

Rush Town Board  
February 8, 2007

A regular meeting of the Rush Town Board was held on February 8, 2006 at the Rush Town Offices, 5977 East Henrietta Road and was called to order at 7:00 p.m.

Present: Councilman Donald Knab  
Councilman Luther Keyes  
Councilman Thomas Doupe  
Councilwoman Lisa Sluberski  
Supervisor William Udicious

Others: David Hou, Boylan and Brown  
Gerald Kusse, Code Enforcement Officer  
Donald Van Lare, Zoning Board of Appeals  
Rufus Falk, Assessor  
Marian Misner, Sentinel  
John Vincent, Thunderidge Drive  
Richard Anderson, Harvest Lane  
William Gaffney, Middle Road  
John Goebel, Jeffords Road  
Peter Goebel, Jeffords Road  
Christine White, Henrietta  
Elizabeth Castillo, West Henrietta  
Beth Symonds, Rush  
Frederick Calev, Rush Mendon Road

#### I Open Forum

Mr. Calev asked if the Town Board has a response yet to his complaint about the property at 2500 Rush Mendon Road. He was told that the situation is still being investigated and he would have his answer in a few weeks.

#### II Minutes

##### **RESOLUTION #76**

Councilman Keyes moved that the minutes of the meeting of January 25, 2006 be approved as presented. Councilman Knab seconded the motion.

Roll:	Councilman Knab	aye
	Councilman Keyes	aye
	Councilman Doupe	aye
	Councilwoman Sluberski	aye
	Supervisor Udicious	aye carried.

#### III Approval of Abstract

**RESOLUTION #77**

Councilman Doupe moved BE IT RESOLVED, that having audited all the claims against the funds listed on the abstract, I move that all claims in the amount of \$33,890.87 be allowed for vouchers #108 through #156. Councilman Knab seconded the motion.

Roll: Councilman Knab aye  
Councilman Keyes aye  
Councilman Doupe aye  
Councilwoman Sluberski aye  
Supervisor Udicious aye carried.

IV Reports of Officers and Committees

1. Town Board - Councilman Doupe explained that each Board member had received a copy of his memo concerning the town's website and that after reviewing the matter he hoped that it could be resolved at the next meeting.

Councilwoman Sluberski stated that she has been meeting with the Recreation Supervisor and that Mrs. Stephens was working on her summer program. There was a space issue with the after school program and she was working with the school on a solution.

2. Town Clerk - Town Clerk Henry asked for the approval of her attendance at the New York State Town Clerk Association Conference in April. Provision for this conference was made in her budget.

**RESOLUTION #78**

Councilman Knab moved that the Town Clerk be authorized to attend the New York State Town Clerk's Association Conference in Saratoga Springs April 23 through 26<sup>th</sup> as she has budgeted for this expense. Councilwoman Sluberski seconded the motion.

Roll: Councilman Knab aye  
Councilman Keyes aye  
Councilman Doupe aye  
Councilwoman Sluberski aye  
Supervisor Udicious aye carried.

3. Code Enforcement - Code Enforcement Official Kusse explained that he had attended a meeting explaining some changes that are being made in the State Building Code concerning Building Inspectors and Fire Marshals. Councilman Knab will work with Mr. Kusse to develop the

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necessary new regulations that will require a public hearing and adoption by the Town Board. The draft will be submitted to the Attorney for the Town and then a hearing will be scheduled. Dick Thompson of New York State has offered to attend a board meeting and make a presentation on this matter.

4. Supervisor - Supervisor Udicious announced that there would be no Town Board meeting on February 22<sup>nd</sup> since most of the Town Board members would be attending the Association of Towns Conference in New York.

He also stated that Representative Randy Kuhls would be here on March 6<sup>th</sup> from 5 to 6 p.m. to answer any questions the town residents might have.

Sale tax revenue is down slightly over the same period of last year but is still within range and may be made up during a later quarter of the year.

PUBLIC HEARING  
Local Law 2006-1

Amending Chapter 103, Article IV of the Rush Town Code governing Veterans Exemptions from Real Property Tax

Town Clerk Henry read the legal notice and certified that the notice was posted in the Town's legal newspapers and placed on her bulletin board. Councilman Knab read the existing sections of the Chapter 103 that were under review for amending.

Supervisor Udicious explained that the increased amount of the exemptions offered had been passed by the County of Monroe and would effect all three levels of exemption; regular exemption raised from \$18,000 to \$36,000; combat exemption raised from \$12,000 to \$24,000; disability exemption raised from \$60,000 to \$120,000.

The cost to the town would be about \$5,500.00 and would result in a change in the town tax rate of a few cents per thousand.

There was no comment from the audience or questions from the board.

**RESOLUTION #79**

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Councilman Knab moved that the hearing be closed.  
Councilman Keyes seconded the motion.

Roll:           Councilman Knab                           aye  
                  Councilman Keyes                    aye  
                  Councilman Doupe                   aye  
                  Councilwoman Sluberski           aye  
                  Supervisor Udicious           aye   carried.

**RESOLUTION #80**

Councilman Knab moved that WHEREAS, the Town Board of the Town of Rush called a public hearing for the consideration of the adoption of Local Law 2006-1, amendments to Chapter 103, Article IV of the Rush Town Code which governs Veterans Exemption from Real Property tax; and WHEREAS, said public hearing on this matter was held by the Town Board at its regularly scheduled meeting on February 8, 2006 at 7:15 p.m. at the Rush Town Offices, 5977 East Henrietta Road, Town of Rush, New York, whereby all persons at the hearing desiring to speak on the matter were heard, all correspondence received on the matter was read and these statements being duly considered by the Town Board, NOWTHEREFORE, upon consideration by the Town Board of all written and oral submissions and testimony and public comment, and the town Board having given this matter due deliberation and consideration; and it is RESOLVED, that the adoption of Local Law 2006 -1 constitutes a Type II action pursuant to the New York State Environmental Quality Review Act, 6 N.Y.S.R.R. Sec. 617.5(24), which requires no determination of environmental significance; and it is further RESOVLED, that Local Law 2006-1 be attached to this resolution as exhibit A and incorporated there as a part of this resolution:

Local Law 2006-1  
Amending Chapter 103, Article IV of the Rush Town Code  
Governing Veterans Exemptions from Real Property Tax

Revised Sec. 103-9 Grant of exemption.

The maximum exemption allowable in sections (a), (b), and (c) is to be increased as follows:

In section A. - Change \$18,000 to \$36,000  
In section B. - Change \$12,000 to \$24,000  
In section C. - Change \$60,000 to \$120,000

Councilman Doupe seconded the motion.

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Roll: Councilman Knab aye  
Councilman Keyes aye  
Councilman Doupe aye  
Councilwoman Sluberski aye  
Supervisor Udicious aye carried.

**RESOLUTION #81**

Councilman Knab moved that the Local Law 2006-1 amending Town Code Chapter 103, Article IV governing the Veterans Exemptions from Real Property Tax be adopted as proposed and as adopted by the County of Monroe. Councilman Doupe seconded the motion.

Roll: Councilman Knab aye  
Councilman Keyes aye  
Councilman Doupe aye  
Councilwoman Sluberski aye  
Supervisor Udicious aye carried.

V New Business

1. Re-assessment Update - Assessor Falk explained that he was reviewing single family dwellings, vacant land and farm land for this year's update. The current equalization rate is 92% and must be raised to between 95 and 100% to be acceptable. Change notices will be sent in March and informal hearings scheduled for late March and early April. The Tentative Roll must be completed by May 1<sup>st</sup>. For maintaining the equalization rate the town receives from the State \$5.00per tax parcel to help pay for the updating. Mr. Falk showed the Board an award the Town of Rush has received for its efforts in maintaining an equitable rate.

Executive Session

Councilman Knab made a motion that the Board would move into Executive Session to discuss a land purchase, an ongoing legal matter and a personnel matter. Councilman Keyes seconded the motion and the Board was all in agreement.

Time: 7:20 p.m.

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The Town Board adjourned from the executive session and submitted the following minutes of those proceedings:

Respectfully submitted,

Linda G. Henry  
Town Clerk