

RUSH TOWN BOARD  
Minutes of November 9, 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 November 9, 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
Kathryn Steiner	-----	Councilperson
Daniel Woolaver	-----	Councilperson
Rita McCarthy	-----	Councilperson, Deputy Town Supervisor
Jillian Moore	-----	Councilperson
Pamela Bucci	-----	Town Clerk

EXCUSED: Harris, Beach LLC ----- Attorneys for the Town

OTHERS PRESENT:

Mark David	-----	Resident, Highway Superintendent
Cecil Palmer	-----	Resident
Gerald Kusse	-----	Resident, Code Enforcement Officer/ Building Inspector

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.

The audience did not respond.

II. APPROVAL OF MINUTES

**RESOLUTION #174-2015**

Councilperson Steiner moved to approve the Meeting Minutes of October 28, 2015, as written by Town Clerk Pamela Bucci. Councilperson Woolaver seconded the motion.

Roll:

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

III. TRANSFER OF FUNDS

**RESOLUTION #175-2015**

Councilperson Steiner moved that having audited the appropriations against the General fund, all transfers in the amount of \$3,230.00 are allowed for Transfers #18 and #19. Councilperson McCarthy seconded the motion.

**BUDGET TRANSFERS 11/9/2015 - 2015 FUNDS**

**Transfer from the unexpended balance of an existing appropriation'(s).**

**General Funds**

Transfer Number	Amount	Decrease Appropriation		Increase Appropriation	
		Account	Description	Account	Description
18	6480.00	A.1990.4	Supervisor Contingency To cover BAS - IPS software and training	A.3620.2	Code/Safety Capital Outlay
19	1600.00	A.1990.4	Supervisor Contingency To cover final Weaver v Town case costs	A.1355.4	Assessor Contractual

Roll:

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

**IV. APPROVAL OF ABSTRACT**

**RESOLUTION # 176-2015**

Councilperson Steiner moved that having audited all the claims against the funds listed on Abstract dated November 9, 2015 for vouchers #2015 1123 through #2015 1180 is allowed for payment in the amount of \$36,489.16. Councilperson Woolaver seconded the motion.

Roll:

Councilperson Steiner	aye	
Councilperson Woolaver		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:

- Attended Conservation Board meeting; 2 applications were reviewed.

Councilperson McCarthy offered the following report:

- Contacted Monroe County Sheriff's Department Zone B Captain Wagner regarding increased patrol at the Rush Riverside Refuge.

Councilperson Moore offered the following report:

- No report.

Code Enforcement/Building Inspector Kusse offered the following report:

- No report.

Highway Superintendent David offered the following report:

- Majority of trucks are ready for snow & ice; snow fence is being installed.
- More than 20 “No Hunting, Trapping, Discharge of Firearms” signs have been installed at the Rush Riverside Refuge, 6565 East River Road location.

Councilperson Steiner stated that the RACC (Recreational Agricultural Citizens Committee) had previously suggested “no parking” signs also be installed. A short discussion amongst the Town Board took place regarding parking that occurs in many places; no parking signs on the property will not deter those who decide to hunt illegally.

Town Clerk Bucci offered the following report:

- No report.

Town Supervisor Frank offered the following report:

- The Town Hall railings have been painted.
- Rick Tracy who is the town’s current Fire Marshal, Coordinator of Emergency Preparedness, and Assistant Building Code Enforcement Officer will be transitioning in November to assume full duties of the Code Enforcement Officer. Current Code Enforcement Officer Gerry Kusse will be retiring at the end of the year.

## VI. OLD BUSINESS

- A. Resolution to adopt the Town of Rush 2016 Budget – The 2016 Preliminary Budget will become the final budget once approved by the Town Board.

### **RESOLUTION #177-2015**

Supervisor Frank moved to adopt the Preliminary Budget presented as the official 2016 Adopted Budget. Councilperson Steiner seconded the motion.

Roll:

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

## VII. NEW BUSINESS

- A. Resolution to Transition to Five Star Bank – Supervisor Frank stated the town is currently banking with JPMorgan Chase bank. Fees in continuing to

bank with them in 2016 will be \$10,000.00. Finance Director Reynolds, Town Clerk Bucci and Supervisor Frank met with Five Star Bank and are comfortable with their practices, barring additional costs in the future. There are no current fees associated with the town's banking needs at this time.

Councilperson Steiner asked where Five Star Bank is located. Supervisor Frank responded they are located in Honeoye Falls and Henrietta.

**RESOLUTION #178-2015**

Supervisor Cathleen Frank moved, BE IT RESOLVED, that pursuant to Section 64(1) of the Town Law, the Town Board hereby designates Five Star Bank as the depositories for the Town funds of all its offices and departments and withdrawn upon check, draft, note or written order of the Town of Rush, signed by Supervisor Cathleen Frank or Deputy Supervisor Rita McCarthy, and also that the bank is hereby authorized to pay such checks, drafts, notes or written orders and to receive same for credit to the account of the payee, or in payment of the individual indebtedness of the payee, or any other holder when so signed, without injury as to the circumstances of their issue or the disposition of their proceeds, whether drawn to the individual order of or tendered in payment of the individual obligation of any of the above persons or of any officer or employee of the Town; and also, that the Supervisor and the Town Clerk are hereby authorized to certify to the Bank a copy of this resolution. The bank may rely and act upon such certification of any changes therein. Councilperson Steiner seconded the motion.

Roll:

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

B. Resolution to Appoint Assessor's Clerk

**RESOLUTION #179-2015**

Councilperson Steiner moved to approve Town Assessor Dan Stanford's appointment of Shana Barber as the Assessor's Clerk effective November 9, 2015, at Step 3. Councilperson McCarthy seconded the motion.

Roll:

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

C. Resolution to Approval of the 2017-2018 Conventional Municipal Snow and Ice Agreement - This agreement involves snow and ice control and is

between the New York State Department of Transportation and the Town of Rush.

Councilperson Steiner asked why the agreement covered the next two years.

Highway Superintendent David stated that having an agreement two years in advance allows New York State to prepare for coverage if and when a Town cannot accommodate snow and ice control. The agreement is renewed yearly.

**RESOLUTION #180-2015**

Councilperson Steiner moved to authorize the Supervisor to enter into an Agreement to Extend Conventional Municipal Snow and Ice Agreement with New York for the responsibility for snow and ice control effective 2017 through 2018 of 35.60 miles on State Routes 15, 15A and 251. Councilperson Woolaver seconded the motion.

Roll:

Councilman Woolaver	aye	
Councilman Steiner	aye	
Councilman McCarthy	aye	
Councilwoman Moore	aye	
Supervisor Frank	aye	carried.

C. Resolution to Approve the Surety Bond and Official Undertaking - This resolution is required in order for those authorized to collect fees and taxes associated with municipality business.

**RESOLUTION #181-2015**

Councilperson Steiner moved that the Town Board of the Town of Rush hereby approves the surety, form and amount of the official undertaking for the faithful performance of the duties of the Town Clerk/Collector, Deputy Town Clerk and Finance Director as filed in the Town Clerk's office:

Type of Undertaking: Public Official Liability/Employee Dishonesty/Computer Fraud/Funds Transfer Fraud

Insurance Company: Gary Wilkins Insurance Agency, Inc.  
Insurer: A: Selective Insurance Co. of SC  
B: Travelers Pro Cas. Co. America

Amount:	\$245,000	Town Clerk / Collector
Amount:	\$245,000	Deputy Town Clerk / Deputy Collector
Amount:	\$125,000	Finance Director

A true copy of this resolution shall be affixed to the undertaking to indicate this Board's approval thereon in accordance with Town Law Section 25.

VIII. OPEN FORUM

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

Resident Cecil Palmer stated that the orange posted sign entering the Rush Riverside Refuge on East River Road is hard to read from the road and possibly a larger, different colored sign may be more legible.

Supervisor Frank will keep that in mind for the future.

IX. ADJOURNMENT

There being no further business to conduct, the meeting was adjourned by Supervisor Frank at 7:15 PM and approved by common consent of all councilpersons present.

Respectively submitted,

Pamela J. Bucci  
Town Clerk