

TOWN BOARD  
DECEMBER 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 December 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:

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 wishing to speak to the Town Board were asked, if able, to stand at the podium.

II. APPROVAL OF MINUTES:

**RESOLUTION #245-2017**

Councilperson McCarthy moved to approve the Town Board Minutes of November 22, 2017 prepared by Town Clerk Pamela Bucci. Councilperson Coffey seconded the motion.

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

**RESOLUTION #246 -2017**

Councilperson McCarthy moved to approve the Town Board Minutes of December 6, 2017 prepared by Town Clerk Pamela Bucci. Councilperson Woolaver seconded the motion.

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

III. TRANSFER OF FUNDS:  
**RESOLUTION #247-2017**

Councilperson McCarthy having audited all the unexpended balance and existing appropriations, move that transfer #24 through #32 in the amount of \$25,800 are approved. Councilperson Woolaver seconded the motion.

**BUDGET TRANSFERS 12/13/2017 - 2017FUNDS**

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

**General Funds**

Transfer Number	Amount	Decrease Appropriation		Increase Appropriation	
		Account	Description	Account	Description
24	1,300.00	A.1110.100	Justice Court Personal Services to reclass justice court budget	A.1110.400	Justice Court Personal Services
25	800.00	A.1110.200	Justice Court Equipment to reclass justice court budget	A.1110.400	Justice Court Contractual
26	1,250.00	A.1990.400	Contingency Contractual To provide for Finance personnel overlap	A.1310.100	Dir of Finance Contractual
27	100.00	A.1410.400	Clerk Contractual to adjust for budget shortfall for elections	A.1450.400	Elections Contractual
28	4,500.00	A.1990.400	Contingency Contractual to adjust for costs for Jag & Canam- building insulation	A.1620.450	Building Repair & Maintenance
29	5,500.00	A.1620.210	Buildings Capital to adjust for increased costs incl. Jag & Canam- building insulation	A.1620.450	Building Repair & Maintenance
30	500.00	A.1620.210	Buildings Capital to adjust budget for building supplies shortfall	A.1620.410	Building Supplies. Contractual

31	350.00	A.1410.400	Clerk Contractual to adjust budget for beautification shortfall	A.8510.400	Beautification Contractual
32	11,500.00	A.1990.400	Contingency Contractual to adjust budget for fair development expenditures	A.7180.400	Boces Property Contractual

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

IV. APPROVAL OF ABSTRACT:

**RESOLUTIUN #248-2017**

Councilperson McCarthy moved having audited all the claims against the funds listed on Abstract dated December 13, 2017 for vouchers for #2017 1224 through #2017 1300 and that they be allowed for payment in the amount of \$347,487.69. Councilperson Woolaver seconded the motion.

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

V. CORRESPONDENCE:

Supervisor Frank received a letter regarding rezoning of a Henrietta parcel located directly west of SPS Medical Supply Corp. (Tax Account 201.02-2-13.2) at 6789 West Henrietta Road from Commercial B-1 and Rural Residential RR-2 to Industrial. It is a formality. The Town of Henrietta is a lead agency.

Attorney Mancuso further stated that the Town of Henrietta is identifying Rush as an interested agency and themselves as a courtesy under SEQRA regulations.

VI. REPORTS OF OFFICERS AND COMMITTEES:

Councilperson Woolaver presented the following report:

- No report.

Councilperson McCarthy presented the following report:

- The Library Board of Trustees has not yet met.
- The first event of Rush's bicentennial Tree Lighting and Caroling was a success and wonderful.
- Several people complimented the Highway Department on clear winter storm roads.

Councilperson Coffey presented the following report:

- No report.

Councilperson Kusse presented the following report:

- No report.

Town Clerk Bucci presented the following report:

- Monroe County Soil & Water Conservation District is again offering a tree, shrub and plant program.

Highway Superintendent David presented the following report:

- Winter weather has arrived; hit first mailbox for the year.

Attorney Mancuso presented the following report:

- No report.

Supervisor Frank presented the following report:

- First event for the bicentennial Tree Lighting and Caroling was traditional and accepted by a large crowd. A video clip of the lighting is on the historian's page of the town website.

#### VII. OLD BUSINESS:

Update on Energy Saving Upgrades for Town Hall - As recommended, Councilperson Kusse summoned an additional vendor to submit a quote which has proven difficult. Neither Eco of NY nor Highland Contractors have responded. Sickles Corporation and Monroe Installation and Gutters have also been contacted. Councilperson Woolaver agreed that vendors do not return calls in a prompt manner. Prevailing wage and size of jobs may deter vendors from returning calls.

Councilperson McCarthy asked if a third quote was required based on the time already invested in trying to obtain them.

Attorney Mancuso reiterated as Attorney Baron had previously stated, that based on the town's procurement policy, a reasonable effort should be made to meet the threshold but it is not required to absolutely obtain three quotes.

Supervisor Frank will add the energy saving upgrade to the next agenda.

B. Resolution to transfer book advertisement revenue to the Rush Historical Society - Supervisor Frank stated that book anniversary revenue donations have been collected and a transfer to a specified account is required.

#### **RESOLUTION #249-2017**

Councilperson Woolaver moved to transfer \$7,200.00 for book advertisement revenue to the Rush Historical Society account. Councilperson McCarthy seconded the motion.

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

A debit card for the account is in question.

C. Resolution to appoint Susan Mee, Town Historian, as liaison to the Rush Historical Society - Supervisor Frank stated that a liaison to the Historical Society is in order.

**RESOLUTION #250-2017**

Councilperson Woolaver moved to appoint Town Historian Susan Mee as liaison to the Rush Historical Society. 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 Purchase new truck with snowplow equipment - Highway Superintendent David gave an overview of equipment and controls in replacing a 2002 truck by utilizing a piggyback contract off of Onondaga County contract. All information has been discussed with Attorney Pavia. The order will be placed now but will be using requiring funds until 2018.

**RESOLUTUION #251-2017**

Councilperson Coffey moved to approve Highway Superintendent piggyback purchase off of Onondaga County Contract award #7823 for a new 2019 10-wheeled truck cab and chassis with dump body and snow plow equipment at a total cost of \$210,941.64 with estimated and approved 2018 Budget of Equipment Capital Outlay, DA.5130.200. Councilperson Kusse seconded the motion.

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

E. Resolution to authorize Supervisor's signing contract to replace portion of the Library Roof - Councilperson Woolaver stated that quotes were all

reasonable and in order. Fixing the roof may alleviate some of the ventilation issues in that area.

**RESOLUTION #252-2017**

Councilperson Coffey moved to authorize the Supervisor to sign contract for replacement of a portion of Library roof with Proctor Enterprises, 4850 West Swamp Road, Stanley, New York 14561 for an amount not to exceed \$9,400.00. Councilperson Woolaver seconded the motion.

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

F. Discussion of candidates for Town Justice Position - Six candidates were interviewed by the Town Board members.

Councilperson Kusse noted that two candidates surfaced and the only difference was that one has a career background in law which would be a real asset to the court. It has been 44 years since there has been an attorney on the bench. Michael Tallon is his choice in serving the remainder of Justice Thomas Doupe's term.

Councilperson McCarthy did much research, was pleased to see the number of residents interested in serving the community and agreed with much of Councilperson Kusse's comments. Two candidates were equally interested in serving the community and excellent assets. Michael Tallon is her choice.

Councilperson Coffey stated that the Board has had to interview candidates for the justice position numerous times and has put much thought into the process and her decision. The candidates were very qualified. Michael Tallon has actual experience. Rush should be honored to have an attorney in this position and she is hoping that Mr. Tallon is committed to doing this for long term.

Councilperson Woolaver stated that Michael Tallon is his choice to best serve the Town of Rush.

Supervisor Frank stated that Michael Tallon has the skill set, is very personable and it is good to have an attorney as a Rush judge.

**RESOLUTION #253-2017**

Councilperson Coffey moved to authorize the Town Board's appointment of Michael J. Tallon to fill the unexpired term of Justice Thomas Doupe

commencing on January 3, 2017 through December 31, 2019. Councilperson Woolaver seconded the motion.

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

VIII. PUBLIC COMMENT:

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

Resident Carol Barnett encouraged the Town Board to refer to the original contractor regarding the Library roof repair. Reimbursement should be sought for premature failure of the roof.

IX. ADJOURNMENT:

**RESOLUTION #254-2017**

Supervisor Frank moved, having no further town business to conduct, adjourned the meeting at 7:25 PM. The meeting was adjourned by common consent.

Respectfully submitted,

Pamela J. Bucci  
Town Clerk