

**HENRIETTA TOWN BOARD  
AGENDA  
MAY 19, 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) - May 5, 2004
6. Miscellaneous Communications
7. Introduction of and Action Upon Local Laws, Ordinances, Resolutions
8. Reports of Standing Committees and Actions Thereon
9. Reports of Special Committees
10. Public Comment
11. Adjournment

PRESENTATION OF ANTOINETTE BROWN BLACKWELL AWARDS - Helen Elam

RESOLUTION #11-137/2004  
Authorize Accounts Payable

RESOLUTION #11-138/2004  
Authorize Professional Services - Behan Planning Associates, LLC

RESOLUTION #11-139/2004  
Authorize Installation of New "Welcome to the Town of Henrietta" Signs

RESOLUTION #11-140/2004  
Declare Week of May 16<sup>TH</sup> Through May 22<sup>ND</sup> "Women's Week"

RESOLUTION #11-141/2004  
Award Low Bid - Asbestos Abatement of the Former Sewage Treatment Plant: Administration, Garage and Digester Buildings at 100 Karenlee Drive

RESOLUTION #11-142/2004  
Authorize Change Order for MRB Group - Country Hill Estates and Southern Hills Manor

RESOLUTION #11-143/2004  
Authorize Supervisor to Sign Amended Agreements - Rochester Gas and Electric - Clay Road Connection to Gravely Road Project

RESOLUTION #11-144/2004  
Award Town's Life Insurance

RESOLUTION #11-145/2004

Authorize Budget Transfers - Library

RESOLUTION #11-146/2004

Declare Items Surplus Materials - Library

RESOLUTION #11-147/2004

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 19<sup>TH</sup> DAY OF MAY, 2004 AT 8:00 P.M.

**MEMBERS PRESENT**

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

**MEMBERS ABSENT**

SUPERVISOR BREESE

Is there anybody that would like to speak on any regular agenda items at this time? Just the regular agenda items? Yes, Sir.

JOHN SCHMITT, 66 FAWN RIDGE ROAD

I'm up here just to pose a question regarding a Resolution for tonight, number one thirty-eight (138) with the Behan Planning Associates, wondering, is there going to be any opportunity for some of the local citizens to participate in that contract and plan like there was with the Comprehensive Land Use Plan?

SUPERVISOR BREESE

Well, the plan is for Behan Associates to conduct one (1) or two (2) what they call public information workshops. People will have an opportunity to give their opinion.

JOHN SCHMITT, 66 FAWN RIDGE ROAD

Okay.

SUPERVISOR BREESE

That's the way this should work.

JOHN SCHMITT, 66 FAWN RIDGE ROAD

Okay. There's just a tremendous amount learned when they open that up, and that's what I hope that continues to do. The more people that know more about the Town, it helps everybody. Thank you.

SUPERVISOR BREESE

Okay. Thank you. Anybody else on just agenda items at this time? *(Pause - no response)* If not, before we go to Ms. Elam, may I have the approval of the Minutes, please.

COUNCILWOMAN McCABE

Mr. Supervisor, I move we approve the Minutes of May 5, 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

At this time, we have a very auspicious annual occasion, the presentation of the Antoinette Brown Blackwell Awards. I'd like to turn this over to Helen Elam. Helen?

*(Verdell Tedder Robbins, 2003 Award Winner, presented the 2004 Henrietta Woman of the Year Award to Yvonne Thorne; Alva Marticelli, Scholarship Chairperson, presented the 2004 Scholarship to Meghan Gilligan)*

SUPERVISOR BREESE

Thank you, Helen. Thank you, award winners. Congratulations. This is always an event that we look forward to every year, and if you would like, you can leave for a couple of minutes - we have some business to do here at the Town level, but we'll be out to join you shortly. May I have the first Resolution, please.

RESOLUTION #11-137/2004

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 5/19/2004	\$ 240,600.53
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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 #11-138/2004

On Motion of  
Supervisor Breese

Seconded by  
Councilwoman Zinck

WHEREAS, Behan Planning Associates, LLC, 2165 Brighton-Henrietta Town Line Road, Rochester, New York 14623, has submitted to the Town of Henrietta a proposal dated May 12, 2004, a copy of which is on file in the Town Clerk's Office, and

WHEREAS, the proposed scope of services, as more fully detailed therein, is for the creation of new land use regulations for the Town of Henrietta south of the New York State Thruway.

THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized, on behalf of the Town of Henrietta, to execute the Professional Services proposal with Behan Planning Associates, LLC, for a total cost not to exceed \$20,000.00 at the hourly billing rates set forth in said proposal.

BE IT FURTHER RESOLVED, that the Director of Finance is hereby authorized to pay Behan Planning Associates, LLC, for Professional Services performed at the rates set forth in said proposal upon satisfactory completion and acceptance of the services.

SUPERVISOR BREESE

Just under discussion, I think this Resolution shows that the Town Board is serious about this effort to take a very close look at what's going on in the southern part of Henrietta and to come up with some ideas and recommendations in terms of what should be done with that part of Henrietta. So, I would urge the Board to support this. I think it's important that people know that, as I said, that we're serious about this effort. 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 #11-139/2004

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Mulligan

WHEREAS, the Henrietta Town Board is committed to ever improving the image of the Town of Henrietta, and

WHEREAS, many surrounding towns have begun to install updated signage marking the entrances to their towns and villages, and

WHEREAS, installing attractive, well landscaped signage would provide a positive image for those entering the Town of Henrietta and give a sense of pride for residents.

THEREFORE, BE IT RESOLVED, that the Town Board will order and install new signs that will be properly landscaped and located at both the north entrance on East Henrietta Road and at the south entrance on West Henrietta Road.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay the vendor upon receipt of all proper documentation.

SUPERVISOR BREESE

Discussion?

COUNCILMAN MULLIGAN

Just under discussion, to follow up on what Cathy mentioned the other night, the Chamber of Commerce, for a number of years, has talked about doing signage like this. I believe Debbie Stendardi mentioned to Councilwoman McCabe that the Chamber would like to contribute, and in the name of minimizing expense as well as doing things in a collaborative, conciliatory manor, I think the appropriate people should contact the Chamber on this.

SUPERVISOR BREESE

Well, Debbie's not the President anymore, right?

COUNCILMAN MULLIGAN

The current President is Greg Lull, who manages Weider's, but Debbie may be the best contact because she wanted to do this ten (10) years ago.

SUPERVISOR BREESE

Right. Well, we'll contact her.

COUNCILMAN MULLIGAN

We appreciate it.

SUPERVISOR BREESE

We'll see what they can come up with.

COUNCILMAN MULLIGAN

Thanks, Cathy.

SUPERVISOR BREESE

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 #11-140/2004

On Motion of

Seconded by

Councilwoman McCabe

Councilwoman Zinck

WHEREAS, women are a major part of the citizenry of the Town of Henrietta, and

WHEREAS, the contributions of the Town’s women residents are many and varied, and deserve recognition.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henrietta, in recognition of women, declares the week of May 16<sup>TH</sup> through May 22<sup>ND</sup> “Women’s Week” throughout the Town.

SUPERVISOR BREESE

Discussion?

COUNCILWOMAN ZINCK

Does that mean you’re going to be nice to us this week, Jim?

COUNCILWOMAN McCABE

Ha! *(Laughter)* Sorry.

SUPERVISOR BREESE

I heard that.

COUNCILMAN MULLIGAN

The answer’s no.

SUPERVISOR BREESE

Of course I’m going to be nice.

COUNCILMAN YUDELSON

I would like to know why Janet and Cathy got to introduce this.

COUNCILWOMAN McCABE

You didn’t offer. *(Laughter)*

SUPERVISOR BREESE

I had nothing to do with it. I wasn’t asked, and I have no problem. I think it’s a great Resolution. Let’s 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 #11-141/2004

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, Resolution #8-115/2004 authorized the advertisement for bids on the Asbestos Abatement of the Former Sewage Treatment Plant: Administration, Garage and Digester Buildings at 100 Karenlee Drive for the removal and proper disposal of asbestos, and

WHEREAS, two (2) bids were received, and the low bid, meeting specifications, was received from Environmental Remediation Services, Inc. for a total cost of \$43,125.00.

THEREFORE, BE IT RESOLVED, that Environmental Remediation Services, Inc., 311 Rotterdam Industrial Park, Schenectady, New York 12306, be hereby awarded the bid at a cost not to exceed \$43,125.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Environmental Remediation Services, Inc. in an amount not to exceed \$43,125.00 upon successful completion of said work and acceptance by the Director of Engineering and Planning.

SUPERVISOR BREESE  
Discussion?

COUNCILMAN MULLIGAN  
Just one comment. It's sad that a job of this magnitude, there isn't one Monroe County business that would bid competitively on this.

SUPERVISOR BREESE  
I'm not sure of the reason. I think it's perhaps partly because it's a very specialized field and this is what you get. Either we approve it, or we don't.

COUNCILMAN MULLIGAN  
How specialized can removing asbestos be?

COUNCILWOMAN ZINCK  
Oh, it is.

COUNCILWOMAN McCABE  
Very.

COUNCILWOMAN ZINCK  
Oh, very.

SUPERVISOR BREESE  
That's a rather impolite question to ask me.

COUNCILWOMAN ZINCK

A lot of health dangers if they don't do it right.

COUNCILMAN MULLIGAN

You've been talking to McCabe too much . . .

SUPERVISOR BREESE

In any event . . .

COUNCILMAN MULLIGAN

. . . the polite thing.

SUPERVISOR BREESE

Well, it just shows I have a sense of humor.

COUNCILMAN MULLIGAN

You two ought to get together.

SUPERVISOR BREESE

No. I think we have to deal with what we have in front of us, and apparently it is specialized, Bill. Let's go forward. It's got to get done anyway. 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 #11-142/2004

On Motion of  
Councilman Yudelson

Seconded by  
Councilwoman McCabe

WHEREAS, Resolution #12-180/2002 authorized professional engineering services for the Country Hill Estates and Southern Hills Manor Sanitary Sewer Project in the amount of \$45,800.00, and

WHEREAS, during the final design phase, additional work will be necessary in order to satisfy the New York State Environmental Facilities Corporation (EFC) requirements and new New York State Stormwater Regulations, and

WHEREAS, Change Order No. 1 provides for the additional professional engineering services necessary to complete the final design phase and obtaining final approvals from EFC, and

WHEREAS, the Director of Engineering and Planning has reviewed and approved the proposed

change of this Contract and recommends that this be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the Town Supervisor, on behalf of the Town, be and hereby is authorized to execute Change Order No. 1, increase of \$13,600.00, resulting in increasing the total Contract amount to \$59,400.00.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay MRB Group, 2480 Browncroft Boulevard, Rochester, New York 14625, upon successful completion of this Project and acceptance by the Director of Engineering and Planning.

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 #11-143/2004

On Motion of  
Councilwoman McCabe

Seconded by  
Councilman Mulligan

WHEREAS, Resolution #21-255/2003 authorized the Supervisor to execute and deliver the Agreements by and between the Town of Henrietta and Rochester Gas and Electric Corporation (RG&E), to provide reimbursement costs to Rochester Gas and Electric Corporation (RG&E), for removal, relocation, replacement, or reconstruction of utility facilities, in connection with the Clay Road Bridge Project over CSX Railroad Line, P.I.N. 4753.47, and

WHEREAS, changes in the original scope of services will require additional relocation of utility poles and facilities which will increase the construction costs by Rochester Gas and Electric Corporation (RG&E) in the amount of \$49,500.00, and

WHEREAS, the Town Attorney has examined these amended Agreements and has found them to be in good order, and

WHEREAS, the Director of Engineering and Planning has determined that the said amended Agreements between the Town of Henrietta and Rochester Gas and Electric Corporation (RG&E), is required for continuation of the Construction Phase and recommends acceptance by the Town.

THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute and deliver said

amended Agreements to provide Compensation and Utility Work Agreement by and between the Town of Henrietta and Rochester Gas and Electric Corporation (RG&E).

BE IT FURTHER RESOLVED, that the sum of One Hundred Twenty Thousand Dollars (\$120,000.00) is hereby appropriated from the Town Board and made available to cover the construction costs by Rochester Gas and Electric Corporation (RG&E), for this Project.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Rochester Gas and Electric Corporation (RG&E), in an amount not to exceed One Hundred Twenty Thousand Dollars (\$120,000.00), under the stipulations specified in said amended Agreements and a portion of said amount, approximately ninety-five (95) percent, can be refunded to the Town, pursuant to the Contract with the New York State Department of Transportation.

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 #11-144/2004

On Motion of  
Councilwoman McCabe

Seconded by  
Councilman Yudelson

WHEREAS, quotes for the Town's Life Insurance were requested by the Director of Finance, and

WHEREAS, five (5) quotes were received and evaluated.

THEREFORE, BE IT RESOLVED, that Christopher Williams Agency, 26 South Main Street, Pittsford, New York 14534, submitted the lowest quote and appears well-qualified, and is hereby awarded the Town's Life Insurance effective June 1, 2004, through The Standard in the amount of \$17,880.00 per year, this rate being set for twenty-four (24) months.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay The Standard in an amount not to exceed \$17,880.00 per year, upon receipt of proper documentation.

SUPERVISOR BREESE

Just under discussion, I want to compliment Paul Liess, our Director of Finance, for his work on this project which, if approved, will save us about Four Thousand Dollars (\$4,000.00) a year from our current costs.

COUNCILMAN MULLIGAN

Just to echo those same thoughts. I think Paul is, since he came here a couple of years ago now, has scrutinized everything in terms of how we do business and where we spend the money, and he has a great deal of fiscal discipline, and I think the Board and the Administration are very fortunate to have him.

SUPERVISOR BREESE

Thank you. 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 #11-145/2004

On Motion of  
Councilwoman Zinck

Seconded by  
Councilwoman McCabe

WHEREAS, the Board of Trustees of the Henrietta Public Library has requested the following year 2004 Budget transfers:

- Increase line item 05-7410-470 BFR (money received for lost & damaged materials) by \$1,905.41
- Increase line item 05-7410-470 UMS (money to pay collection agency) by \$704.95
- Increase line item 05-7410-200 (Equipment) by \$734.17
- Increase line item 05-7410-459 (J Books) by \$250.00

THEREFORE, BE IT RESOLVED, that the Director of Finance be hereby authorized to make said Budget transfers.

SUPERVISOR BREESE

What's a "J" Book?

COUNCILWOMAN ZINCK

Probably, what's the word?

SUPERVISOR BREESE

I don't know.

COUNCILMAN MULLIGAN

Juvenile?

COUNCILWOMAN ZINCK

Not juvenile. Like teens, I don't know what the "J" stands for.

SUPERVISOR BREESE

Okay. 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 #11-146/2004

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Mulligan

WHEREAS, the Library Board of Trustees have requested that the following items be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
819	Forty-seven (47) metal stacking chairs
824	Stacking dolly

THEREFORE, BE IT RESOLVED, that the items described above be declared surplus materials and be sent to the Parks and Facilities Department for disposal.

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 #11-147/2004

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

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

Karen McArthur Recreation, Assistant Recreation & Youth Bureau Director, from provisional to permanent @ same rate of pay (passed Civil Service Exam).

SUPERVISOR BREESE  
Discussion?

COUNCILWOMAN ZINCK  
I'd just like to congratulate Karen. The Civil Service test is not an easy thing to pass. So, good for her.

SUPERVISOR BREESE  
Good comment. You're right. Call the roll, please.

Duly put to a vote:

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

SUPERVISOR BREESE  
That's the end of the Regular Meeting. Before we adjourn, is there anybody that would like to speak on any other items involving the Town of Henrietta? *(Pause - no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilman Mulligan at 8:50 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson  
Deputy Town Clerk