

RUSHFORD BOARD – WORK SESSION  
March 26, 2018

PRESENT: Peter Wade, Supervisor  
Councilmen: Charles Bliss, Scott Walter, William Tucker, Ken McElheny

ABSENT:

ALSO PRESENT: Tracy Pastorius, Town Clerk

The Supervisor called the Work Session to order at 7:00 PM.

Supervisor Peter Wade said that no comments from the public on this topic.

An email was received from Shaun Smith regarding "Why the Town of Rushford cannot legally change the Zoning laws to all recreational trailers (RVs) in residential neighborhoods EVEN IF THE TOWN WANTED TO" the Town Attorney will review this information.

Supervisor Peter Wade stated that General Code met with Will Tucker, Scott Walter and himself on Friday, March 23, 2018 at 10 AM. General Code will go through all the Codes, Local Laws and Ordinances. A presentation and proposal will be given at the next Town Board meeting. The proposal will include a time line and a cost that can be spread over the next 3 years budget. During the meeting with General Codes (LoriAnn Shura, Account Manager) mentioned several times about the inconsistencies in the codes. This could take General Code quite some time to review all the information.

A motion was made by Scott Walter, second by Will Tucker to put a moratorium on this code decisions for at least 3 months.

3 ayes            2 noes

Carried.            Will revisit at the June Town Board meeting.

The property of 9021 Main Street, Rushford does not have to be discussed in Executive Session. Also, no public hearing is needed to purchase the property as Peter has discussed with Associations of Towns.

Peter has contacted the Land Bank (Jason) about the demolition of the house. 50% or \$10,000 whichever is lower is what could possibly be available through the Land Bank. Peter is confident that the property will fit the criteria. Baldwin's Business Service has been contacted and will find the money to purchase the property.

Out of 4 contractors contacted only one has given an approximate estimate of the demolition of the house. Ken Tidd has said it would cost \$12,000 but that it could be more when he can go inside the house to see what all is there. Will Tucker stated that D & H will get back to him with an estimate.

The Land Bank is having a meeting on April 9<sup>th</sup> in the morning. Peter stated that we have to act quickly after the Land Bank meeting because the bid has to be into the County by April 12<sup>th</sup>.

Peter Wade stated that a Playground is going to be put in this area once the house is demolished.

Charles Bliss stated that two other people are interested in purchasing the property and that they would put it to good use and it would be on the tax rolls.

Will Tucker stated that we will put it to good use.

Open Forum:

A question was asked as to why the Planning Board is not working on the Zoning Laws instead of hiring a company to review them?

The 9021 Main Street property is still under litigation therefore nothing can be done?

Peter Wade stated that another inspection was done today and that the Town Attorney has been in contact with Jessica's Attorney – we will know more this week. Also, a question was asked about the asbestos at that location? Peter stated that that will be found out in the full estimate of demolition.

A question was asked about having 2 playgrounds in town - Is this feasible for the Town? Peter Wade stated that they have to have 2 structure -- 1 for 2-5 year olds and 1 for 5-12 year olds. He

also stated that REDO has a master plan of going beyond playgrounds and possibly having a Trail Project from the Creek at the Legion Park to the Lake. REDO meetings are at 7 PM on the 2<sup>nd</sup> Wednesday of the month.

A question was asked about the legality of having a moratorium put in place—is this legal to do? The Rights of Elected Officials are effected. Violation of Freedom of Speech. The Town Attorney was not present to advise the Town Board regarding letters received or on the moratorium.

Charles Bliss stated that he has spent a lot of time regarding the zoning changes.

Scott Walter stated that he does not want to discuss anymore Code information until General Code looks at everything.

There is a concern about the recreational season passing before any changes are done with the Zoning.

A question was asked as to when we will see the Windmill Law? Peter Wade stated that the attorney has it and is reviewing it.

A motion was made by Will Tucker, second by Scott Walter to adjourn the meeting at 7:45 PM.

Respectfully Submitted

Tracy Pastorius  
Town Clerk