

RUSH TOWN BOARD MINUTES
September 13, 2017

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Frank at 7:00 PM on September 13, 2017, 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	-----	Attorney for the Town

OTHERS PRESENT:

Marianne Rizzo	-----	Resident
Mark David	-----	Resident, Highway Superintendent
Carol Barnett	-----	Resident
Dan Klimek	-----	Finance Director/Budget Officer
Beth Hoak	-----	Resident
Lee Hankins	-----	Resident
Mike Tallon	-----	Resident

I. PUBLIC COMMENT

Supervisor Frank opened 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.

Resident Marianne Rizzo supports retaining the town-owned Golah Road property.

Resident Carol Barnett met with Supervisor Frank regarding the town-owned Golah Road property and supports retaining it.

II. APPROVAL OF MINUTES

RESOLUTION #184-2017

Councilperson McCarthy moved to approve the Town Board Minutes of August 23, 2017 prepared by Town Clerk Bucci. Councilperson Woolaver seconded the motion.

Roll: Councilperson Woolaver	aye
Councilperson McCarthy	aye
Councilperson Coffey	aye
Councilperson Kusse	aye

Supervisor Frank aye carried.

III. APPROVAL OF ABSTRACT

RESOLUTION #185-2017

Councilperson McCarthy moved having reviewed vouchers #883 through #944 excluding #914 on Abstract #9-1, approves payment in the amount of \$110,238.87. Councilperson Woolaver seconded the motion.

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

IV. REPORTS OF OFFICERS AND COMMITTEES:

Councilperson Woolaver presented the following report:

- Attended the Conservation Board meeting. They discussed two plans for development on the David subdivision.

Councilperson McCarthy presented the following report:

- Spoke with Otto Vondrak, member of the Rochester and Genesee Valley Railroad Museum, received his Board's approval and is looking forward to next step in obtaining an agreement and building lease with the Town at the Rush Riverside Refuge.

Councilperson Coffey presented the following report:

- No report.

Councilperson Kusse presented the following report:

- No report.

Town Clerk Bucci presented the following report:

- August Monthly Report submitted to the Supervisor with a check in the amount of \$10,535.22 and state licensing payments sent to agencies totaling \$2,604.90.
- With the Finance Director's assistance, distributed the 2018 Tentative budget to the Town Board.
- Resignation letter from Tanya Bertram, Assistant Dog Control Officer effective September 21, 2017.
- The Rush Town Hall is designated as a Safe Place for persons 12-21 years old to come and ask for assistance for a number of issues.
- School taxable value increased from the prior year by 4%. Both my office and the assessor's office have been explaining reasons for increases in school tax bills to residents.
- Updates made in the Assessor's office were not uploaded by Monroe County Treasury to the printing vendor and towns resent tax bills. Rush has collected about \$705,000 of over \$5,000,000 to date.

Town Attorney Mancuso presented the following report:

- No report.

Library Director Flass presented the following report:

- No report.

Supervisor Frank presented the following report:

- No report.

Highway Superintendent David presented the following report:

- Vendors have been rescheduled and crew is working on Route 251 to the Honeoye Creek bridge deck and moving forward to Telephone Road Extension. Chipping is being done at the Transfer Station.

PRESENTATION: Resident Beth Hoak regarding Hedgerows

Resident Beth Hoak gave a power point presentation speaking of the hedgerows located on the Rush Riverside Refuge. The historic hedgerows were created using the practices of early 20th Century. The efforts to promote a sustainable use of natural rural resources are not a waste of money but rather an investment of providing other economic benefits in the medium term. Hedgerows are useful in increasing habitats including birds and different forms of brush. The provision of hedgerows can deliver economic, ecological and environmental benefits. Hedgerows provide buffers, drainage and absorb chemicals from farm fields. There is much significance to this town-owned property. Ms. Hoak provided a power point presentation to the Town Board illustrating details about hedgerows and their importance. The Power Point presentation will be forwarded to the Supervisor's office.

V. OLD BUSINESS

A. Update on Energy Savings Upgrades for Town Hall - Councilperson Woolaver will contact Scott of JAG for an exact date and time they will be performing the blow test.

B. Discussion on Golah Road - Supervisor Frank has contacted a number of appraisers with no response. The Board discussed options in selling versus retaining the property.

C. Discussion on open issues for 2018 Town Budget - Budget Officer Dan Klimek spoke of changes incorporated into the budget previously discussed during the budget workshops. All board members were provided copies. It is a very sound budget proposing a 3% town tax decrease. The actual collections would be at lowest dollar collection in 6 years. The fund balance has been reduced to a lower target. A major reserve is considered. Material

expenditures have been identified and included in the budget. A re-assessment has been discussed.

Board members had no further discussions on the budget.

VI. NEW BUSINESS:

A. Resolution to contract for asbestos survey at 1911 Rush-Scottsville Road - Supervisor Frank asked that a contract be signed to conduct an asbestos survey as one more fact in making a decision regarding continuation of the rental property.

RESOLUTION #186-2017

Councilperson Coffey moved to authorize the Supervisor to enter into a contract with CanAm Environmental Safety, Inc., 42 Main Street - Suite 1 Scottsville, NY 14546 for the purpose of conducting a survey of possible asbestos at 1911 Rush-Scottsville Road in the amount of \$3,000.00. Councilperson Woolaver seconded the motion.

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

B. Resolutions to sign both the Amendment to Rochester and Genesee Valley Railroad Museum and the License Agreement with Howlett Farms, Inc. - Supervisor Frank stated that amendments are necessary.

Attorney Mancuso noted that the Town Board has done a comprehensive review including the environmental status which was previously discussed with the Monroe County Fair lease. The Town Board must perform a SEQRA (Significant Environmental Quality Review Act) Review. The initial lease of the museum had a jog in the property which is currently under the Howlett License Agreement. Redistributing the jog will allow additional parking to the north. The sites will be realigned to create a more straight-forward parcel line. Attorney Mancuso reviewed Section 2 and 3 of the SEQRA which verified that there is no significant environmental impact. Currently all of the property is under a Lease Agreement and a License Agreement.

RESOLUTION #187-2017

Councilperson Coffey moved to authorize the Supervisor to check the negative declaration box and execute Part 3 of the SEQRA Form. Councilperson McCarthy seconded the motion.

Roll: Councilperson Woolaver	aye
Councilperson McCarthy	aye
Councilperson Coffey	aye
Councilperson Kusse	aye

Supervisor Frank aye carried.

RESOLUTION #188-2017

Councilperson Coffey moved to authorize the Supervisor to sign the Amended Lease Agreement between the Town of Rush and the Genesee Valley Railroad Museum effective September 13, 2017. Councilperson McCarthy seconded the motion.

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

RESOLUTON #189-2017

Councilperson Coffey moved to authorize the Supervisor to sign the Amended License Agreement between the Town of Rush and Howlett Farms, Inc. effective September 13, 2017. Councilperson McCarthy seconded the motion.

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

C. Resolution to approve Waste Management Agreements - Supervisor Frank received renewal agreements that include the same refuse coverage but at reduced rate saving the Town more than \$2,000.00 per year.

RESOLUTION #190-2017

Councilperson Woolaver moved to authorize the Supervisor to sign service agreements with Waste Management of New York LLC, 25 Patriot Place, Boxborough, MA commencing on September 13, 2017, for the disposal non-hazardous waste at 1911 Rush Scottsville Road, 804 Rush West Road and 5977 East Henrietta Road at a weekly rate of \$112.37 for a period of three (3) years. Councilperson McCarthy seconded the motion.

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

D. Resolution to advertise for Assistant Dog Control Officer - Supervisor Frank noted that a replacement was warranted and an ad to be placed in the Pennysaver.

RESOLUTION #191-2017

Councilperson Woolaver moved to authorize the Town Clerk to advertise for the position of Assistant Dog Control Officer in the Genesee Valley Pennysaver. Councilperson McCarthy seconded the motion.

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

E. Resolution approving submission of the Justice Court Assist Program Grant
- Supervisor Frank noted that Judge Knab will be submitting a grant.

RESOLUTION #192-2017

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 not to exceed \$30,000.00 for security and court room upgrades. Councilperson McCarthy seconded the motion.

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

VII. PUBLIC COMMENT:

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

Resident Marianne Rizzo asked for a better understanding of the lease and license agreements and if the action would include removal of trees.

Supervisor Frank explained that there would be no tree removal, however, changing the boundaries provided less of a visual for the Museum's inventory and equipment and will square off the property for farming.

Attorney Mancuso pointed out the boundary reconfiguration on the map that will occur.

Resident Mike Tallon thanked the town for forwarding Charter Communication's Exhibit A response from the 2000 contract. Mr. Tallon requested that Mr. Mueller of Charter Communication respond by providing clarification and an analysis identification of the primary service area coverages in Rush. Charter Communication has responded that it handles issues case by case and that the Town is the only entity that can request specific primary service areas. Exhibit A is a service coverage area from 2000. The service area map is to be available every five years. Mr. Tallon will forward a letter to the Supervisor framing requested information.

VIII. ADJOURNMENT:

Supervisor Frank, having conducted all town business, moved to adjourn the meeting at 7:50 PM. All parties present were in agreement.

Respectfully submitted,

Pamela J. Bucci
Town Clerk