

**HENRIETTA TOWN BOARD  
AGENDA  
DECEMBER 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) - November 16, 2005
6. Miscellaneous Communications
7. Public Hearing:
  - Proposed Local Law No. 3 of 2005 Amending Real Property Tax Law for Alternative Veterans Exemption
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 #22-232/2005  
Authorize Accounts Payable

RESOLUTION #22-233/2005  
Authorize Application for Grant Funds - New York State Quality Communities Program

RESOLUTION #22-234/2005  
Authorize Addition of 150 Lucius Gordon Drive and 200 Lucius Gordon Drive to the Monroe County Empire Zone

RESOLUTION #22-235/2005  
Adopt Proposed Local Law No. 3 of 2005 Amending Real Property Tax Law for Alternative Veterans Exemption

RESOLUTION #22-236/2005  
Authorize Appointment of Member to the Board of Assessment Review

RESOLUTION #22-237/2005  
Authorize Rezoning of Lands from R-1-15 to R-1-20 - Belfrey Golf Course

RESOLUTION #22-238/2005

Authorize Supervisor to Sign Monroe County Community Development Grant -  
Hollybrook Road Sanitary Sewer Repairs

RESOLUTION #22-239/2005

Accept Dedication of Clay Road Bridge

RESOLUTION #22-240/2005

Authorize Purchase of One (1) State Contract Vehicle - New ½ Ton 4x4 Pickup Truck -  
Highway Department

RESOLUTION #22-241/2005

Authorize Purchase of One (1) State Contract Vehicle - New ½ Ton Extended Cab 4x4  
Pickup Truck - Highway Department

RESOLUTION #22-242/2005

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 DECEMBER, 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 anybody that would like to speak on items that are on the Agenda right now? Just items on the Agenda only right now? Yes, Sir.

**JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH**

Mr. Mulligan is going to present a Resolution, 22-237/2005, having to do with the rezoning of the land around the golf course. The very last paragraph has me a bit confused. I don't think I grasped it properly, and basically, it says that the Town Board has no objection to the Town Planning Board's consideration under Town Law 278 of smaller lot clustered residential development involving the properties lying west of Middle Road, and then the Tax Account Number, provided that the overall density of the entire project does not exceed the density which would otherwise be allowed in the R-1-20 District. I'm kind of confused as to how you maintain density in two different sized lots, and isn't the area west of Middle Road, which is being talked about here, also south of the Thruway, which we had talked about in the plans and things of that nature.

**SUPERVISOR BREESE**

It's south of the Thruway. What's your point?

**JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH**

How do you, it sounds to me like they want to cluster more homes than what . . .

**SUPERVISOR BREESE**

On the west side of Middle Road, since it's right on the Expressway, I guess the theory is that you would not have large lots, very expensive homes right on an expressway. So, they're being allowed a little leeway to do some kind of creative development on the west side of Middle Road, only.

**JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH**

And still maintain the density?

SUPERVISOR BREESE

Still maintaining the density.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

Okay. Thank you.

SUPERVISOR BREESE

Okay. Thank you. Is there anybody else that would like to speak? Yes.

RACHEL WARREN, 59 TOMAHAWK TRAIL

I noticed that we're creating some more Empire Zones, and I was wondering what kind of exemptions businesses receive for being in an Empire Zone and how long do those exemptions last? Is it a period of five (5) years, ten (10) years?

SUPERVISOR BREESE

Well, they get a lot of nice benefits right from the State directly. It's not like a COMIDA, which is a property tax abatement. It's done through the State of New York, and it's a very nice program, for businesses that want to stay here or want to come here; but it's a State program.

RACHEL WARREN, 59 TOMAHAWK TRAIL

So it doesn't take . . .

SUPERVISOR BREESE

It's not a Town Program.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Okay. So, it does not abate taxes for the Henrietta community?

SUPERVISOR BREESE

No. It's a different kind of a program. It gives them other kinds of advantages for staying here or coming here from the State.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Okay. Thank you.

COUNCILMAN MULLIGAN

I thought it impacted on some property taxes, too.

SUPERVISOR BREESE

I don't know. You want to go into that now?

COUNCILMAN MULLIGAN

Well, Mrs. Warren has asked a question. Nate, through the Supervisor, could you

explain the impact on the property tax?

SUPERVISOR BREESE

It's okay, Nate. We've got a lot of time.

NATHAN GABBERT, TOWN ASSESSOR

I just want to make sure I understand the question right. You're asking if there's a property tax . . .

COUNCILMAN MULLIGAN

The impact of the Empire Zone on the local property taxes, how it affects them.

NATHAN GABBERT, TOWN ASSESSOR

Simply by virtue of being located within an Empire Zone does not afford a property tax abatement by itself. There are other programs available through COMIDA or whatever that could influence that, but just geographically being located in an Empire Zone does not automatically afford a property tax abatement.

SUPERVISOR BREESE

That's just what I said, Bill.

COUNCILMAN MULLIGAN

But the vast majority of the time, property taxes are dramatically lowered in the Empire Zones.

SUPERVISOR BREESE

Wait a minute. COMIDA, it's different than . . .

COUNCILMAN MULLIGAN

Right, through another program.

NATHAN GABBERT, TOWN ASSESSOR

If COMIDA is involved, that could be the case, yes.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Thank you.

SUPERVISOR BREESE

Thanks for the question.

RACHEL WARREN, 59 TOMAHAWK TRAIL

I also wanted to compliment Councilman Yudelson and Councilwoman Zinck on their applying for the Quality Communities Grant. I think that's wonderful. Thank you very much.

SUPERVISOR BREESE

I knew you'd like that. Anybody else on any agenda items only, right now? *(Pause - no response)* If not, may I have the approval of the Minutes, please.

COUNCILMAN YUDELSON

Mr. Supervisor, I move we approve the Minutes of November 16, 2005.

SUPERVISOR BREESE

Is there a second?

COUNCILMAN MULLIGAN

Second.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

SUPERVISOR BREESE

We have one (1) Public Hearing, which I believe has been properly advertised. Is that correct?

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir.

SUPERVISOR BREESE

On a veteran's exemption, which has a minimal effect in terms of Town revenues and has already been approved by the County Legislature. Is there anyone that would like to speak on this proposed Local Law No. 3 for a veteran's exemption? *(Pause - no response)* If not, I'll close the Public Hearing, and we'll move into the first Resolution, please.

RESOLUTION #22-232/2005

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 12/7/2005  
\$ 950,039.22

EXHIBIT B

Manual Bills Payable

\$ 251.01

SUPERVISOR BREESE

Discussion?

COUNCILMAN MULLIGAN

Just under discussion, through you Mr. Supervisor, Mr. Liess, I noticed that the State retirement payment was quite a bit lower than last year. Could you explain why that was the case?

PAUL LIESS, JR., DIRECTOR OF FINANCE/PERSONNEL

Instead of making the payment in February, which we did last year and took a ten percent (10%) interest penalty on it, we paid it off early, therefore, reducing the ten percent (10%) interest penalty. Therefore, it's about the same price if you reduce that out.

COUNCILMAN MULLIGAN

Thank you.

SUPERVISOR BREESE

Thank you. Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #22-233/2005

On Motion of

Councilman Yudelson

Seconded by

Councilwoman Zinck

WHEREAS, the Town of Henrietta's Comprehensive Land Use Plan recommends the creation of a Community/Town Center and the development of a Recreation Master Plan, and

WHEREAS, grant funds are available through the New York State 2005-2006 Quality Communities Program, part of the New York State Environmental Protection Fund, and

WHEREAS, grant funds solicited by the Town of Henrietta, if awarded, would be used for a study that would be necessary for the planning of a Community/Town Center and the creation of a Recreation Master Plan, and

WHEREAS, the Town of Henrietta's Application to the New York State Quality Communities Program requests \$67,011.00 in State funding that would be matched by \$16,753.00 in Town funds paid to Town staff for their time working on this Project.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henrietta supports the Application for the Henrietta Community Center and Open Space Planning and authorizes Councilman Michael B. Yudelson to sign and submit the Application on behalf of the Town.

BE IT FURTHER RESOLVED, that Supervisor James R. Breese, on behalf of the Town of Henrietta, is hereby authorized to execute all Contract and Financial Documents related to this grant, should it be awarded to the Town.

SUPERVISOR BREESE

This Application states that Councilman Yudelson is authorized to sign and submit the Application. Presumably, that would happen after we approve the Resolution, is that correct?

COUNCILMAN YUDELSON

No. As noted in the e-mails to all the Board members last week, the Application was due on Monday, this past Monday, and so having gotten e-mail approval from other Board members, I did go ahead and sent it in. Of course, if the Resolution was not passed, then they would not consider the Application.

SUPERVISOR BREESE

So this Application should have been sent in before, you're saying it was sent in before the Resolution. It should have been sent in after the Resolution.

COUNCILMAN YUDELSON

If you look through the Application materials, it does specifically say that the Resolution can be sent in after the Application deadline. It just asks when it will be sent in, and we did indicate it would be sent in this month.

SUPERVISOR BREESE

Anybody else have any questions?

COUNCILWOMAN ZINCK

No. Just through you, Mr. Supervisor, I know these grants are very tedious and time-consuming and the deadline was quickly approaching, and Councilman Yudelson, thank you for your work on this.

COUNCILMAN YUDELSON

Thank you. The only other thing, Mr. Supervisor, I wanted to note that the match for the Town would be through time of Town staff working on the Project, time that we already pay them for, so there would be no new costs to the Town if we were awarded this grant.

SUPERVISOR BREESE

Anybody else? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Absent
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	No

Carried

RESOLUTION #22-234/2005

On Motion of

Councilwoman Zinck

Seconded by

Councilman Mulligan

WHEREAS, pursuant to Section 961 of the General Municipal Law, the County authorized, pursuant to Local Law No. 1 of 2001, Application by Monroe County for designation of certain areas as an Empire Zone within the meaning of said statute, such designation was approved by the New York State Commissioner of Economic Development and the lands were formally designated by the Empire Zones Designation Board on December 6, 2001, and

WHEREAS, the New York State Legislature and the Governor have enacted into law changes to the Empire Zones program, whereby each existing Empire Zone must configure its existing zone acreage into six (6) "distinct and contiguous" areas; the boundaries of said areas to be included in said Empire Zone within this municipality more specifically described as 150 Lucius Gordon Drive, Tax Account Number 174.02-1-35; and 200 Lucius Gordon Drive, Tax Account Number 174.02-1-36, more particularly described in Schedule A attached hereto and made a part hereof, and

WHEREAS, pursuant to Section 957(d)(1) of the General Municipal Law, the County has proposed the redesignation of the existing Monroe County Empire Zone into six (6) "distinct and contiguous areas," which will include the Town of Henrietta, and

WHEREAS, such redesignation could greatly benefit the Town of Henrietta in that new businesses would be encouraged to locate in the zone area, existing businesses would be encouraged to expand in the zone area, and new and expanded businesses would generate new jobs for Monroe County residents, and

WHEREAS, the County intends to authorize the submission of an Application for the redesignation of areas within the Town of Henrietta as an Empire Zone, and

WHEREAS, the County wishes to redesignate certain areas within the Town of Henrietta as part of the proposed Empire Zone, and

WHEREAS, the Town of Henrietta is desirous of working with Monroe County through the Empire Zone Program to provide enhanced job opportunities for its residents.

THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Henrietta that it fully supports and concurs in the submission of an Application by Monroe County for the redesignation of certain areas as an Empire Zone.

**SUPERVISOR BREESE**

Under discussion, this was held up briefly based on a letter that I sent to the County of Monroe asking for some explanations of what this meant and we did receive a very helpful letter from Terry Slaybaugh from the County of Monroe, which the Board members have copies of, explaining how the Empire Zone works, and I think we all understand that it doesn't have a direct impact on property taxes but it brings in the question, the issue of COMIDA, which was addressed in the newsletter that went out last week which went to ten thousand (10,000) homes, informing the public how much COMIDA costs the average person who owns a home in Henrietta, and it wasn't sent out to take a position for or against COMIDA because we have a lot of COMIDA projects here that we think are good. I think it was important that the people know that COMIDA is not free and that it's being subsidized by the homeowners in Henrietta and our entire County, and maybe hopefully, and I had a call from one of the County officials wondering why we would even put that information out. Well, why shouldn't we inform the public about what COMIDA is costing them? This official seemed to object to that, thought it was sort of negative and antagonistic. But I explained to him that it's not, that we're glad we have some COMIDA projects, but I think what we're looking for here is more accountability. It's having a tremendous impact on our revenues, probably more in Henrietta than any other town, and we just hope that these COMIDA projects are looked at very carefully and that the promises that are made by the companies that get these tax benefits are being kept because the less they pay, the more we all pay as individual taxpayers. So, that's where I am on this issue, and I'm not against COMIDA but I am for accountability. Anybody else? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Absent
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye

Councilwoman Zinck voting Aye  
Supervisor Breese voting Aye  
Carried

RESOLUTION #22-235/2005

On Motion of  
Councilman Mulligan  
Seconded by  
Councilman Yudelson

WHEREAS, pursuant to an order of the Town Board, a Public Hearing was held on December 7, 2005 at 8:00 P.M. at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York to hear all persons for or against the proposed Local Law No. 3 of 2005, amending Local Law No. 1-1997, Alternative Veterans Exemption; and

WHEREAS, no adverse comments were received.

THEREFORE, BE IT RESOLVED, that Local Law No. 3-2005 be hereby enacted by the Town Board of the Town of Henrietta as per the attachment.

BE IT FURTHER RESOLVED, that Local Law No. 3-2005 be hereby adopted to amend Local Law No. 1 of 1997.

BE IT FURTHER RESOLVED, that Local Law No. 3 of 2005, as required by Section 27 of the Municipal Home Rule Law, become effective after filing and acknowledgment by the Office of the Secretary of State.

SUPERVISOR BREESE  
Discussion? Call the roll, please.

Duly put to a vote:  
Councilwoman McCabe voting Absent  
Councilman Mulligan voting Aye  
Councilman Yudelson voting Aye  
Councilwoman Zinck voting Aye  
Supervisor Breese voting Aye  
Carried

RESOLUTION #22-236/2005

On Motion of  
Supervisor Breese  
Seconded by

Councilwoman Zinck

WHEREAS, a vacancy exists on the Town of Henrietta Board of Assessment Review, and

WHEREAS, Joseph D. Bellanca is a qualified resident of the Town of Henrietta and wishes to serve on the Board of Assessment Review, and

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

THEREFORE, BE IT RESOLVED, that Joseph D. Bellanca, 1451 Pinnacle Road, Henrietta, New York 14467, be hereby appointed to the Board of Assessment Review for

the remainder of a five (5) year term effective immediately and expiring September 30, 2010.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

RESOLUTION #22-237/2005

On Motion of

Councilman Mulligan

Seconded by

Councilman Yudelson

WHEREAS, on October 5, 2005, the Town Board held a duly noticed Public Hearing to consider the potential rezoning of parcels, 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, from its current R-1-15 Zoning to the Rural Residential District 2 Zoning (RR-2), and

WHEREAS, all persons interested in this matter were heard at the Public Hearing, including representatives of the current owners of a number of the affected parcels and the owners and prospective owner of the "Belfrey" Golf Course, who presented information indicating that the proposed rezoning could significantly impact the long-term

viability of the "Belfrey" Golf Course development, and

WHEREAS, the Town Board has sent Notice of its Intent to Serve as Lead Agency and a copy of the Environmental Assessment Form and all related materials to all involved and/or interested agencies, and has received no response objecting to the Town Board's designation as Lead Agency, and

WHEREAS, said owners subsequently presented to the Town Board a Concept Plan prepared by DDS Engineers and dated October, 2005 showing residential development of the properties proposed to be rezoned, along with the relocation of several golf holes onto these properties and additional residential development on portions of the existing golf course, all of which integrates the proposed residential development more closely into the golf course design, such Concept Plan being based upon a potential rezoning of the properties proposed to be rezoned to the R-1-20 Zoning District and a cluster development under the provisions of Town Law §278, and

WHEREAS, the Town Board has carefully considered and taken a hard look at the potential environmental impacts of rezoning the subject properties and has concluded that residential development of the subject parcels proposed for rezoning in substantially the manner depicted in the Concept Plan, including the rezoning of the subject parcels from R-1-15 to R-1-20, is consistent with the character of the surrounding area, will not detrimentally impact nearby properties and will help insure the preservation of the green space and the provision of a valuable recreational opportunity for the community in the form of the Belfrey Golf Course. As a result of the foregoing, the rezoning itself to a lower density classification is clearly no less protective of the environment than maintaining the existing zoning, as defined in Section 617.3(g) of the SEQRA regulations, such that full scale environmental review of any specific development proposal (which has not yet been presented by the property owners) can be properly and adequately addressed by the Planning Board at the time such specific proposal is presented.

THEREFORE, BE IT RESOLVED, that the Town Board hereby declares itself as Lead Agency with respect to review of this rezoning proposal.

BE IT FURTHER RESOLVED, that the Town Board determines that the proposed rezoning of the subject properties to R-1-20 will not have any significant adverse impact upon the environment, and that a Negative Declaration pursuant to SEQRA shall be prepared and filed as required by law.

BE IT FURTHER RESOLVED, that the parcels listed above, and as depicted on a map of the involved property on file in the Office of the Town Clerk, is hereby rezoned from its current R-1-15 classification to the R-1-20 District, subject to the following condition:

- 1.) To the extent that the owners of the rezoned parcels present an application to the Town Planning Board for approval of a clustered residential

development pursuant to Town Law §278, said owners in such application shall not propose on Tax Account Numbers 189.02-1-1, 189.02-1-2, 189.02-1-3, 189.02-1-4 and 189.02-1-5 (being all of the rezoned parcels east of Middle Road) any residential lots of less than 20,000 square feet, and shall propose, on the properties lying west of Middle Road (specifically Tax Account Number 189.01-1-18.1) at least an acre of designated green space set aside in that area.

BE IT FURTHER RESOLVED, that the Town Board has no objection to the Town Planning Board's consideration under Town Law §278 of a smaller lot clustered residential development involving the properties lying west of Middle Road (Tax Account Numbers 189.01-1-18.1 and 189.01-1-18.2), provided that the overall density of the entire project does not exceed the density which would otherwise be allowed in the R-1-20 District.

**SUPERVISOR BREESE**

Under discussion, this is a long Resolution with a lot of words, but it's a very important Resolution. I remember years and years ago when I met with Bob Roth and he had a dream about what he'd like to see over there in that area of Town, and I think we all shared that dream and that hope that it could happen. There have been a lot of ups and downs during that time, a lot of disappointments and a lot of surprises and so forth, but the original concept of having a golf course in our Town, an eighteen (18) hole golf course, I think we all liked, and Bob was very determined to see it through. Unfortunately because of health reasons, he couldn't see it through, but I think we're now at the point where this Resolution makes it happen, finally, and I have to commend all those people who were involved in this Project. I see Mark there, I see Mick Evans here and your attorney. This is a great project for the Town of Henrietta. This zoning is actually more restrictive than the existing zoning, but it provides the developer with an opportunity to put up a very fine project in that area with fine homes that I think will be well-received in this whole Town and the whole area. So, to make a long story short, thank God we're here finally, at this point, and I have to single out Mr. Evans from California for bringing this to a conclusion and the way you have, I commend you for that. The Town Board and the Town Staff will work very closely with you to make sure it's a project that this whole Town can be proud of, and this whole County can be proud of. But I want to thank you, Mr. Evans, for making this possible, finally, at long last. Anybody else?

**COUNCILMAN MULLIGAN**

Well stated.

**SUPERVISOR BREESE**

Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Absent
Councilman Mulligan	voting	Aye

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

Carried

RESOLUTION #22-238/2005

On Motion of

Councilman Yudelson

Seconded by

Councilman Mulligan

WHEREAS, a Community Development Grant for the year 2005, in the amount of \$35,000.00, is available through Monroe County, and

WHEREAS, this Grant provides for sanitary sewer repairs on Hollybrook Road in the Town of Henrietta.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to accept and sign the Community Development Construction Agreement for said Grant.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

*(Brief Pause)*

SUPERVISOR BREESE

Bill, are you here?

COUNCILMAN MULLIGAN

Absolutely. You know, you're in a hurry tonight. Let's relax. Life is very short. You should know that better than anyone.

SUPERVISOR BREESE

Listening to Father Mulligan. Please, read the Resolution, please, Father.

COUNCILMAN MULLIGAN

Calm, please.

SUPERVISOR BREESE

I'm very calm. I'm very calm.

COUNCILMAN MULLIGAN

Hyper.

SUPERVISOR BREESE

Not hyper. Not like you. Just go ahead, will you?

COUNCILMAN MULLIGAN

You're not hyper, sure. *(Laughter)*

RESOLUTION #22-239/2005

On Motion of

Councilman Mulligan

Seconded by

Councilman Yudelson

WHEREAS, the new Clay Road Bridge over the CSX Railroad line connection to Gravely Road, P.I.N. 4753.47 (the Project) has been funded by Federal Funds (80%), New York State Department of Transportation Funds (15%), and a local share by the Town of Henrietta (5%), and

WHEREAS, Resolution #22-265/2003 awarded the Bid to the Contractor, Ramsey Constructors, Inc. for the total amount of \$1,686,514.35, and

WHEREAS, the Superintendent of Highways and the Director of Engineering and Planning have determined that the bridge with said roadway improvements were built in accordance with Contract Documents and Town requirements and have recommended that they be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said bridge with said roadway improvements for the described Project be and they hereby are accepted.

BE IT FURTHER RESOLVED, that such acceptance is made subject to the Contractor securing with the Town of Henrietta a Maintenance Bond in the amount of One Hundred Sixty-seven Thousand Six Hundred Twenty-eight Dollars (\$167,628.00) for a period of two (2) years.

SUPERVISOR BREESE  
Discussion?

COUNCILMAN MULLIGAN

I just want to give a special thanks to Mark Byrne. This project actually came in at a few thousand under budget. It's a huge improvement to providing traffic flow north and south in the Town, taking some of the heat off Jefferson Road, and I'm happy to play a small part in it.

SUPERVISOR BREESE

Thank you. Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #22-240/2005

On Motion of

Councilwoman Zinck

Seconded by

Councilman Yudelson

WHEREAS, the 2006 Highway Budget provides funds for the purchase of one (1) new ½ ton 4x4 pickup truck to replace Truck #103, a 2000 Chevrolet pickup, and

WHEREAS, a replacement truck meeting specifications is available through New York State Contract #PC60924 from Hoselton Chevrolet, Inc. at a total cost of \$20,164.62.

THEREFORE, BE IT RESOLVED, that Hoselton Chevrolet, Inc., 909 Fairport Road, East Rochester, New York 14445, be hereby awarded the purchase of one (1) new 2006 Chevrolet Silverado 1500 pickup truck for a total cost not to exceed \$20,164.62.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Hoselton Chevrolet, Inc. an amount not to exceed \$20,164.62 upon delivery and receipt of all proper documentation.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #22-241/2005

On Motion of

Councilman Yudelson

Seconded by

Councilwoman Zinck

WHEREAS, the 2006 Highway Budget provides funds for the purchase of one (1) new ½ ton extended cab 4x4 pickup truck to replace Truck #109, a 2000 Dodge pickup, and

WHEREAS, a replacement truck meeting specifications is available through New York State Contract #PC60924 from Hoselton Chevrolet, Inc. at a total cost of \$20,843.08.

THEREFORE, BE IT RESOLVED, that Hoselton Chevrolet, Inc., 909 Fairport Road, East Rochester, New York 14445, be hereby awarded the purchase of one (1) new 2006 Chevrolet Silverado 1500 pickup truck for a total cost not to exceed \$20,843.08.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Hoselton Chevrolet, Inc. an amount not to exceed \$20,843.08 upon delivery and receipt of all proper documentation.

SUPERVISOR BREESE

Under Discussion, can somebody out there tell me, a Department Head, why we're paying Seven Hundred Dollars (\$700) more for this truck, the same truck, than we were on the previous Resolution? I can't wait to hear this one.

COUNCILMAN MULLIGAN

Seat warmer.

COUNCILWOMAN ZINCK

I think it's an extended cab.

RUSSELL MARTIN, SUPERINTENDENT OF HIGHWAYS

The main difference is . . .

SUPERVISOR BREESE

This is Rusty Martin, for the Record. Go ahead.

RUSSELL MARTIN, SUPERINTENDENT OF HIGHWAYS

The main difference is that the second one has an extended cab.

SUPERVISOR BREESE

How did you know?

RUSSELL MARTIN, SUPERINTENDENT OF HIGHWAYS

They do have some slightly different options.

SUPERVISOR BREESE

Okay. Sit down. Call the roll, please. I thought I had him there. I guess I don't. Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #22-242/2005

On Motion of

Councilman Mulligan

Seconded by

Councilman Yudelson

BE IT RESOLVED, that the following persons be hired:

Bernice Jakus Recreation, Part-time Recreation Assistant @ \$7.25/hr., effective 11/27/2005.

Eileen Jelfo Recreation, Part-time Recreation Assistant @ \$7.25/hr., effective 11/27/2005.

Terrence Singletary Engineering, Engineering Aid @ \$9.00/hr., effective 12/6/2005.

Carl Gause Highway, Part-time Wingperson @

\$8.25/hr., effective 12/8/2005.

Beth Reagan Highway, Part-time Wingperson @ \$8.25/hr., effective 12/8/2005.

Jennifer Jones Highway, Part-time Wingperson @ \$8.25/hr., effective 12/8/2005.

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

Alan Banker, Jr. Recreation, Part-time Recreation Assistant @ \$8.00/hr. from \$7.00/hr., effective 11/28/2005.

Jennifer Perry Animal Control, Part-time Animal Control Officer @ \$8.49/hr. from a Seasonal Animal Control Officer @ \$9.49/hr., effective 11/27/2005.

Carol Pennington Highway, Part-time Wingperson @ \$8.25/hr. from a Part-time Animal Control Officer @ \$9.00/hr., effective 12/8/2005.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Absent
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye

Supervisor Breese	voting	Aye
Carried		

SUPERVISOR BREESE

Before we adjourn, is there anybody who would like to speak on any other items involving the Town of Henrietta? Before we adjourn? *(Pause - no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman Zinck at 8:32 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson

Deputy Town Clerk