

RUSH TOWN BOARD  
Minutes of May 27, 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 May 27, 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                         |
| Jillian Moore           | ----- | Councilperson                         |
| Rita McCarthy           | ----- | Councilperson, Deputy Town Supervisor |
| Pamela Bucci            | ----- | Town Clerk                            |
| John Mancuso, Esq.      | ----- | Town Attorney                         |

OTHERS PRESENT:

|               |          |
|---------------|----------|
| Carol Barnett | Resident |
| Mary Knapp    | Resident |

I. OPEN FORUM

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

There were no comments from the audience.

II. APPROVAL OF MINUTES

**RESOLUTION #108-2015**

Councilperson Steiner moved to approve the Meeting Minutes of May 13, 2015, 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. APPROVAL OF ABSTRACT

**RESOLUTION #109-2015**

Councilperson Steiner moved Be It Resolved that having audited all the claims against the funds listed on Abstract dated May 26, 2015 for vouchers #2015 530 through #2015 576 be allowed for payment in the amount of \$106,862.96. Councilperson McCarthy seconded the motion.

Roll:

|                        |     |
|------------------------|-----|
| Councilperson Woolaver | aye |
| Councilperson Steiner  | aye |

|                        |     |          |
|------------------------|-----|----------|
| Councilperson McCarthy | aye |          |
| Councilperson Moore    | aye |          |
| Supervisor Frank       | aye | carried. |

#### IV. REPORT OF OFFICERS AND COMMITTEES: Monthly Report

Councilperson Woolaver offered the following report:

- As liaison, attended the Zoning Citizens Committee Meeting. They are reviewing the sign portion of the Zoning Code.
- Receiving no applications, the Zoning Board of Appeals did not meet.

Councilperson Steiner offered the following report:

- The Recreational Agricultural Citizens Committee met with invitees Kathy Gessner and Jeff Masters of the Rotary Club. They are interested in working on the property needs and will be communicating with RACC member Phil Daggar.

Councilperson McCarthy offered the following report:

- No report.

Councilperson Moore offered the following report:

- As liaison, attended the Planning Board meeting. They approved the special permit for Kyle Stevens of Stevens & Sons, LLC for a farm stand and agricultural/ agritourism seasonal activities. A site plan was approved with the condition that Code Enforcement Kusse inspects and approves the buildings that were built without a permit. There were also 2 subdivision approvals and an in-law structure approval.

Town Clerk Bucci offered the following report:

- Submitted the monthly April report to the Supervisor including a check for revenue in the amount of \$19,339.62 mostly attributed to afterschool recreation program fees and pavilion rentals.
- Attended the Memorial Day Parade and ceremony on May 25<sup>th</sup> at 9:30 AM which the Town Board walked in. Also attended the picnic afterward at the Firemen's grounds hosted by the American Legion Post.
- Town and county taxes will be collected through May 31<sup>st</sup> and the collection will continue with Monroe County Treasury through August 20<sup>th</sup>. There is currently \$185,698.40 in outstanding taxes. In 2014, there was \$142,000.00 in uncollected taxes.
- Requested a resolution for the Court in appointing Roseann Terilli as Court Clerk to Justice Doupe and Thomas Sylvester as Court Attendant.

John Mancuso, Esq., offered the following report:

- No report.

V. OLD BUSINESS

- A. Rush Associates, LLC - 30 Day Public Comment Period Extended - Supervisor Frank stated that the Notice to accept public comment on the Rush Associates, LLC Draft Scoping document was delayed in being printed in the town-approved newspaper and was not visible on the town website, therefore, the period of written comment has been extended through June 21, 2015.

**RESOLUTION #110-2015**

Councilperson Moore made a motion to Extend the 30 Day Public Comment Period in reference to the Rush Associates, LLC Draft Scoping Document from May 18, 2015 through June 21, 2015. Councilperson Woolaver seconded the motion.

Roll:

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

VI. NEW BUSINESS

- A. Resolution to Appoint Zoning Board of Appeals Member - Councilperson McCarthy stated that 3 applicants were interviewed by all Board members.

**RESOLUTION #111-2015**

Councilperson McCarthy moved to appoint Susan Swanton to the Zoning Board of Appeals for an unexpired term commencing March 28, 2015 through December 31, 2017. Councilperson Woolaver seconded the motion.

Roll:

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

**RESOLUTION #112-2015**

Councilperson Steiner moved to acknowledge and approve the Court's appointment of Roseann Terilli as Court Clerk to the Justice at Step 1 effective March 27 through December 31, 2015. Councilperson Woolaver seconded the motion.

Roll:

|                        |     |
|------------------------|-----|
| Councilperson Woolaver | aye |
| Councilperson Steiner  | aye |
| Councilperson McCarthy | aye |

Councilperson Moore                    aye  
Supervisor Frank                        aye    carried.

**RESOLUTION #113-2015**

Councilperson Steiner moved to acknowledges and approves the Court's appointment of Thomas Sylvester as Court Attendant at Step 5 effective March 27 through December 31, 2015. Councilperson McCarthy seconded the motion.

Roll:

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

VII. OPEN FORUM

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

There was no comment from the audience.

VIII. EXECUTIVE SESSION

Supervisor Frank made a motion to adjourn to executive session to discuss an attorney client privileged items at 7:10 PM which was approved by common consent of all councilpersons present.

IX. RETURN TO REGULAR SESSION

On the motion of Supervisor Frank, the meeting was returned to regular session at 7:27 PM which was approved by common consent of all councilpersons present.

Supervisor Frank stated that a motion was necessary regarding the eviction of Gruschow International in connection with the default of the lease.

**RESOLUTION #114-2015**

Councilwoman Steiner moved to authorize the attorneys for the town to commence appropriate summaries against Gruschow International in connection with persons under the lease agreement. Councilperson Woolaver seconded the motion.

Roll:

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

RUSH TOWN BOARD  
May 13, 2015

Supervisor Frank aye carried.

IX. ADJOURNMENT

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

Respectively submitted,

Pamela J. Bucci  
Town Clerk