

**HENRIETTA TOWN BOARD  
AGENDA  
FEBRUARY 2, 2005**

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) - January 19, 2005
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

RESOLUTION #4-58/2005  
Authorize Accounts Payable

RESOLUTION #4-59/2005  
Authorize Supervisor to Sign Payment In-lieu-of Tax Extension Agreement - 5257  
West Henrietta Road, LLC

RESOLUTION #4-60/2005  
Call for Public Hearing - Proposed Establishment of Extension No. 187 (Residence  
Inn) to Henrietta Sewer District No. 1

RESOLUTION #4-61/2005  
Authorize Purchase of State Contract Vehicles - Dump/Plow Trucks

RESOLUTION #4-62/2005  
Declare Items Surplus Materials

RESOLUTION #4-63/2005  
Authorize Attendance of Annual New York State Town Clerk's Association  
Conference

RESOLUTION #4-64/2005  
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 2<sup>ND</sup> DAY OF FEBRUARY, 2005 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 anyone that would like to speak on any Agenda items right now? 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 January 19, 2005.

**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

**COUNCILWOMAN ZINCK**

First Resolution?

**SUPERVISOR BREESE**

Yes, that=s a good idea. Are you ready?

**COUNCILWOMAN ZINCK**

I am.

RESOLUTION #4-58/2005

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 2/2/2005	\$ 330,792.66
EXHIBIT B	Manual Bills Payable	\$ 300.00

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 #4-59/2005

On Motion of  
Councilwoman McCabe

Seconded by  
Councilman Mulligan

WHEREAS, 5257 West Henrietta Road, LLC, a wholly-owned subsidiary of the Rochester Institute of Technology, with offices at 7 Lomb Memorial Drive, Rochester, New York 14623 has requested the Town of Henrietta to enter into an extension of the agreement for Payment in-Lieu-of Taxes for the RIT Inn and Conference Center, a three hundred and four (304) room hotel and conference facility located at 5257 West Henrietta Road, Town of Henrietta, Monroe County, New York, more specifically identified as Tax Account Number 175.03-1-36, and

WHEREAS, a Payment in-Lieu-of Tax Agreement Extension has been proposed under RPTL '420-a for the non-profit agency, and

WHEREAS, the attorney to the Town Board has examined the proposed Extension Agreement and found it to be in order, and

WHEREAS, the Assessor of the Town of Henrietta has reviewed the Extension Agreement and recommended that it be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the Payment in-Lieu-of Tax Agreement Extension between 5257 West Henrietta Road, LLC and the Town of Henrietta for the RIT Inn and Conference Center be and hereby is accepted, and that the Supervisor is authorized to sign the Extension Agreement attached hereto as Exhibit A by virtue of his authority as Supervisor of the Town of Henrietta.

SUPERVISOR BREESE

Under discussion, R.I.T., of course, is very important to the Town of Henrietta and is very cooperative with the Town, and I'm pleased that they've agreed to make these payments in lieu of taxes, which they don't legally have to do. I'm pleased to accept this proposal, and hopefully the Board will support it.

COUNCILMAN MULLIGAN

How much is it, again?

COUNCILWOMAN McCABE

A Hundred and Fifty Thousand (\$150,000), isn't it?

COUNCILMAN MULLIGAN

I didn't see it.

SUPERVISOR BREESE

It was supposed to be attached. Would somebody come up and tell me how much it is, please.

NATHAN GABBERT, TOWN ASSESSOR

The amount can and does fluctuate. The amount that's distributed between the Town and the County and the School District is around a Hundred and Fifty Thousand Dollars (\$150,000.00).

COUNCILMAN MULLIGAN

Thank you.

SUPERVISOR BREESE

That's fine. Thank you, Mr. Gabbert. Anybody else? 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 #4-60/2005

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Yudelson

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IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 187 (RESIDENCE INN) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED AT 1300 JEFFERSON ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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WHEREAS, a written petition in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Henrietta, County of Monroe, New York, for the establishment of Extension No. 187 (Residence Inn) to the Henrietta Sewer District No. 1 bounded and described as set forth on exhibits now on file in the Town Clerk=s Office, and

WHEREAS, the improvements proposed consist of a sewer system to serve the said Extension No. 187, including the acquisition of the necessary rights-of-way therefore, in accordance with a certain map and description made a part of such petition and now on file in the Office of the Town Clerk of the said Town, and

WHEREAS, the maximum amount proposed to be expended for the said establishment of the said extension and the construction of said sewer system, including the acquisition of any necessary lands, easements and rights-of-way within and also outside of the limits of the proposed District Extension shall be borne by the owners and developers of the land included in said extension.

THEREFORE, BE IT RESOLVED, that a meeting of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, 475 Calkins Road, in the Town of Henrietta, Monroe County, New York on the 2<sup>ND</sup> day of March, 2005 at 8:00 P.M. to consider the said petition and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted 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	Aye
Supervisor Breese	voting	Aye

Carried

RESOLUTION #4-61/2005

On Motion of  
Councilman Yudelson

Seconded by  
Councilman Mulligan

WHEREAS, funds are available in the 2005 Highway Budget to facilitate the purchase of two (2) new single axle plow trucks, and

WHEREAS, two (2) trucks, meeting specifications, are available through New York State Contract #PC60768 from Genesee Truck Sales at a cost of \$112,960.00 per truck, for a total cost of \$225,920.00.

THEREFORE, BE IT RESOLVED, that Genesee Truck Sales, 300 Middle Road, Henrietta, New York 14467, be hereby awarded the purchase of two (2) new Sterling L9511 single axle plow trucks with dump bodies and plow equipment, per specifications, at a cost of \$112,960.00 per truck, for a total cost not to exceed \$225,920.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Genesee Truck Sales upon delivery and receipt of all proper documentation.

SUPERVISOR BREESE

Under discussion, I'm very proud of the kind of service that our Highway Department provides to the residents. I think that was really shown a week or so ago during that long weekend storm when Henrietta really excelled in the service that they provided to the residents of the Town. One of the reasons we do that is we have very good employees, number one, and number two, we have good equipment, and this is really an extension of that. We're buying two (2) plow trucks that will enhance our system and make it possible to provide better service. So, I'm proud to support this Resolution. 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 #4-62/2005

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman McCabe

WHEREAS, the Director of the Youth Bureau and Recreation has requested that the following items be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
3525	Lexmark X-53 printer
3517	Lexmark X-63 fax/printer
3524	Lexmark Z-23 printer
None	NEC Multi-sync 17" monitor
3149	KDS 19" monitor

WHEREAS, the Town Clerk has requested that the following items be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
2394	Microfilm Reader Model 760A
2395	Microfilm Reader Model 760A
2396	Microfilm Reader/Printer Model 500

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 #4-63/2005

On Motion of	Seconded by
Councilwoman McCabe	Councilwoman Zinck

WHEREAS, the Town Clerk has requested authorization to attend the 23<sup>RD</sup> Annual New York State Town Clerk=s Association Conference to be held in Buffalo, New York on April 19, 2005, and

WHEREAS, funds are available in the 2005 Budget, and

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

THEREFORE, BE IT RESOLVED, that Patricia Shaffer, Town Clerk, and Amber Hutchinson, Deputy Town Clerk, be hereby authorized to attend one (1) day of the conference at Buffalo, New York at a cost not to exceed \$250.00 to include registration, meals and mileage.

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	Aye
Supervisor Breese	voting	Aye

Carried

**RESOLUTION #4-64/2005**

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Yudelson

BE IT RESOLVED, that the following persons be hired:

Thomas McCarthy                      Engineering, Co-op Engineering Aid @ \$9.00/hr.,  
effective 3/7/2005.

Jonathan Herman                      Highway, Wingperson @ \$8.25/hr., effective 2/3/2005.

Nancy Haberberger Crossing Guards, Crossing Guard @ \$9.60/hr., effective  
1/31/2005.

Cynthia Tarver                      Crossing Guards, Crossing Guard @ \$9.60/hr.,  
effective 2/1/2005.

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

Robert Bruno                      Highway, Laborer A @ \$12.46/hr. from Laborer B @  
\$11.15/hr., effective 2/6/2005.

Recreation                      As per the attachment.

BE IT FURTHER RESOLVED, that the following employees be given an additional

day=s pay for unused sick leave (per Labor Agreement):

Nancy Lescher-Milton, Joseph Losavio, David Moriarty, Roland Osterwinter,  
Gary Popen, Robert Tobey, Diane Watts and Tracey Wenzel

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 who 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 Councilwoman Zinck at 8:11 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson  
Deputy Town Clerk