

**HENRIETTA TOWN BOARD  
AGENDA  
APRIL 19, 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): April 5, 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 #9-115/2006**

Authorize Accounts Payable

**RESOLUTION #9-116/2006**

Authorize Proposed Rezoning of Land Located at 5084 East Henrietta Road from Rural Residential RR-2 to Rural Residential RR-1

**RESOLUTION #9-117/2006**

Call for Public Hearing - Proposed Establishment of Extension No. 146 (Wegmans Food Markets and the Monroe County Fair Association, Inc.) to Henrietta Water District No. 1

**RESOLUTION #9-118/2006**

Call for Public Hearing - Proposed Establishment of Extension No. 190 (Wegmans Food Markets and the Monroe County Fair Association, Inc.) to Henrietta Sewer District No. 1

**RESOLUTION #9-119/2006**

Authorize Attendance of PERMA Annual Safety Conference

**RESOLUTION #9-120/2006**

Award Quotes - Repair of Henrietta Public Library Lobby

**RESOLUTION #9-121/2006**

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 19<sup>TH</sup> 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 that would like to speak on Agenda items? Just agenda items at this time? *(Pause - no response)* May I have the approval of the Minutes, please.

COUNCILWOMAN McCABE

Mr. Supervisor, I move we approve the Minutes of April 5, 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

May I have the first Resolution, please.

RESOLUTION #9-115/2006

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 4/19/2006	\$ 319,670.18
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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 #9-116/2006

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Yudelson

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, after consideration this proposed zoning change 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 rezoning, and

WHEREAS, the Henrietta Town Board declared its intent to be the Lead Agency for the environmental quality review, and

WHEREAS, the Henrietta Town Board is the sole approval board or agency affected by this action, and

WHEREAS, the Henrietta Town Board has taken a hard look at the environmental issues raised by this rezoning, pursuant to Section 617.7 of SEQRA, and

WHEREAS, pursuant to an Order, a Public Hearing was held on April 5, 2006.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board does formally designate itself and accepts Lead Agency status for the environmental review of described rezoning under the State Environmental Quality Review Act (SEQRA) and has determined that the proposed action therein described will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be required and therefore issues a Negative Declaration.

BE IT FURTHER RESOLVED, that a Negative Declaration under the State Environmental Quality Review Act (SEQRA) annexed to this Resolution be and hereby is adopted and the Town Supervisor and Town Staff are hereby directed to take all action necessary to effectuate this Negative Declaration, including but not limited to filing the Negative Declaration, as required under the State Environmental Quality Review Act (SEQRA).

BE IT FURTHER RESOLVED, that the Henrietta Town Board hereby ratifies, confirms, and adopts the rezoning of said land being rezoned to Rural Residential RR-1 as per the attached legal description.

SUPERVISOR BREESE

Under discussion, I'm going to support this Resolution. I think this is an excellent use for that property. I'm sure that Dr. Burns will do a first-class job in developing that parcel.

COUNCILMAN MULLIGAN

Under discussion, through you, Mr. Supervisor, just to be clear, it's my understanding from the meeting Monday night this will result in a subdivision of three (3) parcels?

SUPERVISOR BREESE

Mr. Byrne, are you here? Just for the Record . . .

MARK BYRNE, DIRECTOR OF ENGINEERING/PLANNING  
(From audience) Four (4).

COUNCILMAN MULLIGAN

Four (4)?

SUPERVISOR BREESE

Well, let Mr. Byrne answer that. Thank you, though. I think you're wrong again, Bill.

MARK BYRNE, DIRECTOR OF ENGINEERING/PLANNING

Four (4).

COUNCILMAN MULLIGAN

Well, you're going to have a good night. You'll be happy for probably an hour.  
*(Laughter)*

COUNCILMAN YUDELSON

Welcome back, Mark.

COUNCILWOMAN ZINCK

Thank you.

SUPERVISOR BREESE

You're close, Bill.

COUNCILWOMAN ZINCK

You were leaving a family out.

SUPERVISOR BREESE

Anybody else?

COUNCILMAN MULLIGAN

No disrespect to that fourth member of the family. *(Laughter)* Maybe there's family issues, I don't know.

SUPERVISOR BREESE

I don't know. It's none of my business. Anybody else? 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 #9-117/2006

On Motion of  
Councilman Yudelson

Seconded by  
Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 146 (WEGMANS FOOD MARKETS & THE MONROE COUNTY FAIR ASSOCIATION, INC.) TO HENRIETTA WATER DISTRICT NO. 1 LOCATED ON THE SOUTH SIDE OF CALKINS ROAD (754 CALKINS ROAD) AND ON THE WEST SIDE OF EAST HENRIETTA ROAD (2695 EAST HENRIETTA ROAD) IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

WHEREAS, a written Petition in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Henrietta, County of Monroe, New York for the establishment of Extension No. 146 (Wegmans Food Markets and the Monroe County Fair Association, Inc.) to the Henrietta Water District No. 1 bounded and described as set forth on exhibits now on file in the Town Clerk's Office, and

WHEREAS, the improvements proposed consist of a water system to serve the said Extension No. 146, including the acquisition of the necessary rights-of-way therefore, in accordance with a certain map and description made a part of such Petition and now on file in the Office of the Town Clerk of the said Town, and

WHEREAS, the maximum amount proposed to be expended for the said establishment of the said extension and the construction of said water system, including the acquisition of any necessary lands, easements and rights-of-way within and also outside of the limits of the proposed District Extension shall be borne by the owners and developers of the land included in said extension.

THEREFORE, BE IT RESOLVED, that a meeting of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, 475 Calkins Road, in the Town of Henrietta, Monroe County, New York on the 17<sup>TH</sup> day of May, 2006 at 8:00 P.M. to consider the said Petition and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted 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 #9-118/2006

On Motion of  
Councilman Yudelson

Seconded by  
Councilwoman Zinck

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IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 190 (WEGMANS FOOD MARKETS & THE MONROE COUNTY FAIR ASSOCIATION, INC.) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED ON THE NORTH AND SOUTH SIDE OF CALKINS ROAD (754 CALKINS ROAD) AND ON THE WEST SIDE OF EAST HENRIETTA ROAD (2695 EAST HENRIETTA ROAD) IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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WHEREAS, a written Petition in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Henrietta, County of Monroe, New York for the establishment of Extension No. 190 (Wegmans Food Markets and the Monroe County Fair Association, Inc.) to the Henrietta Sewer District No. 1 bounded and described as set forth on exhibits now on file in the Town Clerk's Office, and

WHEREAS, the improvements proposed consist of a sewer system to serve the said Extension No. 190, including the acquisition of the necessary rights-of-way therefore, in accordance with a certain map and description made a part of such Petition and now on file in the Office of the Town Clerk of the said Town, and

WHEREAS, the maximum amount proposed to be expended for the said establishment of the said extension and the construction of said sewer system, including the acquisition of any necessary lands, easements and rights-of-way within and also outside of the limits of the proposed District Extension shall be borne by the owners and developers of the land included in said extension.

THEREFORE, BE IT RESOLVED, that a meeting of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, 475 Calkins Road, in the Town of Henrietta, Monroe County, New York on the 17<sup>TH</sup> day of May, 2006 at 8:00 P.M. to consider the said Petition and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted 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 #9-119/2006

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, the Commissioner of Public Works has requested authorization to attend the Annual PERMA Safety Conference at the Sagamore Hotel in Bolton Landing, New York on May 18, 2006 through May 19, 2006, and

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

WHEREAS, PERMA covers the cost of meals and lodging for one (1) employee of the Town, 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, be hereby authorized to attend the two (2) day Annual PERMA Safety Conference at a cost not to exceed \$100.00, to include Thruway tolls and the use of a Town vehicle.

BE IT FURTHER RESOLVED, that all properly prepared vouchers be submitted to the Finance Director 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 #9-120/2006

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Yudelson

WHEREAS, the Director of the Henrietta Public Library solicited quotes for the repair of the lobby, and

WHEREAS, three (3) quotes were received, and one (1) quote, meeting specifications for the repair and replacement of the existing floor, was received from Barilla Construction, for a total cost of \$6,800.00, and one (1) quote, meeting specifications for the repair of the aluminum entry doors, was received from Alliance Door and Hardware, Inc., for a total cost of \$600.00.

THEREFORE, BE IT RESOLVED, that Barilla Construction, 429 Bartell Lane, Webster, New York 14580, be hereby awarded the quote for the repair and replacement of the existing floor at a cost not to exceed \$6,800.00.

BE IT FURTHER RESOLVED, that Alliance Door and Hardware, Inc., 55 Alliance Drive, Rochester, New York 14623, be hereby awarded the quote for the repair of the aluminum entry doors at a cost not to exceed \$600.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Barilla Construction and Alliance Door and Hardware, Inc. upon successful completion of said work and acceptance by the Commissioner of Public Works.

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 #9-121/2006

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman McCabe

BE IT RESOLVED, that the following person be hired:

Charles Cummings Parks/Facilities, Part-time/Seasonal @ \$8.00/hr.,  
effective 4/17/2006.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

#### SUPERVISOR BREESE

That's the end of the Regular Meeting. Before we adjourn, is there somebody who would like to speak on any other matters involving the Town of Henrietta at this time? Any other matters? *(Pause - no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman Zinck at 8:11 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson  
Deputy Town Clerk