offered the following:

- No report.

Supervisor Frank offered the following report:

- A town resident has presented town tax data for towns within the county. Combining School, Town and County taxes, Rush is the 3<sup>rd</sup> lowest town in Monroe County. Rush-Henrietta School District tax payers are the lowest in Monroe County. Additional analysis will be thoroughly researched and the results placed on the town website.
- Answer to previous resident's question: There will be no scheduled or otherwise farm spraying occurring at the BOCES property through the end of 2015.

In response to additional questions asked at previous Town Board meetings, Supervisor Frank offered the following.

- Q: Why can't we develop a consistent, reliable process to inform all residents about issues suggested at the Town Board meeting, not just legal postings? A: The consistent, reliable process to inform all residents about discussions at Town Board meeting is to publish official Town Board meetings and agendas as legally required. The official record of issues under discussion in the Town are contained in the official Town Board, Planning Board, Zoning Board and Conservation Board Minutes.
- Q: Do we have a defining process for the town's rezoning of property? A: Yes, the process is documented by a flow chart and has been available on the town website. It is found under municipal procedure for rezoning.
- Q: Why can't the Town Board conduct a community-wide survey for needs and services? The Town Board could conduct a community-wide survey to identify needs of residents at a future time.

The Renewable Energy Citizens Committee offered the following report:

Bob Powers has been designated as the Chairperson to the Renewable Energy Citizens Committee. Of that Committee, Marianne, Matt, Bethany, Carolee and Robert were present. Other members were not present. A charter has been supplied for review and acceptance and a mission statement is being created. Mr. Powers presented the objectives. The Towns of Brighton, Irondequoit and the City of Rochester have all pledged to be climate smart communities. The Committee wishes Rush to also sign the pledge.

Member Carolee Powers stated that the committee is discussing including conservation strategies, listing resources and researching how other towns are benefiting from becoming climate smart. Zoning requirements are also being reviewed. Schools are using solar to create energy. Any amount of sharing with other towns is valuable. The committee is interested in the Little Lakes Sustainable Network.

Member Marianne Rizzo read aloud the Mission Statement previously submitted to the Town Board.

Member Mark Heimbueger suggested the Committee prepare a concise list of reputable contacts and contractors for hire for solar energy savings.

Member Bethany Choate stated that the Committee wishes to have the Town sign a Pledge to be a climate smart community. It is free, provides the Committee with notices of state programs and provides support for energy efficiencies. Other smart communities are receiving benefit of green living, reducing cost and gaining efficiency. The network will also include "how to" steps. A formally adopted pledge must be accepted by the Town in order to take advantage of the opportunity.

Councilperson McCarthy stated that members Bethany Choate and Matt Heimbueger are subject matter experts, having solar on their home, have geothermal and have achieved a net 0 goal.

Supervisor Frank asked that if the town were to pledge to become a climate smart community, who would have the task of fulfilling the pledge. Member Bethany Choate stated that the members of the committee are the force of the research. Member Choate added that signing the Pledge brings the resources to address the elements. Although some specifics could be modified in the Pledge, others are part of a required outline. The NYSDEC would be informed that Rush is a climate smart community.

A Hand-out of adopting the climate smart community pledge was available and presented to the Town Board and Town Clerk.

## VI. OLD BUSINESS

A. Renewal of Building 5 Lease at 6565 East River Road – Supervisor Frank proposed signing a continued lease with Robert Gruschow of Gruschow International, Inc. Building 5 for a 6 month period. Councilperson Moore raised additional options.

Attorney Mancuso stated that changing the terms is at the Town Board’s discretion.

The Board was in agreement to provide the lessee with a 6 month lease agreement for Building 5.

**RESOLUTION #125-2015**

Councilperson Steiner moved to allow the Supervisor to enter into the execution of an Amendment to the Lease Agreement, Building 5 at 6565 East River Road, Rush, New York with Robert Gruschow of Gruschow International, Inc. for a period of 6 months. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye
Councilperson Steiner	aye
Councilperson McCarthy	aye
Councilperson Moore	aye
Supervisor Frank	aye. carried.

VII. NEW BUSINESS

A. Resolution to Power wash the Town Hall Building – Supervisor Frank has sought contractors to power wash the building including mold removal of the Town Hall and Library. Rochester Window Cleaning Co., Inc., who currently cleans the exterior windows has presented a quote for \$1,616.00. Councilperson McCarthy moved to second the motion.

Roll:

Councilperson Woolaver	aye
Councilperson Steiner	aye
Councilperson McCarthy	aye
Councilperson Moore	aye
Supervisor Frank	aye. carried.

**RESOLUTION #123-2015**

Councilperson Steiner moved to allow Supervisor Frank to enter into an agreement with Rochester Window Cleaning Co., Inc., 1068 Craig Street, Rochester, New York for an amount not to exceed \$1,616.00. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye
Councilperson Steiner	aye
Councilperson McCarthy	aye
Councilperson Moore	aye

Supervisor Frank aye. carried.

B. Complete Environmental Assessment Form (EAF) - 6565 East River Road property for septic, water and paving - Supervisor Frank stated that an EAF is required to be included in the grant process for the former BOCES property.

Attorney Mancuso stated that Part I has already been completed. Part II - Impact Assessment which is a list of 11 questions were read aloud and answered by the Town Board. All items were answered no, or small impact may occur.

Part III is whether or not the town determines whether or not it believes the impact to be positive or negative. If it does not believe there is a negative impact, a resolution to that affect is required.

Supervisor Frank stated that a negative declaration should be adopted.

**RESOLUTION #124-2015**

Councilperson Steiner moved that upon examination of the Short Environmental Assessment Form (EAF), the Town Board determined that it will not result in a potential significant adverse environmental impact and thus issue a Negative Declaration concluding the SEQRA process. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye
Councilperson Steiner	aye
Councilperson McCarthy	aye
Councilperson Moore	aye
Supervisor Frank	aye. carried.

B. Resolution approving Supervisor's submission of Finger Lakes Regional Planning Council Grant regarding 6565 East River Road (BOCES property)- Supervisor Frank stated that the resolution approval in submitting the grant is a requirement.

**RESOLUTION #125-2015**

Councilperson Steiner moved to allow Supervisor Frank to submit a grant forms to Finger Lakes Planning Council in reference to 6565 East River Road, Rush, New York. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye
Councilperson Steiner	aye
Councilperson McCarthy	aye

Councilperson Moore                      aye  
Supervisor Frank                              aye. carried.

VIII. OPEN FORUM -

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

Resident Marianne Rizzo, as member of the Recreational Agricultural Citizens Committee, asked what materials or vision will be used at the former BOCES property in order to establish a road into the property or to accommodate parking. Additionally, does the grant have to do with economic growth?

Supervisor Frank stated that paving exists and shoring up of the trunk line will be performed. Paving must be done for emergency purposes. Highway Supervisor David concurred.

Supervisor Frank added that the Finger Lakes Regional website lists multiple categories in the selection process to develop the property. It is a multi-faceted grant with many components.

Resident and Renewable Energy Advisory Committee member Carolee Powers asked if the Climate Smart resolution would be approved.

Supervisor Frank stated that the Board will review the template submitted and make a determination at a future date.

Resident Bill Gaffney asked if there has been further action, since the last Town Board meeting, on the Dorschel rezoning matter or any action on the demotion of the former BigM property. Mr. Gaffney also inquired about a property looking abandoned and has tall grass. The property is located on the on northeast side of Rush Scottsville Road.

Supervisor Frank responded, nothing further has occurred with the Dorschel rezoning and excavation equipment is now on site at the former BigM property.

Resident Marianne Rizzo asked if the wording of the Climate Smart Pledge would state that they would "attempt" to reduce greenhouse gas (GHG) emissions.

Member Carolee Powers added that NYSERDA encourages smart community groups to make deadlines so that goals are set and possibly met.

Continued discussion regarding specifics of the smart program and pledging execution was discussion and expectations should be presented in the future.

Marianne Rizzo was curious of the suggestion of naming the BOCES property John Costello Heritage. A write-up was presented regarding the suggestion of the John Costello Heritage.

Resident Bill Gaffney stated that John Costello started a boys program of farming including animals and agricultural which provided a strong work ethic for the boys and value to the area farmers.

IX. ADJOURNMENT

There being no further business to conduct, the meeting was adjourned by Supervisor Frank at 7:50 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci  
Town Clerk