

**HENRIETTA TOWN BOARD
AGENDA
NOVEMBER 7, 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): October 17, 2007
6. Miscellaneous Communications
7. Public Hearings:
 - Proposed Amendments to Chapter A301, "Fee Schedules," §A301-3E of the Town Code of the Town of Henrietta, to Increase Sewer Rents
 - Proposed Establishment of Extension No. 151 (Hindu Temple of Rochester) to Henrietta Water District No. 1
 - Proposed Establishment of Extension No. 199 (Hindu Temple of Rochester) to Henrietta Sewer District No. 1
 - Fiscal Year 2008 Preliminary Budget for the Town of Henrietta; Proposed Salaries for Elected Town Officials are: Supervisor, \$96,492; Councilpersons, \$17,605; and Town Judges, \$26,708
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 #20-211/2007
Authorize Accounts Payable

RESOLUTION #20-212/2007
Authorize Proposed Monroe County Empire Zone Designation of Property
Located at 999 Lehigh Station Road - Hydroacoustics, Inc.

RESOLUTION #20-213/2007
Adopt Town of Henrietta Parks Master Plan

RESOLUTION #20-214/2007
Authorize Proposed Establishment of Extension No. 151 (Hindu Temple of Rochester) to Henrietta Water District No. 1

RESOLUTION #20-215/2007
Authorize Proposed Establishment of Extension No. 199 (Hindu Temple of Rochester) to Henrietta Sewer District No. 1

RESOLUTION #20-216/2007

Award Low Bid - Salt Spreader - Highway Department

RESOLUTION #20-217/2007

Authorize Traffic Control Devices - Carriage House Lane @ Erie Station Road
and Stonefield Mews Lane @ Stone Road

RESOLUTION #20-218/2007

Adopt Official Undertaking of Receiver of Taxes and Assessments

RESOLUTION #20-219/2007

Authorize Agricultural Lease Renewal - Mark Greene, Property on Calkins Road

RESOLUTION #20-220/2007

Authorize Lease Renewal - 95 Methodist Hill Drive

RESOLUTION #20-221/2007

Authorize Supervisor to Sign Henrietta Volunteer Ambulance Contract

RESOLUTION #20-222/2007

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 7th DAY OF NOVEMBER, 2007 AT 8:00 P.M.

MEMBERS PRESENT

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

MEMBERS ABSENT

Supervisor James R. Breese

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

COUNCILMAN YUDELSON

Is there anyone who would like to speak on any items that are on the Agenda other than the Public Hearings? If not, may I have the Approval of the Minutes.

COUNCILWOMAN McCABE

Mr. Supervisor, Deputy, Mr. Supervisor Elect, how's that, I move the Minutes of October 17, 2007.

COUNCILMAN MULLIGAN

Second.

COUNCILMAN YUDELSON

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	Absent

Carried

COUNCILMAN YUDELSON

There are four (4) Public Hearings tonight, the first one is proposed amendments to Chapter A301, "Fee Schedules" of the Town Code of the Town of Henrietta, to increase Sewer Rents. Is there anyone who would like to speak on that Public Hearing? If not, I'll close this Public Hearing. The next one is the proposed Establishment of Extension No. 151 to the Henrietta Water District No. 1. Would anyone like to speak on that? If

not, I'll close that Public Hearing. Next one is the proposed Establishment of Extension No. 199 to Henrietta Sewer District No. 1. Is there anyone who would like to speak on that? I'll close that Public Hearing. The last one is on the Fiscal Year 2008 Preliminary Budget, for the Town of Henrietta. Would anyone like to speak on that item?

KEVIN YOST, 1474 MIDDLE ROAD

Good evening. Kevin Yost, 1474 Middle Road. I did read, I believe it was the Rush-Henrietta Post, that included in the Budget is completion of the south side of Martin Road Park, and the beginning of the proposed River Front Park. I look forward to seeing those begin, and eventually someday, even though for all my life, thirty-two and a half years living in the Town I don't pay property taxes, never have, not having any property, so I can't speak on the property tax payers and paying for it as a resident, I would like to see those completed, in the Budget, if the article was correct. Thank you.

COUNCILMAN YUDELSON

Thank you. Would anyone else like to speak on the Budget?

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

Good evening. John Schmitt, 139 Campfire Road North. Just a couple of questions on the presentation that's made for the Budget. I have the one that was prior to when the Fire District was added, but I don't think that makes any significant difference. Under the income it says that it's about 2.7 million dollars comes out of the Reserve Fund. To me, Reserve Fund is money we have, and we're using that. How long will we be able to use out of that reserve Fund, or how does money get into it to keep it at a particular level?

COUNCILMAN YUDELSON

There's a pattern of money from that being put towards the Budget, and put back into it, and I'd ask Mr. Liess, our Finance Director, to come up and tell you answers to that, please.

PAUL LIESS, DIRECTOR OF FINANCE AND PERSONNEL

The exact amount that is Budgeted is what's projected to be spent, but in the year's past we've had a very favorable Budget, we've received more revenues which have allowed us not to dip into the fund balance. All the fund balances meet to State requirements, and actually some of them are higher than what the State actually requires, and as in our audits, we've been written up for holding too much money, so the way that the Budget reads right now, it's more to maintain the levels of what the State requires to have as a fund reserve. To answer some of your other questions they usually go back to why are we spending the fund balance in the year's past, and we have never really dipped into the fund balance. Our sales tax, our mortgage tax is coming in much more favorably than what we've budgeted and therefore we have not had to dip into the fund balance.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

The only reason I ask is I have about the last six (6) years, copies of the Budget, and it seems like every year we're taking something out of the fund balance. The other thing is because my background is out of the Commercial aspects of it, the real value of any organization rests with it's balance sheets, what are its assets, what are its liabilities. I'm assuming, is any of that information available? What are our assets, what are our liabilities, do we have long term debts, a lot of that has an implication of how the Town moves forward.

COUNCILMAN MULLIGAN

The long term debt, John, is about a million on the Public Works building. That compares very favorably with the other Towns like Gates, Pittsford, and Penfield where they've bought, let's say development rights, or put up Community Centers. They have debts of ten, fifteen, and even twenty-five million dollars. The surplus is hung between five and six million for the last six (6) years. Remained very stable which has allowed us, as Mr. Liess, pointed out, to use a couple million of the fund balance. But then if the sales tax comes in five hundred thousand higher than budgeted, and the mortgage tax comes in five hundred thousand higher than budgeted, we don't end up using the fund balance. So as a result, the overall financial stability of the Town stays in tact.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

So when we put this together then, my last question is, do we adequately staff the various departments so that they can do a credible job?

COUNCILMAN MULLIGAN

I would say most department heads would say, "No, we don't."

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

I'm sorry?

COUNCILMAN MULLIGAN

I would say most department heads would say, "No, we don't." But we've had kind of the philosophy of trying to do more with less.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

I appreciate that, but there are some areas where it's really important to all the citizens of the Town to really have that work done properly. What I'm thinking of off hand, my short term memory seems to keep kicking in, but where you have Code Enforcement and things like that, there are times when that requires, particularly as the development goes on, and things of that nature, after it's up, it's too late. Like it's too late to complain when the bulldozers arrive, that kind of thing. Just some thoughts that go through my mind as I look at it, thank you.

COUNCILWOMAN McCABE

Thank you.

COUNCILMAN YUDELSON

Thank you, Mr. Schmitt. Would anyone else like to speak on the 2008 Budget? If not, I'll close that Public Hearing. May I have the first Resolution please, oops, I have the first Resolution.

RESOLUTION #20-211/2007

On Motion of
Councilman Yudelson

Seconded by
Councilwoman McCabe

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

EXHIBIT A	Bills Payable dated 11/7/2007	\$ 344,392.49
EXHIBIT B	Manual Bills Payable	\$ 680.00

COUNCILMAN YUDELSON

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	Absent

Carried

RESOLUTION #20-212/2007

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

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 portions of the Towns of Gates, Greece, Irondequoit, Henrietta, and the Village of Brockport, New York, and

WHEREAS, New York State has amended the Zones 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 County of Monroe 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, Hydroacoustics, Inc. located at 999 Lehigh Station Road, Town of Henrietta, New York, meets the criteria of 957(d) of the General Municipal Law as a Regionally Significant Project by creating 50 new manufacturing jobs at the Project location for inclusion within the County of Monroe 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 part of land commonly known and described as 999 Lehigh Station Road, Henrietta, New York, part of Tax I.D. No. 175.04-1-17, 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 County of Monroe Empire Zone to include the property more particularly described in the legal description attached as Schedule A and fully supports and concurs in the submission of a Regionally Significant Project Application by the Empire Zone of Monroe County.

COUNCILMAN YUDELSON
Discussion?

COUNCILMAN MULLIGAN
Through you, Councilman Yudelton, and Nate, you can just nod yes or no, didn't Hydroacoustics have a COMIDA agreement for quite a few years through the County?

NATHAN GABBERT, TOWN ASSESSOR
(From audience - "No.")

COUNCILMAN MULLIGAN
I thought I remember one back in the eighties?

NATHAN GABBERT, TOWN ASSESSOR
(From audience - "That was before my time.")

COUNCILMAN MULLIGAN
Thanks.

COUNCILMAN YUDELSON
Further 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 Absent

Carried

RESOLUTION #20-213/2007

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

WHEREAS, pursuant to an Order, the Town Board of the Town of Henrietta held a Public Hearing on June 20, 2007 with regard to the proposed Parks Master Plan, and

WHEREAS, the Town Board of the Town of Henrietta has reviewed all comments received during said Public Hearing, and

WHEREAS, the Town Board of the Town of Henrietta is the sole approval Board or Agency effected by this Action.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henrietta hereby accepts and adopts the 2007 Parks Master Plan, as amended per the attached, which is on file in the office of the Town Clerk of the Town of Henrietta.

COUNCILMAN YUDELSON

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 Absent

Carried

RESOLUTION #20-214/2007

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 151 (HINDU TEMPLE OF ROCHESTER) TO HENRIETTA WATER DISTRICT NO. 1 LOCATED 120 PINNACLE ROAD 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. 151 (HINDU TEMPLE OF ROCHESTER) TO HENRIETTA WATER DISTRICT NO. 1

WHEREAS, a written Petition for the establishment of an extension to Henrietta Water District No. 1 in the Town of Henrietta, County of Monroe, State of New York, to be known as Extension No. 151 (Hindu Temple of Rochester) of said Water 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. 151 to the said Water 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. 151 to Henrietta Water 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.

COUNCILMAN YUDELSON

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	Absent

Carried

RESOLUTION #20-215/2007

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 199 (HINDU TEMPLE OF ROCHESTER) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED AT 120 PINNACLE ROAD 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. 199 (HINDU TEMPLE OF ROCHESTER)

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. 199 (Hindu Temple of Rochester) 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. 199 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. 199 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.

COUNCILMAN YUDELSON

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	Absent

Carried

RESOLUTION #20-216/2007

On Motion of
Councilman Yudelson

Seconded by
Councilwoman McCabe

WHEREAS, Resolution #19-207/2007 authorized the advertisement for bids for one (1) Stainless Steel Salt Spreader for the Highway Department, and

WHEREAS, two (2) bids were received, and the low bid, meeting specifications, was received from Thru-Way Auto Spring Service, Inc. in the amount of \$ 11,200.00.

THEREFORE, BE IT RESOLVED, that Thru-Way Auto Spring Service, Inc., 1609 Mount Read Boulevard, Rochester, New York 14606, be hereby awarded the bid for one (1) Stainless Steel Salt Spreader, per specifications, at a total cost not to exceed \$11,200.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Thru-Way Auto Spring Service, Inc. in an amount not to exceed \$11,200.00 upon delivery and receipt of all proper documentation and acceptance by the Superintendent of Highways.

COUNCILMAN YUDELSON
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	Absent

Carried

RESOLUTION #20-217/2007

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

WHEREAS, New York State Vehicle and Traffic Law, Section 1660, permits the Town Board to establish traffic regulations within the Town by Resolution, and

WHEREAS, the Monroe County Director of Transportation has requested permission to install new traffic control devices at two (2) locations, as listed specifically in Attachment "A", and

WHEREAS, the Henrietta Town Board supports and encourages the installation of these traffic control devices in the interest of public safety.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board hereby authorizes the establishment of the traffic control devices listed in Attachment "A".

COUNCILMAN MULLIGAN

Just under discussion, Mr. Martin, and you can nod yes or no, Highway Superintendent has a lot of different authority, and power, do you actually need a Resolution for something like this or could you do it on your own?

RUSSELL MARTIN, SUPERINTENDENT OF HIGHWAYS
(From audience, "Yes.")

COUNCILMAN MULLIGAN

You have as much power as they let you.

COUNCILMAN YUDELSON

Further 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	Absent

Carried

RESOLUTION #20-218/2007

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

BE IT RESOLVED, that the Town Board adopts the attached official Undertaking of Receiver of Taxes and Assessments Resolution in the amount of \$100,000 and directs that it be filed in the Office of the Town Clerk.

COUNCILMAN YUDELSON

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	Absent

Carried

RESOLUTION #20-219/2007

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

WHEREAS, the Town of Henrietta acquired the Development Rights and Fee Title to property on Calkins Road in the Town of Henrietta formerly known as the Aldridge Farm, and

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

WHEREAS, Mark Greene, 3170 Clover Street, Pittsford, New York 14534, has previously farmed the land and desires 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 December 1, 2007 through November 30, 2008, for thirty-one (31) acres of tillable land at \$25.00 per acre, amounting to an annual rental of \$775.00, and

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

THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to sign the Lease renewal on behalf of the Town of Henrietta, as per the attached.

COUNCILMAN YUDELSON

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	Absent

Carried

RESOLUTION #20-220/2007

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

WHEREAS, Resolution #19-244/2007, dated October 2, 2002, authorized the Town of Henrietta to enter into a five (5) Year Lease Agreement with LeFrois Development, LLC to lease approximately 9,000 square feet of floor area of the premises located at 95 Methodist Hill Drive for various Town Recreational Programs, and

WHEREAS, said Lease Agreement is due to expire on November 30, 2007, and

WHEREAS, the Town of Henrietta wishes to renew said Agreement for an additional three (3) year term, commencing on December 1, 2007 through November 30, 2010, for a monthly rent of \$4,875.00, and

WHEREAS, the Town of Henrietta has the option, according to the Lease Agreement, to extend said Lease Agreement for an additional three (3) years, as defined per the attached Agreement, and

WHEREAS, the Town Attorney has reviewed the proposed Lease Renewal Agreement between the Town of Henrietta and LeFrois Development, LLC, and has found it to be in good order.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henrietta hereby authorizes the Supervisor to sign the Lease Renewal Agreement, as per the attached.

COUNCILMAN YUDELSON

Under discussion, I just wanted to thank Mr. Mastrella for pursuing some of the

concerns of the Town Board about the originally proposed lease, and putting it in this form. Further discussion?

COUNCILWOMAN McCABE

I just wanted to comment too that there is a way out, a hundred and twenty (120) day advanced notice will terminate the agreement.

COUNCILMAN MULLIGAN

Is there any penalty with that?

DANIEL MASTRELLA, TOWN ATTORNEY

No, it's a three (3) year lease without an escape clause, and a three (3) year renewal with an escapable annually upon one hundred twenty (120) days notice prior to the anniversary date, without any escape penalty. So, if it is renewed after three (3) years, it can be canceled on the fourth year anniversary with a hundred and twenty (120) days notice.

COUNCILMAN MULLIGAN

We're locked into three (3) years?

DANIEL MASTRELLA, TOWN ATTORNEY

We are locked into three (3) years as per our discussion, that it would take at least three (3) years.

COUNCILMAN YUDELSON

Further 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	Absent

Carried

RESOLUTION #20-221/2007

On Motion of
Councilwoman McCabe

Seconded by
Councilman Yudelson

BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to sign the Contract with the Henrietta Volunteer Ambulance to be effective January 1, 2008 and expiring December 31, 2010, as per the attachment.

COUNCILMAN MULLIGAN

Just one comment, that since they've gone kind of pay-as-you-go, they've kept the rate very low, the Budget is very reasonable, and they've done an outstanding job. The Board suggested they go that route, and I'm happy that they complied.

COUNCILWOMAN McCABE

Thank you.

COUNCILMAN YUDELSON

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	Absent

Carried

RESOLUTION #20-222/2007

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

BE IT RESOLVED, that the following person be hired:

Dale Fitzpatrick	Highway, Wingperson (on-call) @ \$8.50/hr., effective 11/11/2007.
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BE IT FURTHER RESOLVED, that the following employee changes be made:

Jeanna Vogt	Recreation, After School Director @ 11.50/hr., from After School Assistant @ \$10.50/hr., effective 11/4/2007.
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Highway
COUNCILMAN YUDELSON
Call the roll, please.

As per the attached.

Duly put to a vote:

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

Carried

COUNCILMAN YUDELSON

That's the end of the regular Agenda, is there anyone who would like to speak on any other matters involving the Town of Henrietta? Mr. Holley?

GARY HOLLEY, 8 COUGAR CIRCLE

Good evening. My name is Gary Holley, I live at 8 Cougar Circle. I'd like to give you a little background of why I'm here tonight. About seven (7) months ago I retired after thirty-seven (37) years of public service with the New York State Department of Transportation. About four (4) months ago, I received a puppy as a gift, and I could spend the time with it, and not leave him alone for eight to ten hours a day. He is licensed and he has all his shots. I have installed an invisible fence around my small property in the available area which is about five thousand (5,000) square feet I have for him. He has learned his boundaries in the yard, he is currently going to obedience school. One of the points in obedience school is your dog should learn socialization, be it with people or other dogs. I take him for a walk on a leash up and down the street. He has met the dogs from the other subdivision. Now to the reason I am here.

You can't take a dog into the Town Park. I might be a little late on this now but I'd like the Town to consider building a dog park, in one of the many parks we have that are being developed, and possibly using a large green space for one, although the property owners around it may object. What I envision in this park would be between two (2) and three (3) acres enclosed by a fence with a double entrance area about ten (10) by ten (10), a small swimming hole, say twenty (20) by thirty (30), three (3) to four (4) foot deep for the dogs to swim in, maybe an old fire hydrant to go in there. This park would be about one half of one percent of the total park in the Town according to the political literature that Supervisor Breese sent out protecting the neighborhoods quoting

"Double the amount of Town park land, and an increase of two hundred and fifty (250) acres. Rectangular area of two hundred (200) by four hundred and fifty (450) feet would produce a park of 1.07 acres, two hundred fifty (250) by five hundred (500) feet would require 2.87 acres and a two hundred and fifty (250) by five hundred and fifty (550) would require 3.16 acres. This would be a great area to let dogs run free, and socialize with other dogs. Land would not have to be completely cleared of vegetation except for any poison ivy, or poison oak that might be around. Small brush and trees could be left. The enclosed area would require between one thousand three hundred and sixty (1360), and one thousand six hundred and sixty (1660) feet of fencing. I would suggest a right-of-way type of fence which is about four (4) foot high with smaller rectangular holes at the bottom, and progressively larger at the top over a chain link fence. The cost of fence based on the Department of Transportation bid prices from contractor's in the past would be between eight (\$8) and ten (\$10) dollars a foot. That would be for a contractor to install it. Which would be about ten thousand nine hundred (\$10,900) dollars, to sixteen thousand six hundred (\$16,600) dollars. I believe the Martin Road south Park borders the Genesee Expressway, Interstate 390. If this is the case, the amount of fence could be reduced if the area in the park was used along the expressway and utilizing their existing fence. I know questions will arise, one maybe who is liable if someone is bitten? This is a question for attorney's and I'm sure the Town Attorney should look into it before this project could be started. I think at the

same time, as a responsible for a child that is injured at the Town Park. Responsible owners should be able to control their dogs, and only adults should be in the fenced in area where the dogs are free. Outside the park they should be on their leashes as the Town Ordinance requires. Another maybe who would clean up the park fecal matter? Again, as a responsible pet owner, I would hope they would be watching where their dogs are, and see where they have done their business and clean it up. Just as they do when they walk their dogs in the neighborhoods, or at least the majority of them I'd say do that. Cans would be placed in the entrance areas as I mentioned, and these would be picked up by the Town on some regular basis. I'm sure there's many more, but that would have to be investigated. I hope Supervisor Elect Yudelton, that your administration will, quoting your political stuff that you sent out, "A desire to represent and work for all interests of all residents of Henrietta, and the necessity of planning for Henrietta's future, something that has been lacking in previous years." There are many dog owners in this Town, and this is something of an interest from this dog owner that should be looked into. I don't think a dog park has ever been thought of before. I'm sure there's at least one dog park somewhere in Upstate New York that could be studied, and I believe there are organizations out there that would be willing to help develop this park. I'd like to thank you for your time tonight, and the consideration for creating a canine park.

COUNCILMAN YUDELSON

Thank you, for your suggestion, and if you want to see one Mr. Holley, there is one right in Allison Park, that you can go in and walk through, thank you.

COUNCILWOMAN McCABE

If you don't mind, if you have a copy of that, please give it to the Town Clerk, we had another park request too, skateboard.

COUNCILMAN YUDELSON

Thank you. Is there anyone else who would like to speak? Motion to adjourn?

COUNCILWOMAN ZINCK

Before we do that, I'd just like to congratulate the three of you on your election last evening, and it'll be a pleasure working with you for the next couple of years! Thank you.

COUNCILMAN YUDELSON

Thank you, very much.

COUNCILMAN MULLIGAN

I had never heard about the dog park.

COUNCILWOMAN McCABE

Yeah, there is one.

COUNCILWOMAN ZINCK

Yeah, great idea. Move to adjourn?

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

Respectfully submitted,

Leann C. Case
Deputy Town Clerk