

**HENRIETTA TOWN BOARD
AGENDA
APRIL 5, 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 15, 2006
6. Miscellaneous Communications
7. 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
8. Introduction of and Action Upon Local Laws, Ordinances, Resolutions
9. Reports of Standing Committees and Actions Thereon
10. Reports of Special Committees
11. Public Comment
12. Adjournment

RESOLUTION #8-90/2006

Authorize Accounts Payable

RESOLUTION #8-91/2006

Recognize and Congratulate the Rush-Henrietta Girls Varsity Basketball Team

RESOLUTION #8-92/2006

Authorize Approval and Endorsement of the Henrietta Foundation's Application for Environmental Protection Fund Grant

RESOLUTION #8-93/2006

Authorize Addition of 220 Kenneth Drive to the Monroe County Empire Zone

RESOLUTION #8-94/2006

Authorize Appointment of Temporary Board of Assessment Review Member

RESOLUTION #8-95/2006

Authorize Acceptance of Dedication of Sanitary Sewers - Longleaf Subdivision, Phases One (1) and Two (2)

RESOLUTION #8-96/2006

Authorize Acceptance of Dedication of Roadways and Storm Sewers - Longleaf Subdivision, Phases One (1) and Two (2)

RESOLUTION #8-97/2006

Authorize Acceptance of Dedication of Sanitary Sewers - Shadow Ridge Subdivision, Section One (1)

RESOLUTION #8-98/2006

Authorize Acceptance of Dedication of Sanitary Sewers - Pinefield Heights Subdivision

RESOLUTION #8-99/2006

Authorize Acceptance of Dedication of Watermains and Sanitary Sewers - Riverton Parcel C Subdivision, Section Six (6)

RESOLUTION #8-100/2006

Authorize Acceptance of Dedication of Sanitary Sewers - Riverton Parcel C Subdivision, Section Seven (7)

RESOLUTION #8-101/2006

Declare Intent to be Lead Agency - R.I.T. Collegetown

RESOLUTION #8-102/2006

Authorize Agricultural Lease Renewal - Willard Farms, Property on Martin Road

RESOLUTION #8-103/2006

Authorize Attendance of Highway School

RESOLUTION #8-104/2006

Award Low Quote - Purchase of Safety Surface Material for Playground at Veterans' Memorial Park

RESOLUTION #8-105/2006

Authorize Payment for Disposal of Demolition Materials - Veterans' Memorial Park Playground

RESOLUTION #8-106/2006

Award Low Quote for Professional Services - Parks and Recreation Facilities Master Plan

RESOLUTION #8-107/2006

Declare Items Surplus Materials - Highway Department

RESOLUTION #8-108/2006

Authorize Advertisement for Bids - Dump/Spreader Body

RESOLUTION #8-109/2006

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

RESOLUTION #8-110/2006

Authorize Attendance at Annual Conference and Special Training Session
Program - Finance Director

RESOLUTION #8-111/2006

Award General and Public Officials Liability Insurance

RESOLUTION #8-112/2006

Authorize Town Board to Accept Employment Release

RESOLUTION #8-113/2006

Declare Items Surplus Materials

RESOLUTION #8-114/2006

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 5TH DAY OF APRIL, 2006 AT 8:00 P.M.

MEMBERS PRESENT

MEMBERS ABSENT

Supervisor James R. Breese
Councilwoman Catherine A. McCabe
Councilman William J. Mulligan, Jr.
Councilman Michael B. Yudelson
Councilwoman Janet B. Zinck
Daniel J. Mastrella, Town Attorney
Patricia J. Shaffer, Town Clerk

SILENT PRAYER.....

PLEDGE OF ALLEGIANCE TO THE FLAG.....

SUPERVISOR BREESE

Is there anybody who would like to speak on any items that are on this Agenda? Just this agenda, other than the Public Hearing which I'll call separately? *(Pause - no response)*
Okay. May I have the approval of the Minutes, please.

COUNCILWOMAN McCABE

Mr. Supervisor, I move we approve the Minutes of March 15, 2006.

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

Just for the Record, you have received a communication from me regarding appointment of Committees of the Town Board. Is that correct?

PATRICIA SHAFFER, TOWN CLERK
That is correct, Sir.

SUPERVISOR BREESE
Would you enter that into the Record, please?

PATRICIA SHAFFER, TOWN CLERK
Yes, Sir.

SUPERVISOR BREESE
Thank you. We have one (1) Public Hearing tonight on the proposed rezoning of land on East Henrietta Road from Rural Residential RR-2 to Rural Residential RR-1, the Burns Subdivision. Is there somebody here to represent the Applicant, or the Applicant, that would like to summarize what it is you would like to do with that property?

ROBERT KEIFFER, P.E., FRA ENGINEERING, P.C.
Good evening. Robert Keiffer, Professional Engineer, with offices at 530 Summit Point Drive here in Henrietta. I'm joined this evening by Dr. and Mrs. Burns, the owners of the subject property. The Burns own eighty-two (82) acres of land on the east side of East Henrietta Road, about fourteen hundred (1,400) feet north of Rush-Henrietta Road. They have a single family residence on this property. It is their desire to subdivide the property to create three (3) additional building lots. We made Application in February for that purpose, and we're planning on using the open space incentive. We received notification from Mr. Byrne that possibly a rezoning of the property would be a more appropriate way to develop it, and therefore, we're before you this evening. We're proposing to extend sanitary sewers to serve the site. The apartment complex and the townhouse projects that are immediately north of this property are recently, were, received the installation of sanitary sewers. By obtaining an easement from an intermediate parcel and an easement from the owners of the apartment complex, we're going to be able to provide sanitary sewers, dedicate sanitary sewers to this site. That would allow us to connect the three (3) new homes to dedicated sewers, and also, in the event that there was ever a need to replace or to modify the system for the Burns' residence we would be able to connect that house also. With that, I'd be happy to try to answer any questions that you have.

SUPERVISOR BREESE
Any questions from the Board? So, they'll end up with a total of four (4) houses on the property. Is that correct?

ROBERT KEIFFER, P.E., FRA ENGINEERING, P.C.
That's correct. Three (3), essentially two (2) acre lots and then, assuming it was rezoned, and one (1) lot that would be about seventy-five (75) acres.

SUPERVISOR BREESE
We're familiar with this Project, so you probably won't get a lot of questions from us.

ROBERT KEIFFER, P.E., FRA ENGINEERING, P.C.

Okay. Yes, this Project was approved for the Burns' residence a couple years ago. So, this has been a property that's been before this Town before.

SUPERVISOR BREESE

Would anybody in the audience like to speak on this Application? *(Pause - no response)*

This is actually going to a higher use from RR-2 to RR-1. Anybody want to speak? *(Pause - no response)* If not, I'll close this Public Hearing.

ROBERT KEIFFER, P.E., FRA ENGINEERING, P.C.

Thank you very much.

SUPERVISOR BREESE

May I have the first Resolution, please.

RESOLUTION #8-90/2006

On Motion of
Councilwoman McCabe

Seconded by
Councilman Yudelson

BE IT RESOLVED, that the Director of Finance be authorized to pay the following bills payable:

EXHIBIT A	Bills Payable dated 4/5/2006	\$ 449,659.48
EXHIBIT B	Manual Bills Payable	\$ 280.00

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #8-91/2006

On Motion of
Councilman Yudelson

Seconded by
Councilwoman Zinck

WHEREAS, the Rush-Henrietta Girls Varsity Basketball team has recently completed their 2005-2006 season, and

WHEREAS, through their talent, dedication, and effort, this team achieved great success including being the Monroe County League Champions, winning their third consecutive Section V Championship and winning the New York State Public High Schools Class AA Championship, and

WHEREAS, their accomplishments are a source of pride for the community and their efforts have made them role models for the youth of our community.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board congratulates Rush-Henrietta Girls Varsity players:

Erin Barone	Shenise Johnson
Marisa Campbell	Joy Lee
Shannon Cooper	Tremelanie McFadden
Jessie Crosby	Alysha Poles
Jennifer Drumm	Eva Riddick
Alyssa Farina	Kristen Taliento
Danielle Howard	Heather Ziccarelli
Bria Jackson	

BE IT FURTHER RESOLVED, that the Henrietta Town Board also congratulates Head Coach Stephen Shepanski, Assistant Coaches Tom Dulmage, Aubrey Sheffield, and Jeff Marshall, and Team Assistants Joe Bellanca, Chris Tanski, Jr., Patrick Stellman, Caitlin Dakin, and Lucie Pocha for their successful season.

SUPERVISOR BREESE
Discussion?

COUNCILMAN YUDELSON
Mr. Supervisor, under discussion, Coach Steve Shepanski is in the audience, and with your permission, I would invite him up to receive a certificate from the Board.

SUPERVISOR BREESE
Great idea.

COUNCILWOMAN ZINCK
And he's got with him one of the players, Kristen Taliento.

SUPERVISOR BREESE
Ah, yes. Great to see you. *(Applause)* We're proud of you. Great team, last year and this year. I have a couple of granddaughters involved with the teams.

COACH STEPHEN SHEPANSKI
(From audience) Oh, really?

SUPERVISOR BREESE
The Dakins.

COACH STEPHEN SHEPANSKI
(From audience - inaudible)

SUPERVISOR BREESE
Yes, and Lindsay played last year, as you probably know.

COACH STEPHEN SHEPANSKI
(From audience - inaudible) Yes, she did.

COUNCILWOMAN ZINCK
Kristen, you made the Youth Hall of Fame and you had to play basketball that night so we missed you there. Congratulations on that, too.

KRISTEN TALIENTO
(From audience) Thank you.

COACH STEPHEN SHEPANSKI
(From audience) Thank you very much.

SUPERVISOR BREESE
Okay. Call the roll, please.

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

RESOLUTION #8-92/2006

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

WHEREAS, the Henrietta Foundation, Inc., is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a project to be located at 3850 East Henrietta Road, a site located within the territorial jurisdiction of this Board, and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located."

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henrietta hereby does approve and endorse the Application of the Henrietta Foundation, Inc. for a grant under the Environmental Protection Fund for a project known as "Acquisition of Executive South Recreation and Golf Facility" and located within this community.

SUPERVISOR BREESE
Discussion?

COUNCILWOMAN ZINCK
We wish them luck.

SUPERVISOR BREESE
We certainly do. Call the roll, please.

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

RESOLUTION #8-93/2006

On Motion of
Councilwoman McCabe

Seconded by
Councilman Yudelson

WHEREAS, New York State has created the Economic Development Zone Program, now known as the Empire Zone Program, to encourage industrial and commercial development in select municipalities across the State, and

WHEREAS, the Town of Henrietta, as an eligible municipality in conjunction with the County of Monroe, received designation of an Economic Development Zone made up of sub-zones including a portion of the Town of Henrietta, and

WHEREAS, New York State has amended the Empire Zone Program to increase benefits and allow additional areas to be deemed as Regionally Significant Projects, and

WHEREAS, the County of Monroe and the Town of Henrietta intend to amend the Monroe County Empire Zone boundaries to encourage industrial and commercial development and to allow for the creation of an additional sub-zone area in the Town of Henrietta for a Regionally Significant Project, and

WHEREAS, Current Communications, LLC, located at 220 Kenneth Drive, Henrietta, New York, meets the criteria of 957(d) of the General Municipal Law as a Regionally Significant Project by creating one hundred twenty-three (123) new manufacturing jobs for inclusion within the Monroe County Empire Zone in an area outside the separate and distinct contiguous areas, and

WHEREAS, the Town of Henrietta wishes to support and concur with the Empire Zone designation of section 175, block 11-01 and lot 12, as a Regionally Significant Project.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henrietta, in its capacity as governing body of the Town of Henrietta, does hereby support and concur with the Monroe County Empire Zone to include the property more particularly described in Schedule A attached hereto and made a part hereof.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #8-94/2006

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

WHEREAS, the need exists on the Board of Assessment Review for temporary Board Members, and such temporary appointments are allowable under Real Property Tax Law §523-a, and

WHEREAS, the Town Board wishes to maintain the various Boards of the Town at sufficient levels, and

WHEREAS, the following individual is a qualified resident and has expressed an interest in being appointed to said Board.

THEREFORE, BE IT RESOLVED, that the following individual is hereby appointed to fill said need on the Board of Assessment Review effective April 6, 2006 and expiring on March 1, 2007:

John A. Migliorini, 164 Tumbleweed Drive, Pittsford, New York 14534

BE IT FURTHER RESOLVED, that this temporary Board Member is to be compensated at the rate of \$15.00 per hour for time actually served in Hearings and Deliberations, and that properly prepared vouchers be submitted to the Finance Department for reimbursement.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #8-95/2006

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

WHEREAS, Forest Creek Equity Corporation, Inc., the Developer of Longleaf Subdivision, Phases One (1) and Two (2) located on Caitlin Trail and Derrick Drive, has installed sanitary sewers in said subdivision phases, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated utility to the Town of Henrietta and for this purpose has delivered to the Town of Henrietta filing instruments granting easements to the Town for said sanitary sewer system, 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/Planning have determined that the said sanitary sewer system was installed in accordance with Town requirements and have recommended that it be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said sanitary sewer system for the described subdivision phases be and they hereby are accepted and that said 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 properly executed Maintenance Bond in the sum of Twenty-one Thousand Five Hundred Dollars (\$21,500.00) 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 #8-96/2006

On Motion of	Seconded by
Councilwoman Zinck	Councilman Mulligan

WHEREAS, Forest Creek Equity Corporation, Inc., the Developer of Longleaf Subdivision, Phases One (1) and Two (2) located on Caitlin Trail and Derrick Drive, has constructed roads and installed storm sewers in said subdivision phases, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said roads and the aforescribed improvements to the Town of Henrietta 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/ 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 phases 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 properly executed Maintenance Bond in the sum of Sixty-six Thousand Two Hundred Dollars (\$66,200.00) 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 #8-97/2006

On Motion of
Councilman Yudelson

Seconded by
Councilwoman Zinck

WHEREAS, Conifer Moore Road Associates, the Developer of Shadow Ridge Subdivision, Section One (1) located on Egret Drive, has installed sanitary sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated utility to the Town of Henrietta and for this purpose has delivered to the Town of Henrietta filing instruments granting easements to the Town for said sanitary sewer system, 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/Planning have determined that the said sanitary sewer system was installed in accordance with Town requirements and have recommended that it be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said sanitary sewer system for the described subdivision section be and it hereby is accepted and that said 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 properly executed

Maintenance Bond in the sum of Eight Thousand Dollars (\$8,000.00) 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 #8-98/2006

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

WHEREAS, Longwood Developers, Inc., the Developer of Pinefield Heights Subdivision located on Edmar Court, has installed sanitary sewers in said subdivision, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated utility to the Town of Henrietta and for this purpose has delivered to the Town of Henrietta filing instruments granting easements to the Town for said sanitary sewer system, 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/Planning have determined that the said sanitary sewer system was installed in accordance with Town requirements and have recommended that it be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said sanitary sewer system for the described subdivision be and it hereby is accepted and that said 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 properly executed Maintenance Bond in the sum of Five Thousand Three Hundred Dollars (\$5,300.00) 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 #8-99/2006

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

WHEREAS, Conifer Realty, the Developer of Riverton Parcel C Subdivision, Section Six (6) located on Hummingbird Way and Butterfly Lane, has installed watermains and sanitary sewers in said subdivision section, 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 watermain and sanitary sewer systems, 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/Planning have determined that the said watermain and sanitary sewer systems were installed in accordance with Town requirements and have recommended that they be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said watermain and sanitary sewer systems for the described subdivision section be and they hereby are accepted and that said 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 properly executed Maintenance Bond in the sum of Sixteen Thousand Five Hundred Dollars (\$16,500.00) 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 #8-100/2006

On Motion of
 Councilman Mulligan

Seconded by
 Councilman Yudelson

WHEREAS, Conifer Realty, the Developer of Riverton Parcel C Subdivision, Section Seven (7) located on Starflower Drive, has installed sanitary sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated utility to the Town of Henrietta and for this purpose has delivered to the Town of Henrietta filing instruments granting easements to the Town for said sanitary sewer system, 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/Planning have determined that the said sanitary sewer system was installed in accordance with Town requirements and have recommended that it be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said sanitary sewer system for the described subdivision section be and it hereby is accepted and that said 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 properly executed Maintenance Bond in the sum of Four Thousand Dollars (\$4,000.00) 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 #8-101/2006

On Motion of
Supervisor Breese

Seconded by
Councilwoman McCabe

WHEREAS, the Town Board of the Town of Henrietta has received an Application from Wilmorite, Inc. for Special Permit approval to develop a mixed-use community to be known as R.I.T. Collegetown with residential apartments (812 total beds), mixed commercial uses (approximately 76,000 sq. ft.) with upper level apartments (totaling 48 residential units) on a parcel of land (approximately 59.9 acres) identified as Tax Account Number 161.01-1-7.2 in an Industrial Zoned District, and

WHEREAS, certain buildings are proposed to be constructed sixty (60) feet above grade and will require a Special Permit as forty (40) feet is the maximum as required by the Town Code in an Industrial Zoned District, 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, a Long 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.

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 Section 617.6 and Section 617.12.

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

I have a question for Mr. Byrne. The Application for the Special Permit, it has been received, is that correct? It's in the office? He's nodding knowingly yes. And it's being processed for a Hearing, is that correct? More nodding knowingly. And the Town Clerk, is that over in your side of the building yet?

PATRICIA SHAFFER, TOWN CLERK

No, Sir, not as of yet.

SUPERVISOR BREESE

It's not over on this side of the building yet. Let's get our acts together, okay. Anybody else? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #8-102/2006

On Motion of
Councilman Yudelson

Seconded by
Councilwoman Zinck

WHEREAS, the Town of Henrietta has leased a portion of land located at 1345 Martin Road, known as Martin Road Park, to Willard Farms for farming purposes, and

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

WHEREAS, Bill Willard and Marc Krieger of Willard Farms, 116 Willard Road, Pittsford, New York 14534, have previously farmed the land and desire 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 April 21, 2006 through April 20, 2007, for thirty (30) acres of tillable land at \$25.00 per acre, amounting to an annual rent of \$750.00, and

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

THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Henrietta is hereby authorized to sign the Lease Renewal Agreement 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 #8-103/2006

On Motion of
Councilman Yudelson

Seconded by
Councilwoman McCabe

WHEREAS, the Commissioner of Public Works, Dean C. Marshall, Jr., the Superintendent of Highways, Russell Martin, and the Fleet Supervisor, Robert Tobey have requested authorization to attend the year 2006 Highway School to be held at Ithaca College, Ithaca, New York on June 5, 2006 through June 7, 2006, and

WHEREAS, funds are available in the year 2006 Budget, and

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

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

BE IT FURTHER RESOLVED, that all properly prepared vouchers be submitted to the Finance Department for reimbursement.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #8-104/2006

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, the Commissioner of Public Works solicited quotes for safety surface material for the new playground at the Veterans' Memorial Park, and

WHEREAS, three (3) quotes were received, and the low quote, meeting specifications, was received from Superior Pallets, for a cost of \$1,550.00 per truck load of safety surface material, with a total cost not to exceed \$9,300.00 for six (6) truck loads of safety surface material.

THEREFORE, BE IT RESOLVED, that Superior Pallets, 136 Dingens Street, Buffalo, New York 14206, be hereby awarded the quote at a cost not to exceed \$1,550.00 per truck load of safety surface material, for a total cost not to exceed \$9,300.00 for six (6) truck loads of safety surface material.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Superior Pallets upon successful completion of said work and acceptance by the Commissioner of Public Works.

SUPERVISOR BREESE
Discussion?

COUNCILMAN MULLIGAN
Under discussion, just to make the Minutes complete, could the other three (3), could the total three (3) quotes be attached to this?

PATRICIA SHAFFER, TOWN CLERK
Yes, Sir.

COUNCILMAN MULLIGAN
Thanks.

SUPERVISOR BREESE
Call the roll, please.

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

Carried

RESOLUTION #8-105/2006

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

WHEREAS, the Commissioner of Public Works solicited quotes for the disposal of demolition materials from the previous playground at the Veterans' Memorial Park, and

WHEREAS, two (2) quotes were received, and the low quote, meeting specifications, was received from Silvarole Trucking, for a cost of \$50.00 per ton, disposal fee, and

WHEREAS, the Commissioner of Public Works authorized the work to be performed at the rate quoted by Silvarole Trucking.

THEREFORE, BE IT RESOLVED, that the Director of Finance be hereby authorized to pay Silvarole Trucking for the disposal of demolition materials upon receipt of all proper documentation and acceptance by the Commissioner of Public Works.

SUPERVISOR BREESE

Just under discussion, I advised the Board I received word within the last few days that our Application for a Seventy-five Thousand Dollar (\$75,000.00) grant from the State of New York, which we sent to Senator Alesi, has been approved. We will be receiving a payment from the State through Senator Alesi to help pay for this playground and all the work that goes with it. I certainly want to thank Senator Alesi. We'll have him here for the ribbon cutting.

COUNCILMAN MULLIGAN

I'm sure he'll be here.

SUPERVISOR BREESE

Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #8-106/2006

On Motion of
Councilman Yudelson

Seconded by
Councilwoman Zinck

WHEREAS, the Commissioner of Public Works solicited quotes for the preparation of a Parks Master Plan for the Town of Henrietta, and

WHEREAS, two (2) quotes were received, and the low quote, meeting specifications, was received from Lu Engineers, for a total cost of \$9,500.00.

THEREFORE, BE IT RESOLVED, that Lu Engineers, 2230 Penfield Road, Penfield, New York 14526, be hereby awarded the quote at a cost not to exceed \$9,500.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Lu Engineers upon successful completion of said work and acceptance by the Commissioner of Public Works.

SUPERVISOR BREESE
Discussion?

COUNCILMAN YUDELSON
Mr. Supervisor . . .

COUNCILMAN MULLIGAN
Under discussion . . . go ahead, Mike.

COUNCILMAN YUDELSON
No, I was just going to note under discussion, the Town is awaiting word on whether we will get a grant we applied for from the State that would pay for a more comprehensive plan that would include parks, recreation, and open space. However, the Town needed to proceed at this time with this parks part of the plan in support of some current grant opportunities, and should we be fortunate enough to get the other grant it would, number one, pay for this, the funds would be used for that, and the work that is going to be done now could be folded into that.

COUNCILMAN MULLIGAN
Also under discussion, resident John Schmitt recommended we do this a while back, and I'm sure he's happy to see that we've done it.

SUPERVISOR BREESE
Thank you. Call the roll.

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

RESOLUTION #8-107/2006

On Motion of
Councilwoman McCabe

Seconded by
Councilman Yudelson

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

<u>Inventory #</u>	<u>Description</u>
1583	1979 Stone Kerosene Salamander (Highway) Serial #4481244
N/A	5 Gallon Paint Can Shaker (Highway)
N/A	Power Concrete Curbing Machine (Highway)
3404	2000 Hewlett Packard Multi-function fax/printer (Sewer) Serial #NY04FG20Y7

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

Carried

RESOLUTION #8-108/2006

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, the Town of Henrietta requires bids for one (1) combination dump/spreader body to conform with specifications on file in the Town Clerk's Office, with bids to be opened at 9:30 A.M. on Wednesday, April 26, 2006 and received no later than 9:15 A.M. on Wednesday, April 26, 2006.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for one (1) combination dump/spreader body as per cited 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 #8-109/2006

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

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

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

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

THEREFORE, BE IT RESOLVED, that Young Explosives, Inc., 2165 New Michigan Road, Canandaigua, New York 14424, be hereby authorized to provide the Fireworks Display to be held at the Henrietta Veterans' Memorial Park on July 4, 2006 in an amount not to exceed \$15,500.00, and the New Year's Eve Celebration to be held at the Monroe County Fairgrounds on December 31, 2006 in an amount not to exceed \$4,000.00, for a total cost not to exceed \$19,500.00.

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

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Young Explosives, Inc. in an amount not to exceed \$15,500.00 for the 4TH of July Fireworks Display and \$4,000.00 for the New Year's Eve Celebration upon satisfactory completion of each show.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #8-110/2006

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

WHEREAS, the Director of Finance, Paul J. Liess, Jr., has requested authorization to attend the Annual Conference and Special Training Session Program to be held at the Marriott Hotel in Albany, New York on April 6, 2006 through April 7, 2006, and

WHEREAS, funds are available in the year 2006 Budget, and

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

THEREFORE, BE IT RESOLVED, that Paul J. Liess, Jr., Director of Finance, be hereby authorized to attend the two (2) day conference at a cost not to exceed \$400.00, to include registration, meals, hotel accommodations, 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 #8-111/2006

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

WHEREAS, quotes for the Town's General Insurance and Public Officials Liability Insurance were requested by the Director of Finance, and

WHEREAS, four (4) quotes were received and evaluated.

THEREFORE, BE IT RESOLVED, that Joseph Parisi, 1738 Ridge Road East, Rochester, New York 14622, appears well-qualified and has submitted the lowest quote, and is hereby awarded the Town's General Insurance and Public Officials Liability Insurance effective April 6, 2006 and expiring on March 31, 2007, through Trident Insurance, in the amount of \$150,975.02.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay Joseph Parisi in an amount not to exceed \$150,975.02 upon receipt of proper documentation.

SUPERVISOR BREESE

Under discussion, of course we know Mr. Parisi. He's handled our insurance in the past in a very satisfactory way. I noticed that our insurance consultant, Brian Baty, is here tonight, and I want to thank him, and I'm sure the Board does, for his work in reviewing these proposals, and I want to compliment Paul Liess for the work he's done on bringing it to a head this way.

COUNCILMAN MULLIGAN

Also under discussion, it appears as if the amount is actually lower than last year, which tells us the department heads are doing a good job in terms of keeping the losses to a minimum.

COUNCILWOMAN McCABE

That's right.

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 #8-112/2006

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

WHEREAS, A. David Pirrello was not reappointed by the Town Board as the Building and Development Coordinator, which position has been eliminated by consolidation into the office of the Fire Marshal/Building Inspector, and

WHEREAS, A. David Pirrello has agreed to waive and relinquish any claim he may have against the Town of Henrietta with regard to the termination of his employment in exchange for the severance consideration offered by the Town of Henrietta for said release.

THEREFORE, BE IT RESOLVED, the Director of Finance is hereby authorized to make the payments called for in the attached release, upon execution and delivery of same by A. David Pirrello.

SUPERVISOR BREESE
Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #8-113/2006

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

WHEREAS, the Town Clerk has requested that the items described on the attached list be declared surplus materials.

THEREFORE, BE IT RESOLVED, that the items described on the attached list be declared surplus materials and sent to the Parks and Facilities Department for disposal.

BE IT FURTHER RESOLVED, that the Town Clerk has requested that the following item be transferred from the Fire Marshal/Building Inspector's Office to the Town Clerk's Office:

Inventory #

Description

03669

Printer - Epson Stylus Photo 925

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #8-114/2006

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

BE IT RESOLVED, that the following persons be hired:

Jessica Mummery	Recreation, Part-time Recreation Assistant @ \$6.75/hr., effective 4/2/2006.
Aaron Rodgers	Highway, Part-time Seasonal @ \$8.00/hr., effective 4/10/2006.
Drew DeRoo	Drainage/Sewer, Part-time Seasonal @ \$8.25/hr., effective 5/15/2006.
Jason Cortese	Fire Marshal/Building Inspector, Part-time Code Enforcement/Property Maintenance Officer @ \$10.00/hr., effective 4/5/2006.
Parks & Facilities	Part-time/Seasonals, as per the attachment.

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

Highway	Part-time/Seasonals, as per the attachment.
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BE IT FURTHER RESOLVED, that the attached progression increases be made (per the Collective Bargaining Agreement).

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 items involving the Town of Henrietta at this time? Yes, Sir.

ROBERT MARCIANO, 115 BRANDY WINE TERRACE SOUTH
My name is Robert Marciano. I live at 115 Brandy Wine Terrace South, and I have a question. Has the Town Board ever looked into the problem with these portable basketball hoops around the Town, how they're left in the road, windblown over. With the season coming upon us . . .

SUPERVISOR BREESE
Yes, it's time.

ROBERT MARCIANO, 115 BRANDY WINE TERRACE SOUTH
. . . it's always a problem coming down the street with kids playing in the road, not getting out of the way . . .

SUPERVISOR BREESE
Are you talking about the kids playing on the road or just the leftover stuff from their playing in the road?

ROBERT MARCIANO, 115 BRANDY WINE TERRACE SOUTH
Well, actually, a combination of both. I mean, you know, they leave them right on the edge of the road, and I don't know what the, you know . . .

SUPERVISOR BREESE
In your neighborhood?

ROBERT MARCIANO, 115 BRANDY WINE TERRACE SOUTH
In my neighborhood, yes. Well, several, if you go down Rampart, Brandy Wine, Vollmer.

SUPERVISOR BREESE
It's something that our Code Enforcement people can look at. I don't think we can stop them from playing basketball, but we can make them clean up after they're done, I think.

ROBERT MARCIANO, 115 BRANDY WINE TERRACE SOUTH
Yeah, because, I mean, they leave them on the edge of the road . . .

SUPERVISOR BREESE
I hear you.

ROBERT MARCIANO, 115 BRANDY WINE TERRACE SOUTH
. . . and you know with the winds we've been having.

SUPERVISOR BREESE
Okay.

ROBERT MARCIANO, 115 BRANDY WINE TERRACE SOUTH
Several times I've stopped and moved them out of the way.

SUPERVISOR BREESE
Okay. Sure. We'll take a look at that, Sir.

ROBERT MARCIANO, 115 BRANDY WINE TERRACE SOUTH
Okay. Thank you.

SUPERVISOR BREESE
Thank you for bringing it up. Yes, Mam?

RACHEL WARREN, 59 TOMAHAWK TRAIL
On Monday afternoon at 1:00 I attended a meeting, and there were about thirty (30) senior citizens there, and they're very concerned about the rise in the taxes this year, and they're afraid they won't be able to keep their homes if this continues, and I thought you might like to know.

SUPERVISOR BREESE
The rise in what taxes are you talking about?

RACHEL WARREN, 59 TOMAHAWK TRAIL
Our Town taxes.

SUPERVISOR BREESE
The tax bills, we didn't send out tax bills yet.

RACHEL WARREN, 59 TOMAHAWK TRAIL
I know, but we've received notices that we've been reassessed.

SUPERVISOR BREESE
Oh, you're talking about assessments.

RACHEL WARREN, 59 TOMAHAWK TRAIL
Yes.

SUPERVISOR BREESE
That's different than taxes.

RACHEL WARREN, 59 TOMAHAWK TRAIL
Well, no it isn't, because we're . . .

SUPERVISOR BREESE
Oh, it isn't? Tell me why it isn't.

RACHEL WARREN, 59 TOMAHAWK TRAIL
Because we're taxed on the amount we're assessed for.

SUPERVISOR BREESE
That doesn't mean there necessarily has to be a rise in taxes because there's been a rise in assessments. There's no law that says that. Okay? I'm not saying there will or won't be.

RACHEL WARREN, 59 TOMAHAWK TRAIL
So, if my assessment went up Seventy-six Hundred Dollars (\$7,600.00) . . .

SUPERVISOR BREESE
I'm not going to tell you what your tax bill will be.

RACHEL WARREN, 59 TOMAHAWK TRAIL
. . . that doesn't mean that . . .

SUPERVISOR BREESE
But you're using the wrong verbiage here. You're talking about the rise in taxes. There's no tax bills being sent out now, either from the School District or the Town. There was a rise in assessments for some people based on market valuations and so forth, which we have to do under State Law, which I think you know about.

RACHEL WARREN, 59 TOMAHAWK TRAIL
And you're telling me that if my assessment has gone up Seventy-six Hundred Dollars (\$7,600.00), my taxes will not go up?

SUPERVISOR BREESE
No. Good try, Rachel, but I'm not telling you that.

RACHEL WARREN, 59 TOMAHAWK TRAIL
Could you tell me what the tax rate is per thousand?

SUPERVISOR BREESE

No. We haven't started working on the Budget yet.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Well, just to let you know the people are concerned about it, especially those of us who are over sixty-five (65).

SUPERVISOR BREESE

Well, you have an opportunity, it's a very fair process that's set up by the State of New York, where you can challenge your assessment, and I think the letters that went out on that issue spell out what they can do. The people have a right to challenge them, and I think the people who set the assessment rate have to prove why that rate is correct. So, it's a very fair process. The Town Board does not get involved in it. It's settled by an Assessment Board of Review, which I think you know.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Well, since you're the Supervisor I thought you would be interested in knowing how the people have some fears about this issue.

SUPERVISOR BREESE

I'm always interested in what you have to say. Thank you very much.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Thank you.

SUPERVISOR BREESE

Yes, Sir?

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

I guess this is where I make my comments under public comments?

SUPERVISOR BREESE

Yes. Your name and address, please.

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

Okay. Supervisor Breese, ladies and gentlemen of the Board . . .

SUPERVISOR BREESE

We need your name and address.

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

My name is Giacomo Achille. I live at the 53 Cobblestone Drive, and I see one of my former students sitting right there on the Board. I just want you to know that I've lived in this Town since 1961, and I think it's a great Town, a wonderful Town. I've seen it grow, I've seen it stand, and I approved of many of the changes that have been made. Where

I disapprove, I guess I was a part of the silent majority that tended to sit at home, but there are some things that have been on my mind for quite some time, and some of these come through quips that I hear from people who I tend to be with, some of my family. I have been told by my family, sometimes as they drive up Pinnacle Road that they see a number of homes there with cars, and I can tell you this, they have been parked there for, I don't know, two (2) years or better. They have license plates, they don't move, and I get the comment, "you know, it looks like a junk yard." And there are other areas where I see plows and trucks and so forth, and I get the same remark. It does concern me, okay. It does concern me, and I say to myself or they say to me, "don't you have someone who is a Code Enforcer," and I said, "well, I know we have one but I have no idea what his full duties may be." I don't know what can be done. I sometimes say, "well, maybe if a few members of the Board lived next door maybe some action would be taken because I don't think you'd want to live there." That's one of the comments I would like to make. With all that said, there are two (2) issues that I've been reading about that tend to concern me. One of them happened to appear in the paper this morning, or in today's issue of the Henrietta Post. It states the following, granted, this is not all of the communities in the area, it gives four (4) towns, Rochester, and naturally, Henrietta being one of them. I quote from the paper on the issue of subsidized housing, Rochester with a population of ten thousand (10,000) plus, the City of over two hundred and nineteen thousand (219,000) people has – I guess I'll have to get my paperwork here – subsidized housing for nine thousand (9,000) plus people. Brighton, a community of thirty-four thousand five (34,500) plus has a hundred and twenty-five (125) to a hundred and forty (140); Chili, twenty-six six (26,600), three hundred and twenty (320); Pittsford, zero (0) for a population of twenty-seven something (27,000), and Henrietta, right at the top with three hundred and ninety (390), I'm sorry, five hundred and ninety (590) with a population of thirty-nine thousand (39,000) strong. Now, I read about Autumn Woods, that someone has proposed maybe to put in an eighty-eight (88) unit project there. Again, from what I understand, the possibility of senior and housing. Well, I presume the housing means low cost housing. There's no other way that I could interpret it. Why do I ask this question? Because I don't see any other town planning and doing and making changes like Henrietta does. I am proud of the Town, that we do that, but I sometimes think it's about time other towns did the same thing. Maybe we should or need a moratorium of some kind. Somehow or another we have to urge the other communities to do so. Pittsford with zero (0). Hey, I don't think anyone sitting here will doubt the reason why they don't have any such thing. So, I feel that the Town Boards there just neglect the issue, don't care about the issue, and therefore, wish that it would possibly go away. This morning I read that Dawn Nettnin, I believe is her name, if I pronounced it correctly, and I quote her on the issue of subsidized housing she says, "Henrietta has been one to be totally receptive to the question to this problem of development for families and for seniors." I think that's a very strong statement, but I want to know who does she mean by Henrietta? Are we talking about the voters, are we talking to just the Board here? Who is saying this? How long has this been said? Has the idea, has this concept changed completely, or do we simply roll and go along with it? So when did Henrietta make this particular statement? Mrs. Nettnin, again, I believe in her comments says, "I believe that the feeling," no, I'm sorry, I got that (*inaudible*), for myself, I believe that when I talk to various people they seem to think enough is enough. I think

what they're saying is we don't mind this low cost housing, we don't mind the senior projects, but I think it's up to the other towns to try to catch up with Henrietta, okay, because believe it or not, you look at the paper and you begin to see in the low, in some of these low areas, if the paper is correct, that the crime rate is beginning to rise in those particular areas. The second point I want to make, four (4) drugstores on four (4) corners. It includes Wegmans, which has been there, God, for the last thirty (30) or forty (40) years. I see that this Town Board has to make a judgment on the value of those four (4) establishments on that corner. A Mr. Minotti, from the paper, I have no idea who this gentleman is, I don't care where he lives, he says, well, this is business. It's their business. If they can't complete -- if they can compete, rather, and do a good job of it, more power to them. I don't buy that issue. I really don't, because to the Board, what does that mean? This attitude can prevail and anything that we do, well, we'll put it in, if it succeeds it succeeds, and if not, well, too bad. We're just losing Chase Pitkin's. We're going to see an empty building on the other corner. What if one of these establishments fail? What is Henrietta saddled with, another empty building? Do we need four (4) drugstores? When, let's say, Wegmans moves out of its present location, maybe Rite-Aid will go there, and then we'll have five (5). Is that what we want? It's like having a gas station on every corner, and I think the Town has to do something to rectify that particular problem. The other thing that I would to mention is, or I should say in conclusion, that we have Harris Seed moving out. What is going to go in on that corner? Another donut shop? Another gas station? We've got to plan for the future. We've got to look beyond our noses and see what we want this Town to be like. We don't want a Town of drugstores on every corner and gas stations on every corner. I don't think that's what the citizens of this Town, the voters of this Town really want. And I ask you people -- you are my representatives, you are the Town's representatives, you've got to look beyond, you've got to see what is going on, because one of these days the voters may turn against you, and if they turn against you there are going to be some other people in your positions who are going to do what they feel and what they believe their concerns are. So, I ask you to look wisely into these particular issues. Thank you very much.

SUPERVISOR BREESE

Thank you for your comments. I do need to just say to you on the drugstore issue, just to make it clear, I don't think any of us here on the Board are happy about four (4) drugstores at one (1) intersection. They, Walgreens, did not need rezoning. The property is already zoned Commercial.

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

I understand that.

SUPERVISOR BREESE

So, they didn't have to come to us for rezoning. They only had to go to the Planning Board for site plan approval.

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

Then this is the fault of the, is it the Planning Board that gives the consent or the okay?

SUPERVISOR BREESE

No, no. The Planning Board only can review the site itself to see if the site works, and that's what they did. They cannot make a determination of use. The use has already been decided because it's zoned for commercial use. It didn't need Town Board approval for rezoning or even a Special Permit.

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

I understand.

SUPERVISOR BREESE

But if we'd had our druthers, I would have rather had that drugstore over on West Henrietta Road, frankly. There's none over there, but sometimes we can't remake the world.

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

Well, suppose the permit would be denied.

SUPERVISOR BREESE

What permit?

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

I thought you mentioned something about a permit.

SUPERVISOR BREESE

They didn't have to come to us for a Special Permit or for rezoning.

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

Not even to the Planning Board?

SUPERVISOR BREESE

No. They only go there for site plan review. So, we're locked into a situation and a code that they can go there. If they want to spend the money and they want to be on a corner with three (3) other competitors, they can do it. But if we had our preferences, I think we all would have liked to have seen that drugstore go over on the west side of Town where it's needed.

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

So, the Town can do absolutely nothing?

SUPERVISOR BREESE

We can't do anything about the Walgreens, absolutely not. They have their approvals from the Planning Board, that's correct, and they have the zoning. They already had that.

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

Okay. In the future, any particular plan . . .

SUPERVISOR BREESE

Well, I think you're raising issues that should be looked at in the future.

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

Okay. That's all I would ask for.

SUPERVISOR BREESE

That's fair.

GIACOMO ACHILLE, 53 COBBLESTONE DRIVE

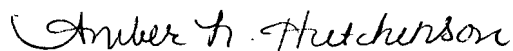
Thank you very much.

SUPERVISOR BREESE

Okay. Thank you. Okay, anybody else before we adjourn? *(Pause - no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman McCabe at 8:55 P.M. and passed unanimously.

Respectfully submitted,



Amber N. Hutchinson
Deputy Town Clerk