

**HENRIETTA TOWN BOARD
AGENDA
MARCH 15, 2006**

ORDER OF BUSINESS

1. Roll Call
2. Prayer
3. Pledge of Allegiance to the Flag
4. Public Presentation/Agenda Items
5. Approval of Minutes of the Preceding Meeting(s): March 1, 2006
6. Miscellaneous Communications
7. Introduction of and Action Upon Local Laws, Ordinances, Resolutions
8. Reports of Standing Committees and Actions Thereon
9. Reports of Special Committees
10. Public Comment
11. Adjournment

RESOLUTION #7-81/2006

Authorize Accounts Payable

RESOLUTION #7-82/2006

Authorize Application Fee Increases - Building Department

RESOLUTION #7-83/2006

Call for Public Hearing - Proposed Rezoning of Land Located on the East Side of East Henrietta Road and North of Rush-Henrietta Town Line Road from Rural Residential RR-2 to Rural Residential RR-1 - Burns Subdivision

RESOLUTION #7-84/2006

Accept Dedication of Stormwater Detention Facility - Harvest Hills Subdivision, Section 2

RESOLUTION #7-85/2006

Award Low Bid - Installation of Playground Equipment for Veteran's Memorial Park

RESOLUTION #7-86/2006

Declare Items Surplus Material

RESOLUTION #7-87/2006

Authorize Supervisor to Sign Contract - County of Monroe Year 2006 Senior Meals Program

RESOLUTION #7-88/2006

Recognize Year 2006 Youth Hall of Fame Inductees

RESOLUTION #7-89/2006

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 15TH DAY OF MARCH, 2006 AT 8:00 P.M.

MEMBERS PRESENT

MEMBERS ABSENT

Supervisor James R. Breese
Councilman William J. Mulligan, Jr.
Councilman Michael B. Yudelson
Councilwoman Janet B. Zinck
Daniel J. Mastrella, Town Attorney
Amber N. Hutchinson, Deputy Town Clerk

Councilwoman Catherine A. McCabe

SILENT PRAYER.....

PLEDGE OF ALLEGIANCE TO THE FLAG.....

SUPERVISOR BREESE

Is there anybody that would like to speak on Agenda items at this time? Just agenda items right now? Yes, Sir?

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

I would like, actually, to speak on something that's not on the Agenda.

SUPERVISOR BREESE

Then you have to wait until later.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

I'm sorry?

SUPERVISOR BREESE

You have to wait until the end if it's not on the Agenda.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

Well, the reason I'm addressing it now is because I was told it was going to be on the Agenda, and maybe it can be inserted. I understand there was favorable meeting, or there was a meeting, a presentation at the Workshop by the Henrietta Foundation. They reported at the Henrietta Foundation last night that there was going to be a motion tonight, because of the time constraints, to issue the R.F.P.

SUPERVISOR BREESE

That's not true. I told them that we would do it at our next meeting, which is the first meeting in April.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH
Oh, I'm sorry. He misunderstood you.

SUPERVISOR BREESE
Okay.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH
That takes care of it. Thank you.

SUPERVISOR BREESE
Thank you. Does somebody want to move approval of the Minutes, please?

COUNCILWOMAN ZINCK
I'd like to move approval of the Minutes from the, what meeting was it . . .

COUNCILMAN MULLIGAN
March 1ST.

COUNCILWOMAN ZINCK
. . . March 1ST, 2006 meeting.

COUNCILMAN YUDELSON
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
May I have the first Resolution, please.

RESOLUTION #7-81/2006

On Motion of
Councilman Mulligan

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 3/15/2006

\$ 214,064.22

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 #7-82/2006

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

WHEREAS, the Town of Henrietta Fire Marshal/Building Inspector has recommended the attached proposed application fees, and

WHEREAS, the Town Board has reviewed such recommendations and they appear to be in order.

THEREFORE, BE IT RESOLVED, that the attached fee schedules be adopted, effective April 1, 2006.

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 #7-83/2006

On Motion of
Councilman Yudelson

Seconded by
Councilman Mulligan

WHEREAS, the Town Board of the Town of Henrietta has received a request from the Owner, John Burns, of the parcel of land located at 5084 East Henrietta Road,

identified as Tax Account Number 202.02-2-29, to consider the rezoning of approximately 82.4 acres from Rural Residential RR-2 to Rural Residential RR-1, and

WHEREAS, maps and descriptions of the lands under consideration are 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 declares its intent to be the Lead Agency for the Environmental Quality Review under the New York State Environmental Quality Review Act (SEQRA).

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

BE IT FURTHER RESOLVED, that a Public Hearing on the rezoning request will be held on April 5, 2006 at 8:00 P.M. at the Henrietta Town Hall, Main Meeting Room, 475 Calkins Road, Henrietta, New York 14467, to consider rezoning said property from Rural Residential RR-2 to Rural Residential RR-1.

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

SUPERVISOR BREESE

Discussion? 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 #7-84/2006

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

WHEREAS, Lacey Development, the Developer of Harvest Hills Subdivision, Section Two (2), located on the north side of Branchbrook Drive, has constructed a stormwater detention facility in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said facility and the aforescribed improvements to the Town and for this purpose has delivered to the Town a deed for the parcel of land, identified as Tax Account No. 190.03-2-19, conveying said facility to the Town, and

WHEREAS, the Town Attorney has examined this deed and has found it to be in good order, and

WHEREAS, the Commissioner of Public Works and the Director of Engineering/Planning have determined that the said facility was built in accordance with Town requirements and have recommended that they be accepted by the Town, and

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

WHEREAS, the Director of Engineering/Planning and the Commissioner of Public Works have re-inspected the facility and recommend that it be accepted without requiring posting said Bond.

THEREFORE, BE IT RESOLVED, that the said stormwater detention facility for the described subdivision section be and it hereby is accepted and that said deed be recorded in the Monroe County Clerk's Office.

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 #7-85/2006

On Motion of
Councilman Yudelson

Seconded by
Councilman Mulligan

WHEREAS, Resolution #5-70/2006 authorized the advertisement for bids for the installation of new playground equipment for the Veteran’s Memorial Park, and

WHEREAS, two (2) bids were received, and the low bid, meeting specifications, was received from DB Construction for a total cost of \$18,200.00.

THEREFORE, BE IT RESOLVED, that DB Construction, 5530 Flanagan Road, Marcy, New York 13403, be hereby awarded the bid at a cost not to exceed \$18,200.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay DB Construction in an amount not to exceed \$18,200.00, upon successful completion of said work and acceptance by the Commissioner of Public Works and 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 #7-86/2006

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

WHEREAS, the Commissioner of Public Works has requested that the following items be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
8006	2001 Dodge ½ ton 4x4 Pickup Truck #109 (Highway) V.I.N. #1B7HF13ZX1J273573
8005	2000 Badger 1085D Wheeled Excavator #112 (Highway) V.I.N. #000203

2522	1985 Case Model #752 Ten Ton Roller #111 (Highway) V.I.N. 840207919
1920	1993 Ford Utility Tractor w/Sickle Bar Mower #114 (Highway) V.I.N. #BD 49896
3293	1999 Dodge ¾ Ton 4x4 Pickup Truck w/Plow #503 (Drainage) V.I.N. #3B7KF26Z4XM586962
3046	1997 Ford One Ton 4x4 Dump Truck w/Plow #546 (Drainage) V.I.N. #1FDKF38G7VEB91402
2670	1990 Continental Sewer Rodder (Sewer) V.I.N. #1826514487
1486	1988 Ventilation Blower (Sewer) Serial #F886887
1487	1977 Ventilation Blower (Sewer) Serial #80302
2889	1997 Homelite 3" Trash Pump (Sewer) Serial #HS1980012

THEREFORE, BE IT RESOLVED, that the items described above be declared surplus equipment and be consigned to the Teitsworth Municipal Auction to be held on May 20, 2006 in Palmyra, New York.

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 #7-87/2006

On Motion of
Councilman Yudelson

Seconded by
Councilman Mulligan

WHEREAS, the Town of Henrietta's Year 2006 Application to the Monroe County Office of the Aging for the Senior Meals Program has been approved, and

WHEREAS, this Program provides nutritionally balanced meals to Seniors four (4) times a week, and

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

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to sign the Agreement between the Town of Henrietta and the County of Monroe for the operation of the Year 2006 Senior Meals Program.

SUPERVISOR BREESE
Discussion?

COUNCILMAN MULLIGAN
Just under discussion, to have an appreciation for the number of meals we serve, how many meals will we be serving there, on a weekly basis, approximately?

SUPERVISOR BREESE
Mr. Steinkamp, do you want to come up and answer that?

REGIS STEINKAMP, DIRECTOR OF YOUTH BUREAU & RECREATION
About three hundred and twenty (320) a week.

COUNCILMAN MULLIGAN
Thank you.

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 #7-88/2006

On Motion of
Councilwoman Zinck

Seconded by
Councilman Yudelson

WHEREAS, the Henrietta Youth Board has selected twenty-four (24) exceptional young people to be inducted into the Year 2006 Youth Hall of Fame because of their special accomplishments, and

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

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

THEREFORE, BE IT RESOLVED, that

Anthony Bristol	Subia Khan
Timothy Barth	Shannon Martin
Laura Best	Zachary Mast
Alyson Brown	Holley McAllister
Teresa Carosa	Andrew Meyer
Ryan Cuer	Joseph Muscato, Jr.
Kimberly Edelman	Nicole Platt
Christen Fagoioli	Lindsay Randall
Chelsey Getty	Hanna Smith
Jason Hightower	Joseph Spencer
Tiffanee Hucks	Kristen Taliento
Christina Julian	John Whelehan

are congratulated by the Town Board for their induction into the Year 2006 Youth Hall of Fame and will be recognized on March 23, 2006 at 6:30 P.M. during a dinner being held at the Doubletree Hotel, Henrietta, New York, for their positive influence on the quality of life in our community.

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 #7-89/2006

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

BE IT RESOLVED, that the following persons be hired:

Sharon Brock Recreation, Part-time Recreation Assistant @
\$7.50/hr., effective 3/15/2006.

Heather Kelly Engineering, Co-op Engineering Aide @ \$9.00/hr.,

effective 3/13/2006.

James Hare Fire Marshal, Part-time Fire Inspector @ \$10.43/hr., effective 3/13/2006.

BE IT FURTHER RESOLVED, that the following employee change be made:

Arlene Oliver Tinker Museum/Nature Center, Laborer A @ \$12.71/hr. from \$10.62/hr., effective 2/25/2006, until the return of the Department Head.

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

That's the end of the regular Agenda. Before I open it up to the public for any comments, there's someone missing here tonight. For a long time, Rick White has been here because he cares about the Town, he's been here with Beth, and Rick passed away recently. I don't think our meetings will ever be the same. He was a great Town citizen, a good person, and on behalf of the Board, I certainly offer my condolences to Beth and the whole family. He was a great man.

BETH WHITE, 1001 MIDDLE ROAD

(From audience) Thank you.

SUPERVISOR BREESE

Is there anyone in the audience who would like to speak on any items involving the Town of Henrietta at this time? Anything involving the Town, before we adjourn? Yes?

BETH WHITE, 1001 MIDDLE ROAD

I just wondered if you could refresh my memory, which is not too good to begin with, the difference between RR-2 and RR-1.

SUPERVISOR BREESE

Mr. Mastrella, why don't you explain that.

DANIEL MASTRELLA, TOWN ATTORNEY

Well, I don't have the specifics in front of me, the Town Code, but the RR-2 is, the difference involves the number of parcels that can be developed on a particular lot size.

It's, they're both very restrictive and not particularly, you know, the difference isn't terribly significant, but there is a difference in the restrictions as far as . . .

SUPERVISOR BREESE

I think, actually, RR-1 is probably more restrictive than RR-2.

DANIEL MASTRELLA, TOWN ATTORNEY

More restrictive.

BETH WHITE, 1001 MIDDLE ROAD

Does it have anything to do with the availability of water, sewers, that kind of thing?

SUPERVISOR BREESE

Yes, it does.

BETH WHITE, 1001 MIDDLE ROAD

Okay. Thank you very much.

SUPERVISOR BREESE

Thank you. Anybody else want to speak on any other items involving the Town?
(Pause - no response)

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman Zinck at 8:15 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson

Deputy Town Clerk