

RUSH TOWN BOARD MINUTES
JULY 25, 2018

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Town Supervisor Cathleen Frank at 7:00 PM, July 25, 2018, 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
Lauren Baron, Esq.	-----	Attorney for the Town

OTHERS PRESENT:

Carol Barnett	-----	Resident
Marianne Rizzo	-----	Resident
Pat Kraus	-----	Resident
Bonnie Nolen	-----	Resident
Jim Roach	-----	Resident
SueEllen Roach	-----	Resident
Robert Kraus	-----	Resident
Jim Nolen	-----	Resident
Al Sweet	-----	Resident
Cecil Palmer	-----	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 Pat Kraus commended Historian Susan Mee on forming the Wells Barn informational program.

Resident Carol Barnett commended Historian Susan Mee on the Wells Barn informational program.

Resident Marianne Rizzo commented on excavating of trees at the boundary of the Rush Riverside Refuge. Comments were also made by neighbors regarding the woods and trees related to the property.

II. APPROVAL OF MINUTES:

RESOLUTION 140-2018

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Councilperson McCarthy moved to approve the Town Board Minutes of July 11, 2018 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 #141-2018

Councilperson McCarthy moved that having audited all the claims against the funds listed on Abstract #7-2 for vouchers for 2018 747 through 818 excluding 784 be allowed for payment in the amount of \$75,352.69. Councilperson Woolaver seconded the motion.

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

IV. CORRESPONDENCE:

Supervisor Frank received no correspondence.

V. REPORTS OF OFFICERS AND COMMITTEES:

Councilperson Woolaver offered the following:

- As liaison, attended the Planning Board meeting where one application was withdrawn; the Monroe County Fairgrounds are progressing. Volunteers are welcome.

Deputy Town Supervisor McCarthy offered the following:

- As liaison attended the Library Board of Trustees meeting where Library Director Flass' 2019 proposed budget was approved.

Councilperson Coffey offered the following:

- No report.

Councilperson Kusse offered the following;

- Rush Fire Department Parade and Carnival was well done.

Town Clerk Bucci offered the following:

- Town Clerk requested feedback from the Town Board members on Fall beautification locations and budgeted funds memo sent to them July 16th. Councilperson McCarthy previously responded.

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Town Attorney Baron offered the following:

- No report.

Town Supervisor offered the following:

- No report.

VI. OLD BUSINESS:

There is no business to discuss.

VII. NEW BUSINESS:

A. Resolution to contract with Doug Miller Soccer for soccer camp - Supervisor Frank commented that the fee is a down payment. There are no taxpayer dollars expended for the camp. Monies are received from participants and provided to Doug Miller Soccer.

RESOLUTION #142-2018

Councilperson Woolaver moved to authorize the Town Supervisor to enter into a contract with Doug Miller Family Sports Park, 4618 Ridge Road West, Spencerport, New York 14559 to conduct a summer soccer camp through the Rush Recreation Department on August 6th through August 10th, 2018 for an amount of \$2,540.00. Councilperson McCarthy seconded the motion.

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

B. Resolution to support application for NYS Farmland Protection Grant - Supervisor Frank stated that the upcoming resolution is in support of the NYS Farmland Protection Grant from the Genesee Land Trust.

RESOLUTION #143-2018

**AUTHORIZING THE APPLICATION BY GENESEE LAND TRUST UNDER
THE NYS FARMLAND PROTECTION IMPLEMENTATION GRANT
PROGRAM TO OBTAIN**

**CONSERVATION EASEMENTS FOR THE CHASE FARM AND
AUTHORIZING THE TOWN SUPERVISOR TO SIGN A LETTER
ENDORING THE APPLICATION**

Councilperson McCarthy moved

WHEREAS, the Town Board of the Town of Rush (the “Rush Town Board”) supports the NYS Farmland Protection Implementation Grant Program (FPIGP) administered by the NYS Department of Agriculture & Markets; and

WHEREAS, William Chase of the Chase Farm Partnership submitted a Pre-Application to the Genesee Land Trust expressing interest in placing perpetual conservation easements on nine parcels that comprise the Chase Farm in the Town of Rush; and

WHEREAS, the parcels that comprise the Chase Farm Application are owned by a number of different entities

- William Chase;
- Selden Land Holding – William Chase and Daniel Chase;
- Price Homestead, Inc. -- William Chase and Daniel Chase;
- John Schouten;
- Donald Sweet;
- Stephan Hoh and Paula Heiningen;
- Ruth Laraby, Life Estate, Michelle Laraby and Kimberly Laraby Agar
- Esker LLC – Robert Kraus, Fran Ward and James Nolan; and
- Rush Reserve LLC – Robert Kraus, Fran Ward and Harry DeWald;

All of the above entities have agreed to place perpetual agricultural conservation easements on their land if the grant application is approved; and

WHEREAS, Genesee Land Trust received numerous Pre-Applications from landowners interested in participating in the FPIGP and identified the Chase Farm as among the most competitive in the region; and

WHEREAS, Genesee Land Trust intends to submit an application for funding through the FPIGP to obtain perpetual conservation easements for the parcels that comprise the Chase Farm; and

WHEREAS, Donald Sweet serves as the appointed Chair of the Town of Rush’s Board of Assessment Review and is a member of the Planning Board, and Robert Kraus and William Chase are members of the Town of Rush’s Agricultural Advisory Committee, and thus there could be an appearance of a potential conflict of interest in the Rush Town Board endorsing the grant application by Genesee Land Trust for funding to obtain conservation easements for the Chase Farm, and

WHEREAS, the Rush Town Board has determined that this is not an actual conflict of interest under Article 18 of the New York General Municipal Law,

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the Town of Rush Code of Ethics, or otherwise relating to the endorsement of the Chase Farm (and therefore the Sweet Farm) for funding through the Farmland Protection Implementation Grant Program,

WHEREAS, no other potential conflicts of interest have been identified between the Town Board and/or individual Town Board members and any of the entities that own the parcels that comprise the Chase Farm; and

WHEREAS, the purchase of development rights to farmland is identified as a recommended action in the Town of Rush's Agricultural & Farmland Protection Plan, which was completed in 2012;

NOW THEREFORE, LET IT BE RESOLVED, that the Rush Town Board hereby endorses the application by Genesee Land Trust for funding to obtain conservation easements for the Chase Farm and authorizes the Town Supervisor to sign a letter endorsing the grant application. Councilperson Woolaver seconded the motion.

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

C. Resolution to hire weekend cleaner for William R. Udicious Pavilion

RESOLUTION #144-2018

Councilperson McCarthy moved to authorize the Supervisor to hire Ryan Stephens as a part-time laborer for the town beginning on July 21, 2018, at a rate of \$13.29 per hour. Councilperson Woolaver 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 Building Inspector Clerk - Supervisor Frank and Building Inspector Stavalone met regarding a 51.72 % increase in the number of permits from 2016 to 2017 and 2017 to 2018 which involved numerous inspections for high value permits of homes, additions and pools. Also discussed were demands on administrative work, returning phone calls, emails, scanning pertinent information and the backlog of expired permits. Instead of proposing to hire an additional building inspector, a building clerk for 10 to 15 hours per week was favored.

Councilperson Woolaver asked if additional staff were needed because this is an unusually busy period or this is now become typical.

Councilperson Coffey asked if the position will be permanent. A clerk is more economical than an additional building inspector.

Councilperson McCarthy stated her support in hiring a building clerk.

Councilperson Kusse inquired whether the Code Enforcement Officer has additional non-utilized hours to complete the workload.

Supervisor Frank stated that the number of permits have doubled and are anticipated to continue doubling. The continued need for a building clerk position can be reviewed on a regular or annual basis. Solar installations, commercial buildings and housing are rising. A discussion will with the current Code Enforcement Officer. Advertising for the position does not require the town to hire for the position. Other options may arise.

RESOLUTION #145-2018

Councilperson McCarthy moved to authorize the Town Clerk to advertise for a part-time building inspector office clerk position in the Genesee Valley Pennysaver. 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 SESSION:

Resident Cecil Palmer encouraged the Town Board to provide an update on the Charette project and a summary of where the town is on any recommendations or suggested completed items. Mr. Palmer also had suggested fixes for the buildings at Rush Riverside Refuge.

VIII. ADJOURNMENT:

Supervisor Frank motioned, having no further town business to conduct, adjourned the meeting at 7:37 PM. All those present were in favor.

Respectfully submitted,

Pamela J. Bucci
Town Clerk