

**HENRIETTA TOWN BOARD
AGENDA
APRIL 21, 2004**

ORDER OF BUSINESS

1. Roll Call
2. Prayer
3. Pledge of Allegiance to the Flag
4. Public Presentation/Agenda Items
5. Approval of Minutes of the Preceding Meeting(s) - April 7, 2004
6. Miscellaneous Communications
7. Public Hearing:
 - Proposed Local Law No. 1 of 2004 - Temporary Moratorium on the Subdivision of Real Property South of the New York State Thruway
8. Introduction of and Action Upon Local Laws, Ordinances, Resolutions
9. Reports of Standing Committees and Actions Thereon
10. Reports of Special Committees
11. Public Comment
12. Adjournment

RESOLUTION #9-123/2004

Authorize Accounts Payable

RESOLUTION #9-124/2004

Authorize Reappointment of Historic Site Committee Member

RESOLUTION #9-125/2004

Request New York State Department of Transportation to Install Traffic Control Device - West Henrietta Road at Telephone Road - Salzer Heights

RESOLUTION #9-126/2004

Authorize Revision of Empire Zone to Include Four (4) New Sub-Zones

RESOLUTION #9-127/2004

Authorize Adoption of Proposed Local Law No. 1 of 2004 - Temporary Moratorium on the Subdivision of Real Property South of the New York State Thruway

RESOLUTION #9-128/2004

Authorize Personnel Items

PURSUANT TO CALL A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, WAS DULY HELD AT THE HENRIETTA TOWN HALL, 475 CALKINS ROAD, HENRIETTA, NEW YORK ON THE 21ST DAY OF APRIL, 2004 AT 8:00 P.M.

MEMBERS PRESENT

MEMBERS ABSENT

Supervisor James R. Breese
Councilwoman Catherine A. McCabe
Councilman William J. Mulligan, Jr.
Councilman Michael B. Yudelson
Councilwoman Janet B. Zinck
Daniel J. Mastrella, Town Attorney
Patricia J. Shaffer, Town Clerk

SUPERVISOR BREESE

Before we start, I'd like to recognize the fact that we have a Scout Troop here tonight. I'd like to ask the Scoutmaster to please stand, introduce himself and introduce your Scouts, if you will. Thank you.

REPRESENTATIVE OF TROOP 7

(From audience) Good evening. I'm not the Scoutmaster, I'm a parent. Our organizer, Don Perry, was unable to attend tonight. So, I'd like to introduce Troop 7, please stand up. *(Applause)* *(Introduces Boy Scouts - Applause)*

SUPERVISOR BREESE

Is there anyone that would like to speak on agenda items other than the Public Hearing, which I'll call shortly? Just other agenda items? *(Pause - no response)* If not, may I have the approval of the Minutes, please.

COUNCILWOMAN McCABE

Mr. Supervisor, I move we approve the Minutes of April 7, 2004.

COUNCILMAN YUDELSON

Second.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe voting	Aye
Councilman Mulligan voting	Aye
Councilman Yudelson voting	Aye
Councilwoman Zinck voting	Aye
Supervisor Breese voting	Aye
	Carried

SUPERVISOR BREESE

We have one Public Hearing tonight on proposed Local Law No. 1 of 2004, Temporary Moratorium on the Subdivision of Real Property South of the New York State Thruway. Has this been properly advertised?

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir.

SUPERVISOR BREESE

There's been quite a bit of publicity about this, and I presume the people who are here have read about it and are familiar with it, but I would like to open it up now to anybody who has any comments or questions about this proposed Moratorium. Anybody out there want to talk about it? Yes, Sir?

KEVIN YOST, 1474 MIDDLE ROAD

I believe that passage of this Moratorium is imperative because this is where the majority of land that is open space and farmland exists in town. I'm not saying that all development is bad out there. We do need some development there, but it needs to be controlled. There are some places in the area where it's not controlled where we're losing farmland space like crazy, and not only will it raise our taxes with the infrastructure costs and emergency protection costs, but also we have to think of our ecology, the production of food that we eat, rather than having to get it from some other part of the Country, another part of the Country where it's not safe. We will suffer some very serious consequences and regret it if this is not passed. And also, we need to perhaps use the year, if this is passed, to perhaps buy development rights or put in some agriculture and open space zoning into that area, and go with the Master Plan, don't mess around with the Master Plan, just follow it in that area. Also, because we want to preserve what's on that back wall there (*referring to mural*) in this area, but you have to realize that that's not just south of the Thruway where this kind of land exists. This land, this whole u-shape, horseshoe shape of outer Henrietta exists. Therefore, I suggest that it be extended west of West Henrietta Road, north of the Thruway and east of Pinnacle Road north of the Thruway. Thank you.

SUPERVISOR BREESE

Thank you, Sir. Would somebody else like to speak on this proposal? Yes, Mam?

JANE SCHMITT, 66 FAWN RIDGE ROAD

I have been surprised at the amount of new housing located seemingly helter-skelter south of the Thruway. That is where the Comprehensive Plan indicates it should go. However, I am also struck by the realization that once land is developed, it's lost forever. It's not like a painting where if we don't like it we can remove it and have the empty space again unspoiled. Therefore, we must plan very carefully and consider the long term consequences of our actions. If we want to retain agriculture, then we must be agriculturally friendly - zone specifically for agriculture or open space, adopt Town policies that encourage and support farm practices. If we want certain areas to contain housing, then we must plan for them, for more schools, better roads, sewers, water lines and drainage, Develop a strategy for paying for the amenities of development, do not leave it up to the developers. We must plan carefully to preserve our assets: the Genesee River, our farmland, open space, bucolic scenes and clean air. I support this Moratorium and urge you to use the time to determine what area should be designated open space, such as wetlands, flood plains, woods, which areas should be kept as farmland, and where housing should go. Then actively work to make it happen. Lack of managed growth leads to sprawl and costly solutions down the road. Thank you for the opportunity to speak.

SUPERVISOR BREESE

Thank you. Yes, Mam? In the back there.

CYNTHIA YANICONNI(sp), 207 ERIE STATION ROAD

I've only been living in West Henrietta for about three (3) or four (4) years, and have witnessed the devastation of that area firsthand. I watched bulldozers come in and knock down all the trees, and the wildlife came out into the streets. There's a lot of ponds, natural ponds that were back there. We witness a lot of snapping turtles - I happen to like turtles - we witnessed a lot of snapping turtles that were killed because they were frightened with all the building. Unfortunately, it still looks devastated back there. A lot of the trees that were bulldozed down are still just lying there, and it looks, it's a real eyesore. I don't know if they intend to clean up that area, but it wouldn't surprise me if they didn't, because it's been like that for three (3) years. I would hope that tonight will help you realize that there's a lot of people that are concerned about the devastation of the land. Thank you.

SUPERVISOR BREESE

Thank you. Yes, Mam?

MARY MORICH, 42 TELEPHONE ROAD

I live south of the Thruway, and I am in favor of the proposed Moratorium for many of the reasons mentioned here, as well as what I've read in the paper. Since I moved to Telephone Road I've seen an explosion of development in our area, and along with that has come increased traffic. The Comprehensive Land Use Plan recommends maintaining a rural character in the southern part of Henrietta. I would like to see us keep that rural character, and in particular, save some of our farms in this community. We are losing farmland in the U.S., and some of the richest farmland is here in New York State. Once that land is developed, we won't be able to reclaim it for the production of food.

SUPERVISOR BREESE

Thank you. Anybody else like to speak? Yes, Sir?

CHARLES BIXBY, 5489 WEST HENRIETTA ROAD

It was my privilege to serve on the Master Plan Committee, and one of the things the consultants encouraged us to consider was the economic effect if the land we had, particularly the land south of the Thruway, were to go into all development of residences and so forth. We didn't have enough open land. So, I think that there's an economic cost to this, which they pointed out, which we should consider. And another point I think which is important is that we preserve the better agricultural soil so that as we look at the kinds of land we want to see developed over against those which should be left in open space, I think that should be a consideration we should look at, too. So, I think it is appropriate that we take this time to use the Moratorium to implement what we had found out of the Comprehensive Plan study. Thank you.

SUPERVISOR BREESE

Thank you, Sir. Yes, Mam?

RACHEL WARREN, 59 TOMAHAWK TRAIL

I support what Charles had to say, which is going to eliminate about three (3) pages of what I had to say. We had a lot of recommendations in the Comprehensive Plan about preserving this agricultural land, and I think that we seriously need to consider doing these things at this point in time, such as not extending infrastructure into the prime agricultural areas, and maintain some critical mass of farming, and apply for the farmland preservation grants, and follow State agricultural policies, and raise community awareness about agriculture as is specified in the Plan. I'd like to point out that Henrietta Neighbors United has sponsored

four (4) agricultural awareness programs in the last four (4) years and invited the public and everyone else to attend those. I have a couple of questions about this. In the newspaper article it said that you're planning on hiring another consultant.

SUPERVISOR BREESE

No.

RACHEL WARREN, 59 TOMAHAWK TRAIL

That's not going to happen?

SUPERVISOR BREESE

I said maybe.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Maybe. Okay.

SUPERVISOR BREESE

It's up to the Board, not me.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Well, I was wondering what the purpose of doing that is, because we adopted a Comprehensive Plan that was done by a professional group and all the recommendations are in there.

SUPERVISOR BREESE

There may be no purpose.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Okay. I was wondering about, there was an advisory committee mentioned also.

SUPERVISOR BREESE

It's possible. That's up to the Town Board.

RACHEL WARREN, 59 TOMAHAWK TRAIL

And may I ask who the people would be that were going to make that up? I mean, are they going to be citizens? Are they going to be people in government?

SUPERVISOR BREESE

We haven't really talked about that yet.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Okay. Over the past four (4) years, I checked on this, we have lost approximately a thousand (1,000) acres of farmland here, and it's unfortunate for two (2) reasons. One is farmland uses less in services and it pays in taxes, and unlike development, farms contribute to our local community - they pay taxes and they employ people. So, the community benefits from that. I not only hope that this Moratorium is passed, but also that it's not too late to seek the monies necessary to preserve our remaining farmland and severely limit further

development south of the Thruway. No matter how expensive Mr. Iacovangelo's houses are, it will not help the long term economic sustainability of our community. The more infrastructure we create, the more we have to maintain, and as it ages, so does the cost of the maintenance of it. The low tax mantra of Henrietta is failing at this point. Since the water department has been leased to Monroe County our water bills are rising, irresponsible County financial policies have driven up our County taxes, the demands on our fire department are increasing dramatically as our bills are from them, and suddenly we need to revalue our real estate because the prices have risen which will drive up our taxes again, and I guess once taxes go up, it always seems that they never go down again even if the real estate becomes less valued further down the road. Hopefully the Moratorium will provide the opportunity to study the sustainability issues connected to our future decisions regarding land use. I thank you all for proposing that this happen. Thanks for listening.

SUPERVISOR BREESE

Thank you. Would anybody else like to speak? Yes, Sir? Dr. Goldstein?

ROBERT GOLDSTEIN, 29 HORSESHOE LANE SOUTH

Mr. Supervisor, members of the Town Board, good evening. I've been a resident of the Town since 1961. As I reflect backward a little bit, I recall that the original Town Comprehensive Land Use Plan that was developed in the 1960's very specifically identified the idea that there should be several different ways of looking at this Town, that the proposed or anticipated growth should occur in the northern part of the community and then south of the Thruway, that area should be reserved for very low density or agricultural development. Every Comprehensive Plan revision that's occurred since then has maintained that same idea that there should be that balance between the portions of the Town that should go a natural way and those that should be preserved in a somewhat more natural manner. So, I am very much pleased to hear that the Town Board is again considering the review and careful look at what we have now, what we need and what we will be doing in the future. So, it is up to the Board to respect the wishes of the previous Town Board that established that Comprehensive Land Use Plan and continue that concept. So, I think this is a time to take a pause, look around and plan carefully for the next phase of Henrietta's development, and I very much support the idea of a Moratorium.

SUPERVISOR BREESE

Thank you, Sir. Yes?

JOHN SCHMITT, 66 FAWN RIDGE ROAD

Mr. Supervisor and members of the Board, I also am here to ask you to approve the Temporary Moratorium on the real estate development, and like the speakers before me, ask you to please study the situation. A term introduced to planners is to "think outside the box," and that's something you are called to do. We hear a lot about the global economy, and we must take a close look at what that means to people here in Henrietta. Lester R. Brown, a highly acclaimed and respected environmental analyst, tells us that in China, where water shortages are already shrinking the food supply, the grain harvest has fallen from three hundred and ninety-two million (392,000,000) tons in 1999 to three hundred and forty million (340,000,000) tons in 2003. Within the next year or two, its grain reserves are depleted. China's 1.3 billion consumers will begin competing with the United States consumers for U.S. grain. Given China's trade surplus with the United States of over Eighty Billion Dollars (\$80,000,000,000) and strong buying power, this has the potential of driving up food costs world wide. The law of supply and demand is a very efficient vehicle in the marketplace. In many grain importing countries, like in the mid-east, price rises increase the cost of living which result in higher oil prices, and on and on. Closer to home, we read of the drought and need for water

in the western part of the United States, and on April 13 in the Democrat and Chronicle, it has an article that little relief is expected for a six (6) year drought out west. History has shown what happens when countries cannot produce food for its population. The food challenge is but one (1) example of a very complex agenda the world faces as we begin to realize that there are limits to what this planet can sustain. Now, certainly I realize that Henrietta cannot solve the problems that I have been talking about. However, it can take measures to help cope with the impending catastrophes. Glaciers left the lands south of the Great Lakes with some of the world's richest agrarian areas. At the present time, our water supply is adequate and usable. However, once land is developed it is lost forever as far as agriculture is concerned. Therefore, I believe that "thinking outside the box" for Henrietta means acknowledging the state of the world, appraising our assets and preserving them for the future for the generations yet to come so that they can survive at a level above mere existence. Henrietta, since we still have land to save, must take a leading role so that others may follow in this critical time in our history. It is much more than just having open space and wetlands. It is about maintaining a reserve of land where our food supply can be

augmented when the crisis hits. Once again, please take the time to study the facts and enact laws that will preserve all agrarian areas in our Town. Thank you.

SUPERVISOR BREESE

Thank you, Sir. Is there anybody else that would like to speak on this subject? *(Pause - no response)* Nobody else? Yes, Sir?

RICHARD WHITE, 1001 MIDDLE ROAD

I, too, am in favor of the Moratorium on development south of the Thruway. But the one thing we have to do is make sure we use these moratorium days very wisely, and perhaps try to come up with some sort of a solution so that we can preserve some of the open spaces and farmlands. My wife and I have been driving around the southern part of the Town recently surveying all these new developments, and it's one thing to read about it in the paper, that so many acres have been developed, and it's another thing to get out and see the land that has been stripped of topsoil, the topsoil piled in the center of the development, and all this land lying there that you know is going to be full of homes and problems very shortly. In the Comprehensive Land Survey, the number one priority, I believe, was preservation of open spaces. Perhaps now is the time to go back to the Town, take a survey of the residents and find out if the residents are willing to make an investment in dollars in our Town's open spaces. The Town can't buy land without money. Development rights, I feel, are, they serve a purpose but they're a waste of money in the long run. Purchasing is the way to go, I feel. I have one more thing that is more in the form of a question than a suggestion. I would like to know, and I won't stay up here for an answer to this, I'd like the Town Board to ponder on it and our attorney to ponder on it, if there is a way that the Town can require the right of first refusal anytime large parcels of land are going up for sale. Thank you very much.

SUPERVISOR BREESE

Thank you, Sir. Anybody else? Yes, Sir?

CHARLES KERNEHAN, 279 CROCKETT DRIVE

As I read and pondered this proposal, both for and against, I thought, "gee, you know, this would be a good time to gain some time for the "outside the box thinking" to formulate a cohesive strategy." But, shouldn't the plan already have been in place? Didn't anybody in this administration see this happening? Then I thought, didn't we just have one? And if memory serves me right, it didn't work to well the last time. We

had a building boom and our taxes still went up. And now, the new tactic is, “oh, we’re going to keep the tax rates the same but we’re going to raise everybody’s assessments.” So, we still end up paying more taxes. Unfortunately, I don’t think we can stop progress and natural expansion, because if I’ve got “x” amount of money, I’m going to look at, do I want to buy a new house that’s energy efficient as opposed to an over-assessed, less efficient parcel in the existing stock in the Town of Henrietta. Now, also, if I’m a farmer, I’ve got no children interested in taking over the farm and I keep seeing more and more of my money going for taxes through the increasing of the assessed value of my property, which, you know, I have no control over, to protect my investment, money, and my retirement money, naturally I’m going to sell to a developer or land speculator because generally speaking, they have much better success with the present administration than an individual. Specifically speaking about farmland south of the Thruway, both sides of Middle Road between the Thruway and Erie Station, is prime high-tech light industrial property. Why? Because it’s close to Route 390 with exits and entrances either on Lehigh Station Road or Erie Station Road when they build that one. It’s going to be near a super golf course if mother nature ever cooperates and lets them build it and quit muddying up the situation, and, if I’m a high-tech industry and I need lots of band width to the network, my network access charges are going to be very, very minimal because I’m going to have very few quarter mile charges from the nearest central office, which is at 1133 Erie Station Road, which is just east of Erie and Middle. Also, speaking of that central office, any house within the twelve to fifteen thousand foot range, which is generally south of the Thruway, I can get reliable dial tone and digital subscriber line service directly from the C.O., not a cabinet sitting out alongside the road, which has a limited battery life when the power goes out, which is the way most of Henrietta is today. So, as I say, I’m against the Moratorium because I just don’t see that it’s going to work that well. Thank you.

SUPERVISOR BREESE

Thank you, Sir. Would anybody else like to speak on this issue before we adjourn the Public Hearing? (*Pause - no response*) Anybody else? Okay. I’ll adjourn the Public Hearing. May I have the first Resolution, please?

RESOLUTION #9-123/2004

On Motion of
Councilwoman Zinck

Seconded by
Councilman Yudelson

BE IT RESOLVED, that the Director of Finance be authorized to pay the following bills payable:

EXHIBIT A	Bills Payable dated 4/21/2004	\$ 762,091.94
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SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye
		Carried

RESOLUTION #9-124/2004

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

WHEREAS, the term of Kathleen Englert, Henrietta Historic Site Committee, has expired as of December 31, 2003, and

WHEREAS, Ms. Englert has requested reappointment.

THEREFORE, BE IT RESOLVED, that Kathleen Englert, 284 Brooks Road, West Henrietta, New York 14586, be reappointed to the Henrietta Historic Site Committee for the remainder of a four (4) year term effective April 22, 2004 and expiring December 31, 2007.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe voting	Aye
Councilman Mulligan voting	Aye
Councilman Yudelson voting	Aye
Councilwoman Zinck voting	Aye
Supervisor Breese voting	Aye
	Carried

RESOLUTION #9-125/2004

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

WHEREAS, there has been increased traffic at the intersection of West Henrietta Road and Telephone Road and more recently a traffic accident, and

WHEREAS, new subdivisions have been constructed, further increasing the amount of traffic and school aged children going to the Rush-Henrietta Athletic Association fields located on West Henrietta Road, and

WHEREAS, the Superintendent of Highways and the Commissioner of Public Works have identified several public safety concerns, including but not limited to traffic signalization, and

WHEREAS, the Town Board of the Town of Henrietta encourages the New York State Department of Transportation to address these concerns and to determine the feasibility of installing a tri-color traffic light in order to improve the level of safety at this intersection.

THEREFORE, BE IT RESOLVED, that the Town Board hereby requests that the New York State

additional sub-zones, and

WHEREAS, Monroe County intends to revise the County Empire Zone boundaries to encourage industrial and commercial development and to allow for the creation of an additional sub-zone in the Town of Henrietta at the locations of the American Rentals, LLC facility on Jefferson Road; 900 John Street; 50 Methodist Hill Drive, Calkins Road Business Park and 100 Lucius Gordon Drive, R.I.T. Business and Technology Park, Lot 1, and

WHEREAS, the Town of Henrietta is committed to the development of new business with the proposed sub-zone, and

WHEREAS, the Town of Henrietta wishes to support and concur with the Empire Zone revision application.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henrietta, in its capacity as governing body of the Town, does hereby support and concur with the Empire Zone of Monroe County revision application.

SUPERVISOR BREESE
Discussion?

COUNCILWOMAN McCABE
Under discussion, Mr. Supervisor, I'll be voting "no" on this until I find improvement in the Empire Zone Program itself.

SUPERVISOR BREESE
Call the roll, please.

Duly put to a vote:		
Councilwoman McCabe voting		No
Councilman Mulligan voting		Aye
Councilman Yudelson voting		Aye
Councilwoman Zinck voting		Aye
Supervisor Breese voting		Aye
		Carried

RESOLUTION #9-127/2004

On Motion of	Seconded by
Councilwoman Zinck	Councilman Yudelson

WHEREAS, true and correct copies of proposed Local Law No. 1 of 2004, Temporary Moratorium on the Subdivision of Real Property South of the New York State Thruway, were placed upon the desks of all members of the Town Board of the Town of Henrietta, New York, more than seven (7) calendar days, exclusive of Sunday, prior to the 21ST day of April, 2004, and

WHEREAS, there was duly published in a newspaper previously designated as an official newspaper

for publication of public notices, and posted upon the bulletin board maintained by the Town Clerk pursuant to §30(6) of the Town Law, a notice of Public Hearing to the effect that the Town Board would hold a Public Hearing on the 21ST day of April, 2004 at 8:00 P.M., at the Town Hall, 475 Calkins Road, Henrietta, New York, on Local Law No. 1 of 2004, Temporary Moratorium on the Subdivision of Real Property South of the New York State Thruway, and

WHEREAS, the Town Board of the Town of Henrietta has determined that proposed Local Law No. 1 of 2004 is a Type II action pursuant to 6 NYCRR Part 617 of the State Environmental Quality Review Act, and by definition, will not have a significant adverse impact on the environment, and

WHEREAS, the said Public Hearing was duly held on the 21ST day of April, 2004 at 8:00 P.M. at the Town Hall, 475 Calkins Road, Henrietta, New York, and all persons present were given an opportunity to be heard, whether speaking in favor of or against the adoption of Local Law No. 1 of 2004, Temporary Moratorium on the Subdivision of Real Property South of the New York State Thruway, and

WHEREAS, proposed Local Law No. 1 of 2004 was, pursuant to 239-m of the General Municipal Law, submitted to Monroe County Planning for review prior to the Public Hearing, and

WHEREAS, Monroe County Planning has reviewed the proposal Local Law and submitted comments which the Town has taken under advisement.

THEREFORE, BE IT RESOLVED, that Local Law No. 1 of 2004, Temporary Moratorium on the Subdivision of Real Property South of the New York State Thruway be adopted to read as annexed hereto.

BE IT FURTHER RESOLVED, that within twenty (20) days subsequent to the 21ST day of April, 2004, there shall be filed with the Secretary of State one (1) Certified Copy of said Local Law No. 1 of 2004.

SUPERVISOR BREESE

Under discussion, I think this has to be put into proper perspective of what's being done here tonight. This is not an attempt to shut down all home building south of the Thruway. We all live on former farmland, no matter who we are. We all have our homes already. I don't think any of us want to stop others from having the same right. I don't think we feel that we're supposed to pull up the draw bridge now that we have what we want. There are many people who want to realize the American dream of moving into the suburbs on what used to be farmland to build their own homes. There's nothing wrong with that. I don't believe any of us are trying to stop that. That would be wrong. All we're doing here, I think, is trying to ensure that there is a proper balance between development and preservation of open space.

COUNCILMAN MULLIGAN

Just under further discussion, one of the things I'd like to see come out of this are some bigger lots. I think these one-third ($\frac{1}{3}$), one-quarter ($\frac{1}{4}$) acre lots with the Two Hundred Thousand Dollar (\$200,000.00) house, to me, look ridiculous, and I'm not trying to be negative or critical of people that own them, but I would like to see a new category of zoning where you have an acre, or an acre and a half, similar to our neighbors to the east. That, I think, would sell in this Town. You wouldn't have as much density, but at the same time, you'd have a much more attractive subdivision.

SUPERVISOR BREESE

Thank you. Anybody else? Any comments?

COUNCILMAN YUDELSON

Mr. Supervisor, I just wanted to thank you for suggesting to the Board that we hold this Public Hearing and consider the Moratorium, because I think this is the right time to be talking about this before we're at a crisis stage. A few people mentioned the update to the Comprehensive Plan, and within that it was pointed out that still thirty (30) percent of the land in Henrietta is just undeveloped land, which is different than some of our other neighbors who are, looking at Pittsford for instance, they only have five (5) percent of the land left. But we want to be talking about these things, and now we have the Comprehensive Plan update. Councilwoman Zinck and I are working with Audubon International and other people in the community, and a sustainable community program, we're talking about the Moratorium and the things we might do. So, there's a lot of different things that we're doing to, you know, protect the future of Henrietta. So, I appreciate your bringing it to the Board.

COUNCILWOMAN ZINCK

The only other thing I'd like to add is, one of the comments made by one of the speakers earlier was to use these nine (9) months and actually take it further and examine a long range plan, and I think it's real important that we use these nine (9) months and move this forward.

SUPERVISOR BREESE

Thank you.

COUNCILWOMAN McCABE

Mr. Supervisor, through you, I'd like to comment that I like some of the ideas that were presented tonight. I like the idea of having an agricultural zoning. I like the idea of looking into first option, that the Town has first option to buy. I think that was an excellent idea, and I also like the idea of five (5) acres for homes in the area. I think this Town can sustain a rural type five (5) acres if there's going to be development. We have all different kinds of lot sizes, and I think one of the things that we can do to keep it a little more open in the southern part of Town is consider five (5) acre lots. Thank you.

SUPERVISOR BREESE

Thank you. Anybody else? If not, call the roll, please.

Duly put to a vote:

Councilwoman McCabe voting	Aye
Councilman Mulligan voting	Aye
Councilman Yudelson voting	Aye
Councilwoman Zinck voting	Aye
Supervisor Breese voting	Aye
	Carried

RESOLUTION #9-128/2004

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

BE IT RESOLVED, that the following persons be hired:

Travis Clinton Engineering, Full-time Engineering Assistant @ \$15.50/hr., effective 4/26/2004.

Stephen Chase Code/Building - Full-time Assistant Building Inspector @ \$38,000.00/yr., effective 4/27/2004.

Parks and Facilities Summer Seasonals, as per the attachment.

BE IT FURTHER RESOLVED, that the following employee change be made:

Jeremy DeFilippo Engineering, Part-time Engineering Aid, from \$9.75/hr. to \$10.25/hr., effective 5/2/2004.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye
		Carried

SUPERVISOR BREESE

That's the end of the Regular meeting. Before we adjourn, would anybody else like to speak on anything else involving the Town of Henrietta? Yes, Sir?

ROBERT GOLDSTEIN, 29 HORSESHOE LANE SOUTH

Mr. Supervisor, members of the Board. I have a question about this particular Local Law that was just adopted. As I read the Law, I understand there are two (2) things that are in addition to just the Moratorium. One is that, if an individual has something in the pipeline, that will not be prevented from going forward under this Law, and that there is a provision for people to appeal if they're going to suffer any significant economic direct damage, and it will be up to the Town Board to make a judgment about that as to whether not that's a reasonable basis for an appeal. My question is, what happens if someone submits an application during the twenty (20) days before this Law is put into effect?

SUPERVISOR BREESE

We won't accept an application.

ROBERT GOLDSTEIN, 29 HORSESHOE LANE SOUTH

Okay. So, it's as of the time of this adoption?

SUPERVISOR BREESE

Yes.

ROBERT GOLDSTEIN, 29 HORSESHOE LANE SOUTH
Okay. Thank you very much.

SUPERVISOR BREESE

Good question. Thank you. Anybody else before we adjourn? Yes, Mam?

RACHEL WARREN, 59 TOMAHAWK TRAIL

I'm really sad that some of the responses were made to some of the things that people have said here tonight. John Schmitt raised a very important issue about our having some of the richest agricultural land in the world, and we have a water supply here, and that there is going to be a grain crisis in probably two (2) years, and that we're still talking about building houses. There's plenty of housing stock in this area. The population is not growing. There are plenty of options and choices for people to have a home, and I think we need to change the way we're thinking about what we're doing, folks.

SUPERVISOR BREESE

So, you don't want any more houses, is that right?

RACHEL WARREN, 59 TOMAHAWK TRAIL

Mr. Breese, I'm talking about . . .

SUPERVISOR BREESE

Well, it's just a yes or no answer.

RACHEL WARREN, 59 TOMAHAWK TRAIL

No, there is no "yes or no" answer to that question.

SUPERVISOR BREESE

Tell me about it.

RACHEL WARREN, 59 TOMAHAWK TRAIL

There's not a "yes or no" answer. The issue is growing food is going to reach crisis proportion in not a very long time, and when we talk about using five (5) acre lots, then we're talking about more fertilizers going to our streams because people are doing lawn care and stuff like that, and we're expanding the infrastructure in order to accommodate five (5) acre lots now. It's not a good use of land, I'm sorry.

SUPERVISOR BREESE

Okay.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Thank you.

SUPERVISOR BREESE

We understand you're point of view. We don't agree with it necessarily, but we understand it.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Well, I think that perhaps Mrs. Zinck should lend you Plan B to read and maybe you will understand what we're talking about.

SUPERVISOR BREESE

No more houses, I know. Anybody else? Yes?

CHARLIE LOOKUP, 49 WARD HILL ROAD

I want to thank you for voting for the Moratorium this evening. I also appreciate, in that Moratorium, listing the hardship clause. As I think all of you know, and many people behind me know that I own Executive South Family Golf Center, and for the last six (6) years I've been trying to sell, and all the infrastructure necessary to develop that into homes or other purposes is in place already. I hopefully will not have to go that route and request anything of that nature, because, of course, the Henrietta Foundation is looking strongly at buying our facility. But I appreciate that hardship clause. Thank you.

COUNCILMAN MULLIGAN

Charlie, I've got a hardship. Our eleven (11) year old lost thirteen (13) golf balls at your course yesterday. I need cheap golf balls. *(Laughter)* Or something that will float. Can we talk later, please?

SUPERVISOR BREESE

You guys talk about it in the hallway, okay? Anybody else? *(Pause - no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman McCabe at 8:40 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson
Deputy Town Clerk