

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

**ORDER OF BUSINESS**

1. Roll Call
2. Prayer
3. Pledge of Allegiance to the Flag
4. Public Presentation/Agenda Items
5. Approval of Minutes of the Preceding Meeting(s) - October 19, 2005
6. Miscellaneous Communications
7. Public Hearings:
  - Fiscal Year 2006 Preliminary Budget for the Town of Henrietta; Proposed Salaries for Elected Town Officials are: Supervisor, \$93,682; Councilpersons, \$17,092; and Town Judges, \$25,931
  - Proposed Amendments to Chapter A301, "Fee Schedules," §A301-3E of the Town Code of the Town of Henrietta, to Increase Sewer Rents
8. Introduction of and Action Upon Local Laws, Ordinances, Resolutions
9. Reports of Standing Committees and Actions Thereon
10. Reports of Special Committees
11. Public Comment
12. Adjournment

**RESOLUTION #20-217/2005**

Authorize Accounts Payable

**RESOLUTION #20-218/2005**

Authorize Amendments to the Fiscal Year 2006 Preliminary Budget

**RESOLUTION #20-219/2005**

Adopt Fiscal Year 2006 Final Budget

**RESOLUTION #20-220/2005**

Authorize Proposed Amendments to Chapter A301, "Fee Schedules," §A301-3E of the Town Code of the Town of Henrietta, to Increase Sewer Rents

**RESOLUTION #20-221/2005**

Call for Public Hearing - Proposed Local Law No. 3 of 2005 Amending Real Property Tax Law for Alternative Veterans Exemption

**RESOLUTION #20-222/2005**

Authorize Supervisor to Sign Extra Work Order No. 4 - Clay Road Connection to Brighton-Henrietta Town Line Road Project

RESOLUTION #20-223/2005

Authorize Installation of Stop Signs by Monroe County Department of Transportation -  
Sweet Pea at East River Road, Surrey Hill Way at Edgewood Avenue

RESOLUTION #20-224/2005

Authorize Lease Renewal - Mark Greene, Property on Calkins Road

RESOLUTION #20-225/2005

Adopt Official Undertaking of Receiver of Taxes and Assessments

RESOLUTION #20-226/2005

Authorize Personnel Items

PURSUANT TO CALL A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, WAS DULY HELD AT THE HENRIETTA TOWN HALL, 475 CALKINS ROAD, HENRIETTA, NEW YORK ON THE 2<sup>ND</sup> DAY OF NOVEMBER, 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**

It's great to see all these students here. Try to pay attention. *(Laughter)* Hopefully this won't last too long tonight, folks, okay. Is there anyone that would like to speak on any items on the agenda other than the Public Hearings? Just agenda items only, other than the Public Hearings? *(Pause - no response)* If not, may I have the approval of the Minutes?

**COUNCILWOMAN McCABE**

Mr. Supervisor, I move we approve the Minutes of October 19, 2005.

**COUNCILMAN YUDELSON**

Second.

**SUPERVISOR BREESE**

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

**SUPERVISOR BREESE**

We have two (2) Public Hearings tonight, one on the Fiscal Year 2006 Preliminary Budget for the Town of Henrietta. Has this been properly advertised?

**PATRICIA SHAFFER, TOWN CLERK**

Yes, Sir.

SUPERVISOR BREESE

Thank you. Is there anyone that would like to speak on the Budget for 2006 at this time? *(Pause - no response)* I'll close the Hearing. The next Hearing is on the proposed amendments to fee schedules for the Town Code. Has this been properly advertised?

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir.

SUPERVISOR BREESE

Would anyone like to speak on this? *(Pause - no response)* If not, I'll close the Hearing. May I have the first Resolution, please?

RESOLUTION #20-217/2005

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 11/2/2005  
\$ 233,415.96

EXHIBIT B

Manual Bills Payable

\$ 55.00

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 #20-218/2005

On Motion of

Councilwoman Zinck

Seconded by

Councilman Yudelson

WHEREAS, pursuant to Section 108 of the Town Law, a Public Hearing was held on November 2, 2005 on the Preliminary Budget of the Town of Henrietta for the Fiscal Year 2006, at which time all persons wishing to be heard thereon were heard, in favor of, or against, the said Preliminary Budget as compiled, or for, or against, any item or items therein contained, and

WHEREAS, the following items are proposed amendments to said Preliminary Budget for the Fiscal Year 2006:

1. The following salaries are to be reduced to 2005 levels:

a.)	Page 1	Supervisor	Acct. #A.1220.100	reduction	\$	2,729.00
b.)	Page 1	Town Council Members	Acct. #A.1010.100	reduction	\$	1,992.00
c.)	Page 1	Town Justices	Acct. #A.1110.100	reduction	\$	2,265.00
d.)	Page 3	Town Attorney	Acct. #A.1420.100	reduction	\$	1,174.00
e.)	Page 15	Zoning Board Attorney	Acct. #A.8010.100	reduction	\$	280.00
f.)	Page 15	Planning Board Attorney	Acct. #A.8020.100	reduction	\$	522.00
						<u>8,962.00</u>

2. The funds listed below are to be eliminated/reduced from these accounts as follows:

a.)	Page 1	Supervisor	Acct. #A.1220.400	R.I.T. donation	\$	500.00
b.)	Page 4	Public Works	Acct. #A.1490.200	Generator	\$	70,000.00
c.)	Page 10	Parks	Acct. #A.7110.302	Riverfront Park	\$	25,000.00
d.)	Page 11	Playground & Rec.	Acct. #A.7140.480	T-Shirts 300 additional	\$	1,500.00
e.)	Page 11	Youth Rec. Proj.	Acct. #A.7141.400	(open gym Fridays closed)	\$	2,000.00
f.)	Page 12	Joint Rec. Proj.	Acct. #A.7145.449	Misc. expense - dance	\$	1,500.00
g.)	Page 14	Tinker Homestead	Acct. #A.7520.200	Gator - equipment	\$	7,200.00
						<u>\$ 107,700.00</u>

Revenue Accounts are to be increased for these accounts as follows:

a.)	Page 18	Fire Marshal fees	Acct. #A.1561.0	Inspection fees	\$	6,000.00
b.)	Page 18	Softball	Acct. #A.2013.0	Adult Softball	\$	2,720.00
c.)	Page 18	Summer Playgrounds	Acct. #A.2018.0	Playgrounds	\$	10,200.00
d.)	Page 18	Misc. Rec. Fees	Acct. #A.2020.0	New Year's Eve	\$	4,000.00
e.)	Page 18	After School	Acct. #A.2051.0	After School	\$	2,360.00
						<u>\$ 25,280.00</u>

THEREFORE, BE IT RESOLVED, that the afore described amendments to the Preliminary Budget for the Fiscal Year 2006 be adopted.

BE IT FURTHER RESOLVED, that the \$141,942.00 as reflected in said amendments put into Account #A.9901.400 to be transferred into a Building Capital Reserve Fund.

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 No  
Carried

RESOLUTION #20-219/2005

On Motion of

Councilwoman McCabe

Seconded by

Councilman Mulligan

WHEREAS, pursuant to Section 108 of the Town Law, a Public Hearing was held on November 2, 2005 at 8:00 P.M. at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York, on the Preliminary Budget of the Town of Henrietta for the Fiscal Year 2006, at which time all persons wishing to be heard thereon were heard, in favor of, or against, the said Preliminary Budget as compiled, or for, or against, any item or items therein contained.

THEREFORE, BE IT RESOLVED, that the Fiscal Year 2006 Preliminary Budget, as amended through Resolution #20-218/2005, be hereby adopted as the Annual Budget for the Town of Henrietta for the Fiscal Year beginning January 1, 2006 and that it shall be entered into the Minutes of the Town Board.

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 #20-220/2005

On Motion of

Councilman Mulligan

Seconded by

Councilwoman Zinck

WHEREAS, a Public Hearing was held on November 2, 2005 at 8:00 P.M. at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York before the Town Board of said Town to consider amendments to Chapter A301 of the Town Code of the Town of Henrietta to increase commercial sewer rates by fifty (50) percent for 5/8" and generally increase all other commercial sewer rates by ten (10) percent, as attached, and

WHEREAS, no adverse comments or opposition were heard.

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

SUPERVISOR BREESE  
Discussion?

COUNCILMAN MULLIGAN

Just under discussion, from what our Finance Director, Mr. Liess, tells me, our sewer rates are still some of the lowest in the County.

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 #20-221/2005

On Motion of

Councilwoman Zinck

Seconded by

Councilwoman McCabe

WHEREAS, the New York State Legislature has authorized taxing jurisdictions to adopt a Local Law to increase the maximum allowable exemption for the Real Property Tax Law Section 458-a "Alternative Veterans Exemption," and

WHEREAS, the Town of Henrietta, by Local Law No. 1-1997, provided for the Alternative Veterans Exemption in the Town Code Section 250-16, and

WHEREAS, the Town of Henrietta desires to consider increasing such exemption limits to the maximum allowable in accordance with Real Property Tax Law Section 458-a.

THEREFORE, BE IT RESOLVED, that a Public Hearing will be held on December 7, 2005 at 8:00 P.M. at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York, before the Town Board of the Town of Henrietta to consider amending Section 250-16 of the Town Code by adopting the attached Local 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 #20-222/2005

On Motion of

Councilman Yudelson

Seconded by

Councilman Mulligan

WHEREAS, Resolution #18-231/2002 authorized Professional Construction Inspection Services for the new construction of the Clay Road Connection to Gravely Road Project, including a new bridge over CSX Railroad Line, P.I.N. 4753.47, in the amount of \$245,000.00, and

WHEREAS, due to the longer duration of the construction phase, it was necessary to provide additional construction inspection time, as described in the attached letter dated October 27, 2005, and

WHEREAS, Extra Work Order No. 4 provides for this additional Construction Inspection Service cost necessary to ensure compliance with the Contract Documents, and

WHEREAS, the Director of Engineering and Planning has reviewed and approved the proposed change of this Construction Inspection Contract and recommends that this be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the Town Supervisor, on behalf of the Town, be and hereby is authorized to execute Extra Work Order No. 4, not to exceed an increase of \$16,500.00, resulting in increasing the total Construction Inspection Contract to \$270,800.00.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay Lu Engineers, 2230 Penfield Road, Penfield, New York 14526, upon successful completion of this Project 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 #20-223/2005

On Motion of

Councilman Mulligan

Seconded by

Councilman Yudelson

WHEREAS, New York State Vehicle and Traffic Law, Section 1660, permits the Town Board to establish traffic regulations within the Town by Resolution, and

WHEREAS, the Monroe County Director of Transportation has requested permission to install a "STOP" sign on Sweet Pea Drive at East River Road and another "STOP" sign on Surrey Hill Way at Edgewood Avenue, and

WHEREAS, the Henrietta Town Board supports and encourages the installation of these traffic control devices in the interest of public safety.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board hereby authorizes the establishment of "STOP" signs at the above named intersections.

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 #20-224/2005

On Motion of  
Supervisor Breese

Seconded by  
Councilwoman Zinck

WHEREAS, the Town of Henrietta acquired the Development Rights and Fee Title to property on Calkins Road in the Town of Henrietta formerly known as the Aldridge Farm, and

WHEREAS, the Town Board of the Town of Henrietta desires to continue to keep the land in use as farm land, and

WHEREAS, Mark Greene, 3170 Clover Street, Pittsford, New York 14534, has previously farmed the land and desires to continue to plant crops on the land and to renew the Lease Agreement with the Town for a period of one (1) year, from December 1, 2005 through November 30, 2006, for thirty-one (31) acres of tillable land at \$25.00 per acre, amounting to an annual rental of \$775.00, and

WHEREAS, the Town Attorney has reviewed the Lease renewal and found it to be in proper form.

THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to sign the Lease renewal on behalf of the Town of Henrietta.

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 #20-225/2005

On Motion of  
Councilwoman McCabe

Seconded by  
Councilman Yudelson

BE IT RESOLVED, that the Town Board adopts the attached official Undertaking of Receiver of Taxes and Assessments Resolution in the amount of \$100,000 and directs that it be filed in the Office of the Town Clerk.

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 #20-226/2005

On Motion of

Councilman Mulligan

Seconded by

Councilwoman McCabe

BE IT RESOLVED, that the following persons be hired:

Edward O'Connell                      Crossing Guards, Crossing Guard @  
\$10.83/hr., effective 10/17/2005.

Highway                                      Wingpersons, as per the attachment.  
BE IT RESOLVED, that the following employee changes be made:

Highway                                      Wingpersons, 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 anyone who would like to speak on any other matters involving the Town of Henrietta? *(Pause - no response)*  
This is your chance. *(Pause - no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman Zinck at 8:14 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson  
Deputy Town Clerk