

**HENRIETTA TOWN BOARD
AGENDA
APRIL 6, 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 16, 2005
6. Miscellaneous Communications
7. Public Hearings:
 - Proposed Amendments to the Town Code of the Town of Henrietta, Chapter 295, "Zoning," as follows:
 - a.) ARTICLE II, §295-2(B) "Word Usage and Definitions" to Add "Storage Sheds" and ARTICLE V, §295-6 A(9) "Residential Districts Permitted Uses" to Add "Storage Sheds"
 - b.) ARTICLE V, §295-10(A) "Minimum Building Size" to Amend Building Size of Second Story of a Two-Story Building
 - c.) ARTICLE XI, §295-43(F) "Off Street Parking" to Amend Minimum Aisle Width of Parking Areas and Minimum Width and Length of Parking Spaces
 - Proposed Establishment of Extension No. 143 (Stone Field Mews Subdivision) to Henrietta Water District No. 1
 - Proposed Establishment of Extension No. 186 (Stone Field Mews Subdivision) to Henrietta Sewer District No. 1
 - Proposed Establishment of Extension No. 12 (Stone Field Mews Subdivision) to Henrietta Drainage 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 #8-105/2005

Authorize Accounts Payable

RESOLUTION #8-106/2005

Authorize Adoption of Amendments to the Town Code of the Town of Henrietta, Chapter 295, "Zoning"

RESOLUTION #8-107/2005

Call for Public Hearing - Proposed Adoption of Local Law No. 2 of 2005 - Additions/Changes to the Town Code of the Town of Henrietta, Chapter 295, Zoning, to Include Provisions for Rural Residential Districts

RESOLUTION #8-108/2005

Award Low Bid - Country Hill Estates and Southern Hills Manor Proposed Sanitary Sewer District Extension No. 170 Project

RESOLUTION #8-109/2005

Authorize Proposed Establishment of Extension No. 143 (Stone Field Mews Subdivision) to Henrietta Water District No. 1

RESOLUTION #8-110/2005

Authorize Proposed Establishment of Extension No. 186 (Stone Field Mews Subdivision) to Henrietta Sewer District No. 1

RESOLUTION #8-111/2005

Authorize Proposed Establishment of Extension No. 12 (Stone Field Mews Subdivision) to Henrietta Drainage District No. 1

RESOLUTION #8-112/2005

Accept Dedication of Watermains - Jefferson Plaza, 376 Jefferson Road

RESOLUTION #8-113/2005

Authorize Independent Consultant Inspection Services - Stephen MacIntyre

RESOLUTION #8-114/2005

Call for Public Hearings to be Held Simultaneously - Proposed Rezoning of Land Located on the Southwest Corner of Erie Station Road and East Henrietta Road from Residential R-1-20 to Residential R-2-15 / Special Permit Application to Construct a Senior Living Community

RESOLUTION #8-115/2005

Declare Items Surplus Materials

RESOLUTION #8-116/2005

Authorize Attendance of Highway School

RESOLUTION #8-117/2005

Authorize Advertisement for Bids - Storm Water Way Mowing

RESOLUTION #8-118/2005

Authorize Supervisor to Sign Contract - County of Monroe Year 2005 Senior Meals Program

RESOLUTION #8-119/2005

Award 4TH of July and New Year's Eve Fireworks Contract - Young Explosives

RESOLUTION #8-120/2005

Authorize Conduction of Dog Enumeration

RESOLUTION #8-121/2005

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 6TH DAY OF APRIL, 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 other than the Public Hearings? Just Agenda items at this time? Yes, Mam.

RACHEL WARREN, 59 TOMAHAWK TRAIL

A resident from Woodridge Trail asked me a question and that was, when are they going to start the sewer project over there?

SUPERVISOR BREESE

That=s not on the Agenda.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Oh. I thought I read something about it, about a bond issue concerning it.

SUPERVISOR BREESE

I=m sorry, under the bond issue. Okay, I apologize. It=s on the Agenda indirectly. Mr. Byrne, do you want to tell us about that?

MARK BYRNE, DIRECTOR OF ENGINEERING AND PLANNING

If the Board accepts the low bidder, then we=ll be, probably starting this month.

SUPERVISOR BREESE

When?

MARK BYRNE, DIRECTOR OF ENGINEERING AND PLANNING

This month, April.

SUPERVISOR BREESE

Hopefully in April. No promises, but hopefully. Okay? 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 March 16, 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

SUPERVISOR BREESE

We have a Public Hearing tonight on proposed amendments to the Town Code of the Town of Henrietta, Chapter 295, Zoning. Has this been properly advertised?

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir.

SUPERVISOR BREESE

Would anybody like to speak on this Public Hearing on changes to the Code? *(Pause - no response)* Okay. I'll close the Hearing. May I have the first Resolution, please?

COUNCILMAN MULLIGAN

You have other Public Hearings.

COUNCILWOMAN ZINCK

Aren't there two (2) more?

SUPERVISOR BREESE

Oh, wait a minute. I'm sorry. There's another one. Another one, wait a minute, there's four.

COUNCILWOMAN McCABE

Three (3) more.

SUPERVISOR BREESE

Okay. Extension 143, to the Henrietta Water District Number One (1). Would anyone like to speak on that Public Hearing? *(Pause - no response)* Extension Number 186 to the Henrietta Sewer District. Would someone like to speak on that one? *(Pause - no*

response) Extension Number 12 to the Henrietta Drainage District. Would anyone like to speak on that? (Pause - no response) If not, I will close those Public Hearings. Now, may I have the first Resolution, please.

RESOLUTION #8-105/2005

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 4/6/2005	\$ 364,846.05
EXHIBIT B	Manual Bills Payable	\$ 750.00

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 #8-106/2005

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

WHEREAS, the Town Board of the Town of Henrietta, New York (the ATown@), has had under consideration the amendment of the Zoning Ordinance of the Town of Henrietta dated July 19, 1978, as amended, (the AAmendment@) by the adoption of all or part of the attached language, and

WHEREAS, true and correct copies of the Amendment were served upon the Clerks of all adjoining municipal entities, more than ten (10) calendar days, exclusive of Sunday, prior to the 6TH day of April, 2005, and

WHEREAS, pursuant to Town Law ' 265, Notice of the Public Hearing regarding the Amendment scheduled for the 6TH day of April, 2005, at 8:00 P.M., was duly published in the Henrietta Post on the 23RD day of March, 2005, and

WHEREAS, pursuant to General Municipal Law '239-m, the Monroe County Department of Planning and Development was presented said Amendment, and

WHEREAS, a meeting of the Town Board was held at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York, on the 6TH day of April, 2005, at 8:00 P.M., for the purpose of conducting a Public Hearing on the Amendment, and

WHEREAS, subsequent to the closing of said Public Hearing, and after all persons interested had been heard, the Town Board considered the adoption of the Amendment.

THEREFORE, BE IT RESOLVED, that the Amendment constitutes a Type II Action under the SEQRA Regulations of the State of New York; that the Town Board declares itself Lead Agency; and that the Amendment will not have a significant impact upon the environment.

BE IT FURTHER RESOLVED, that the Town Board hereby amends the Zoning Ordinance of the Town of Henrietta, dated July 19, 1978, as amended, by the adoption of all or part of the attached language.

SUPERVISOR BREESE

Under discussion, these were changes that were recommended to us by, not only by staff, but also by our Zoning Board, and I am glad to support it. 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 #8-107/2005

On Motion of
Councilman Yudelson

Seconded by
Councilwoman Zinck

WHEREAS, true and correct copies of proposed Local Law No. 2 of 2005, Establishment of a Rural Residential Zoning District, were delivered to each member of the Town Board, and

WHEREAS, due consideration has been given to the adoption of proposed Local Law No. 2 of 2005, Establishment of a Rural Residential Zoning District, by all members of the Town Board, and

WHEREAS, it is the considered opinion of the Town Board that a Public Hearing should be held on the 4TH day of May, 2005, at 8:00 P.M. at the Town Hall, 475 Calkins Road, Henrietta, New York, to consider the adoption of proposed Local Law No. 2 of 2005, Establishment of a Rural Residential Zoning District.

THEREFORE, BE IT RESOLVED, that a Public Hearing be held on the 4TH day of May, 2005, at 8:00 P.M. at the Town Hall, 475 Calkins Road, Henrietta, New York, on the proposed adoption of proposed Local Law No. 2 of 2005, Establishment of a Rural Residential Zoning District, and a summary thereof be published in a newspaper previously designated as an official newspaper for publication of public notices, not less than five (5) days prior to said Public Hearing.

BE IT FURTHER RESOLVED, that the Town Clerk shall post Certified Copies of both this Resolution and said proposed Local Law No. 2 of 2005, Establishment of a Rural Residential Zoning District, or a summary thereof, on the bulletin board maintained by the Town Clerk, pursuant to Section 30(6) of the Town Law, for a period of not less than five (5) days prior to said Public Hearing.

BE IT FURTHER RESOLVED, that the Town of Henrietta shall not accept any application for the subdivision of land in the area potentially affected by this Local Law, from this date until action is taken on said proposal, and if passed, until such Local Law takes effect.

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 #8-108/2005

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

WHEREAS, Resolution #5-74/2005 authorized the advertisement for bids on the Country Hill Estates and Southern Hills Manor Proposed Sanitary Sewer District Extension No. 170 Project for the installation of a new sanitary sewer system, and

WHEREAS, three (3) bids were received, and the low bid, meeting specifications, was received from Upstate Utilities, Inc. for a total base cost of \$760,166.00.

THEREFORE, BE IT RESOLVED, that Upstate Utilities, Inc., 20 Transport Drive, Rochester, New York 14623, be hereby awarded the base bid at a cost not to exceed \$760,166.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Upstate Utilities, Inc. in an amount not to exceed \$760,166.00 upon successful completion of said work and acceptance by the Director of Engineering and Planning.

SUPERVISOR BREESE

Under discussion, this has taken a long time to get to this point, and the people over there have been very patient, and I=am glad to see that we=re moving forward, finally, on this project. 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 #8-109/2005

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

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.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 143 (STONE FIELD MEWS SUBDIVISION) 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, State of New York, to be known as Extension No. 143 (Stone Field Mews Subdivision) 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 on Exhibit AA@ were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 143 to the said Water District as proposed in the 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. 143 to Henrietta Water District No. 1 and shall be bounded as 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	Aye
Supervisor Breese	voting	Aye

Carried

RESOLUTION #8-110/2005

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

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.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 186 (STONE FIELD MEWS SUBDIVISION) 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, State of New York, to be known as Extension No. 186 (Stone Field Mews Subdivision) 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 on Exhibit AA@ were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 186 to the said Sewer District as proposed in the 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. 186 to Henrietta Sewer District No. 1 and shall be bounded as 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	Aye
Supervisor Breese	voting	Aye

Carried

RESOLUTION #8-111/2005

On Motion of
Councilman Yudelson

Seconded by
Councilman Mulligan

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.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 12 (STONE FIELD MEWS SUBDIVISION) TO THE HENRIETTA DRAINAGE DISTRICT

WHEREAS, a written Petition for the establishment of an extension to Henrietta Drainage District in the Town of Henrietta, County of Monroe, State of New York, to be known as Extension No. 12 (Stone Field Mews Subdivision) of said Drainage 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 on Exhibit AA@ were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 12 to the said Drainage District as proposed in the 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. 12 to the Henrietta Drainage District and shall be bounded as 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	Aye
Supervisor Breese	voting	Aye

Carried

RESOLUTION #8-112/2005

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, the Developer of Jefferson Plaza, located at 376 Jefferson Road, has installed watermains in said Project, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated watermain utility to the Town of Henrietta, and for this purpose has delivered to the Town of Henrietta filing instruments granting easements to the Town for said watermain, and

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

WHEREAS, the Superintendent of Drainage, Sewer and Sidewalks and the Director of Engineering and Planning have determined that the said watermain was installed in accordance with Town requirements and have recommended that they be accepted by the Town, and

WHEREAS, the standard required two (2) year period of time within which a Maintenance Bond would be required to be posted has elapsed, and

WHEREAS, the Director of Engineering and Planning has re-inspected the improvements and recommends that they be accepted without requiring posting said bond.

THEREFORE, BE IT RESOLVED, that the said watermain for the described Project be and hereby is accepted, and that said easements be recorded in the Monroe County Clerk=s Office.

SUPERVISOR BREESE
Discussion?

COUNCILMAN MULLIGAN
Just under discussion, because we have that long-term agreement with the Water Authority, what happens from this process to notify them that we=ve taken on additional lines?

SUPERVISOR BREESE
The Water Authority?

COUNCILMAN MULLIGAN
Right.

SUPERVISOR BREESE
The staff will notify them.

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 #8-113/2005

On Motion of
Councilman Yudelson

Seconded by
Councilwoman Zinck

WHEREAS, the current number of construction projects from time to time, have made independent consultant inspection services necessary, and

WHEREAS, it is in the Town=s best interest to maintain quality construction inspection, and

WHEREAS, it is necessary for developers to absorb the costs incurred by the Town for such services, and

WHEREAS, the Director of Engineering and Planning has been directed to secure these services in this matter, and

WHEREAS, independent consultant inspection services billing, including all consultants costs, will be at a hourly rate, and

WHEREAS, the Director of Engineering and Planning has arranged for such services with Stephen R. MacIntyre, at the rate of Seventeen Dollars (\$17.00) per hour.

THEREFORE, BE IT RESOLVED, that the Director of Engineering and Planning is hereby authorized and directed to secure the independent consultant inspection services in accordance with the above.

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 #8-114/2005

On Motion of
Supervisor Breese

Seconded by
Councilman Yudelson

WHEREAS, the Town Board has received a request for rezoning from the owner, Erie Station Property, LLC, for the rezoning of approximately 45.1 acres of land identified

as Tax Account Number 189.02-1-8.1, located on the southwest corner of Erie Station Road and East Henrietta Road from Residential R-1-20 to Residential R-2-15 Zoning for a senior living community, along with an Application for a Special Use Permit, 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 simultaneously with the scheduled Special Use Permit Hearing on May 18, 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 Residential R-1-20 to Residential R-2-15.

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?

COUNCILWOMAN ZINCK
Mr. Supervisor, I'm very happy to support this. This is something our community has been lacking for a very long time. So, I'm happy to see we're doing something for our seniors.

SUPERVISOR BREESE
Thank you. Call the roll, please.

RESOLUTION #8-116/2005

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

WHEREAS, the Commissioner of Public Works, Dean C. Marshall, Jr., the Superintendent of Highways, Russell Martin, and the Fleet Supervisor, Robert Tobey have requested authorization to attend the year 2005 Highway School to be held at Ithaca College, Ithaca, New York on June 6, 2005 through June 8, 2005, and

WHEREAS, funds are available in the year 2005 Budget, and

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

THEREFORE, BE IT RESOLVED, that Dean C. Marshall, Jr., Commissioner of Public Works; Russell Martin, Superintendent of Highways and Robert Tobey, Fleet Supervisor, be hereby authorized to attend the three (3) day school at a cost not to exceed \$350.00 per person to include registration, meals and hotel accommodations and the use of a Town vehicle.

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 #8-117/2005

On Motion of
Councilwoman McCabe

Seconded by
Councilman Yudelson

WHEREAS, the Drainage Department of the Town of Henrietta requires bids for Storm Water Way Mowing to conform with detailed specifications on file in the Town Clerk=s Office with bids to be opened at 9:30 A.M. on Friday, April 29, 2005 and received no later than 9:15 A.M. on Friday, April 29, 2005.

WHEREAS, the Town is committed to providing needed services to our Seniors.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to sign the Agreement between the Town of Henrietta and the County of Monroe for the operation of the Year 2005 Senior Meals Program.

SUPERVISOR BREESE

It looks like I already signed this. Wait a minute, I already signed it. What do I need this Resolution for?

COUNCILWOMAN ZINCK

Now you have our permission. *(Laughter)*

SUPERVISOR BREESE

We=ll talk about that later. 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 #8-119/2005

On Motion of
Councilman Yudelson

Seconded by
Councilwoman McCabe

WHEREAS, Young Explosives, Inc., has submitted proposals for the Town=s July 4TH Fireworks Display and the New Year=s Eve Celebration, and

WHEREAS, Young Explosives has provided fireworks for the Town of Henrietta for many years, and

WHEREAS, the Town has been satisfied with their professional services in the past and the quality of their fireworks display.

THEREFORE, BE IT RESOLVED, that Young Explosives, Inc., 2165 New Michigan Road, Canandaigua, New York 14424, be hereby authorized to provide the Fireworks Display to be held at the Henrietta Veteran=s Memorial Park on July 4, 2005 in an amount not to exceed \$15,000.00, and the New Year=s Eve Celebration to be held at the Monroe County Fairgrounds on December 31, 2005 in an amount not to exceed \$4,000.00, for a total cost not to exceed \$19,000.00.

BE IT FURTHER RESOLVED, that Young Explosives, Inc. must submit a Certificate of Insurance in the amount of \$2,000,000.00 to the Town Clerk=s Office at least one (1) week prior to the scheduled events in a form acceptable to the Town Attorney.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Young Explosives, Inc. in an amount not to exceed \$15,000.00 for the 4TH of July Fireworks Display and \$4,000.00 for the New Year=s Eve Celebration upon satisfactory completion of each show.

SUPERVISOR BREESE

It=s well known, of course, that Henrietta has the best 4TH of July fireworks in Monroe County, maybe in New York State, and I=m pleased to see that they=re going to do some additional items this year for an additional Five Hundred Dollars (\$500.00). So, Young has been doing our fireworks for so many years, and I=m really pleased 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 #8-120/2005

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, the New York State Agriculture and Markets Law, Section 109 requires owners of dogs reaching four (4) months of age to make Application with the Town Clerk of the Town of Henrietta for a Dog License, and

WHEREAS, the New York State Agriculture and Markets Law, Section 114(7) requires Animal Control Officers, or authorized agents, to ascertain and list the names of all persons in the Town of Henrietta owning or harboring dogs through a Dog Enumeration process, and

WHEREAS, the New York State Agriculture and Markets Law, Section 119(4d) authorizes the Town of Henrietta to impose a five dollar (\$5.00) fee for every dog identified as being unlicensed during the Dog Enumeration process.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henrietta hereby authorizes the Animal Control Officers to conduct a Dog Enumeration in the Town

of Henrietta, beginning June 1, 2005 and ending October 31, 2005, under the direction and supervision of the Town Clerk.

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Henrietta is hereby authorized to advertise for additional staff to assist the Animal Control Officers in the Dog Enumeration process.

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Henrietta be hereby authorized to collect five dollars (\$5.00) for every dog identified as being unlicensed during the Dog Enumeration, upon issuance of the New York State Dog License.

SUPERVISOR BREESE

It's been a long time since we've done a dog enumeration, so this is certainly, this project is certainly long overdue, and I'm pleased to support it. I'm sure we'll find that there are many unlicensed dogs out there for whatever reason, and that this project will be a very good project. 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 #8-121/2005

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

BE IT RESOLVED, that the following persons be hired:

Norine Lalonde Recreation, Part-time Recreation Assistant @
\$7.00/hr., effective 4/2/2005.

Drew DeRoo Sewer/Drainage, Part-time Seasonal Laborer @
\$8.00/hr., effective 5/9/2005.

Parks and Facilities As per the attachment.

Highway As per the attachment.

BE IT FURTHER RESOLVED, that the attached progression increases be made (per the Collective Bargaining Agreement).

SUPERVISOR BREESE

You=ve all looked at the attachments, I take it?

COUNCILMAN MULLIGAN

On that last page, Mr. Supervisor, should Mr. Liess show the amounts on those, or you don=t need them? I think in the past you=ve showed amounts.

SUPERVISOR BREESE

Let me look at the last page.

COUNCILWOMAN McCABE

For the progression step increases.

SUPERVISOR BREESE

Yes, there ought to be amounts here. Where are they?

COUNCILMAN MULLIGAN

Maybe you can amend it.

SUPERVISOR BREESE

I don=t have the figures.

PAUL LIESS, JR., DIRECTOR OF FINANCE/PERSONNEL

This Resolution is the same as it was previous years because everybody=s at a different step.

SUPERVISOR BREESE

It doesn=t show any dollars here.

PAUL LIESS, JR., DIRECTOR OF FINANCE/PERSONNEL

No. If you want it attached I will.

SUPERVISOR BREESE

Well, absolutely. We=re approving increases but we don=t know what the increases are.

PAUL LIESS, JR., DIRECTOR OF FINANCE/PERSONNEL

Okay.

SUPERVISOR BREESE

So, let=s move to take this off. The progression step increases should be removed as part of the approval of this Resolution, and they ought to be brought back at the next Board meeting with the specific numbers. Is that all right? That=s an amendment.

COUNCILWOMAN McCABE

I=ll second it.

COUNCILMAN MULLIGAN

What about if he=s got the numbers now? What about attaching them?

SUPERVISOR BREESE

He said he didn=t.

COUNCILMAN MULLIGAN

You don=t have them with you, Paul?

PAUL LIESS, JR., DIRECTOR OF FINANCE/PERSONNEL

(From audience) No.

SUPERVISOR BREESE

Okay. So, call the roll on the amendment to remove this from the approval.

On Motion of
Supervisor Breese

Seconded by
Councilwoman McCabe

To delete the second paragraph regarding the progression increases.

MOTION TO AMEND

Duly put to a vote:

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

Carried

SUPERVISOR BREESE

Now on the main motion.

MAIN MOTION

Duly put to a vote:

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

Carried

SUPERVISOR BREESE

I guess that=s it. Is there anybody in the audience 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 McCabe at 8:31 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson
Deputy Town Clerk