

Rush Town Board  
May 24, 2006

A regular meeting of the Rush Town Board was held on May 24, 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 Thomas Doupe  
Councilwoman Lisa Sluberski  
Supervisor William Udicious

Absent: Councilman Luther Keyes, excused

Others: David Hou, Boylan and Brown  
Charles Rinere, Fire Marshal  
Gerald Kusse, Code Enforcement  
Richard Anderson, 22 Harvest Lane  
Jack Mould, Rush Lima Road  
Ted Barnett & daughter, 117 Lyons Road  
Donald Hill, Phelps Road  
Fredric Calev, 2516 Rush Mendon Road  
Jonathan Volpe, 33 Boulder Creek Drive

#### I Open Forum

Fredric Calev, 2516 Rush Mendon Road, asked if the Town Attorney had received a response from the attorney of the owner of 2500 Rush Mendon Road yet and if the Code Enforcement Officer had been allowed to make an inspection of the property. Further, Mr. Calev asked the status of the septic system installed on the property without a permit. Supervisor Udicious explained that in the matter of the septic system the Monroe County Health Department was the authorized agency that handles disposal systems and they were working on the problem. He also stated that when the Attorney for the Town reports to the Town Board with his findings that Mr. Calev will be informed of the result.

Jack Mould, 6542 Rush Lima Road, stated that he had given the Town Board copies of a suggested resolution that he felt the Town should direct to the Lima Town Board concerning the desire of Walmart to local a store in their town. His concern was for the increase in traffic that would impact the Town of Rush and pose a risk to its residents.

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Ted Barnett, 117 Lyons Road and Donald Hill 620 Phelps Road also expressed their concern about Walmart's expressed desire to locate in Lima.

Supervisor Udicious stated that since there was no common border with Lima and since there has not been a formal application requesting rezoning presented to the Lima Town Board, it is premature for the town to sent their comments to the Town of Lima. He explained that rezoning is a process that will take a number of months and that there are steps that must be followed by the Town and the applicant and that the Town of Rush needs more information before it would be appropriate to take a stand.

## II Approval of Minutes

### **RESOLUTION #108**

Supervisor Udicious moved that the minutes of the regular meeting of May 10, 2006 be approved as presented. Councilman Doupe seconded the motion.

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

## III Approval of Abstract

### **RESOLUTION #109**

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 \$24,586.79 be allowed for vouchers #484 through #540. Councilman Doupe seconded the motion.

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

## IV Correspondence

1. Empire State Development Corp., May 12, 2006 re request for \$100,000 from Community Capital Assistance Program for the purchase of property at 1911 Rush Scottsville Road, status of request.

## V Reports of Officers and Committees

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1. Town Board - Councilman Knab stated that the cause of the odor problem in the basement has been solved and repair is being made.

Councilwoman Sluberski reported on the Zoning Board of Appeals meeting.

Fire Marshal Rinere has submitted an article for the Newsletter on open burning and will have guidelines for fireworks also in the next edition.

#### VI New Business

1. Community Block Grant - Supervisor Udicious stated that he had received a letter from County Executive Maggie Brooks re: request for \$10,000 for sidewalk between parking lot and new playground. Final approval will be received in late June with money available for project after August 1<sup>st</sup>.

2. Sign Code update - Councilman Doupe stated that he has met with the Supervisor and the Zoning Board Chairman and reviewed the changes that the ZBA would like to see in the update. Councilman Doupe stated that he will have a rough draft for the Town Board's review in 3 to 4 weeks.

3. Engineer Report on the Works/Kavanaugh Road waterline extension -

Supervisor Udicious stated that the Attorney for the Town had provided the petitioner John Streeter with the steps that were required for the extension of a water district. The Town has received an Engineers Report for this project from Mr. Streeter, which has been referred on to the Attorney for the Town. The next step will be determined by the completeness of this report and the Attorney's direction.

4. Court Room Modifications - Supervisor Udicious stated that there were a number of court room modifications that had to be left out of the building renovation due to the cost. The court has provided a prioritized list of the items that may now be undertaken and Supervisor Udicious was asking for permission to have three of them completed. Millco Woodworking, who provided the interior trim for the

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town hall renovation, has provided an itemized quote for the work to be done. It will not be necessary to bid this work due to the higher percentage of labor cost to material cost. The creation of a jury box, improved prisoner holding area and a fence with gates between the judge's bench and the audience will cost approximately \$15,347.00. The monies to cover this cost are in the contingency account.

**RESOLUTION #110**

Councilman Knab moved that the Supervisor be authorized to contract with Millco Woodworking for the construction and installation of a jury box, holding cell and fence between the bench and audience for a cost not to exceed \$15,500.00. Drawings of the installations are to be provided for the town's review prior to installation. Councilman Doupe seconded the motion.

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

4. NIMS (National Incident Management System) - Councilman Doupe has volunteered to review the criteria provided and report back to the board how the various emergency response programs in place need to be modified or coordinated to provide the most efficient incident response system.

VII Open Forum

Jonathan Volpe, 33 Boulder Creek Drive, inquired about the increased cost of the after school program for the next school year and felt it was a very sizable increase. Supervisor Udicious explained that the board had reviewed the cost of the program with the cost to the town to provide it. A comparison report was provided by Councilwoman Sluberski with other similar programs in the area. A recommendation to increase fees was unanimously approved by the entire board. The program will be evaluated again next year to determine if revenues are meeting the costs. Supervisor Udicious stated that the program had not been priced correctly in the past and this resulted in large adjustment that the board felt needed to be made.

Executive Session

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Councilman Knab made a motion to move into Executive Session to discuss pending litigation. Councilman Doupe seconded the motion and the board was all in agreement.

Time: 7:45 p.m.

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

Time: 8:10 p.m.

Respectfully submitted,

Linda G. Henry  
Town Clerk