

**HENRIETTA TOWN BOARD
AGENDA
MAY 16, 2007**

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): May 2, 2007
6. Miscellaneous Communications
7. Public Hearings:
 - Proposed Establishment of Extension No. 196 (R.I.T. Collegetown) to Henrietta Sewer District No. 1
 - Proposed Establishment of Extension No. 16 (R.I.T. Collegetown) to the Henrietta Drainage District
 - Proposed Rezoning of Portions of East River Road - Jaynes Riverview, LLC
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 #11-127/2007
Authorize Accounts Payable

RESOLUTION #11-128/2007
Call for Public Hearing - Proposed Rezoning of Land Located on Lehigh Station Road from Residential R-1-15 to Residential R-2-15 in Conjunction With Special Use Permit No. 2007-049 for Proposed Construction of Multiple Dwellings

RESOLUTION #11-129/2007
Authorize Proposed Establishment of Extension No. 196 (R.I.T. Collegtown) to Henrietta Sewer District No. 1

RESOLUTION #11-130/2007
Authorize Proposed Establishment of Extension No. 16 (R.I.T. Collegtown) to the Henrietta Drainage District

RESOLUTION #11-131/2007
Authorize Advertisement for Bids - Hylan Drive/Marketplace Mall Entrance Intersection Improvement Project

RESOLUTION #11-132/2007
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 16TH DAY OF MAY, 2007 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 the agenda items other than the Public Hearings? Just Agenda items only? Yes?

RACHEL WARREN, 59 TOMAHAWK TRAIL

I was wondering why you were thinking about adding an additional exit out of Marketplace Mall when we already have so many exits onto an already busy road on Jefferson and also Hylan Drive? I think it's Resolution Number . . .

SUPERVISOR BREESE

Yeah, I see it.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Okay.

SUPERVISOR BREESE

You think there's enough exits, right?

RACHEL WARREN, 59 TOMAHAWK TRAIL

There are a lot of them, and traffic is terrible over there at times.

SUPERVISOR BREESE

So maybe another exit would help?

RACHEL WARREN, 59 TOMAHAWK TRAIL

I don't know.

SUPERVISOR BREESE

Are you a traffic expert?

RACHEL WARREN, 59 TOMAHAWK TRAIL

No, I'm not, but it's just common sense if you have more exits . . .

SUPERVISOR BREESE

All right, so you're on Record as opposing another exit on Marketplace?

RACHEL WARREN, 59 TOMAHAWK TRAIL

I'm asking questions.

SUPERVISOR BREESE

It's going out for bid, so there is plenty of time to talk about it. Now, if you don't like the exit that's your privilege, but . . .

RACHEL WARREN, 59 TOMAHAWK TRAIL

May I ask where you're planning to put it?

SUPERVISOR BREESE

I'm not planning to put it anywhere. It's a routine advertisement for bid, okay, for intersection improvement. You ought to be in favor of improving intersections.

RACHEL WARREN, 59 TOMAHAWK TRAIL

I am in favor of improving them.

SUPERVISOR BREESE

Good. Thank you very much. Anybody else? *(Pause - no response)* Can I have the approval of the Minutes, please.

COUNCILWOMAN McCABE

I move we approve the Minutes of May 2, 2007.

COUNCILMAN YUDELSON

Second.

SUPERVISOR BREESE

Discussion? 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

SUPERVISOR BREESE

We have a few Public Hearings. The first is the establishment of Extension 196, R.I.T. Collegetown, to Henrietta Sewer District Number One (1). Has that been advertised?

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir.

SUPERVISOR BREESE

Is there anyone who would like to speak on that Public Hearing? *(Pause - no response)* I'll adjourn that Public Hearing. The next one is for the proposed establishment of Extension Sixteen (16), R.I.T. Collegetown, to the Henrietta Drainage District. Would anybody like to speak on that? *(Pause - no response)* I'll adjourn that Public Hearing. Finally, we have a proposed rezoning of portions of East River Road from Jaynes Riverview Company. Is there someone here from Jaynes Riverview who would like to summarize what it is you'd like to do, and identify who you are, please, even though we know. Tell us what you'd like. We probably won't vote tonight. We normally don't vote the same night on a Rezoning request.

JOSEPH ARDIETA, CORNELES ENGINEERING

Good evening ladies and gentlemen. My name is Joe Ardieta. I work with Corneles Engineering, and tonight I represent Jaynes Riverview, LLC, the Applicant for rezoning. I'll have a brief discussion. Essentially, our plan is to rezone property owned by Jaynes Riverview on the west side of East River Road. Here is an aerial view of the land, and here is the present zoning. It's mostly Industrial. There is about fifty (50) acres of R-1 that we propose to convert to R-2. The site is bordered to East River Road on the east, the Genesee River on the west, and the property that houses the old Kodak facility, Riverwood facility, to the north, and additionally is the Jaynes Riverview to the south. Essentially, the rezoning map would show, like this, after it is done. Here is a blow up of the map that you folks have of the lands to be rezoned. Essentially, it is a hundred and forty-six (146) acres, and that is really all I have to give you. Any questions?

SUPERVISOR BREESE

Well this is a lot of acres, pretty simple presentation.

JOSEPH ARDIETA, CORNELES ENGINEERING

Yes, it is.

SUPERVISOR BREESE

Okay.

COUNCILWOMAN McCABE

And you intend to put what there?

JOSEPH ARDIETA, CORNELES ENGINEERING

Well, we're rezoning it for R-2, so it's going to be zoned for multi-residential. We have done some conceptual planning. I brought a concept plan, if you'd like to see it.

COUNCILWOMAN McCABE

Yes, please.

JOSEPH ARDIETA, CORNELES ENGINEERING

This is a conceptual plan of a condominium complex that could go in there. Um, this plan was created for Jaynes Riverview to really show what density could possibly go in this site. It was zoned multi-residential. This is really at, in my estimation with the buildings that we used, which are four (4) unit townhouses, um, this is the maximum density we could find which turns out to be four (4) times a hundred (100), four hundred and sixteen (416) units, and that's with no . . .

SUPERVISOR BREESE

Wait, stop. Tell us how you reached that figure. That was too quick.

JOSEPH ARDIETA, CORNELES ENGINEERING

Okay. What I did was I took the site parameters, the boundary of the site, the wetland delineation, which is here, and the buffer, the flood plan delineation which is down here, and we really, and then we put in all the parameters, like how close we want the buildings to be to one another, how much backyard we want between the buildings, and the setbacks from the road to the buildings.

SUPERVISOR BREESE

You've got four (4) parcels identified in the letter. Which parcel number is this?

JOSEPH ARDIETA, CORNELES ENGINEERING

This here is this parcel.

SUPERVISOR BREESE

Is that one(1), two (2), three (3), or four (4)?

JOSEPH ARDIETA, CORNELES ENGINEERING

It's the ninety-five (95) acre parcel.

SUPERVISOR BREESE

Okay. That's parcel one (1), from Industrial to R-2-15.

JOSEPH ARDIETA, CORNELES ENGINEERING

Yes.

SUPERVISOR BREESE

You're talking about condominiums or townhouses?

JOSEPH ARDIETA, CORNELES ENGINEERING

Correct.

SUPERVISOR BREESE

You'll have them for sale or for rent?

JOSEPH ARDIETA, CORNELES ENGINEERING

At this point, we're considering for sale.

SUPERVISOR BREESE

For what?

JOSEPH ARDIETA, CORNELES ENGINEERING

For sale.

SUPERVISOR BREESE

Okay. The ninety-five (95) acres, you're talking about condos for sale. That's what you're talking about? Is that going to change? I mean, are you going to come back in, in another month, and say we want to do this differently?

JOSEPH ARDIETA, CORNELES ENGINEERING

Well, as I said, this is a concept plan, and we're trying to determine the economic feasibility of developing the site. So, the answer is yes.

SUPERVISOR BREESE

Yes what?

JOSEPH ARDIETA, CORNELES ENGINEERING

Yes, it could change. I mean, if we change our view we could throw that plan right out, and we could, I could start over with a new concept.

SUPERVISOR BREESE

Okay.

COUNCILWOMAN McCABE

Um, you're telling us that this first parcel now is ninety-five (95) acres, correct?

JOSEPH ARDIETA, CORNELES ENGINEERING

Parcel number one (1), yes.

COUNCILWOMAN McCABE

But there are others that add up to about a hundred and forty-six (146). That's the total?

JOSEPH ARDIETA, CORNELES ENGINEERING

Yes. Actually, that's how much I think it adds up to. This is parcel one (1).

COUNCILWOMAN McCABE

Right.

JOSEPH ARDIETA, CORNELES ENGINEERING

Parcel two (2) is one point eight (1.8) acres. That would be encompassed by this Project. Parcel three (3) would also, actually, would also be encompassed here, is in the southern portion of the lands to be rezoned, and then there's a one point four (1.4) acre parcel owned by Jaynes Riverview, which we intend to rezone because that is potentially to be the future home for the Goose Landing Senior Home Facility.

SUPERVISOR BREESE

Goose Landing, which one, is that number four (4)?

JOSEPH ARDIETA, CORNELES ENGINEERING

Yes.

KEN MARVALD, JAYNES RIVERVIEW, LLC

(From audience - inaudible)

SUPERVISOR BREESE

Wait. You've got to come up here and give us your name and tell us what you want to say, okay?

KEN MARVALD, JAYNES RIVERVIEW, LLC

I'm sorry. My name is Ken Marvald. I'm with Jaynes Riverview, one of the owners of Jaynes Riverview. I think there is some confusion. The concept plan, as it is shown, encompasses all the acres that is on this . . .

SUPERVISOR BREESE

The hundred and forty-six (146) then?

KEN MARVALD, JAYNES RIVERVIEW, LLC

Exactly.

SUPERVISOR BREESE

Not just . . .

KEN MARVALD, JAYNES RIVERVIEW, LLC

I think Joe may have mis-spoke.

SUPERVISOR BREESE

Okay, but the plan is still for condominiums for sale right now?

KEN MARVALD, JAYNES RIVERVIEW, LLC

The condominiums . . .

SUPERVISOR BREESE

And that could change? That could change, is what you're saying? Is that correct?

KEN MARVALD, JAYNES RIVERVIEW, LLC

It's entirely possible it could change. It's our intention right now to have for sale units, not rentals.

COUNCILWOMAN McCABE

And then you're saying too, that you . . .

SUPERVISOR BREESE

You have to come back up here.

COUNCILWOMAN McCABE

Uh, okay, sorry.

COUNCILMAN MULLIGAN

There's two (2) mics.

COUNCILWOMAN McCABE

And then you're saying too, that you're going to have senior homes, a senior complex. Is that what I heard?

JOSEPH ARDIETA, CORNELES ENGINEERING

Well, one (1) of the parcels that we propose to rezone would encompass the land that is designated for the Goose Landing Senior Home, and that's parcel number four (4).

COUNCILWOMAN ZINCK

Was that on that concept map?

JOSEPH ARDIETA, CORNELES ENGINEERING

No, it's not.

SUPERVISOR BREESE

Correct, but that still requires the multiple . . .

JOSEPH ARDIETA, CORNELES ENGINEERING

Correct. It still requires R-2 zoning.

SUPERVISOR BREESE

. . . designation, yes. And that's all we're dealing with. We're not dealing with, technically, with what kind of units . . .

JOSEPH ARDIETA, CORNELES ENGINEERING

Yeah. I'm not presenting a Project to you folks. I'm just showing you the land that we propose to rezone, and I showed you a concept plan that we're working on that may facilitate within those lines.

SUPERVISOR BREESE

Does anybody else have any questions at this time? Do you have a time frame?

JOSEPH ARDIETA, CORNELES ENGINEERING

For construction?

SUPERVISOR BREESE

Yes.

KEN MARVALD, JAYNES RIVERVIEW, LLC

No, but we're in the process of developing the concept. Once, assuming the rezoning goes through, the next step for Joe is to put together a more detailed concept and flush out all the costs and go through the whole process of getting it approved.

COUNCILWOMAN McCABE

I have one more question, if you don't mind. I know this is in the hundred year flood plain. How are you going to mitigate that?

JOSEPH ARDIETA, CORNELES ENGINEERING

Actually, we don't propose to build within the hundred year flood plain.

COUNCILWOMAN McCABE

The south side of it?

JOSEPH ARDIETA, CORNELES ENGINEERING

Yes. Well, there is a hundred year flood plain within this site, but if you see this dash line here, the hundred year flood plain follows that dash line, not exactly, but pretty much along those lines.

COUNCILWOMAN McCABE

Close to it?

JOSEPH ARDIETA, CORNELES ENGINEERING

In fact, we could have fit a building here, but we didn't simply because it came close to encroaching on the flood plain.

COUNCILWOMAN McCABE

Okay.

JOSEPH ARDIETA, CORNELES ENGINEERING

So, this concept plan doesn't, it has no impact on the flood plain at all.

COUNCILWOMAN McCABE

Okay. Thank you.

COUNCILMAN MULLIGAN

Through you, Mr. Supervisor, you wouldn't need DEC at all?

JOSEPH ARDIETA, CORNELES ENGINEERING

We would require a permit from DEC to cross the wetlands through this period here . . .

COUNCILMAN MULLIGAN

Okay.

JOSEPH ARDIETA, CORNELES ENGINEERING

. . . of this portion, but we've already started communications with them, and they understand that this parcel is land locked, it's surrounded by either river or a wetland. So they know that there has to be a crossing point. We chose the narrowest point.

COUNCILMAN MULLIGAN

In summary Joe, you want to take the hundred and forty (140) acres that are currently a mix of Industrial and R-1-15 to all R-2-15?

JOSEPH ARDIETA, CORNELES ENGINEERING

To all R-2-15.

COUNCILMAN MULLIGAN

Would that allow apartments also, or not?

JOSEPH ARDIETA, CORNELES ENGINEERING

With a Special Use Permit from you folks. We would have to come back, of course. In fact, for this Project, we would have to come back anyway.

SUPERVISOR BREESE

Yes you do, if you get approved for rezoning. You've got about fifty (50), over fifty (50) acres of R-1-15 that you want to change to R-2-15. I presume you've done market studies that tell you that R-1-15 doesn't work in that area, is that correct?

JOSEPH ARDIETA, CORNELES ENGINEERING

Well, Jaynes Riverview has, really, a master plan for the lands that they own, and they, at this point, believe that there is R-1 that will work in this area, and they have lands designated for R-1. These lands, of course, were designated for R-2, and there are

other lands elsewhere owned by Jaynes Riverview which we think will work best as Industrial.

SUPERVISOR BREESE

Now, how many other acres do they control beyond these?

KEN MARVALD, JAYNES RIVERVIEW, LLC

There's a total of seven hundred and twenty-nine (729) acres owned by the company, and we're in the process of determining the best use for all those acres.

SUPERVISOR BREESE

You haven't ruled out R-1-15 in some of the other parcels, is that correct?

KEN MARVALD, JAYNES RIVERVIEW, LLC

We have not. As a matter of fact, at some point we'd like to come talk to the Board about some of the other parcels that are on Lehigh Station or adjacent to Lehigh Station and a potential rezoning of some of those as we start to understand them a little bit better.

SUPERVISOR BREESE

Okay.

COUNCILWOMAN McCABE

What size lots are they? Do you intend . . . what size, I mean, how much green area is around each one of these?

SUPERVISOR BREESE

She used to be on the Planning Board. *(Laughter)*

COUNCILWOMAN McCABE

He knows.

JOSEPH ARDIETA, CORNELES ENGINEERING

At this time, I can't tell you, other than we all know that two thousand (2,000) square feet of greenspace for each unit has to be allocated on this land. Even at its densist, which we believe this plan is, this is four hundred and sixteen (416) units on a hundred and roughly fifty (150) acres. That's a very low density overall.

SUPERVISOR BREESE

Yes, it is.

COUNCILWOMAN McCABE

Okay.

SUPERVISOR BREESE

Any other questions from the Board? Anybody in the audience who would like to speak on this Application, at this time? Yes, ma'am.

BETH WHITE, 1001 MIDDLE ROAD

Just curious, because nothing was said, what would be the price range of these townhouses?

KEN MARVALD, JAYNES RIVERVIEW, LLC

We really haven't determined that yet. If you want a guess, I'll give you a guess but . . .

BETH WHITE, 1001 MIDDLE ROAD

Can you give me a guess?

KEN MARVALD, JAYNES RIVERVIEW, LLC

Yeah, I'd be happy to. My guess is, it would probably be in the mid, starting around the mid one forties (140's), and maybe up to into the mid one eighties (180's).

BETH WHITE, 1001 MIDDLE ROAD

Okay.

KEN MARVALD, JAYNES RIVERVIEW, LLC

Again, just a wild guess.

SUPERVISOR BREESE

(Inaudible)

BETH WHITE, 1001 MIDDLE ROAD

These are not going to be million dollar places.

KEN MARVALD, JAYNES RIVERVIEW, LLC

Absolutely not, no.

BETH WHITE, 1001 MIDDLE ROAD

Thank you.

SUPERVISOR BREESE

That would be nice though, wouldn't it?

BETH WHITE, 1001 MIDDLE ROAD

It would.

KEN MARVALD, JAYNES RIVERVIEW, LLC

We could build one for you. *(Laughter)*

SUPERVISOR BREESE

No, she's got something else in mind. Would anybody else like to speak on this Application for rezoning?

KEN MARVALD, JAYNES RIVERVIEW, LLC

Perhaps it would go a little higher as it got back closer to the river.

SUPERVISOR BREESE

No, we understand. It's strictly a guess. Yes?

JOHN SCHMITT, 139 CAMPFIRE ROAD

(From audience - inaudible).

SUPERVISOR BREESE

You've got to come up here. No, you can't do that. What?

JOHN SCHMITT, 139 CAMPFIRE ROAD

(From audience) Where exactly is this?

SUPERVISOR BREESE

Well, why don't you come up to the mic and give us your name, and then ask him what you want to ask him.

JOHN SCHMITT, 139 CAMPFIRE ROAD

We'd like to get a better feel, where exactly is this? It says . . .

SUPERVISOR BREESE

John Schmitt, for the Record. He doesn't want to, he's bashful, he doesn't want to give us his name. Tell him, show him where it is on East River Road in relation to . . .

KEN MARVALD, JAYNES RIVERVIEW, LLC

This is East River Road, this is obviously the river, the Thruway is right down here . . .

JOHN SCHMITT, 139 CAMPFIRE ROAD

Okay. Where, where is, this is . . .

KEN MARVALD, JAYNES RIVERVIEW, LLC

That's the Genesee River.

JOHN SCHMITT, 139 CAMPFIRE ROAD

Somehow I'm looking at this upside down. Where is Lehigh Station Road? That's what we're talking about.

KEN MARVALD, JAYNES RIVERVIEW, LLC

This is Lehigh Station Road, here is East River Road, here is the New York State

Thruway, and there is the Genesee River.

SUPERVISOR BREESE

It's north of the Thruway, John. It's north of the Thruway.

JOHN SCHMITT, 139 CAMPFIRE ROAD

Thank you.

SUPERVISOR BREESE

Anybody else with any questions or comments on the Application? *(Pause - no response)* If not, I'll adjourn this Public Hearing, and as I said, we don't usually vote on a rezoning on the same night. We'll consider what we've heard and perhaps vote on it at the next meeting.

KEN MARVALD, JAYNES RIVERVIEW, LLC

Good.

SUPERVISOR BREESE

Thank you.

KEN MARVALD, JAYNES RIVERVIEW, LLC

Thank you.

SUPERVISOR BREESE

May I have the first resolution, please.

RESOLUTION #11-127/2007

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 5/16/2007	\$ 121,857.16
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SUPERVISOR BREESE

Discussion? 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 #11-128/2007

On Motion of
Councilwoman Zinck

Seconded by
Councilman Yudelson

WHEREAS, the Town Board received a written request from Lehigh Seniors Property, LLC, to rezone an approximate 18.5 acre parcel and to issue a Special Use Permit for property on Lehigh Station Road known as Tax Account Number 175.12-1-3.1 from Residential R-1-15 to Residential R-2-15 to construct eighty-eight (88) multiple dwelling units in eleven (11), two-story buildings with eight (8) units each, and

WHEREAS, the intention is to combine the previously approved Special Use Permit No. 2006-185 on Tax Account Number 175.12-1-6.1 into a single multiple dwelling development parcel, and

WHEREAS, a map of the land under consideration is on file in the Office of the Town Clerk, and

WHEREAS, consideration of the zoning change 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, it is required that this Board and other involved agencies undertake a coordinated SEQRA review of this proposal, and

WHEREAS, the Town Board declares its intent to be the Lead Agency under SEQRA and will be sending out a letter notice to all involved agencies regarding this declaration, requesting a response to this declaration within thirty (30) days of receipt of said notice.

THEREFORE, BE IT RESOLVED, that a meeting of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, Main Meeting Room, 475 Calkins Road, Town of Henrietta, Monroe County, New York, on the 6TH day of June, 2007 at 8:00 P.M. to consider the rezoning for said parcel to Residential R-2-15 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.

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 #11-129/2007

On Motion of
Councilman Yudelson

Seconded by
Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 196 (R.I.T. COLLEGETOWN) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED ON THE SOUTHWEST CORNER OF JEFFERSON ROAD AND JOHN STREET IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 196 (R.I.T. COLLEGETOWN) TO HENRIETTA SEWER DISTRICT NO. 1

WHEREAS, a written Petition for the establishment of an extension to Henrietta Sewer District No. 1 in the Town of Henrietta, County of Monroe, State of New York, to be known as Extension No. 196 (R.I.T. Collegetown) of said Sewer District was duly presented to this Town Board, together with the necessary map and plan attached thereto, and

WHEREAS, pursuant to an Order a Public Hearing was held on the Petition, and the findings as specified on Exhibit "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 196 to the said Sewer District as proposed in the said Petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such extension shall be designated and known as Extension No. 196 to Henrietta Sewer District No. 1 and shall be bounded as described in attachments annexed hereto.

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this Resolution, file Certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York.

SUPERVISOR BREESE
Discussion? 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 #11-130/2007

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 16 (R.I.T. COLLEGETOWN) TO THE HENRIETTA DRAINAGE DISTRICT LOCATED ON THE SOUTHWEST CORNER OF JEFFERSON ROAD AND JOHN STREET IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 16 (R.I.T. COLLEGETOWN) TO THE HENRIETTA DRAINAGE DISTRICT

WHEREAS, a written Petition for the establishment of an extension to the Henrietta Drainage District in the Town of Henrietta, County of Monroe, State of New York, to be known as Extension No. 16 (R.I.T. Collegetown) of said Drainage District was duly presented to this Town Board, together with the necessary map and plan attached thereto, and

WHEREAS, pursuant to an Order a Public Hearing was held on the Petition, and the findings as specified on Exhibit "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 16 to the said Drainage District as proposed in the said Petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such extension shall be designated and known as Extension No. 16 to the Henrietta Drainage District and shall be bounded as described in attachments annexed hereto.

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this Resolution, file Certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York.

SUPERVISOR BREESE
Discussion? 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 #11-131/2007

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, the Town of Henrietta requires bids for the Hylan Drive/Marketplace Mall Entrance Intersection Improvement Project for the installation of an additional exit travel lane and modifications for two (2) entrance/exit travel lanes, to conform with construction plans and specifications on file in the Town Clerk's Office, with bids to be opened at 10:00 A.M. on Friday, June 15, 2007 and received no later than 9:30 A.M. on Friday, June 15, 2007.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for the Hylan Drive/Marketplace Mall Entrance Intersection Improvement Project as per cited plans and specifications on file in the manner provided by Law.

SUPERVISOR BREESE

Under discussion, I'd like to ask Mark Byrne to come up here. I have a question to ask him about this. Is this Project being included under the Transportation Development District Fund?

MARK BYRNE, DIRECTOR OF PLANNING/ENGINEERING

Yes. This is one (1) of the three (3) intersections that were slated to be replaced.

SUPERVISOR BREESE

So there's no public money being paid for this?

MARK BYRNE, DIRECTOR OF PLANNING/ENGINEERING

No. This is all money that's been in the Transportation Development District.

SUPERVISOR BREESE

And the purpose of this is to improve traffic flow in that area, is that correct?

MARK BYRNE, DIRECTOR OF PLANNING/ENGINEERING

That's correct.

SUPERVISOR BREESE

Thank you very much.

COUNCILMAN YUDELSON

Mr. Supervisor, through you, just a follow up question for Mark. I think the question from, you know, at the start of the meeting was, exactly where is this? Which one of the . . .

MARK BYRNE, DIRECTOR OF PLANNING/ENGINEERING

It's the middle mall exit on Hylan Drive opposite where Wegmans' main entrance is.

COUNCILMAN YUDELSON

At the light?

MARK BYRNE, DIRECTOR OF PLANNING/ENGINEERING

Yes. That's to improve the circulation through there.

COUNCILWOMAN McCABE

Oh, yeah.

MARK BYRNE, DIRECTOR OF PLANNING/ENGINEERING

It backs up pretty bad, so . . .

COUNCILWOMAN McCABE

It does.

SUPERVISOR BREESE

Everybody should be in favor of improving traffic flow.

COUNCILWOMAN McCABE

Yes, we are, . . .

MARK BYRNE, DIRECTOR OF PLANNING/ENGINEERING

Plus it doesn't cost the Town a cent.

COUNCILWOMAN McCABE

. . . I think.

COUNCILMAN YUDELSON

Thank you.

SUPERVISOR BREESE

Call the roll, please.

COUNCILWOMAN McCABE

Especially when we don't pay.

That's the end of the regular meeting. Before we adjourn, is there anybody who would like to speak on any other items involving the Town, at this time? Yes, ma'am.

RACHEL WARREN, 59 TOMAHAWK TRAIL

I want to thank you all for your work on the first Pinnacle Road project. It's wonderful. There are only two (2) cars in the driveway. Um, also, I would like to talk about the 943 Calkins Road property. It has multiple trailers sitting out front of the house. 943 Pinnacle Road, which has a boat with a red truck in the driveway. The boat's been in the front yard for about four (4) years now and the red truck's been there for about three (3) or four (4) months, and uh, I don't know whether or not you'll do anything about it, but I certainly don't think that this enhances the properties on Pinnacle Road at all. Uh, and also, I'm wondering why the, uh, Planning Board approved that red neon sign for the Dome properties?

SUPERVISOR BREESE

For the dome?

RACHEL WARREN, 59 TOMAHAWK TRAIL

Yeah. I, that looks, in the residential area it looks . . .

SUPERVISOR BREESE

Well, far be it for me to second guess the Planning Board.

COUNCILWOMAN McCABE

Or was that the Zoning Board? We're not sure?

SUPERVISOR BREESE

I'm not sure.

COUNCILWOMAN McCABE

Zoning?

COUNCILMAN MULLIGAN

It might have been Zoning.

COUNCILWOMAN McCABE

I think the Planning Board okayed the sign, but . . .

MARK BYRNE, DIRECTOR OF PLANNING/ENGINEERING

(From audience - inaudible)

COUNCILWOMAN McCABE

No? Zoning Board? Okay, it was Zoning Board, so, Mark said.

SUPERVISOR BREESE

Zoning Board gave them, we gave them a variance, apparently, Zoning Board did.

COUNCILWOMAN McCABE

You're right. I'm sorry.

SUPERVISOR BREESE

Were you at the Hearing when they had the Application?

RACHEL WARREN, 59 TOMAHAWK TRAIL

No, I wasn't.

SUPERVISOR BREESE

You should have been there.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Well, I can't be everywhere. *(Laughter)*

RACHEL WARREN, 59 TOMAHAWK TRAIL

(Inaudible) . . . I wish I had two (2) of me most days. I'm getting older and I don't move as fast as I used to.

SUPERVISOR BREESE

We understand. We can't take the sign down, though. I understand what you're saying.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Could they change it at least to a white, the lettering to white? I mean, would that be such a big problem?

SUPERVISOR BREESE

We can ask them.

COUNCILMAN MULLIGAN

That's not a bad idea.

RACHEL WARREN, 59 TOMAHAWK TRAIL

And maybe make it stationary instead of uh, it's looks like a race car.

SUPERVISOR BREESE

All right. I'll ask them.

COUNCILWOMAN ZINCK

A casino.

SUPERVISOR BREESE

I'll ask them. I'll tell them. I'll try.

COUNCILWOMAN McCABE

A casino, you're right.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Thank you. I appreciate it.

COUNCILWOMAN ZINCK

How about those addresses, though? Do we have . . .

SUPERVISOR BREESE

No, the Code Enforcement man is here.

COUNCILMAN MULLIGAN

Chris has got them.

SUPERVISOR BREESE

He'll look at those. Thank you.

RACHEL WARREN, 59 TOMAHAWK TRAIL

Okay. Thank you.

COUNCILWOMAN ZINCK

Thanks.

SUPERVISOR BREESE

Would anybody else like to speak on anything? *(Pause - no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman McCabe at 8:28 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson

Deputy Town Clerk