

**HENRIETTA TOWN BOARD
AGENDA
NOVEMBER 17, 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) - November 3, 2004
6. Miscellaneous Communications
7. Public Hearing:
 - Proposed Amendments to Chapter A301, "Fee Schedules," §A301-3E of the Town Code of the Town of Henrietta, to Increase Sewer Rents
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 #21-254/2004
Authorize Accounts Payable

RESOLUTION #21-255/2004
Authorize Supervisor to Sign Abandonment of Easement - 136 New Tudor Road

RESOLUTION #21-256/2004
Authorize Change Order No. 1 - Queensway Road Culvert Replacement Project

RESOLUTION #21-257/2004
Award Low Quote - Installation of Chain-Link Fencing and Access Gates at 100 Karenlee Drive

RESOLUTION #21-258/2004
Lift from Table and Approve and Adopt the Monroe County Pre-Disaster Mitigation Plan

RESOLUTION #21-259/2004
Authorize Cabin Rental Fee Increase

RESOLUTION #21-260/2004
Authorize Amendments to Chapter A301, "Fee Schedules," §A301-3E of the Town Code of the Town of Henrietta, to Increase Sewer Rents

RESOLUTION #21-261/2004
Authorize Library Budget Transfer

RESOLUTION #21-262/2004

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 17TH DAY OF NOVEMBER, 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

Is there anybody that would like to speak on any items on the agenda other than the Public Hearing? Yes?

JOHN SCHMITT, 66 FAWN RIDGE ROAD

Mine is just a question of something that looks, in my mind, a little peculiar, and that has to do with Resolution #21-257/2004. It's the installation of a chain-link fence and access gates at 100 Karenlee Drive.

SUPERVISOR BREESE

That's right.

JOHN SCHMITT, 66 FAWN RIDGE ROAD

Doesn't the property owner usually install fences around their property or where they need?

SUPERVISOR BREESE

It's part of our contract with the buyers that we put the fence in.

JOHN SCHMITT, 66 FAWN RIDGE ROAD

Okay. Thank you.

SUPERVISOR BREESE

Anybody else? *(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 November 3, 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 (1) Public Hearing tonight on fee schedules for Sewer Rents. Has this been properly advertised?

PATRICIA SHAFFER, TOWN CLERK
Yes, Sir.

SUPERVISOR BREESE

Is there anyone that would like to speak on this matter?

COUNCILMAN MULLIGAN
The only . . .

SUPERVISOR BREESE
Are you from the public?

COUNCILMAN MULLIGAN
No.

SUPERVISOR BREESE
I meant from the public, you know.

COUNCILMAN MULLIGAN
I was going to say, as long as there's no comment from the public, I was going to make one comment.

SUPERVISOR BREESE
Okay, pretend you're the public.

COUNCILMAN MULLIGAN
This will raise them to Forty-one Thirty-three (\$41.33) annually, Forty-one Dollars and Thirty-three Cents (\$41.33), and to put it in perspective, Webster is a Hundred and Sixty Dollars (\$160.00) a year, Perinton is Eighty-four Dollars (\$84.00) a year, Irondequoit is a

Hundred and Eight Dollars (\$108.00) a year. So, I think at Forty-one Dollars and Thirty-three Cents (\$41.33), this is still a good value for the residents.

SUPERVISOR BREESE
Thank you. I'm glad you spoke about that. Nobody else? I'll close the Public Hearing. May I have the first Resolution, please.

RESOLUTION #21-254/2004

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 11/17/2004	\$ 473,958.89
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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 #21-255/2004

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

WHEREAS, the property owner . . .

(Sudden loud noise)

SUPERVISOR BREESE
Excuse me. Killed a fly. *(Laughter)*

COUNCILWOMAN ZINCK
It was a really slow one, too.

SUPERVISOR BREESE
It was a very sick fly. *(Laughter)*
COUNCILMAN MULLIGAN
Okay. Back to reality here . . .

WHEREAS, the property owner, Jefferson Properties, LLC, at 136 New Tudor Road has a residential dwelling currently occupying a portion of an existing Town drainage easement recorded in Liber 9462 of Deeds, Page 202, and

WHEREAS, the release of said portion of the storm sewer is necessary for the sale of property being identified as Tax Identification Number 163.09-2-66, and

WHEREAS, the described portion of this existing drainage 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	Aye
Supervisor Breese voting	Aye
	Carried

RESOLUTION #21-256/2004

On Motion of
Councilman Yudelson

Seconded by
Councilman Mulligan

WHEREAS, the Town Board awarded the Queensway Road Culvert Replacement Project to Crane-Hogan Structural Systems, Inc. for a total of \$123,300.00, and

WHEREAS, during construction and shown on Contract Drawings, the existing watermain had to be relocated to avoid the conflict with a new box culvert, and

WHEREAS, Change Order No. 1 provides for the relocation of the existing watermain, and

WHEREAS, the Director of Engineering and Planning, the Superintendent of Drainage, Sewer and Sidewalks and the Monroe County Water Authority have reviewed and approved the proposed changes to the Contract and recommend that they be accepted by the Town, and

WHEREAS, the Monroe County Water Authority has agreed to reimburse the Town of Henrietta for the watermain relocation work on this Project.

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 \$6,227.50, resulting in increasing the total final Contract amount to \$129,527.50.

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 #21-257/2004

On Motion of
Councilwoman McCabe

Seconded by
Councilman Yudelson

WHEREAS, in order to satisfy one of the conditions for the sale of 100 Karenlee Drive, chain-link fencing and new access gates would need to be installed along the southern and eastern property line of Lot Number 1, and

WHEREAS, two (2) quotes were received, and the low quote, meeting specifications, was received from Empire Fence, Inc., for a cost of \$13,188.00.

THEREFORE, BE IT RESOLVED, that Empire Fence, Inc., 42 Lowell Street, Rochester, New York 14605, be hereby awarded the quote at a cost not to exceed \$13,188.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Empire Fence, Inc. in an amount not to exceed \$13,188.00 upon successful completion of said work 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 #21-258/2004

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

WHEREAS, The Town Board of the Town of Henrietta Tabled Resolution #20-248/2004, Approving and Adopting the Monroe County Pre-Disaster Mitigation Plan, in order to take comments received at a Town Board Meeting, which was held at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York,

before the Town Board, at 8:00 P.M. on the 3RD day of November, 2004, under advisement, and

WHEREAS, after having taken said comments into consideration, the Town Board hereby lifts Resolution #20-248/2004 from the Table, and

WHEREAS, the Federal Disaster Mitigation Act of 2000 requires that all local governments have an approved Disaster Mitigation Plan in place in order to be eligible for Federal Hazard Mitigation Grant Program (HMGP) project funding, and

WHEREAS, representatives of the County, the City of Rochester, the Towns of Brighton, Chili, Clarkson, Gates, Greece, Hamlin, Henrietta, Irondequoit, Mendon, Ogden, Parma, Penfield, Perinton, Pittsford, Riga, Rush, Sweden, Webster and Wheatland, and the Villages of Brockport, Churchville, East Rochester, Fairport, Hilton, Honeoye Falls, Pittsford, Scottsville, Spencerport and Webster have actively participated in the design and the writing of the Monroe County Pre-Disaster Mitigation Plan ("the Plan"), and

WHEREAS, the Federal regulations implementing the Disaster Mitigation Act of 2000, (44 CFR §201.6(c)(5)) require that the Plan be formally adopted by each jurisdiction requesting approval of the Plan.

THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Henrietta as follows:

- Section 1. The Town Board hereby approves and adopts the Monroe County Pre-Disaster Mitigation Plan.
- Section 2. The Monroe County Executive, or her designee, is hereby authorized and directed to submit the Monroe County Pre-Disaster Mitigation Plan to the New York State Emergency Management Office for review.
- Section 3. This Resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

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 #21-259/2004

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

THEREFORE, BE IT RESOLVED, that the Sewer Rents amendment to Chapter A301 of the Town Code of the Town of Henrietta be hereby adopted, as attached.

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 #21-261/2004

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 transfer:

Increase line item 05-7410-470 BFR (money received for lost & damaged materials) by \$5,020.63

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

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 #21-262/2004

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

BE IT RESOLVED, that the following persons be hired:

Derrick Hale Engineering, Engineering Aide @ \$9.00/hr., effective 11/29/2004.

Chad Gaesser Highway, Wingperson @ \$8.25/hr., effective 11/18/2004.

George Sisson Highway, Wingperson @ \$8.25/hr., effective 11/18/2004.

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

Dean Marshall, Sr. Highway, Wingperson @ \$8.25/hr. from Seasonal Laborer @ \$9.25/hr.,
effective 11/18/2004.

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, is there anybody that would like to speak on any other matters 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 Councilwoman Zinck at 8:14 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson
Deputy Town Clerk