

**HENRIETTA TOWN BOARD  
AGENDA  
AUGUST 18, 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) - July 21, 2004
6. Miscellaneous Communications
7. Public Hearings:
  - Proposed Establishment of Extension No. 142 (95 Saginaw Drive) to Henrietta Water District No. 1
  - Proposed Establishment of Extension No. 184 (95 Saginaw Drive) to Henrietta Sewer District No. 1
  - Proposed Establishment of Extension No. 185 (Word of Life/Al Sigl Center) to Henrietta Sewer District No. 1
  - Proposed Establishment of Extension No. 170 (Country Hill Estates and Southern Hills Manor) to Henrietta Sewer District No. 1
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 #15-184/2004  
Authorize Accounts Payable

RESOLUTION #15-185/2004  
Recognize Dave Moriarty - Cal Ripken Baseball League Award Recipients

RESOLUTION #15-186/2004  
Authorize Tax Certiorari Settlement - Frito-Lay, Inc.

RESOLUTION #15-187/2004  
Authorize Tax Certiorari Settlement - Jay Birnbaum Company and Benderson 85-1 Trust

RESOLUTION #15-188/2004  
Authorize Proposed Establishment of Extension No. 142 (95 Saginaw Drive) to Henrietta Water District No. 1

RESOLUTION #15-189/2004  
Authorize Proposed Establishment of Extension No. 184 (95 Saginaw Drive) to Henrietta Sewer District No. 1

RESOLUTION #15-190/2004

Authorize Proposed Establishment of Extension No. 185 (Word of Life/Al Sigl Center) to Henrietta Sewer District No. 1

RESOLUTION #15-191/2004

Authorize Proposed Establishment of Extension No. 170 (Country Hill Estates and Southern Hills Manor) to Henrietta Sewer District No. 1

RESOLUTION #15-192/2004

Accept Lead Agency Status Under SEQRA for Extension No. 170 (Country Hill Estates and Southern Hills Manor) to Henrietta Sewer District No. 1

RESOLUTION #15-193/2004

Accept Dedication of Roadway and Storm Sewers - Ashbrook Subdivision, Section Five (5)

RESOLUTION #15-194/2004

Authorize Supervisor to Sign Abandonment of Easement - 143 Fitzpatrick Trail

RESOLUTION #15-195/2004

Award Bid - Fabrication and Delivery of Senior Center Building Addition

RESOLUTION #15-196/2004

Award Low Bid - Lifting of Horse Barn at the Tinker Homestead

RESOLUTION #15-197/2004

Authorize Advertisement for Bids - Henrietta Senior Center Building Addition Foundation Project

RESOLUTION #15-198/2004

Authorize Attendance at Youth Sports Congress Conference

RESOLUTION #15-199/2004

Declare Items Surplus Materials

RESOLUTION #15-200/2004

Authorize Designation of Official Town Bank

RESOLUTION #15-201/2004

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 18<sup>TH</sup> DAY OF AUGUST, 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  
Daniel J. Mastrella, Town Attorney  
Patricia J. Shaffer, Town Clerk

**MEMBERS ABSENT**

Councilwoman Janet B. Zinck

SUPERVISOR BREESE

Is there anybody that would like to speak on agenda items other than the Public Hearings? Just agenda items at this time? *(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 July 21, 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	Absent
Supervisor Breese voting	Aye
	Carried

SUPERVISOR BREESE

We have several Public Hearings. The first one is the proposed establishment of Extension No. 142. Has this been properly advertised?

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir.

SUPERVISOR BREESE

Does anyone want to speak on this particular Public Hearing? *(Pause - no response)* If not, I'll adjourn the Public Hearing. The second one is the proposed establishment of Extension No. 184 to the Henrietta Sewer District. Has this been advertised?

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir.

SUPERVISOR BREESE

Does anyone want to speak on this particular Public Hearing? *(Pause - no response)* If not, I'll adjourn it. The proposed establishment of Extension No. 185 to the Henrietta Sewer District No. 1. Has this been advertised?

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir.

SUPERVISOR BREESE

Does anyone want to speak on this particular matter? *(Pause - no response)* If not, I'll adjourn the Hearing. Finally, the proposed establishment of Extension No. 170, Country Hill Estates, to the Henrietta Sewer District No. 1. Does anyone want to speak on this Public Hearing, which I presume has been properly advertised?

PATRICIA SHAFFER, TOWN CLERK

That's correct.

SUPERVISOR BREESE

*(Pause - no response)* If not, I'll adjourn this Public Hearing. May I have the first Resolution, please.

RESOLUTION #15-184/2004

On Motion of  
Councilwoman McCabe

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 8/18/2004	\$ 825,783.74
EXHIBIT B	Manual Bills Payable	\$ 74,284.34

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	Absent
Supervisor Breese voting	Aye
	Carried

RESOLUTION #15-185/2004

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Yudelson

WHEREAS, Dave Moriarty, Senior Recreation Supervisor, has coached a wide range of sports in the Town of Henrietta for the past twenty-five (25) years, and

WHEREAS, Dave has been the head coach of the Rush-Henrietta Rock Hounds for the last four (4) years, and the Rock Hounds play in the Monroe County Cal Ripken League, and

WHEREAS, the Monroe County Cal Ripken League has won the New York State Championship for the last two (2) years, and

WHEREAS, a number of the players on the championship team also played on the Rush-Henrietta Rock Hounds team.

THEREFORE, BE IT RESOLVED, that Dave Moriarty and his Monroe County Cal Ripken Championship Team be recognized by the Henrietta Town Board for two (2) outstanding seasons.

SUPERVISOR BREESE  
Discussion?

COUNCILMAN MULLIGAN

Yes. Just under discussion, Dave is here tonight, and maybe Dave, you could introduce your players, and I know some of your coaches are here, as well as your loyal parents.

SUPERVISOR BREESE  
David, come up here.

DAVE MORIARTY  
*(From audience - inaudible).*

SUPERVISOR BREESE  
Yes. Absolutely, Dave. You're in charge right now, Dave. Enjoy it while it lasts. *(Laughter)*

DAVE MORIARTY  
Okay. First of all, Bill, thank you. I appreciate the recognition of the team. Certainly it's the boys that really do it. So, I'd like to recognize our players - Shawn Corrigan.

SUPERVISOR BREESE  
Stand up.

DAVE MORIARTY  
Shawn, if you would. Kyle Abbott, Michael Burns, and I do have two (2) of my coaches - Mike Burns and Larry Abbott, coaches of the team. Again, thank you. I appreciate the recognition. *(Applause)*

SUPERVISOR BREESE

Good job, Dave, and all of you folks. That's great. Call the roll, please.

Duly put to a vote:

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

#### RESOLUTION #15-186/2004

On Motion of  
Councilman Yudelson

Seconded by  
Councilwoman McCabe

WHEREAS, Frito-Lay, Inc. heretofore commenced proceedings against the Assessor and the Board of Assessment Review and other respondents for a review of the Assessments for the years 2002 and 2003 on premises located at 472 Summit Point Drive in the Town of Henrietta, being Tax Account Number 175.03-1-43.1, and

WHEREAS, negotiations have been had between the Attorney for the Town and the Attorneys for the Petitioner in an attempt to settle and compromise Petitioner's claim, and

WHEREAS, after such negotiations, tentative agreement has been reached between all parties on the terms of a proposed settlement subject to the approval of the Town Board and to the approval of the Supreme Court of the State of New York, which terms of settlement are set forth in the stipulations on file in the Office of the Town Assessor, and

WHEREAS, upon due consideration of all facts and circumstances, the Town Board finds that the proposed compromise and settlement is fair and reasonable and should be approved.

THEREFORE, BE IT RESOLVED, that the proposed settlement of the Tax Certiorari proceedings brought by Frito-Lay, Inc. for the years 2002 and 2003 be and hereby are approved.

BE IT FURTHER RESOLVED, that the Attorney representing the Town be and hereby is directed to make application to the Supreme Court of the State of New York for approval of such settlement and that upon obtaining such approval, the Assessor of the Town of Henrietta be and he hereby is directed to make the necessary adjustments in the Assessment Rolls for the Town of Henrietta to reflect the terms of such settlement.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

RESOLUTION #15-187/2004

On Motion of  
Councilwoman McCabe

Seconded by  
Councilman Mulligan

WHEREAS, Jay Birnbaum Company and Benderson 85-1 Trust heretofore commenced proceedings against the Assessor and the Board of Assessment Review and other respondents for a review of the Assessments for the years 2001, 2002 and 2003 on premises located at 300 Jay Scutti Boulevard in the Town of Henrietta, being Tax Account Number 161.08-1-18, and

WHEREAS, negotiations have been had between the Attorney for the Town and the Attorneys for the Petitioners in an attempt to settle and compromise Petitioners' claims, and

WHEREAS, after such negotiations, tentative agreement has been reached between all parties on the terms of a proposed settlement subject to the approval of the Town Board and to the approval of the Supreme Court of the State of New York, which terms of settlement are set forth in the stipulations on file in the Office of the Town Assessor, and

WHEREAS, upon due consideration of all facts and circumstances, the Town Board finds that the proposed compromise and settlement is fair and reasonable and should be approved.

THEREFORE, BE IT RESOLVED, that the proposed settlement of the Tax Certiorari proceedings brought by Jay Birnbaum Company and Benderson 85-1 Trust for the years 2001, 2002 and 2003 be and hereby are approved, subject to the discontinuance of the filed 2004 certiorari action, State of New York Supreme Court Index #2004/8537, at the Petitioner's expense.

BE IT FURTHER RESOLVED, that the Attorney representing the Town be and hereby is directed to make application to the Supreme Court of the State of New York for approval of such settlement and that upon obtaining such approval, the Assessor of the Town of Henrietta be and he hereby is directed to make the necessary adjustments in the Assessment Rolls for the Town of Henrietta to reflect the terms of such settlement.

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	Absent
Supervisor Breese	voting	Aye

Carried

RESOLUTION #15-188/2004

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Yudelson

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IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 142 (95 SAGINAW DRIVE) TO HENRIETTA WATER DISTRICT NO. 1 LOCATED SOUTH OF JEFFERSON ROAD AT 95 SAGINAW DRIVE IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 142 (95 SAGINAW DRIVE) TO HENRIETTA WATER DISTRICT NO. 1

WHEREAS, a written Petition for the establishment of an extension to Henrietta Water District No. 1 in the Town of Henrietta, County of Monroe, New York, to be known as Extension No. 142 (95 Saginaw Drive) of said Water District was duly presented to this Town Board, together with the necessary map and plan attached thereto, and

WHEREAS, pursuant to an Order, a Public Hearing was held on the Petition and the findings as specified in Exhibit "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 142 to the said Water District as proposed in said Petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such extension shall be designated and known as Extension No. 142 to Henrietta Water District No. 1 and shall be bounded and described in attachments annexed hereto.

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this Resolution, file Certified copies thereof in duplicate with the Office of the State Department of Audit and Control in Albany, New York.

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	Absent
Supervisor Breese	voting	Aye
		Carried

RESOLUTION #15-189/2004

On Motion of  
Councilman Yudelson

Seconded by  
Councilwoman McCabe

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IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 184 (95 SAGINAW DRIVE) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED SOUTH OF JEFFERSON ROAD AT 95 SAGINAW DRIVE IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 184 (95 SAGINAW DRIVE) TO HENRIETTA SEWER DISTRICT NO. 1

WHEREAS, a written Petition for the establishment of an extension to Henrietta Sewer District No. 1 in the Town of Henrietta, County of Monroe, New York, to be known as Extension No. 184 (95 Saginaw Drive) of said Sewer District was duly presented to this Town Board, together with the necessary map and plan attached thereto, and

WHEREAS, pursuant to an Order, a Public Hearing was held on the Petition and the findings as specified in Exhibit "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 184 to the said Sewer District as proposed in said Petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such extension shall be designated and known as Extension No. 184 to Henrietta Sewer District No. 1 and shall be bounded and described in attachments annexed hereto.

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this Resolution, file Certified copies thereof in duplicate with the Office of the State Department of Audit and Control in Albany, New York.

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	Absent
Supervisor Breese voting	Aye
	Carried

RESOLUTION #15-190/2004

On Motion of  
Councilwoman McCabe

Seconded by  
Councilman Mulligan

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IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 185 (WORD OF LIFE/AL SIGL CENTER) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED WEST OF PINNACLE ROAD ON WINTON ROAD SOUTH AND NORTH OF CASTLE ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 185 (WORD OF LIFE/AL SIGL CENTER) TO HENRIETTA SEWER DISTRICT NO. 1

WHEREAS, a written Petition for the establishment of an extension to Henrietta Sewer District No. 1 in the Town of Henrietta, County of Monroe, New York, to be known as Extension No. 185 (Word of Life/Al Sigl Center) of said Sewer District was duly presented to this Town Board, together with the necessary map and plan attached thereto, and

WHEREAS, pursuant to an Order, a Public Hearing was held on the Petition and the findings as specified in Exhibit "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 185 to the said Sewer District as proposed in said Petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such extension shall be designated and known as Extension No. 185 to Henrietta Sewer District No. 1 and shall be bounded and described in attachments annexed hereto.

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this Resolution, file Certified copies thereof in duplicate with the Office of the State Department of Audit and Control in Albany, New York.

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	Absent
Supervisor Breese	voting	Aye
		Carried

RESOLUTION #15-191/2004

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Yudelson

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IN THE MATTER OF THE ESTABLISHMENT OF EXTENSION NO. 170 (COUNTRY HILL ESTATES AND SOUTHERN HILLS MANOR) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED ON THE EAST SIDE OF EAST HENRIETTA ROAD AND SOUTH OF WARD HILL ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 170 (COUNTRY HILL ESTATES AND SOUTHERN HILLS MANOR) TO HENRIETTA SEWER DISTRICT NO. 1

WHEREAS, a map, plan and report for the establishment of an extension to Henrietta Sewer District No. 1 in the Town of Henrietta, County of Monroe, New York to be known as Extension No. 170 (Country Hill Estates and Southern Hills Manor) of said Sewer District was duly filed in the Town Clerk's Office, and

WHEREAS, pursuant to an Order, a Public Hearing was held on the proposal and the findings as specified on Exhibit "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 170 to the said Sewer District as proposed in said map, plan and report be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such extension shall be designated and known as Extension No. 170 to Henrietta Sewer District No. 1 and shall be bounded and described in attachments annexed hereto.

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this Resolution, file Certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York.

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	Absent
Supervisor Breese voting	Aye
	Carried

RESOLUTION #15-192/2004

On Motion of  
Councilman Yudelson

Seconded by  
Councilwoman McCabe

WHEREAS, the Town Board has received a map, plan and report for the establishment of an extension to Henrietta Sewer District No. 1 to be known as Extension No. 170 (Country Hill Estates and Southern Hills Manor), and

WHEREAS, a map, plan and report for this Project under consideration is on file in the Office of the Town Clerk, and

WHEREAS, consideration of this proposed Project by the Henrietta Town Board exceeds one or more thresholds for a Type I Action, as stated by Section 617.4 of the New York State Environmental Quality Review Act (SEQRA), and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA) such an Action is a Type I Action, and

WHEREAS, an Environmental Assessment Form (EAF) has been prepared for this proposed Project,  
and

WHEREAS, the Henrietta Town Board declared its intent to be the Lead Agency for the environmental  
quality review, and

WHEREAS, the Henrietta Town Board is the sole approval board or agency affected by this action,  
and

WHEREAS, the Henrietta Town Board has taken a hard look at the environmental issues raised by  
this Project, pursuant to Section 617.6 of SEQRA.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board does formally designate itself and  
accepts Lead Agency status for the environmental review of the described Project under the State  
Environmental Quality Review Act (SEQRA) and has determined that the proposed action therein described  
will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be  
required and therefore issues a negative declaration.

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	Absent
Supervisor Breese	voting	Aye
		Carried

RESOLUTION #15-193/2004

On Motion of  
Councilwoman McCabe

Seconded by  
Councilman Yudelson

WHEREAS, Forest Creek Equity Development Corporation, the Developer of Ashbrook Subdivision,  
Section Five (5) (located on Fitzpatrick Trail) has constructed a road and installed storm sewers in said  
subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said roads and the  
aforescribed improvements to the Town of Henrietta and for this purpose has delivered to the Town of  
Henrietta a deed for tracts or parcels of land conveying said roadway to the Town for said improvements,  
and

WHEREAS, the Town Attorney has examined the deed and easements and has found them to be in good order, and

WHEREAS, the Superintendent of Highways and the Director of Engineering and Planning have determined that the road and said improvements were built in accordance with Town requirements and have recommended that they be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said roadway and said improvements for the described subdivision section be and they hereby are accepted and that said deed and easements be recorded in the Monroe County Clerk's Office.

BE IT FURTHER RESOLVED, that such acceptance is made subject to the Developer, or its representative, filing with the Town of Henrietta a sum of Thirteen Thousand Three Hundred Dollars (\$13,300.00) for a period of two (2) years.

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	Absent
Supervisor Breese	voting	Aye
		Carried

RESOLUTION #15-194/2004

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Yudelson

WHEREAS, the property owner at 143 Fitzpatrick Trail has a residential dwelling currently occupying a portion of an existing Town sanitary sewer easement recorded in Liber 9447 of Deeds, Page 659, and

WHEREAS, the release of said portion of the sanitary sewer is necessary for the sale of property being identified as Tax Identification No. 189.03-3-46, and

WHEREAS, the described portion of this existing sanitary sewer easement is no longer needed by the Town, and

WHEREAS, the Town Attorney and the Director of Engineering and Planning have reviewed the Abandonment of Easement and recommended that the Town of Henrietta consent to and execute said Abandonment.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to execute the Abandonment of Easement which shall be filed in the Monroe County Clerk's Office.

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	Absent
Supervisor Breese	voting	Aye
		Carried

RESOLUTION #15-195/2004

On Motion of  
Councilman Yudelson

Seconded by  
Councilwoman McCabe

WHEREAS, Resolution #14-179/2004 authorized the advertisement for bids for the Fabrication and Delivery of one (1) 80' x 30' laminated Inland Cedar building addition to match existing portions of the Henrietta Senior Center at 515 Calkins Road, and

WHEREAS, one (1) bid was received, and the bid, meeting specifications, was received from Cedar Forest Products for the total cost of \$90,041.00.

THEREFORE, BE IT RESOLVED, that Cedar Forest Products, 1008 South Division, Box 98, Polo, Illinois 61064, be hereby awarded the bid at a cost not to exceed \$90,041.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Cedar Forest Products in an amount not to exceed \$90,041.00 upon delivery and receipt of all proper documentation and final approval from the Director of Parks and Facilities.

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	Absent
Supervisor Breese	voting	Aye
		Carried

RESOLUTION #15-196/2004

On Motion of

Seconded by

Councilman Yudelson

Councilwoman McCabe

WHEREAS, Resolution #14-180/2004 authorized the advertisement for bids for the lifting of the horse barn at the Tinker Homestead, and

WHEREAS, two (2) bids were received, and the low bid, meeting specifications, was received from Matthews and Matthews for the total cost of \$29,300.00.

THEREFORE, BE IT RESOLVED, that Matthews and Matthews, 275 Weidner Road, Rochester, New York 14624, be hereby awarded the bid at a cost not to exceed \$29,300.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Matthews and Matthews in an amount not to exceed \$29,300.00 upon successful completion and receipt of all proper documentation.

SUPERVISOR BREESE

Discussion?

COUNCILMAN MULLIGAN

Under discussion, and Bill, you can just nod, have you checked into their background? They appear to be a reputable company?

SUPERVISOR BREESE

Yes. I think Bill is saying yes, and from our experience, they're a very reputable company.

COUNCILMAN MULLIGAN

Thanks.

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	Absent
Supervisor Breese	voting	Aye
		Carried

RESOLUTION #15-197/2004

On Motion of  
Councilwoman McCabe

Seconded by  
Councilman Mulligan

WHEREAS, the Town of Henrietta requires bids for the Henrietta Senior Center Building Addition

Foundation Project at 515 Calkins Road to conform with construction plans and specifications on file in the Town Clerk's Office, with bids to be opened at 9:45 A.M. on Monday, August 30, 2004 and received no later than 9:30 A.M. on Monday, August 30, 2004.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for the Henrietta Senior Center Building Addition Foundation Project, as per cited plans and specifications on file, in the manner provided by law.

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	Absent
Supervisor Breese	voting	Aye
		Carried

RESOLUTION #15-198/2004

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Yudelson

WHEREAS, the Director of Recreation and Youth Bureau, Regis P. Steinkamp, has requested authorization to send David Moriarty to the International Youth Sports Congress in Indianapolis, Indiana from September 17, 2004 to September 19, 2004, and

WHEREAS, funds are available in the year 2004 Budget, and

WHEREAS, the Town Board supports and encourages additional training for all Town employees.

THEREFORE, BE IT RESOLVED, that David Moriarty be hereby authorized to attend the three (3) day Youth Sports Congress at a cost not to exceed \$450.00, to include Congress Registration, hotel accommodations and meals.

BE IT FURTHER RESOLVED, that all properly prepared vouchers be submitted to the Finance Department for reimbursement.

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 Absent  
Supervisor Breese voting Aye  
Carried

RESOLUTION #15-199/2004

On Motion of  
Councilman Yudelson

Seconded by  
Councilwoman McCabe

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

<u>Inventory #</u>	<u>Description</u>
2470 & 2471	Knogo resensitizers
3086	Gaylord 3M resensitizer

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	Absent
Supervisor Breese	voting	Aye
		Carried

RESOLUTION #15-200/2004

On Motion of  
Supervisor Breese

Seconded by  
Councilman Yudelson

WHEREAS, the Town Board of the Town of Henrietta is required to designate the banks in which all Town Officers shall deposit monies coming into their hands by virtue of their office in the year 2004, and

WHEREAS, the Town of Henrietta did business at Fleet Bank, as authorized by the Town Board on January 1, 2004 through Resolution #1-25/2004, and

WHEREAS, Fleet Bank and Bank of America have merged under the Bank of America.

THEREFORE, BE IT RESOLVED, that the Bank of America be added to the list of the banks designated as official depositories of the Town of Henrietta for the year 2004, in place of Fleet Bank.

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	Absent
Supervisor Breese	voting	Aye
		Carried

RESOLUTION #15-201/2004

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Yudelson

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

Crossing Guards                      As per the attachment.

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	Absent
Supervisor Breese	voting	Aye
		Carried

SUPERVISOR BREESE

That's the end of the Regular Meeting. Before we adjourn, is there anybody who would like to speak on any other matters involving the Town of Henrietta? Yes, Mam?

RACHEL WARREN, 59 TOMAHAWK TRAIL

I was wondering what the status is of the study being done on the land south of the Thruway, upon which there is a Moratorium?

SUPERVISOR BREESE

I'm meeting with those folks next week, and I'll have more information at that time.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Is there going to be a public meeting where people can find out the facts of the findings and so on?

SUPERVISOR BREESE

Yes.

RACHEL WARREN, 59 TOMAHAWK TRAIL  
Okay. Thank you.

SUPERVISOR BREESE  
Anybody else before we adjourn? *(Pause - no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilman Mulligan at 8:28 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson  
Deputy Town Clerk