

TOWN BOARD MINUTES  
SPECIAL MEETING  
July 5, 2017

A special meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Cathleen Frank on July 5, 2017, at 7 PM at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

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

OTHERS PRESENT:

Jerry Farrell	-----	Resident
Cecil Palmer	-----	Resident
Pat Kraus	-----	Resident
Don Eichenauer	-----	Resident
Laura C. Stanley, PhD	-----	Non-resident
Marianne Rizzo	-----	Resident

I. ATTORNEY-CLIENT CLOSED SESSION:

Supervisor Frank moved to an attorney-client closed session at 7:02 PM. All councilpersons present were in agreement.

II. PUBLIC COMMENT:

Supervisor Frank re-opened the meeting at 7:24 PM and the floor inviting anyone wishing to address the Town Board to come forward. All those wishing to speak to the Town Board were asked, if able, to stand at the podium and to state their name and address for record keeping purposes.

No comment from the audience.

III. OLD BUSINESS:

A. Review of the Monroe County Agricultural Fair Proposal at 6565 East River Road: Supervisor Frank requested Attorney Mancuso to provide an update on the status and the avenue moving forward.

Attorney Mancuso stated that Part 1 and Part 2 have been completed; however, the Town is awaiting an agency response. The Town is now in receipt of the NYSDEC consent designating the Town as lead agency. The SWIPP, Surface Water Intake Protection Program, proposal has been

completed by Engineer Todd Ewell. Mr. Ewell requested specific construction on three improvements including the gazebo, tractor pull area and horse arena. The NYSDEC flagged a possible need for a Phase 1 archeological assessment. There is timing associated with hiring a sub-consultant and it will be difficult to complete the assessment under that restraint. Options to consider are two-fold. The town may complete the assessment but delay the Fair opening until 2018 or it may remove the aspects of the project involving physical disturbance from review which is known as segmentation. SEQRA requires all parts except in this situation. If phases are functionally independent, then the project can continue. If the applicant wants to do a modification, an assessment of those changes would be required before the Planning Board for a revised Special Permit.

Supervisor Frank stated that there is no time to build a gazebo, tractor pull or riding arena. This year is basically a test run of what attractions can be placed where and what best fits the lay of the land. Construction pieces will come later in order to make the Fair more enjoyable.

Councilperson Woolaver agreed with the short time constraint. It will be a free Fair this year. The Fair Association will review this year and make recommendations for the following year.

Councilperson McCarthy stated that the Fair can continue without the three items. By the end of the Board's last meeting, those items were not certain to be included.

Councilperson Coffey responded that it is a good compromise. This is a dry run. The town should have the assurance that there is no archeological disturbance.

Councilperson Kusse agreed with segmentation in order to proceed.

Attorney Mancuso again reviewed Part 1 and Part 2 of the EAF with the Town Board for any modifications and accuracy in light of the current status. The town can then proceed to Part III of the SEQRA process.

Attorney Mancuso noted that no large impacts have been identified and the Town, as the lead agency, can complete the environmental review. A positive declaration would mean that there is a possible significant environment impact. A negative declaration will end the environmental review and allow the Board to consider the Fair Lease Agreement.

The Board discussed the declaration and preliminarily decided to request the town attorney to provide a negative declaration.

Attorney Mancuso will prepare a negative declaration for the Board's review at the next meeting and suggested the Board schedule a special meeting prior to the Planning Board meeting in order to complete Part 3 of the EAF.

**RESOLUTION #151-2017**

Councilperson McCarthy moved to schedule a Special Meeting on July 12, 2017 at 6 PM at the offices of the Rush Town Hall, 5977 East Henrietta Road, Rush, New York 14543 for the purposes of continuing the review of the Monroe County Agricultural Fair proposal at 6565 River Road, Rush, New York. Councilperson Woolaver seconded the motion.

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

**IV. PUBLIC COMMENT**

Supervisor Frank opened the floor for public comment.

Resident Cecil Palmer asked that chemical spraying where farmed on the property be done after the Fair and that copies of the chemicals being used be supplied to the town. Mr. Palmer suggested a checklist be compiled for all matters that need to be done and that marketing be done.

**V. ADJOURNMENT**

Supervisor Frank moved, having no further town business to conduct, adjourned the meeting at 7:58 PM. The meeting was adjourned by common consent.

Respectfully submitted,

Pamela J. Bucci  
Town Clerk