

April 11, 2007
Rush Town Board

A regular meeting of the Rush Town Board was held on April 11, 2007 at the Rush Town Offices, 5977 East Henrietta Road and was called to order at 7:00 p.m.

Present: Councilman Donald Knab
Councilman Richard Anderson
Councilwoman Lisa Sluberski
Supervisor William Udicious

Absent: Councilman Thomas Doupe – excused

Others: Frank Pavia, Attorney for the Town of
Rush

Steven King, Highway Superintendent
Gerald Kusse, Code Enforcement
Jeffrey Starkweather, Middle Road
Gerald Farrell, Rush West Rush Road
Jessica Gaspar – Henrietta Post

I Approval of Minutes

RESOLUTION #92

Councilman Knab moved that the minutes of the meeting of March 28, 2007 be approved with the correction on page 4, resolution #88, Councilwoman Sluberski voted nay.

Councilwoman Sluberski seconded the motion

Roll: Councilman Knab aye
Councilman Anderson aye
Councilwoman Sluberski aye
Supervisor Udicious aye carried.

II Approval of Abstract

RESOLUTION #93

Councilman Knab 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 \$26,600.39 be allowed for vouchers #324 through #363. Councilwoman Sluberski seconded the motion.

Roll: Councilman Knab aye
Councilman Anderson aye
Councilwoman Sluberski aye
Supervisor Udicious aye carried.

III Correspondence

1. Supervisor Udicious stated that he had received a FOIL request from the D&C concerning the salaries and titles of all town employees for the last five years. A letter of acknowledgement of the request has been sent and Director of Finance Reynolds will gather the information requested.

IV Reports of Officers and Committees -

1. Town Board - Councilman Knab stated that he is still in the process of obtaining estimates for the roof and gutter repair work that will address the ice jam problem. He is also forwarding to the board members the job description for the Emergency Management Officer.

2. Councilman Anderson stated he had attended a seminar for obtaining grants for job training.

3. Councilwoman Sluberski reported that planning for the Fall Festival was underway and would include an auction for the benefit of the Rush Library.

4. Code Enforcement Kusse gave the board a memo on the log jam.

5. Supervisor - Supervisor Udicious stated that he had received comments from the Highway Superintendent on the revised employee manual and there was some question on the minimum number of hours that must be paid when an employee is called in to work overtime. Attorney Pavia will check and report back at the next meeting.

VI Old Business

1. Financial Software Replacement - Supervisor Udicious reported that the change to the contract requested by the Councilwoman Sluberski was made and the missing page was provided for the contract.

RESOLUTION #94

Supervisor Udicious moved that the Supervisor be authorized to sign a contract with EOS Software to provide an

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accounting and budgeting software package at a cost of \$9,475.00. Councilman Knab seconded the motion.

Roll: Councilman Knab aye
Councilman Anderson aye
Councilwoman Sluberski aye
Supervisor Udicious aye carried.

VI New Business

1. Planning and Zoning Board Training - Zoning Board Chairman Donald VanLare had provided the board with a sample resolution regarding the mandatory requirement for yearly training for Planning and Zoning Board members. This proposal would broaden the choices available to board members since locally offered training is often repetitive. Attorney Pavia will check the choices offered and report back to the board as to whether or not they meet the standard set by the state in their requirement.

2. Architectural proposal for property development - Supervisor Udicious stated that the board has three proposals before them provided by Architect Majed El Rayess for the staged development of the property adjacent to the town hall. At this time he was asking the board to approve the First Phase which would include the sports fields and walking trail around the property.

This phase would reflect the plan for the property adopted by the Town Board in 2002. The \$100,000 grant received for the development of the property indicated that the residents were in favor of the items of development that were being proposed.

Councilwoman Sluberski asked if Mr. El Rayess was familiar with the design of athletic fields and Mr. Knab assured her that he had designed fields for schools and other towns.

RESOLUTION #95

Councilman Knab moved that the Supervisor be authorized to enter into a contract with El Rayess Architects to provide design services for Phase I, Sports Field and Nature Trail, for the property adjacent to the Town Hall for a cost not to exceed \$20,700.00. Councilman Anderson seconded the motion.

Roll: Councilman Knab aye

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Councilman Anderson	aye	
Councilwoman Sluberski	aye	
Supervisor Udicious	aye	carried.

3. POD Update – Supervisor Udicious reported that the next meeting is in Honeoye Falls on April 19th at 4:00 p.m. and will be a review of the POD drill. There really is a need to appointment an Emergency Preparedness Officer who can take on the function of lead in this program. At the present time Councilwoman Sluberski has attended all the meetings and Supervisor Udicious has only missed one meeting.

4. Office Furniture for Court – Supervisor Udicious explained that funds had been budgeted for the court room finishing and for some additional work in the town clerk's office. The estimate for that work came in lower than budgeted so there is money for the court to replace their hand-me-down furniture. The court is requesting that the clerk's desk be replaced.

RESOLUTION #96

Supervisor Udicious moved that the court be authorized to purchase a new desk for the court clerk's office for a cost of \$1,850.00. Councilwoman Sluberski seconded the motion.

Roll:	Councilman Knab	aye	
	Councilman Anderson	abstained	
	Councilwoman Sluberski	aye	
	Supervisor Udicious	aye	carried.

5. Procedures for Code Enforcement Officer –

Supervisor Udicious gave the board members a draft memo outlining the steps to be followed by code enforcement in handling violations of the zoning code. The board was asked to review and be prepared to discuss at the next board meeting.

Councilman Knab stated that the Section 1203 of the NYS Building Code and the Property Maintenance Code outlined procedures to follow in citing violations of those codes and he felt they should be reviewed before drafting any additional procedures.

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Attorney Pavia suggested that he meet with the Code Enforcement Officer to review forms and correspondence that might have to use in any court action relative to violations.

6. Suburban Animal Hospital – Town Clerk Henry explained that the renewal of the contract with Suburban Animal to provide service to Dog Control was needed. The only change from past years is the increased fee for cremation of animals. This is a situation that rarely occurs.

RESOLUTION #97

Councilman Knab moved that the Supervisor be authorized to sign the renewed contract with Suburban Animal Hospital to provide services to dog control. Councilman Anderson seconded the motion.

Roll: Councilman Knab aye
Councilman Anderson aye
Councilwoman Sluberski aye
Supervisor Udicious aye carried.

VII Bid Opening

Town Clerk Henry stated that a legal notice had been placed in the legal newspapers and placed on her bulletin board for the bidding of the truck/plow/attachments requested by the Highway Superintendent.

One Bid has been received and was opened by the Supervisor.

Cyncon Equipment Inc.
7944 West Henrietta Road
Rush, NY 14543

Total bid \$99,570.00

Highway Superintendent King recommended to the Town Board that the bid be rejected as the cost was significantly higher than the budgeted amount.

RESOLUTION #98

Councilman Anderson moved that based on the recommendation of the Highway Superintendent, the bid submitted by Cyncon Equipment Inc. in the amount of \$99,570.00 be rejected. Councilwoman Sluberski seconded the motion.

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Roll: Councilman Knab aye
Councilman Anderson aye
Councilwoman Sluberski aye
Supervisor Udicious aye carried.

Councilwoman Sluberski asked if the Town Board was able to change salaries approved at the Organization Meeting for employees, particularly the Library. Attorney Pavia stated that the Town Board's only power is the approval of the Library budget and that they have no control over the salaries set for the library staff. That authority lies entirely with the Library Board of Trustees.

Adjournment

Councilman Knab moved that the meeting be adjourned. Councilman Anderson seconded the motion and the board was all in agreement.

Time: 7:50 p.m.

Respectfully submitted,

Linda G. Henry
Town Clerk