

RUSH TOWN BOARD MINUTES  
September 14, 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 September 14, 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  
Rita McCarthy ----- Councilperson, Deputy Supervisor  
Daniel Woolaver ----- Councilperson  
Gerald Kusse ----- Councilperson  
Pamela Bucci ----- Town Clerk  
John Mancuso, Esq. ----- Attorney for the Town

EXCUSED: Jillian Coffey ----- Councilperson

OTHERS PRESENT:

Jim & Susan Roach ----- Resident  
Dick Knapp & Mary ----- Resident  
Cecil Palmer ----- Resident  
Bill Gaffney ----- Resident  
Carol Barnett ----- Resident  
Mark David ----- Resident, Highway Superintendent

I. PUBLIC COMMENT

Supervisor Frank opened the floor inviting anyone wishing to address the Town Board to come forward. All those speaking were asked, if able, to stand at the podium and to state their name and address for record keeping purposes.

Resident Bill Gaffney commented on the proposed zoning code changes. Zoning Board Chair Amber Corbin opposed many changes. Mr. Gaffney asked for an explanation of what issues precipitated changing the code over the past years. Biases and personal agendas can be a detriment to the town.

II. APPROVAL OF MINUTES

**RESOLUTION #152-2016**

Councilperson McCarthy moved to approve the August 24, 2016, Town Board Minutes as submitted by Town Clerk Bucci. Councilperson Woolaver seconded the motion.

Roll:

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

III. APPROVAL OF TRANSFER  
**RESOLUTION #153-2016**

Councilperson McCarthy moved that transfers from the unexpected balance of existing appropriations and unreserved fund balance or unanticipated revenues be approved for Transfers # 15 through #18 in the amount of \$9,397.67. Councilperson Woolaver seconded the motion.

**BUDGET TRANSFERS 09/14/2016 - 2016 FUNDS**

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

**General Funds**

Transfer Number	Amount	Decrease Appropriation		Increase Appropriation	
		Account	Description	Account	Description
15	3,537.37	A.7110.100	Parks Personal Services to reallocate highway budget per Mark David	A.8160.400	Transfer Station Contractual
16	750.00	A1990.400	Supervisor Contingency to cover energy audit	A.1220.400	Supervisor Contractual
17	500.00	A.1990.400	Supervisor Contingency to cover tablet app and additional training	A.3620.400	Building Inspection Contractual

**Appropriation of unreserved fund balance or unanticipated revenues**

**General Fund**

Transfer Number	Amount	Decrease Appropriation		Increase Appropriation	
		Account	Description	Account	Description
18	4,610.20	A.3097.00	County Aid Capital Projects to reflect grant funding for audio/recording system	A.1410.200	Town Clerk Capital outlay

**Total**                    \$9,397.67

Roll:

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

IV. APPROVAL OF ABSTRACT  
**RESOLUTION #154-2016**

Councilperson Kusse moved that having audited all the claims against the funds listed on Abstract 16 for #2016-810 through #2016-870, they be allowed for payment in the amount of \$90,218.88. Councilperson McCarthy seconded the motion.

Roll:

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

#### V. CORRESPONDENCE

Supervisor Frank received correspondence from Mercy Flight Central requesting a donation. Board members agreed that making a donation from taxpayer dollars is not within their legislative authority.

Supervisor Frank received 3 letters from town residents opposing of the proposals identified at the August 24 public hearing regarding changes in the Zoning Code.

#### VI. REPORTS OF OFFICERS AND COMMITTEES

Councilperson Woolaver offered the following:

- As liaison, attended Zoning Board of Appeals meeting which included two denied applications.

Councilperson McCarthy offered the following:

- No report.

Councilperson Kusse offered the following:

- No report.

Supervisor Frank offered the following:

- Water heater in the Town Hall basement area broke. It has been replaced and professional mold remediation will be performed in that area.

Councilperson Kusse offered the following:

- No report.

Town Clerk Bucci offered the following:

- Received the tentative budget and distributed it to the Town Board.
- Submitted the August month report to the Supervisor with a check for revenues in the amount of \$12,510.08. Additional checks were sent to appropriate state agencies for licensing in the amount of \$2,417.02.
- Continuing to work on the obtaining a point of service credit card contract to allow residents to pay by credit or debit card.

- Received notification that from NYS that Local Law 1 of 2016 regarding rezoning of 7262 West Henrietta Road is effective.
- Monroe County Town Clerk and Receivers Association succeeded through the Assembly and Senate in passing a bill regarding unpaid tax notices. Monroe County is the only county in New York State that accepts tax installments. Currently there is a crossing of mail. By law Monroe County Treasury sends notices to all residents with an unpaid balance. The change will add an additional 5 days to the required mailing of overdue notices thus reducing the cost in mailing and incorrect tax balances. A picture of MCTCTRA officers along with Assemblyman Bronson was placed in the Henrietta Post.
- School taxes have been collected so far in the amount of \$575,318.00.

Highway Superintendent David offered the following:

- Most of the town and county work on roads is complete. Prep work will begin on Kavanaugh Road. Shoulder work will continue and the sidewalk project on West Rush Road will soon be underway.

## VII. OLD BUSINESS

A. Status Update on the energy saving options for 1911 Rush Scottsville Road – Councilperson Woolaver stated that any decisions to be made were dependent on the Town Board continuation of the rental house use. The house should be insulated; however, the payback is six years. Estimates will be forwarded to all Board members.

Councilperson Kusse stated that the payback is dependent on energy costs. If costs increase, the payback also increases. Air sealing and insulating should be done at the very least. The Board must make a decision on whether or not to utilize the building for the same or separate use or demolish it.

Councilperson McCarthy asked of the approximate cost in air sealing and insulating the building.

Councilperson Kusse answered \$14,000.00.

Councilperson McCarthy stated that costs have continued to escalate and the building is inhabited. The building should be comfortable.

Councilperson Kusse spoke of creating a matrix that could be put out to bid. For the time-being, the building should be air sealed and insulated and the walls should be packed. Extending the insulation work at most for another year would be agreeable.

Supervisor Frank stated that the bond of \$125,000 on the town hall building will end in December 2017. The 2017 ballot could include a proposition to

build a community center where the rental house now sits. If the proposition is not approved, taxes could be lowered.

Supervisor Frank listed costs incurred this year which include maintenance, bug control and plumbing and electrical problems.

Councilperson Kusse agreed with adding the proposal to the 2017 ballot.

Supervisor Frank added that at this time, the focus of the Board will be on insulation and energy conservation of the Town Hall.

VIII. NEW BUSINESS

A. Resolution to approve the 2017 Tentative Budget - Supervisor Frank stated that Town Clerk Bucci has accepted the Tentative Budget from Finance Director Reynolds. Copies have been distributed to the Town Board members.

**RESOLUTION #155-2016**

Councilperson McCarthy moved to accept the Tentative Budget as received by Town Clerk Bucci. Councilperson Woolaver seconded the motion.

Roll:

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

B. Resolution for Supervisor to sign Pitney-Bowes contract - Supervisor Frank noted that the Pitney Bowes postage meter machine lease was up for renewal. Town Clerk Bucci negotiated a \$33.00 per month decrease in the leasing fee.

**RESOLUTION #156-2016**

Councilperson Woolaver moved to authorize the Supervisor to enter into a five-year contract with Pitney Bowes at \$199.44 per month. Councilperson McCarthy seconded the motion.

Roll:

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

C. Stevens-Connor Post request regarding marching band - Supervisor Frank stated that the Stevens-Connor American Legion Post is requesting the town split the cost for a marching band during the Memorial Day Parade. The cost is \$1,300.00.

Councilperson Woolaver stated that funds for a marching band may be better reserved for the town's anniversary year celebration.

D. Fire Department property use request - Supervisor Frank noted that the Fire Department wishes to install a wall, at their expense, for training purposes. The lease of Building #3 at the Rush Riverside Refuge property located at 6565 East River Road will end December 2016.

A brief discussion in support of the wall installation took place. Supervisor Frank will send a letter to the Fire Department authorizing the wall installation at Building #3 for training purposes.

E. Resolution for Town Court Justice Court Assist Program Grant - Supervisor Frank stated that Justice Donald Knab, Jr., is submitted a grant for renovations to the Court Offices for an amount not to exceed \$32,000. The grant is through the NYS Office of Court Administration.

**RESOLUTION #157-2016**

Councilperson Woolaver moved to authorize Justice Donald Knab, Jr., to submit a Justice Court Assist Program Grant application to the NYS Office of Court Administration for an amount of not to exceed \$32,000.00 for renovations to the Rush Town Court offices. Councilperson McCarthy seconded the motion.

Roll:

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

F Resolution to purchase fire safe cabinets for historical documents - Supervisor Frank received a request from Town Historian Susan Mee for the purchase of fire safe cabinets to store historical documents. The cabinets weigh approximately 600 pounds each and will cost \$1,700 which is 1/3 of a regular price of a cabinet. Historian Mee has budgeted \$800. Additional funds will be transferred from the Supervisor's Contingency.

**RESOLUTION #158-2016**

Councilperson McCarthy moved to authorize Historian Susan Mee to purchase two fire safe cabinets with combined History Department and Supervisor Contingency funds in an amount not to exceed \$2,000.00. Councilperson Kusse seconded the motion.

Roll:

Councilperson Woolaver		aye	
Councilperson McCarthy	aye		
Councilperson Kusse	aye		

Supervisor Frank aye carried.

F Resolution to purchase a Veridesk - Supervisor Frank stated that Town Clerk Bucci has requested a Veridesk purchase. A Veridesk allows a person to either stand or sit while working on a computer.

**RESOLUTION #159-2016**

Councilperson Woolaver moved to allow Town Clerk Bucci to purchase a Veridesk for an amount not to exceed \$500.00. Councilperson McCarthy seconded the motion.

Roll:

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

Councilperson Kusse stated that there is a great deal of uncertainty or confusion in the community with regard to the proposed efforts to amend the zoning code. It is unfortunate that people are unaware of previous boards' discussions regarding zoning matters. What response should be provided to the community?

Supervisor Frank stated that previous Board Minutes provide the reasoning and background for forming a Zoning Citizens Advisory Committee. This Board must move forward with the decision process. Workshops regarding the proposed amendments will be scheduled.

Supervisor Frank noted that once the Town Hall bond is paid in full, the 2018 budget taxes can be reduced by \$125,000.00 or an additional bond payment could be put toward a community center. The rental property revenue is approximately \$7,000.00 per year.

Resident Carol Barnett asked for clarification of the \$125,000 bond payment for the 2004 rehabilitation of the Town Hall.

**IX. OPEN FORUM**

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

Resident Cecil Palmer commented about the possible lack of use on the baseball diamond and soccer field and recommended contacting associations to utilize the fields. If lack of use continues, possibly the use should change. Mr. Palmer suggested that the Town develop a method in bringing more businesses to town.

**X. ADJOURNMENT**

RUSH TOWN BOARD  
September 14, 2016

There being no further business to conduct, the meeting was ended by Supervisor Frank at 7:45 PM. The meeting was adjourned by common consent.

Respectfully submitted,

Pamela J. Bucci  
Town Clerk

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