

Rush Town Board
March 22, 2006

A regular meeting of the Rush Town Board was held on March 22, 2006 at the Rush Town Offices, 5977 East Henrietta Road and was called to order at 7:00 p.m.

Present: Councilman Luther Keyes
Councilwoman Lisa Sluberski
Supervisor William Udicious

Excused absence: Councilman Donald Knab
Councilman Thomas Doupe

Others: David Hou, Attorney for the Town of Rush
Gerald Kusse, Code Enforcement Officer
Steven King, Highway Superintendent
Rufus Falk, Assessor
Charles Rinere, Fire Marshal
Selden Chase, East Henrietta Road
William Riepe, Henrietta
Fredric Calev, Rush Mendon Road
Jeno Osze, Honeoye Falls Five Points Road
Jason DiPonzio, Esq. McConville Considine

I Open Forum

Fredric Calev, 2516 Rush Mendon Road, stated that he was giving the Town Board and Planning Board members copies of his letter of response to a letter received from the Town Attorney. He asked that this letter be noted in the minutes of this meeting. He explained that he had attended the Planning Board meeting of March 21, 2006 questioning the commercial operation at 2500 Rush Mendon Road and the board agreed to investigate the operation. Mr. Calev asked when the Town Board was going to respond to the letters that he has sent the Board in the past, since he felt the letter from the Town Attorney did not address any of his concerns. Supervisor Udicious responded that the Town will continue to look into the matter and further response to Mr. Calev's concerns will be made by the Board.

Jason DiPonzio, Esq. of McConville Considine, representing Dorschel Automotive, stated Dorschel Automotive has asked for additional signage from the Zoning Board of Appeals and been denied. There was also some confusion concerning the amount of signage that is allowable by the sign ordinance. Mr. DiPonzio stated that he understood that the sign

Rush Town Board
March 22, 2006

ordinance was being review for possible change. He also stated that it was hoped that a dialogue might be opened with the Town Board and Planning and Zoning Boards on the possible development of the north east corner of Routes 15 and 251 that is also owned by Mr. Dorschel.

One possibility being suggested is based on the Town of Webster's Commercial Outdoor Storage Districts that address various businesses such as car dealers, repairs shops and even florists/nursery that require outdoor storage. Signage as well as other criteria would be addressed in that district.

Supervisor Udicious replied that the Town is always willing to discuss proposals for development in town and has had discussions with Mr. Dorschel in the past. As to the sign ordinance it will take some time of reviewing and drafting any changes to the present ordinance. Councilwoman Sluberski mentioned that in the short term, Mr. Dorschel was given a number of options by the Zoning Board of Appeals for the signage that he was requesting.

Selden Chase, East Henrietta Road, explained that he had read that several developers were interested in proposing projects within the Town. He stated that residential development did not pay their way in terms of tax dollars generated vs the services demanded. Commercial development requires less in services and farmland the least of all, requiring only 40 to 60 cents in services for each tax dollar. Mr. Chase used Henrietta as an example of the cost of services for residential development. One of his concerns was the school taxes that he feels are out of control.

Supervisor Udicious explained that it was not possible to keep developers out of town but that the Town Board is investigating various options that might grant some tax relief to farmers in order to preserve farm lands. Mr. Chase stated that he appreciated that the Board was looking into the situation and that tax abatement would certainly be acceptable.

II Approval of Minutes

RESOLUTION #93

Supervisor Udicious moved that the minutes of the March 8, 2006 regular meeting of the Rush Town Board be approved as presented. Councilwoman Sluberski seconded the motion.

Rush Town Board
March 22, 2006

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

II Approval of Abstract

RESOLUTION #94

Supervisor Udicious 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 \$80,737.12 be allowed for vouchers #276 through #324. Councilman Keyes seconded the motion.

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

IV Reports of Officers and Committees

1. Town Board - Councilwoman Sluberski reported that she had attended the Planning Board meeting and after discussions with Mr. Calev the Board had agreed to investigate the approval given for the property at 2500 Rush Mendon Road. At the Zoning Board meeting the sign ordinance was discussed with Mr. Dorschel and his attorney. A number of options were offered for Mr. Dorschel's consideration. Recreation Supervisor is working on the summer program and is starting a new basketball program.

V Old Business

1. Park Signs - Highway Superintendent King gave the Board a copy of a proposal for signs that will be installed in the Town's parks and cemeteries with hours of closure. This will allow the town to take action if people are on those properties after dark which can not presently be done without this signage. All the Board was in agreement to allow the signs to be installed.

2. Web Site - Arrangements for the transfer of the Town Web Site to Pin Point Group is underway.

VI New Business

1. Pedestrian Bridge Purchase - Supervisor Udicious explained that he had a call from a vendor at Gardenscape at the Dome with an offer of a pedestrian bridge 12 feet wide and 30 feet long that was used in their display. The

Rush Town Board
March 22, 2006

Board held a special meeting and agreed to purchase the bridge which now is in the back parking lot. The plan is to cut the bridge in two parts and use it over the creek that divides the town property and to be part of the walking trail. The cost of the bridge was \$2,500 but includes almost \$4,000 in pressure treated materials.

2. Earth Day - On April 29th volunteers will again be picking up garbage from the road side. This Earth Day project will be coordinated by a Rush Boy Scout Troop with all supplies being donated. More information will be in the Newsletter for anyone interested in participating.

3. Assessments Update - The assessor's department will be sending out the impact notices for the reassessment of the residential, vacant agricultural and vacant residential lands within the next week. Assessments are based in part on recent sales of property and if the town stays within 5% of the 100% value, the State Of New York will pay the town \$5.00 per tax parcel to help pay for the updating of values. The most important incentive to conduct updates on properties is to keep it fair to everyone. A letter of explanation of taxes vs assessment will be included with the notices.

A question was asked about the few sales in town and how this would effect assessments as well as sales well below or above the assessed value. Supervisor Udicious stated that the assessor has the discretion to discount a certain number of sales that he feels are not valid for any reason.

Executive Session

Councilman Keyes made a motion to enter Executive Session to consult with the Town Attorney. Councilwoman Sluberski seconded the motion and the Board was all in agreement.

Time: 7:35 p.m.

The Board returned to regular session and adjourned by common consent.

Time: 8:00 p.m.

Respectfully submitted,

Rush Town Board
March 22, 2006

Linda G. Henry
Town Clerk