

**HENRIETTA TOWN BOARD
AGENDA
MARCH 16, 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) - March 2, 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 #7-92/2005

Authorize Accounts Payable

RESOLUTION #7-93/2005

Recognize Year 2005 Youth Hall of Fame Inductees

RESOLUTION #7-94/2005

Declare Intent to be Lead Agency and Call for Public Hearing - Proposed Rezoning of Land Located on the North Side of Jefferson Road and West of Clay Road (700, 780 & 790 Jefferson Road) from Industrial I to Commercial B-1 - Benderson Development Company, Inc.

RESOLUTION #7-95/2005

Authorize Supervisor to Sign Abandonment of Watermain Easement - 400 Jay Scutti Boulevard

RESOLUTION #7-96/2005

Authorize Supervisor to Sign Abandonment of Sanitary Sewer Easement - 400 Jay Scutti Boulevard

RESOLUTION #7-97/2005

Call for Public Hearing - Proposed Establishment of Extension No. 143 (Stone Field Mews Subdivision) to Henrietta Water District No. 1

RESOLUTION #7-98/2005

Call for Public Hearing - Proposed Establishment of Extension No. 186 (Stone Field Mews Subdivision) to Henrietta Sewer District No. 1

RESOLUTION #7-99/2005

Call for Public Hearing - Proposed Establishment of Extension No. 12 (Stone Field Mews Subdivision) to Henrietta Drainage District No. 1

RESOLUTION #7-100/2005

Authorize Advertisement for Bids - Construction of Soccer Fields on the North End of Martin Road Park

RESOLUTION #7-101/2005

Declare Items Surplus Materials

RESOLUTION #7-102/2005

Award General and Public Officials Liability Insurance

RESOLUTION #7-103/2005

Authorize Supervisor to Sign 2005 Monroe County Youth Services Agreement

RESOLUTION #7-104/2005

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 16TH DAY OF MARCH, 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 anybody that would like to speak on 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 March 2, 2005.

COUNCILMAN YUDELSON

Second.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

SUPERVISOR BREESE

May I have the first Resolution, please.

RESOLUTION #7-92/2005

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:

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 #7-93/2005

On Motion of
Councilman Yudelson

Seconded by
Councilwoman Zinck

WHEREAS, the Henrietta Youth Board has selected twenty-four (24) exceptional young people to be inducted into the Year 2005 Youth Hall of Fame because of their special accomplishments, and

WHEREAS, these individuals have made significant contributions to the Henrietta community and/or have made a great personal achievement, and

WHEREAS, the Henrietta Town Board hereby recognizes the contributions and achievements of these young people.

THEREFORE, BE IT RESOLVED, that

Itohan Olerenosi Aghayere	Nicholas Lamanna
Ruchi A. Amin	Jason LaShomb
Daryl Baughman	David L. Mack
Chelsea L. Clyde	Julie Mathias
Sarah Jean Comstock	Bryan M. McKinley
Matthew R. Cripps	Benjamin F. Nichols
Lindsay Dakin	Stephen T. Parker
Gwenanne Edwards	Kurt Seeger
Katelyn M. Faas	Alison M. Smith
William Haskell	David Anthony Vogel
Lauren A. Jewett	Elizabeth R. Wagner
Jivan Kurinec	Nicole Lane Welshhons

are congratulated by the Town Board for their induction into the Year 2005 Youth Hall of Fame and will be recognized on March 24, 2005 at 6:30 P.M. during a dinner being held at

the R.I.T. Inn and Conference Center, Henrietta, New York, for their positive influence on the quality of life in our community.

SUPERVISOR BREESE
Discussion?

COUNCILMAN MULLIGAN
Just under discussion, I see, Mr. Supervisor, one of your granddaughters is on this list. You=ve got to be very proud.

SUPERVISOR BREESE
Yes, and she did it on her own. It had nothing to do with me. But thank you.

COUNCILMAN MULLIGAN
Very understandable.

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 #7-94/2005

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, the Town Board has received a request for rezoning from the owner, Benderson Development Co., Inc., for the rezoning of approximately 43.21 acres of land identified as Tax Account Numbers 162.05-4-3.11 (32.46 acres), 162.05-1-3.41 (10.37 acres) and 162.05-1-3.42 (0.37 acres) located on the north side of Jefferson Road and west of Clay Road from Industrial I Zoning to Commercial B-1 Zoning, and

WHEREAS, a map of the land 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 Long Form (EAF) has been prepared for the proposed Project, and

WHEREAS, the Henrietta Town Board declares its intent to be the Lead Agency for the Environmental Quality review.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board be and is hereby authorized to distribute a Notice of Intent to serve as Lead Agency to all interested agencies for a coordinated review pursuant to 6NYCRR 617.6 and 617.12.

BE IT FURTHER RESOLVED, that a Public Hearing on the rezoning request will be held on April 20, 2005 at 8:00 P.M. at the Henrietta Town Hall, Main Meeting Room, 475 Calkins Road, Henrietta, New York 14467, to consider rezoning said properties from Industrial I to Commercial B-1.

BE IT FURTHER RESOLVED, that provided no other involved agency indicates a desire to serve as Lead Agency within thirty (30) days of the date of the Notice of Intent to Serve as Lead Agency, the Henrietta Town Board shall serve in that capacity in accordance with SEQRA regulations.

SUPERVISOR BREESE
Discussion?

COUNCILMAN MULLIGAN
This is, just for the Record, the old RG&E property?

SUPERVISOR BREESE
That=s correct.

COUNCILMAN MULLIGAN
Thank you.

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 #7-95/2005

On Motion of
Councilwoman McCabe

Seconded by
Councilman Yudelson

WHEREAS, the Owner, K & R Henrietta, LLC, will be constructing an addition to the west of the existing building located at 400 Jay Scutti Boulevard, and

WHEREAS, the construction of said Project will not require the need for the existing watermain easement recorded in Liber 8128 of Deeds, Page 401, on said parcel being identified as Tax Identification Number 161.08-1-15.11, and

WHEREAS, the existing 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?

COUNCILMAN MULLIGAN
Just for the Record, is this the K-Mart building?

SUPERVISOR BREESE
Yes.

COUNCILMAN MULLIGAN
Thank you.

SUPERVISOR BREESE
Call the roll, please.

COUNCILMAN MULLIGAN
Filling some empty buildings. That=s good.

Duly put to a vote:
Councilwoman McCabe voting Aye
Councilman Mulligan voting Aye
Councilman Yudelson voting Aye

MARK BYRNE, DIRECTOR OF ENGINEERING AND PLANNING
(From audience) I will let you know later.

SUPERVISOR BREESE
Are you still going to vote on it?

COUNCILMAN MULLIGAN
Yes.

SUPERVISOR BREESE
Well, that=s nice of 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 #7-97/2005

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 143 (STONE FIELD MEWS SUBDIVISION) TO HENRIETTA WATER DISTRICT NO. 1 LOCATED ON THE NORTH SIDE OF STONE ROAD WEST OF THE PITTSFORD-HENRIETTA TOWN LINE IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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. 143 (Stone Field Mews Subdivision) to the Henrietta Water 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 water system to serve the said Extension No. 143, 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 water 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 6TH day of April, 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 #7-98/2005

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 186 (STONE FIELD MEWS SUBDIVISION) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED ON THE NORTH SIDE OF STONE ROAD WEST OF THE PITTSFORD-HENRIETTA TOWN LINE IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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. 186 (Stone Field Mews Subdivision) 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. 186, 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 6TH day of April, 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?

COUNCILMAN MULLIGAN

Is that the correct word? Stone Field Mews?

SUPERVISOR BREESE

I don=t know. You moved the Resolution. Don=t you know?

COUNCILMAN MULLIGAN

No, I don=t know. That=s why I=m asking.

SUPERVISOR BREESE

Then why did you move the Resolution?

COUNCILMAN MULLIGAN

Trying to help you.

SUPERVISOR BREESE

It=s not helping.

COUNCILMAN MULLIGAN

Not helping?

COUNCILWOMAN ZINCK

It=s a little strange, but it is the name.

SUPERVISOR BREESE

It=s called Mews, yes.

COUNCILMAN MULLIGAN

Thank you.

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 #7-99/2005

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 12 (STONE FIELD MEWS SUBDIVISION) TO THE HENRIETTA DRAINAGE DISTRICT LOCATED ON THE NORTH SIDE OF STONE ROAD WEST OF THE PITTSFORD-HENRIETTA TOWN LINE IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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. 12 (Stone Field Mews Subdivision) to the Henrietta Drainage District 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 drainage system to serve the said Extension No. 12, 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 drainage 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 6TH day of April, 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 #7-100/2005

On Motion of Councilman Yudelson
Seconded by Councilwoman McCabe

WHEREAS, the Town of Henrietta requires bids for the construction of soccer fields on the north end of the Martin Road Park, to conform with construction plans and specifications on file in the Town Clerk's Office with bids to be opened at 9:30 A.M. on Thursday, April 14, 2005 and received no later than 9:15 A.M. on Thursday, April 14, 2005.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for the construction of soccer fields on the north end of the Martin Road Park, 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 Aye
Supervisor Breese voting Aye
Carried

RESOLUTION #7-101/2005

On Motion of Councilwoman Zinck
Seconded by Councilman Mulligan

WHEREAS, the Fire Marshal has requested that the following items be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
3655	Motorola Spectra
3656	Motorola Maxtrac 300
2703	Motorola Hand-held Transceiver Low Band
2388	Motorola Hand-held Transceiver High Band 16 Channel

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 #7-102/2005

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

WHEREAS, quotes for the Town=s General Insurance and Public Officials Liability Insurance were requested by the Director of Finance, and

WHEREAS, three (3) quotes were received and evaluated.

THEREFORE, BE IT RESOLVED, that Christopher Williams Agency, Inc., 26 South Main Street, Pittsford, New York 14534, appears well-qualified and is hereby awarded the Town=s General Insurance and Public Officials Liability Insurance effective April 1, 2005, through Selective Insurance, in the amount of \$171,414.00.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay Christopher Williams Agency, Inc. in an amount not to exceed \$171,414.00 upon receipt of proper documentation.

SUPERVISOR BREESE

Just for the Record, this was recommended to us by our insurance consultant, Brian Baty, and he felt that this was the better proposal financially and in other ways. So, I=m pleased to accept his recommendation and support this Resolution.

COUNCILMAN MULLIGAN

The only thing I would add is, shouldn't we really have an expiration date of March 31, 2006 to show it's in place for one (1) year?

SUPERVISOR BREESE

You're absolutely right.

COUNCILMAN MULLIGAN

I'll make that an amendment.

COUNCILWOMAN McCABE

I'll second it.

SUPERVISOR BREESE

Discussion? Call the roll on the amendment.

MOTION TO AMEND

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

Now on the main motion, please.

MAIN MOTION

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 #7-103/2005

On Motion of
Councilwoman Zinck

Seconded by
Councilman Yudelson

WHEREAS, the Town of Henrietta wishes to continue to participate in the Comprehensive Youth Services Planning in Monroe County, and

WHEREAS, in order for the Town to participate in the County=s Comprehensive Plan, the Town Board delegates its right to claim Youth Development and Delinquency Prevention (Y.D.D.P.) State aid to the County of Monroe for the Year 2005, and

WHEREAS, the State Office of Children and Family Services requires that the annual Youth Services Agreement between the County of Monroe and the Town of Henrietta be approved by the Town Board.

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

Section 1. In order to participate in the County=s Comprehensive Plan, the Town of Henrietta delegates its right to claim Y.D.D.P. State aid to the County of Monroe for the Year 2005.

Section 2. The Town=s Application for Y.D.D.P. State aid in the amount of \$25,478.00 is hereby approved.

Section 3. The Town of Henrietta and the County of Monroe shall Contract regarding the financial agreement under the Comprehensive Youth Services Planning in Monroe County.

Section 4. This Resolution shall take effect immediately.

BE IT FURTHER RESOLVED, that the Supervisor be hereby authorized to sign, on behalf of the Town, the Annual Monroe County Youth Services Agreement for the Year 2005.

SUPERVISOR BREESE
Discussion?

COUNCILMAN YUDELSON
Mr. Supervisor, just to review, if we could ask Mr. Steinkamp if this is the same amount that we got in 2004 or if the County decreased this at all.

SUPERVISOR BREESE
Mr. Steinkamp?

REGIS STEINKAMP, DIRECTOR OF YOUTH BUREAU & RECREATION
(*From audience*) I don=t have the exact amount . . .

SUPERVISOR BREESE
No, you=ve got to come up here and get on the mic, please.

REGIS STEINKAMP, DIRECTOR OF YOUTH BUREAU & RECREATION

I don't have the exact amount, but it is a decrease, I believe. I can get that for you. It's definitely down from last year.

COUNCILMAN YUDELSON

Okay.

SUPERVISOR BREESE

Thank you. 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 #7-104/2005

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

BE IT RESOLVED, that the following person be hired:

Christi Lynn Cole Recreation, Part-time Recreation Assistant @ \$6.25/hr.,
effective 3/14/2005.

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. Is there anyone that would like to speak on any other items involving the Town before we adjourn? *(Pause - no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman Zinck at 8:18 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson
Deputy Town Clerk