

Rush Town Board
July 12, 2006

A regular meeting of the Rush Town Board was held on July 12, 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: Frank Pavia, Attorney for the Town
Charles Rinere, Fire Marshal
Karen Hopkins, Board of Assessment Review
Donald Sweet, " " "
Brian McFetridge, " " "
Fredric Calev, 2516 Rush Mendon Road

I Open Forum

Fredric Calev asked if there was any change in status regarding the property at 2500 Rush Mendon Road and he was told no. The property owner has until the 15th of July to make the application requested of him.

II Approval of Minutes

RESOLUTION #123

Councilman Knab moved that the minutes of the regular meeting of June 28, 2006 be approved with the correction of adding excused to the names of the two board members that were not present at that meeting. Councilwoman Sluberski seconded the motion.

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

III Transfer of Funds and Approval of Abstract

RESOLUTION #124

Councilman Doupe moved that the following transfers of funds be made:

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\$480.00 from A-7110.4 Parks, Contractual to A-8160.4 Refuse Contractual - mulching shortfall
\$20,000.00 from DA-5112.1 Road Construction, Pers. Serv. to DA-5110.1 Maint. Of Roads, Pers. Serv. - due to cancellation of CHIPS contract

The following budget amendment:

\$100,000 from A-3097, State Aid, Capital Projects to A-1620.2 Building, Capital Outlay - state aid for land purchase

\$75,000.00 decrease from A-599 Fund Balance, Appropriated to increase appropriation for A-1620.2 Building, Capital Outlay - land purchase

Councilwoman Sluberski seconded the motion.

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

RESOLUTION #125

Councilman Knab moved BE IT RESOLVED, that having audited all the claims against the fund listed on the abstract, I move that all claims in the amount of \$37,533.64 be allowed for vouchers #663 through #701. Councilman Sluberski seconded the motion.

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

IV Communications

1. NYS Dormitory Authority - re remainder of grant money for the generator released
2. Rush Fire Department - invitation to participate in or sit on the reviewing stand for the firemen's parade.

V Reports of Officers and Committees

1. Town Board - Councilman Knab stated that the new plumbing fixtures have been delivered and should be installed this weekend.

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Councilman Keyes thanked the Board for their patience for his absence due to work commitments and asked if someone could take his place at this months Planning Board meeting. Councilwoman Sluberski agreed to be there. He stated that things should return to normal soon.

Councilman Doupe is still working on a draft of the sign ordinance.

Councilwoman Sluberski stated that the Recreation Director was working on Fall Festival and that she has been approached about offering a course on foster parenting. She wondered if this could be offered.

2. Town Clerk - Town Clerk Henry stated that her office would be closed on July 13th for the morning due to a training session with Monroe County Treasury on the new ez-tax program that will be installed.

Also, the office will be closed on July 27th for training for Deputy Darlene Pilarski and the town clerk will be on vacation.

3. Fire Marshal - submitted his monthly report

4. Supervisor - Supervisor Udicious stated that Rochester Window Cleaners would be cleaning the windows of the town hall for the first time since the renovation on July 19th.

Specs are being drawn up for the side walk with curbing for the extension to be built with block grant money. The cost of this engineering work not to exceed \$850.00.

There are six applications for the Planning Board position and interviews will be arranged.

Councilman Knab suggested that the limit be raised that allows the Supervisor to make repairs or have maintenance performed on the building without town board approval. He felt the \$1,000 limit was unrealistic and he will propose a raise at the next meeting.

VI New Business

1. Land Purchase of 1911 Rush Scottsville Road -

RESOLUTION #126

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Supervisor Udicious moved:

Whereas the Town Board of the Town of Rush adopted a resolution at a regular meeting of the Town Board on December 14, 2005 (the "Resolution") authorizing the Town Supervisor to commence negotiations to purchase 1.57 acres of property located at 1911 Rush-Scottsville Road, Rush, New York 14543 (the "Property"); and

WHEREAS, a short Environmental Assessment Form was prepared regarding the proposed purchase of the Property and considered by the Town Board; and

WHEREAS, the Town Board is the lead agency pursuant to the State Environmental Quality Review Act ("SEQR") and no other agencies' approvals are required for the contemplated action;

NOW THEREFORE, upon consideration by the Town Board of the proposed action and the Environmental Assessment Form, and the Town Board having given the matter due consideration; it is

RESOLVED, that the Town Board make the following findings and decisions:

FINDINGS

1. The proposed acquisition of the Property is an Unlisted Action pursuant to SEQR.
2. The Town Board finds that the proposed action will not have an adverse impact on the environment. Therefore, this Board grants a negative declaration pursuant to SEQR.
3. The Town Board is authorized to proceed with any and all further measures to purchase the Property.

Based upon the foregoing findings, the Town Board of the Town of Rush grants final approval to acquire the Property.

Councilman Doupe seconded the motion.

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

2. Sale of property on East River Road -

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RESOLUTION #127

Supervisor Udicious moved that:

WHEREAS, the Town Board of the Town of Rush adopted a resolution at a regular meeting of the Town Board on April 27, 2006 (the "Resolution") authorizing the Town Supervisor to sell 18.72 acres of property, a portion of which is known as Hart's Field (the "Property"); and

WHEREAS, the Town of Rush has received the necessary approval from the New York State Legislature to sell the Property; and

WHEREAS, public notice of the Resolution will be given in compliance with the permissive referendum requirements of Section 64 of New York Town Law, which provided that a majority of the qualified voters and/or electors of the Town of Rush may submit a petition for a referendum vote on the proposition authorizing the sale of the Property; and

WHEREAS, no petition for a permissive referendum was filed with the Town within the thirty (30) day time period; and

WHEREAS, a short Environmental Assessment Form was prepared regarding the proposed sale of the Property and considered by the Town Board; and

WHEREAS, the Town Board is the lead agency pursuant to the State Environmental Quality Review Act ("SEQR") and no other agencies' approvals are required for the contemplated action;

NOW THEREFORE, upon consideration by the Town Board of the proposed action and the Environmental Assessment Form, and the Town Board having given the matter due consideration; it is

RESOLVED, that the Town Board make the following findings and decisions:

FINDINGS

1. The proposed sale of the Property is an Unlisted Action pursuant to SEQR.

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2. The Town Board finds that the proposed action will not have an adverse impact on the environment. Therefore, this Board grants a negative declaration pursuant to SEQR.
3. The Town Board is authorized to proceed with any and all further measures to sell the Property.

Based on the foregoing findings, the Town Board of the Town of Rush grants final approval to offer for sale the Property.

Councilman Knab seconded the motion.

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

3. Highway Projects for 2007 - Supervisor Udicious relayed a request from the Highway Superintendent asking for the input of any Board members on projects that they wish the Highway Department to undertake in 2007. He asked for the Board of contact him soon as he prepares his budget for the up coming year.

Councilman Knab stated that he would contact the Highway Superintendent about the intersection of Route 15A and Rush West Rush Road where water runs over the road during storms and creates a dangerous situation. The state had attempted to correct but the situation remains.

Executive Session

Councilman Knab made a motion to enter into Executive Session to discuss a personnel matter. Councilman Keyes seconded the motion. The board was all in agreement.

Time: 7:30 p.m.

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

Time: 8:00 p.m.

Respectfully submitted,

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Linda G. Henry
Town Clerk