

**HENRIETTA TOWN BOARD  
AGENDA  
SEPTEMBER 7, 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) - August 17, 2005
6. Miscellaneous Communications
7. Public Hearing:
  - Proposed Establishment of Extension No. 144 (Berkshire Park Subdivision) to Henrietta Water District No. 1
  - Proposed Establishment of Extension No. 188 (Berkshire Park Subdivision) to Henrietta Sewer District No. 1
  - Proposed Establishment of Extension No. 13 (Berkshire Park Subdivision) to the Henrietta Drainage District
  - Proposed Establishment of Extension No. 9 (Berkshire Park Subdivision) to the Henrietta Lighting District
  - Proposed Establishment of Extension No. 145 (Hen-Jef Plaza) to Henrietta Water District No. 1
  - Proposed Establishment of Extension No. 189 (Hen-Jef Plaza) 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 #16-183/2005  
Authorize Accounts Payable

RESOLUTION #16-184/2005  
Appoint Member to Zoning Board

RESOLUTION #16-185/2005  
Call for Public Hearing - Proposed Rezoning of Lands - Belfrey Golf Course

RESOLUTION #16-186/2005  
Authorize Relocation of CooperVision Within the Monroe County Empire Zone, Town of Henrietta

RESOLUTION #16-187/2005

Authorize Establishment of Extension No. 144 (Berkshire Park Subdivision) to Henrietta Water District No. 1

RESOLUTION #16-188/2005

Authorize Establishment of Extension No. 188 (Berkshire Park Subdivision) to Henrietta Sewer District No. 1

RESOLUTION #16-189/2005

Authorize Establishment of Extension No. 13 (Berkshire Park Subdivision) to the Henrietta Drainage District

RESOLUTION #16-190/2005

Authorize Establishment of Extension No. 9 (Berkshire Park Subdivision) to the Henrietta Lighting District

RESOLUTION #16-191/2005

Authorize Establishment of Extension No. 145 (Hen-Jef Plaza) to Henrietta Water District No. 1

RESOLUTION #16-192/2005

Authorize Establishment of Extension No. 189 (Hen-Jef Plaza) to Henrietta Sewer District No. 1

RESOLUTION #16-193/2005

Authorize Rezoning of Land Located on Bailey Road, I Gordon Realty Corp.

RESOLUTION #16-194/2005

Award Low Bid - Guildhall Road Sanitary Sewer Repair Project

RESOLUTION #16-195/2005

Accept Dedication of Sanitary Sewers and Pump Station - Sutters Crossing Subdivision

RESOLUTION #16-196/2005

Accept Dedication of Roads and Storm Sewers - Sutters Crossing Subdivision

RESOLUTION #16-197/2005

Authorize Advertisement for Bids - Viscount Drive Culvert Replacement Project

RESOLUTION #16-198/2005

Authorize Attendance of New York State Building Officials Conference

RESOLUTION #16-199/2005

Award Low Bid - Tinker Homestead Farm and Museum Horse Barn Foundation Replacement Project

RESOLUTION #16-200/2005

Authorize Mileage for Town Business

RESOLUTION #16-201/2005

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 7<sup>TH</sup> DAY OF SEPTEMBER, 2005 AT 8:00 P.M.

**MEMBERS PRESENT**

**ABSENT**

**MEMBERS**

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 Agenda items? Just agenda items, not Public Hearings, 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 August 17, 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 six (6) Public Hearings. Have they all been properly advertised, Mrs. Shaffer?

**PATRICIA SHAFFER, TOWN CLERK**

Yes, Sir.

**SUPERVISOR BREESE**

Let's see. Four (4) of them involve Berkshire Park, two (2) of them involve Henrietta-Jef

Plaza. Is there anybody that would like to speak on any of these Public Hearings at this time? *(Pause - no response)* If not, I'll adjourn the Public Hearings. May I have the first Resolution, please.

RESOLUTION #16-183/2005

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 9/7/2005  
\$ 512,610.73

EXHIBIT B

Manual Bills  
Payable  
\$  
27,547.58

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 #16-184/2005

On Motion of

Councilman Mulligan

Seconded by

Councilwoman McCabe

WHEREAS, there is a vacancy on the Zoning Board due to Jody Pulsifer moving out of Henrietta, and

WHEREAS, Beth M. Walsworth is a qualified resident of the Town of Henrietta and

wishes to serve on the Henrietta Zoning Board, and

WHEREAS, the Henrietta Town Board wishes to maintain the Boards at their authorized strength for maximum input.

THEREFORE, BE IT RESOLVED, that Beth M. Walsworth, 38 Mickens Bend, West Henrietta, New York 14586, be appointed to the Henrietta Zoning Board for the remainder of the five (5) year term effective September 8, 2005 and expiring December 31, 2006.

SUPERVISOR BREESE  
Discussion?

COUNCILMAN MULLIGAN  
Just under discussion, I think we were very fortunate to get a number of qualified residents. Ms. Walsworth appears to have great credentials, background and work experience, as well as education, and I think she'll serve the Board well.

SUPERVISOR BREESE  
Thank 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 #16-185/2005

On Motion of

Councilman Mulligan

Seconded by

Councilwoman Zinck

WHEREAS, the Town Board, on July 20, 2005, enacted Local Law No. 2 of 2005 establishing a Rural Residential Zoning District for land south of the New York State Thruway, consisting of approximately 185.8 acres, being identified as Tax Account Numbers 189.01-1-18.1, 189.01-1-18.2, 189.02-1-1, 189.02-1-2, 189.02-1-3, and part of Tax Account Numbers 189.02-1-4 and 189.02-1-5, and

WHEREAS, at the time of said enactment plans were being considered for a residential housing development to be constructed in conjunction with and in support of

the proposed “Belfrey” Golf Course, and

WHEREAS, in recognition of those plans and in support of the successful completion of said “Belfrey” development, the affected parcels, more particularly described in the attachments, were omitted from the Rural Residential District and retained as R-1-15 zoning, and

WHEREAS, various business decisions and disclosures have been made since the establishment of the Rural Residential District that seriously impact the prospects for the previously proposed residential development contemplated for the “Belfrey” Golf Course, and

WHEREAS, the Town Board now wishes to reconsider the recommendation of Behan Planning Associates, LLC, who recommended the rezoning of these parcels to Rural Residential District 2 (RR-2), and

WHEREAS, a map of the land under consideration is on file in the Office of the Town Clerk, and

WHEREAS, consideration of the zoning change 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, it is required that this Board and other involved agencies undertake a coordinated SEQRA review of this proposal, and

WHEREAS, the Town Board declares its intent to be the Lead Agency under SEQRA and will be sending out a letter notice to all involved agencies regarding this declaration, requesting a response to this declaration within thirty (30) days of receipt of said notice.

THEREFORE, BE IT RESOLVED, that a meeting of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, Main Meeting Room, 475 Calkins Road, Town of Henrietta, Monroe County, New York, on the 5<sup>TH</sup> day of October, 2005 at 8:00 P.M. to consider the rezoning for said parcels to Rural Residential and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted in the manner provided by law.

BE IT FURTHER RESOLVED, that no applications for development of this particular property will be accepted by the Town of Henrietta, effective immediately.

SUPERVISOR BREESE  
Discussion?

COUNCILMAN MULLIGAN

Under discussion, very briefly, I'm going to support this Public Hearing. I believe these parcels should not be R-1-15, which is a small, quarter (¼) acre lot, but instead should be at least half (½) acre lots with some forever wild or some green space around them. Near a golf course, these will be quality homes, and I think the bigger lots will serve us well.

SUPERVISOR BREESE

Anybody else?

COUNCILWOMAN ZINCK

Through you, Mr. Supervisor, if I could read a statement into the Record. When Local Law No. 2 of 2005 was established a few months ago regarding the rezoning of the land south of the Thruway, to Rural Residential Zoning, this Board made this decision after a great deal of time and discussion. The recommendations of the Behan Consulting Group were considered and the comments that were gathered from the public at the Informational Meetings were also taken into consideration. It's my belief that as a Board, that the Board as a whole intended this Resolution to be a way to move into a responsible vision for this Town. It was the Board's belief, I believe I speak for most of us, that the new rezoning and requirement of larger lot sizes for land south of the Thruway would help to create a balance of two (2) of Henrietta's greatest strengths. It would help to preserve Henrietta's remaining rural and agricultural areas, which are prevalent in the southern half of the Town, and it would balance it with the strength from the northern half of the Town, which is economic growth and commercial development. Both add to Henrietta's unique character and both add to the value of the community. These couple of parcels were excluded from the recommended rezoning, and it's important this Resolution be comprehensive and that it serve its original intent. I support the Resolution that will rezone those parcels that were excluded from the original Resolution so that they too can be part of Rural Residential Zoning.

COUNCILWOMAN McCABE

I have a technical question. May I ask it, Mr. Supervisor?

SUPERVISOR BREESE

Why don't you ask the lawyer.

COUNCILWOMAN McCABE

Fine. I will.

SUPERVISOR BREESE

Okay.

COUNCILWOMAN McCABE

In the first paragraph, there's a whole list of tax account numbers. Are those all the tax account numbers that we changed to Rural Residential, or are these the tax account

numbers that we're considering for the Public Hearing?

DANIEL MASTRELLA, TOWN ATTORNEY

As written in the first paragraph, the Resolution is somewhat deceiving, and it's good that you pointed that out because these are the, these tax account numbers are the parcels that are now being called for in the Public Hearing to be rezoned to Rural Residential 2, and I think the balance of the Resolution points that out, but it is deceiving in that first paragraph, the way it's written.

COUNCILWOMAN McCABE

Do we have to amend it to correct that paragraph?

DANIEL MASTRELLA, TOWN ATTORNEY

I think . . .

COUNCILMAN MULLIGAN

It doesn't read well.

DANIEL MASTRELLA, TOWN ATTORNEY

I think you can do it, instead of saying, "consisting of approximately," you can say "omitting approximately, instead of consisting of.

COUNCILMAN MULLIGAN

That's a lot better.

DANIEL MASTRELLA, TOWN ATTORNEY

I think that would more properly convey the intent.

COUNCILWOMAN McCABE

Do I have to amend it to say that?

DANIEL MASTRELLA, TOWN ATTORNEY

I think that would be appropriate.

COUNCILWOMAN McCABE

Okay.

DANIEL MASTRELLA, TOWN ATTORNEY

Omitting instead of consisting of.

COUNCILWOMAN McCABE

I move to amend the Resolution to say "omitting 185.8 acres."

COUNCILMAN YUDELSON

Second.

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	No

Carried

SUPERVISOR BREESE

Does anybody else, Councilman Yudelson, you haven't spoken yet. Do you have some opinion on this Resolution?

COUNCILMAN YUDELSON

I agree with the comments by the other Board members who would like to see the zoning be consistent with the zoning we adopted for the rest of the area south of the Thruway, and I support calling for the Public Hearing.

SUPERVISOR BREESE

Okay. Usually I support Public Hearings over my twenty (20) plus years. I think this is an absurd Public Hearing that's being called for. It's ill-advised and poorly timed, and I will not support it. I will get more into the details of how I feel about this whole matter at the Public Hearing on October 5<sup>TH</sup>. Call the roll, 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	No

Carried

RESOLUTION #16-186/2005

On Motion of

Councilwoman Zinck

Seconded by

Councilman Yudelson

WHEREAS, CooperVision has warehouse operations in the Town of Henrietta, employing approximately 200 people, and

WHEREAS, CooperVision is moving 200 jobs from outside of New York State to the Town of Henrietta, creating physical constraints at their current location on Commerce Drive in the Town of Henrietta, and

WHEREAS, CooperVision is moving to a larger facility being built for the company in the Erie Station Business Park in the Town of Henrietta, and

WHEREAS, this new facility is in the Empire Zone of Monroe County, Inc.

THEREFORE, BE IT RESOLVED, that the Town of Henrietta consents to the relocation of CooperVision to the Erie Station Business Park in the Town of Henrietta; said property is located in the Empire Zone of Monroe County, Inc.

SUPERVISOR BREESE  
Discussion?

COUNCILMAN MULLIGAN  
Just under discussion, no, I see it. Thank you.

SUPERVISOR BREESE  
Are you okay now? 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 #16-187/2005

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. 144 (BERKSHIRE PARK SUBDIVISION) TO HENRIETTA WATER DISTRICT NO. 1 LOCATED BETWEEN THE GENESEE RIVER AND MOORE 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. 144 (BERKSHIRE PARK 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, New York to be known as Extension No. 144 (Berkshire Park 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 "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 144 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. 144 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 in the Office of the State Department of Audit and Control in Albany, New York.

SUPERVISOR BREESE

Any questions? I know you were very interested in this Resolution, Mr. Senior Council.

COUNCILMAN MULLIGAN

Well, being the senior member, I'll pass at this time.

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 #16-188/2005

On Motion of

Seconded by

Councilman Yudelson

Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 188 (BERKSHIRE PARK SUBDIVISION) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED BETWEEN THE GENESEE RIVER AND MOORE ROAD 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. 188 (BERKSHIRE PARK SUBDIVISION) TO THE 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. 188 (Berkshire Park 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 "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 188 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. 188 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 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	Aye	
Supervisor Breese	voting		Aye

Carried

RESOLUTION #16-189/2005

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman McCabe

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IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 13 (BERKSHIRE PARK SUBDIVISION) TO THE HENRIETTA DRAINAGE DISTRICT LOCATED BETWEEN THE GENESEE RIVER AND MOORE 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. 13 (BERKSHIRE PARK SUBDIVISION) TO THE HENRIETTA DRAINAGE DISTRICT

WHEREAS, a written Petition for the establishment of an extension to the Henrietta Drainage District in the Town of Henrietta, County of Monroe, New York, to be known as Extension No. 13 (Berkshire Park Subdivision) of said Drainage District was duly presented to the 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 "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 13 to said Henrietta Drainage 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 district shall be designated and known as Extension No. 13 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 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	Aye	
Supervisor Breese	voting		Aye

Carried

RESOLUTION #16-190/2005

On Motion of

Councilwoman Zinck

Seconded by

Councilman Yudelson

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 9 (BERKSHIRE PARK SUBDIVISION) TO THE HENRIETTA LIGHTING DISTRICT LOCATED BETWEEN THE GENESEE RIVER AND MOORE ROAD 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. 9 (BERKSHIRE PARK SUBDIVISION) TO THE HENRIETTA LIGHTING DISTRICT

WHEREAS, a written Petition for the establishment of an extension to the Henrietta Lighting District in the Town of Henrietta, County of Monroe, New York, to be known as Extension No. 9 (Berkshire Park Subdivision) of said Lighting 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 "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 9 to said Lighting 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 district shall be designated and known as Extension No. 9 of said Lighting District 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 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 Aye  
Supervisor Breese voting Aye

Carried

RESOLUTION #16-191/2005

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. 145 (HEN-JEF PLAZA) TO HENRIETTA WATER DISTRICT NO. 1 LOCATED AT 400 JEFFERSON ROAD ON THE NORTH SIDE OF JEFFERSON ROAD AND TO THE WEST OF WEST HENRIETTA 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. 145 (HEN-JEF PLAZA) 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. 145 (Hen-Jef Plaza) 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 "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 145 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. 145 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 in 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	Aye	
Supervisor Breese	voting		Aye
	Carried		

RESOLUTION #16-192/2005

On Motion of

Councilman Yudelson

Seconded by

Councilwoman McCabe

---

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 189 (HEN-JEF PLAZA) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED AT 400 JEFFERSON ROAD ON THE NORTH SIDE OF JEFFERSON ROAD AND TO THE WEST OF WEST HENRIETTA 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. 189 (HEN-JEF PLAZA) TO THE 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. 189 (Hen-Jef Plaza) 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 "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 189 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. 189 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 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	Aye	
Supervisor Breese		voting	Aye
Carried			

RESOLUTION #16-193/2005

On Motion of

Supervisor Breese

Seconded by

Councilwoman McCabe

WHEREAS, the Town Board has received a request for partial rezoning from the Owner, I Gordon Realty Corp., for the rezoning of approximately 14.4 acres from a parcel of land identified as Tax Account Number 161.19-1-1.1, located on Bailey Road and east of Golden Rod Lane, from Residential R-1-15 to Commercial B-1, 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 Form (EAF) has been prepared for the 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 rezoning Application, pursuant to Section 617.7 of SEQRA, and

WHEREAS, pursuant to an Order, a Public Hearing was held on August 17, 2005, and

WHEREAS, based upon testimony received at the Public Hearing, it appears that it would be in the best interest of the Town to have a residential custodian on site.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board does formally designate itself and accepts Lead Agency status for the environmental review of described rezoning 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.

BE IT FURTHER RESOLVED, that the Henrietta Town Board hereby ratifies, confirms and adopts the rezoning of said land, being rezoned to Commercial B-1 as per the attached legal description, effective September 16, 2005.

BE IT FURTHER RESOLVED, that the Applicant be granted a Special Permit to allow a residential unit on the parcel to be used to house a manager or custodian of the storage facility.

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 #16-194/2005

On Motion of

Councilwoman Zinck

Seconded by

Councilman Yudelson

WHEREAS, Resolution #14-160/2005 authorized the advertisement for bids on the Guildhall Road Sanitary Sewer Repair Project for spot repairs to the existing sanitary sewer, and

WHEREAS, two (2) bids were received, and the low bid, meeting specifications, was received from Randsco Pipeline, Inc. for a total cost of \$97,850.00.

THEREFORE, BE IT RESOLVED, that Randsco Pipeline, Inc., 727 Rowley Road, Victor, New York 14564, be hereby awarded the bid at a cost not to exceed \$97,850.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Randsco Pipeline, Inc. in an amount not to exceed \$97,850.00 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 #16-195/2005

On Motion of

Councilman Mulligan

Seconded by

Councilwoman Zinck

WHEREAS, Forest Creek Equity Development Corp., the Developer of Sutters Crossing Subdivision, located west of East Henrietta Road and south of Erie Station Road, has installed sanitary sewers and a pump station in said subdivision, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated utilities 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 sanitary sewer system, including the pump station, 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 sanitary sewer system, including pump station, was installed in accordance with Town requirements and have recommended that they be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said sanitary sewer system, including pump station, for the described subdivision be and they hereby are accepted and that

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, securing with the Town of Henrietta a sum of Thirty-five Thousand, Nine Hundred Dollars (\$35,900.00) 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	Aye	
Supervisor Breese	voting	Aye	

Carried

RESOLUTION #16-196/2005

On Motion of

Councilwoman McCabe

Seconded by

Councilman Mulligan

WHEREAS, Forest Creek Equity Development Corporation, the Developer of Sutters Crossing Subdivision, located west of East Henrietta Road and south of Erie Station Road, has constructed roads and installed storm sewers in said subdivision, and

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

WHEREAS, the Town Attorney has examined this 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 roads 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 roadways and said improvements for the described subdivision 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, securing with the Town of Henrietta a sum of Sixty-eight Thousand, Six Hundred Dollars (\$68,600.00) 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	Aye	
Supervisor Breese	voting		Aye

Carried

RESOLUTION #16-197/2005

On Motion of

Councilman Yudelson

Seconded by

Councilwoman McCabe

WHEREAS, the Town of Henrietta requires bids for the Viscount Drive Culvert Replacement Project for the replacement of the existing culverts on Viscount Drive, to conform with construction plans and specifications on file in the Town Clerk's Office, with bids to be opened at 10:00 A.M. on Friday, October 14, 2005 and received no later than 9:30 A.M. on Friday, October 14, 2005.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for the Viscount Drive Culvert Replacement 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	Aye	
Supervisor Breese	voting		Aye

Carried

RESOLUTION #16-198/2005

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, the Building and Development Coordinator has requested authorization to attend the New York State Building Officials Conference to be held at the Bonnie Castle Resort, Alexandria Bay, New York on September 14, 2005 through September 16, 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 A. David Pirrello, Building and Development Coordinator, be hereby authorized to attend the conference at Alexandria Bay, New York, at a cost not to exceed \$468.00, to include registration, lodging, 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 #16-199/2005

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Yudelson

WHEREAS, Resolution #14-162/2005 authorized the advertisement for bids on the Tinker Homestead Farm and Museum Horse Barn Foundation Replacement Project, and

WHEREAS, two (2) bids were received, and the low bid, meeting specifications, was received from Russell P. LeFrois Builders, Inc. for a total cost of \$45,000.00.

THEREFORE, BE IT RESOLVED, that Russell P. LeFrois Builders, Inc., 1020 Lehigh Station Road, Henrietta, New York 14467, be hereby awarded the bid at a cost not to exceed \$45,000.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Russell P. LeFrois Builders, Inc. in an amount not to exceed \$45,000.00 upon successful completion of said work and acceptance by the Director of the Tinker Homestead and Farm Museum and the Hansen Nature Center.

SUPERVISOR BREESE  
Discussion?

COUNCILMAN MULLIGAN  
Just under discussion, for the Record, according to Mr. Oliver, the Director over there at the museum, we had Twenty Thousand (\$20,000) remaining in the account, and then it's my understanding the other Twenty-five Thousand (\$25,000) would come under or come out of the fund balance?

SUPERVISOR BREESE  
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 #16-200/2005

On Motion of

Councilman Mulligan

Seconded by

Councilwoman McCabe

BE IT RESOLVED, that the authorized officers and employees of the Town of Henrietta be and are hereby granted mileage for the use of their own vehicles on official Town business at the rate of \$.45 per mile, subject to submitting proof of the use of their own vehicles on such Town business.

SUPERVISOR BREESE

This is based on the obvious increase in fuel costs in the last month or so. We've been paying Thirty-nine Cents (\$.39) per mile, and obviously, that's not enough. So, I think this is about the right figure. Actually, we could go for more, but I think forty-five (45) is probably a good number.

COUNCILMAN MULLIGAN

You've got to limit your trips.

COUNCILWOMAN McCABE

We're still under the Federal on that.

SUPERVISOR BREESE

Well, no, I'm not, the Federal is actually forty-one (41), but they're going to increase that based on the forty (40) percent increase in fuel costs. So, we could go for more than forty-five (45), but don't worry about it with me eliminating trips. I don't take trips.

COUNCILMAN YUDELSON

Mr. Supervisor, is this effective today? There's no date.

SUPERVISOR BREESE

Well, yes. Any Resolution that's passed today, unless it otherwise is stipulated, would be effective today.

COUNCILMAN YUDELSON

Okay. Thank you.

SUPERVISOR BREESE

That's how we work here, you know. 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 #16-201/2005

On Motion of

Seconded by

Councilman Mulligan

Councilman Yudelson

BE IT RESOLVED, that the following persons be hired:

Alan Swift Parks & Facilities, Seasonal Laborer @ \$7.50/hr., effective 9/12/2005.

Renee Wrubel Recreation, Part-time Recreation Assistant @ \$7.50/hr., effective 9/7/2005.

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

Recreation 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	Aye	
Supervisor Breese		voting	Aye

Carried

SUPERVISOR BREESE

That's the end of the regular meeting. Before we adjourn, is there somebody that would like to speak on any other items involving the Town of Henrietta? Yes, from the back. Just come up and give us your name and address, please.

RICHARD WILLIAMS, 56 WILDBRIAR ROAD

The name is Richard Williams. The address is 56 Wildbriar Road. I'm speaking for Miss Ann Zimberlin who lives at 48, and she is experiencing undue stress because she's being isolated differently than others in terms of her yard. I've known Ann for thirty-four (34) years, lived next to her, and I know that if there's anyone that spends more time in their yard than her, I don't know who it is. She has been receiving calls and letters on her yard, and if anyone has gone up and down Wildbriar Road you will find that you will not notice anything differently in terms of her grass than anybody else. However, she's receiving letters and she's very distressed about that. I think that it is, she's a widower, she's retired, and it's almost on the verge of harassment because to be consistent, you will find that there are others, even on Wildbriar, who have lawns that are more, the grass is higher. So, I'm speaking here because I'm concerned about her health and her

being isolated for and responded to differently than others. So, I think that the Town ought to somehow make sure that there is an equal response across the board rather than isolating certain people for Code violations.

SUPERVISOR BREESE

Can you tell us what the Code violation, the alleged violation . . .

RICHARD WILLIAMS, 56 WILDBRIAR ROAD

They said that her grass was higher than six (6) inches. That was one thing, and she can tell you about other phone calls that she's received. But, I know for a fact that none of us have seen, all the way down that street, her grass being any higher than any of the others. We don't understand why she has received a letter, but this letter has concerned her to the point that she's very nervous about it because she spends a lot of time in her yard, and she can't understand it, and we don't understand it, and she's tried to resolve it but hasn't been able to. So, I hope that . . .

SUPERVISOR BREESE

Well, we don't believe in selective enforcement, and that's kind of what you're talking about.

RICHARD WILLIAMS, 56 WILDBRIAR ROAD

That's what I'm saying, yes.

SUPERVISOR BREESE

I'll certainly discuss that with our Code Enforcement people tomorrow. Is there a phone number that we can call on this? For you?

RICHARD WILLIAMS, 56 WILDBRIAR ROAD

Well, my number is, you can call me or Ann, my number is 334-7697, but Ann's number is 334-4273.

SUPERVISOR BREESE

Give me that number again, please.

RICHARD WILLIAMS, 56 WILDBRIAR ROAD

334-4273.

SUPERVISOR BREESE

Okay. I'll look into that tomorrow and we'll get back to you.

RICHARD WILLIAMS, 56 WILDBRIAR ROAD

Thank you.

SUPERVISOR BREESE

Thank you very much. Is there anybody else that wants to speak on any other items?  
Yes, Mam?

HELEN ELAM, 98 TALL OAK LANE

I am the Town Historian, and is this the time I can talk?

SUPERVISOR BREESE

Of course. You can talk any time want, Helen.

HELEN ELAM, 98 TALL OAK LANE

Okay, great. Thank you very much.

SUPERVISOR BREESE

But we have time limits. *(Laughter)*

HELEN ELAM, 98 TALL OAK LANE

All right.

SUPERVISOR BREESE

I'm only kidding. You know that.

HELEN ELAM, 98 TALL OAK LANE

I'll speed it up.

SUPERVISOR BREESE

Okay.

HELEN ELAM, 98 TALL OAK LANE

I am celebrating today my fifteenth year as Town Historian, a position I have loved. Thank you to the Town Board for appointing me to this interesting and rewarding job. When I was appointed I asked the Town Board, what do you want me to do? Is there anything specifically? Bill Mulligan answered, yes, you can continue on as previous historians have done, but be sure to become more visible in the community and do some writing about it. So, tonight I thought I would like to report to the community some of the things I have done, and Bill, you can tell me if I have accomplished your goals. Before I get into that, I want to briefly say some of the things that I want to do in the future, like in the next few months. We're planning to do a pictorial history of the Town of Henrietta, and I ask for the cooperation of residents to provide me with old pictures of Henrietta from the 1800's to the, approximately to the 1940's, and that's a little bit, we're not sure about that either. I'd have to look at the picture. Some of them we can doctor up, but others we can't. So, I'm asking for help from the community on that. The next thing that's coming up is we're going to have some historic markers put into the two (2) villages, the West Henrietta Village and the East Henrietta Village. We'll do the West Henrietta one first, and then do it in next year's budget, next year for the East Henrietta Village area. Also we have the Architectural Heritage Awards. These have been given during the past twenty (20) years, and I can't announce who is getting them because we haven't done it

formally as yet. Then next Monday I am going to have a table at a history fair at the German Club in Rochester. The County and City historians will be there and other people interested in history. So, anybody in the audience, we're going to be there from 5 to 9 p.m. on Monday night. The other thing I'm doing is finishing up research on my African American Henrietta history project. So, now to the past accomplishments. *(Tape being switched)* . . . to establish the eleventh and twelfth Preservation Districts in Town. This is the most important thing that a historian can do is to preserve the built environment and also the Henrietta archives, the historic archives. I would like to say something about preservation as we have seen it happen just recently in the East Henrietta Village area, East Henrietta Road and Lehigh Station Road. It started when Blue Sunday opened up in that old building that used to be the general store, and it's continued on with the new Reed's Ice Cream Store and another one across the street, an old gas station, it was one at one time, and then the Dog Grooming Institute, when they re-did that building, it's just marvelous and it looks really great. So, that's how preservation catches on. You start one place and somebody sees, oh, they've painted or have done something to their property and then the idea comes, well, maybe I can improve mine, too, and that's how preservation gets accomplished. I was very pleased and proud that I could help the West Henrietta Baptist Church a few years ago to complete their application to the Sacred Sites Program for a new roof, and they were awarded Five Thousand Dollars (\$5,000) because of their application. So I was happy about that and they were, too. I've worked for the Tinker Museum in a number of ways. I've been on the Advisory Board and now the Friends group and have given presentations when we've had Founders' Day and helped with the Civil War re-enactment, which was just recently. I've worked on the committee for the 175<sup>TH</sup> Anniversary Celebration for the Town, and Mike Yudelson will agree with me that it was a lot of fun. He was in charge of it at that time. I've provided, my part was to provide a series of lectures, historic lectures, which was, I thought they were wonderful. I didn't do them, other people did them. I was the Chair of a committee that provided a four (4) day festival for the 150<sup>TH</sup> Anniversary Celebration of the Ordination of Antoinette Brown Blackwell. 1853 is when she was ordained. She was the first ordained woman minister in the United States, and when you think of it today, it just was marvelous that she could accomplish that at that time. I traveled to a chill mark on Martha's Vineyard to look up the home where she lived in the summers with her family and to visit the grave site of Antoinette and all her family, they're there, and that was marvelous. Jim and I went together and the Town paid for it. No, they didn't. *(Laughter)* I founded the Henrietta Historical Society in 1996, and next year we will have and celebrate our tenth year. We have done tours, we've had lectures, and we've had a really good time doing it. This spring we went to the Mount Morris dam. I've never been inside it before, but it was quite interesting, and in September, on September 18<sup>TH</sup> coming up, we will have our Supervisor, James Breese, who everybody knows, I think, he is going to give us a talk about his twenty (20) years as Supervisor, twenty (20) years plus. So, everybody come. We want to have a nice attendance, so please come. One time I put on an exhibit in this room of the paintings of John Wenrich, our famous Henrietta artist, and it was wonderful.

SUPERVISOR BREESE

We named a street after him.

HELEN ELAM, 98 TALL OAK LANE

Yes, we did. I mean, you did, not me.

SUPERVISOR BREESE

I did. Okay, go ahead.

HELEN ELAM, 98 TALL OAK LANE

That was very nice of you, and his son and his wife really appreciated that. This past year our Historic Site Committee established the Centennial Farm Award where we reward local farmers who have farmed on their property for one hundred (100) years, and that was just wonderful. Don Yost and his wife received the first award, and we have someone in mind for next year as well. Getting to my writings, well, I've just completed my fifteenth monthly article for the Henrietta Post, and I've also done some writings for various publications that the Town was involved in, giving histories and that sort of thing, and I've given talks. Most recently was one to the senior citizens of West Town Village, and I've done displays, they've got one right now in the foyer of the Town Hall, and I also do them in the library. I can't remember . . .

COUNCILMAN MULLIGAN

I think you've exceeded, Helen, what we wanted you to do.

HELEN ELAM, 98 TALL OAK LANE

Oh, okay.

COUNCILMAN MULLIGAN

You took me very literally.

HELEN ELAM, 98 TALL OAK LANE

Okay. I see. Thank you.

COUNCILMAN MULLIGAN

Very gracious as always.

HELEN ELAM, 98 TALL OAK LANE

Well, I was just going to say, this is some of the things I could think of today, because I just thought of coming today. So, I hope you have been grateful, or I hope I've satisfied you as to what you were asking, and I'm very grateful for the opportunity to do it. But I also have to say something else. In all my activities, and there have been quite a few over the last fifteen (15) years, in the midst of these things my husband and I celebrated our fiftieth wedding anniversary, and I want to thank my husband, Jim, for his support. I couldn't do anything without him. *(Applause)*

SUPERVISOR BREESE

You don't have to speak, Jim. You don't have to speak. *(Laughter)*

HELEN ELAM, 98 TALL OAK LANE

Well, I'll just say, sweetheart, thank you so much, and thank you to all of you for hearing me tonight.

SUPERVISOR BREESE

Helen, thank you for that interesting report. We know you've done a great job. One more thing you might do, next month, D & C is running a supplement about Henrietta . . .

HELEN ELAM, 98 TALL OAK LANE

Oh, yes.

SUPERVISOR BREESE

. . . and I gave them your name to call, I don't know if they have yet, but I think it would be interesting if you could talk to the D & C editors so that your point of view could be in that special supplement they're going to do on Henrietta in October, and maybe explain to them how Henrietta got its name and some of the history. So, if they haven't called you, you should call them.

HELEN ELAM, 98 TALL OAK LANE

Yes. Well, I was thinking of doing that, and I certainly will. I know a few years ago they did the same thing and I was involved at that time.

COUNCILWOMAN ZINCK

Helen, I wish people worked as hard as you do in their full-time jobs as you do. This has got to cost you a fortune, her working for us, Jim. Thank you.

SUPERVISOR BREESE

Let's not bring Jim into this. *(Laughter)* Thank you, Helen.

HELEN ELAM, 98 TALL OAK LANE

Okay. Thank you.

SUPERVISOR BREESE

Okay. Very good. *(Applause)* Okay, before we adjourn, anybody else want to speak on any other Henrietta items? Yes, Mam?

CAROL BURRITT, 182 COUNTESS DRIVE

Hello. You know me. My name is Carol Burritt, 182 Countess Drive. I came tonight simply because I've had some time freed up lately, but also because of the fact that we, there was a Public Hearing about approving a new drainage district, or the extension of a drainage district out near where I live. I didn't speak at the Public Hearing because I guess I don't like to speak when I don't know of what I speak, and that's why I'm kind of up

here to ask a couple of questions. Not having seen the maps or what is planned as far as proper storm drainage in the Berkshire Park Subdivision, I really can't comment on what they're doing. I guess one of my questions would be, if the Town Board is approving this drainage district, and I assume drainage district means for storm drainage, does that imply that once all of this is done that the Town then, through the fees that are brought in, maintains this district or is responsible for the maintenance of it, or anything that comes under the . . . is that how it works?

SUPERVISOR BREESE

Mr. Byrne, would you respond to that question about the Berkshire drainage district, which actually has nothing to do with Lake Pamela.

CAROL BURRITT, 182 COUNTESS DRIVE

Oh, no, it doesn't. I know that.

SUPERVISOR BREESE

But I want . . .

CAROL BURRITT, 182 COUNTESS DRIVE

I know it has nothing to do with Lake Pamela, but it's draining storm water.

SUPERVISOR BREESE

Let him explain to you how that works.

CAROL BURRITT, 182 COUNTESS DRIVE

Okay. Thank you.

SUPERVISOR BREESE

Mr. Byrne?

MARK BYRNE, DIRECTOR OF ENGINEERING AND PLANNING

Essentially, the Town will be taking dedication of the storm drainages that feed the streets, and they will be conveyed into storm ponds, which will be under easement for us to maintain.

CAROL BURRITT, 182 COUNTESS DRIVE

So, that's generally how it works.

MARK BYRNE, DIRECTOR OF ENGINEERING AND PLANNING

Yes.

CAROL BURRITT, 182 COUNTESS DRIVE

Okay. I guess, I know you say that it has nothing to do with Lake Pamela, but I guess that's always been my question. Lake Pamela drains a lot of streets, drains a lot of storm water, probably keeps a lot of basements from being flooded, and I guess it's been my question for the last two (2), three (3) years. If it's doing all this for probably, oh, a few

square miles of the land, and I do, I have gone down to the County Clerk's Office and looked at maps that were signed by Town officials back in 1972 with the easement right there for Lake Pamela and its tributaries in and out, and I still am questioning, I'm here tonight because a new drainage district is being established, which fees will be collected for it, as fees, I imagine, are collected for Lake Pamela and all of that. My question still is, why isn't it maintained by these fees?

SUPERVISOR BREESE

Are you talking about why isn't Lake Pamela maintained?

CAROL BURRITT, 182 COUNTESS DRIVE

Um-hmm.

SUPERVISOR BREESE

We've had that discussion before, haven't we?

CAROL BURRITT, 182 COUNTESS DRIVE

Yes, we have, and I guess I haven't gotten the answer that . . .

SUPERVISOR BREESE

You want to have it again? You know that we have no legal responsibility to do that. You've heard that from our attorneys in the past, and if you want to rehash that again tonight, it's the same answer. We have no legal responsibility to maintain Lake Pamela. I can't put it any more bluntly.

CAROL BURRITT, 182 COUNTESS DRIVE

I guess it still hasn't come through why in one area of the Town it's okay to do it and for Lake Pamela it's not.

SUPERVISOR BREESE

Why don't you talk to the Town Attorney at some point. He's here tonight, and he can explain that to you.

CAROL BURRITT, 182 COUNTESS DRIVE

Okay. We can talk about some of the Town Codes that are established for drainage and what the Town is responsible for. I mean, I've read them, and . . .

SUPERVISOR BREESE

I'm sorry. We're not going to take care of Lake Pamela, and you know that. We've had that discussion before.

CAROL BURRITT, 182 COUNTESS DRIVE

Oh, I know Lake Pamela won't be taken care of for at least another two and a half (2½) years.

SUPERVISOR BREESE

Okay.

CAROL BURRITT, 182 COUNTESS DRIVE

I'm resigned to that, but I will keep bringing it up, because I do feel . . .

SUPERVISOR BREESE

You have a right to do that, and if you want to talk to staff about it, Mark Byrne and Dan Mastrella, the attorney, they can give you . . .

CAROL BURRITT, 182 COUNTESS DRIVE

Well, I have called staff recently about the influx of new silt that's coming from the new construction across the street because the earthen dams aren't being maintained and asked that someone please go over and take a look at those.

SUPERVISOR BREESE

Who'd you talk to, by the way?

CAROL BURRITT, 182 COUNTESS DRIVE

I called the Town Engineering, and you know, the water . . .

SUPERVISOR BREESE

Did they go over and look at it?

CAROL BURRITT, 182 COUNTESS DRIVE

Well, the mud came through when the rain came, and I called quite a while ago. It's been doing it all summer, and I did take a walk over there and the dams are all down.

SUPERVISOR BREESE

Okay.

CAROL BURRITT, 182 COUNTESS DRIVE

So, if there is someone in the Town that is responsible for that, that would be good. I know it would be the fondest wish that Lake Pamela get filled in, but you know, let's not do it this way.

SUPERVISOR BREESE

Okay.

CAROL BURRITT, 182 COUNTESS DRIVE

Okay. Thank you. You'll be seeing me again.

SUPERVISOR BREESE

Before we adjourn, is there anybody else that wants to speak? *(Pause - no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman Zinck at 8:50 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson  
Deputy Town Clerk