

**HENRIETTA TOWN BOARD
AGENDA
NOVEMBER 21, 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): November 7, 2007
6. Miscellaneous Communications
7. Public Hearing:
 - Proposed Local Law No. 2 of 2007, Establishing Real Property Tax Exemption for "Cold War Veterans"
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 #21-223/2007
Authorize Accounts Payable

RESOLUTION #21-224/2007
Authorize Proposed Amendments to Chapter A301, "Fee Schedules," §A301-3E of the Town Code of the Town of Henrietta, to Increase Sewer Rents

RESOLUTION #21-225/2007
Adopt Fiscal Year 2008 Final Budget

RESOLUTION #21-226/2007
Adopt Proposed Local Law No. 2 of 2007 Establishing Real Property Tax Exemption for "Cold War Veterans"

RESOLUTION #21-227/2007
Authorize Change Order No. 1 - 2007 Sanitary Sewer Repairs Project

RESOLUTION #21-228/2007
Authorize Professional Engineering Services - Feasibility Study - Watermain Service on Middle Road

RESOLUTION #21-229/2007

Accept Dedication of Sanitary Sewers - Berkshire Park Subdivision, Section One (1)

RESOLUTION #21-230/2007

Authorize Purchase of State Contract Vehicle - Sidewalk Plow
-Drainage/Sewer/Sidewalk Department

RESOLUTION #21-231/2007

Authorize Advertisement for Bids - One (1) Truck Mounted Vacuum Sweeper

RESOLUTION #21-232/2007

Authorize Budget Transfers - Library

RESOLUTION #21-233/2007

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 21st DAY OF NOVEMBER, 2007 AT 8:00 P.M.

MEMBERS PRESENT

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

MEMBERS ABSENT

Councilman William J. Mulligan, Jr.

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

SUPERVISOR BREESE

Is there anyone who wants to speak on any Agenda items? *(Pause, no response)*
May I have the Approval of the Minutes, please.

COUNCILWOMAN McCABE

Mr. Supervisor, I move we Approve the Minutes of November 7, 2007.

COUNCILMAN YUDELSON

Second.

SUPERVISOR BREESE

Discussion? Call the roll.

Duly put to a vote:

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

Carried

SUPERVISOR BREESE

We have a Public Hearing on the Proposed Local Law No. Two (2), regarding Cold War Veterans Exemption. Has it been advertized?

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir.

SUPERVISOR BREESE

Is there anyone who would like to speak on that? *(Pause, no response)* If not, I'll close that Public Hearing, and move on to the regular Agenda.

RESOLUTION #21-223/2007

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 11/21/2007 | \$ 393,059.92 |
|-----------|--------------------------------|---------------|

SUPERVISOR BREESE

Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #21-224/2007

On Motion of
Councilwoman McCabe

Seconded by
Councilman Yudelson

WHEREAS, pursuant to an Order of the Town Board, a Public Hearing was held on November 7, 2007 at 8:00 P.M. at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York before the Town Board of said Town to increase sewer rents in Chapter A301 of the Town Code of the Town of Henrietta to increase Residential sewer rates by five percent (5%) from the annual rate of \$47.61 to \$49.99, effective January 1, 2008, and

WHEREAS, no adverse comments or opposition were heard.

THEREFORE, BE IT RESOLVED, that the increase in Sewer Rents in Chapter A301 of the Town Code of the Town of Henrietta be hereby adopted.

SUPERVISOR BREESE

Discussion? Call the roll.

Henrietta, New York to hear all persons for or against Proposed Local Law No. 2 of 2007, Establishing Real Property Tax Exemption for "Cold War Veterans", and

WHEREAS, no adverse comments were received.

THEREFORE, BE IT RESOLVED, that Local Law No. 2 of 2007 be hereby enacted by the Town Board of the Town of Henrietta, as per the attachment.

BE IT FURTHER RESOLVED, that Local Law No. 2 of 2007, as required by Section 27 of the Municipal Home Rule Law become effective after filing and acknowledgment by the Office of the Secretary of State.

SUPERVISOR BREESE
Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #21-227/2007

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, Resolution #18-192/2007 awarded the Year 2007 Sanitary Sewer Repairs Project to Randsco Pipeline, Inc., for a total cost of \$219,225.00, and

WHEREAS, funds are available in the Year 2007 Sewer Budget for this work, and for additional sewer problems that exist on Clearview Drive, and

WHEREAS, the Town wants to continue an active repair program with regard to correcting sewer deficiencies in the Town's existing sanitary sewer system, and

WHEREAS, Change Order No. 1 would provide for the continuation of additional sewer repairs on Clearview Drive at the original Contract Bid prices, and

WHEREAS, the Director of Engineering and Planning, and the Superintendent of Drainage, Sewer, and Sidewalks have reviewed and request the proposed change to this Contract, and recommends that this be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to execute Change Order No. 1, increase to the not to exceed the amount of \$78,000.00, resulting in increasing the total Contract amount to \$297,225.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Randsco Pipeline, Inc., 727 Rowley Road, Victor, New York 14564, upon

successful completion of this Project, and acceptance by the Director of Engineering and Planning.

SUPERVISOR BREESE
Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #21-228/2007

On Motion of
Councilman Yudelson

Seconded by
Councilwoman McCabe

WHEREAS, The Town of Henrietta has received a written Petition requesting a Feasibility Study be considered for the establishment of a Water District Extension to the Henrietta Water District No. 1, located on Middle Road between Lehigh Station Road and the New York State Thruway, and

WHEREAS, Lu Engineers has submitted a proposal dated November 15, 2007 to prepare a preliminary Feasibility Study for the proposed watermain to service this area in an amount not to exceed \$6,000.00 for Phase One (1), and

WHEREAS, the Director of Engineering and Planning has recommended Lu Engineers as the engineering firm to conduct said Study for the Town.

THEREFORE, BE IT RESOLVED, that Lu Engineers, 2230 Penfield Road, Penfield, New York 14526, be hereby authorized to provide a Preliminary Feasibility Study for the proposed watermain to service this area, for an amount not to exceed \$6,000.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay said consultant upon successful completion of Phase One (1) of this Project, and acceptance by the Director of Engineering and Planning.

SUPERVISOR BREESE
Discussion?

COUNCILWOMAN McCABE

Under discussion, Mr. Supervisor, will the people who signed the Petition be notified that the study will be underway?

SUPERVISOR BREESE
Yes.

COUNCILWOMAN McCABE
Thank you.

SUPERVISOR BREESE
Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #21-229/2007

On Motion of
Councilwoman McCabe

Seconded by
Councilman Zinck

WHEREAS, Forest Creek Equity Development Corp., the Developer of Berkshire Park Subdivision, Section One (1), located west of Moore Road and east of Scottsville-West Henrietta Road, has installed 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 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 and Planning have determined that the said 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 sanitary sewer systems for the described subdivision section be and they hereby are accepted and that 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 Thirty-two Thousand, One Hundred Dollars (\$32,100.00) for a period of two (2) years.

SUPERVISOR BREESE

Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #21-230/2007

On Motion of

Seconded by

Councilwoman Zinck

Councilman Yudelson

WHEREAS, the 2008 Drainage, Sewer, and Sidewalk Department's Budget provides funds for the purchase of one (1) new Sidewalk Plow, and

WHEREAS, a Sidewalk Plow, meeting specifications, is available through New York State Contract No. PC62333SB from Joe Johnson Equipment, 62 LaGrange Avenue, Rochester, New York, 14613, at a total cost not to exceed \$85,000.00, and

WHEREAS, there are no other Sidewalk Plows available through the New York State Contract that meet Town specifications, per the Superintendent of Drainage, Sewer and Sidewalks.

THEREFORE, BE IT RESOLVED, that Joe Johnson Equipment, 62 LaGrange Avenue, Rochester, New York, 14613, be hereby awarded the purchase of one (1) new Sidewalk Plow, per specifications, at a total cost not to exceed \$85,000.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Joe Johnson Equipment upon delivery of all components and receipt of all proper documentation.

SUPERVISOR BREESE

Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #21-231/2007

On Motion of

Seconded by

Supervisor Breese

Councilman Yudelson

WHEREAS, the Town of Henrietta Highway Department requires bids for One (1) Truck Mounted Vacuum Sweeper to conform with specifications on file in the Town Clerk's Office, with bids to be opened at 9:30 A.M. on Friday, December 14, 2007 and received no later than 9:15 A.M. on Friday, December 14, 2007.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for one (1) Truck Mounted Vacuum Sweeper, as per cited specifications on file in the manner provided by Law.

SUPERVISOR BREESE

Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #21-232/2007

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

WHEREAS, the Board of Trustees of the Henrietta Public Library has requested the following year 2007 Budget transfers:

Increase line item 05-7410-470 as follows:

BFR (Money received for lost and damaged materials)
reported as of November 13, 2007. \$ 1,866.67 (BFR)

UMS money to pay collection agency, reported as
of November 13, 2007. + 2,406.73 (UMS)

Increase line item 05-7410-470 (Contingency) by
\$4,273.40 for BFR/UMS. \$ 4,273.40

THEREFORE, BE IT RESOLVED, that the Director of Finance be hereby authorized to make said Budget transfers.

SUPERVISOR BREESE

Discussion? Call the roll.

Duly put to a vote:

| | | |
|---------------------|--------|-----|
| Councilwoman McCabe | voting | Aye |
|---------------------|--------|-----|

| | | |
|---------------------|--------|--------|
| Councilman Mulligan | voting | Absent |
| Councilman Yudelson | voting | Aye |
| Councilwoman Zinck | voting | Aye |
| Supervisor Breese | voting | Aye |

Carried

RESOLUTION #21-233/2007
 On Motion of
 Supervisor Breese

Seconded by
 Councilwoman Zinck

BE IT RESOLVED, that the following persons be hired:

| | |
|------------------------|--|
| Susan Dolan | Recreation, Part-Time Recreation Assistant @ \$8.00/hr., effective 11/11/2007. |
| Lindsay Vaeth | Recreation, Part-Time Recreation Assistant @ \$7.50/hr., effective 11/11/2007. |
| Karisha Sutton | Recreation, Part-Time Recreation Assistant @ \$7.25/hr., effective 11/11/2007. |
| H. William Connors, II | Recreation, Part-Time Recreation Assistant @ \$7.50/hr., effective 11/19/2007. |
| Kailee Widanka | Recreation, Part-Time Recreation Assistant @ \$7.15/hr., effective 11/19/2007. |
| Kirsten Walkland | Recreation, Part-Time Recreation Assistant @ \$7.15/hr., effective 11/19/2007. |
| Alexander Harling | Recreation, Part-Time Recreation Assistant @ \$7.15/hr., effective 11/19/2007. |
| Michael Hudson | Recreation, Part-Time Recreation Assistant @ \$7.50/hr., effective 11/19/2007. |
| Roxanne Donnelly | Town Court, Court Clerk @ \$12.00/hr., effective 11/26/2007. |
| Kenneth Stavalone | Fire Marshal, Part-Time Fire Inspector @ \$10.75/hr., effective 11/26/2007. |
| Douglas Scarson | Fire Marshal, Part-Time Fire Inspector @ \$10.75/hr., effective 11/26/2007. |

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

| | |
|---------------|---|
| Bernice Jakus | Recreation, Part-Time Recreation Assistant @ \$7.75/hr., from \$7.50/hr., effective 11/11/2007. |
| Dawn Kitto | Recreation, Part-Time Assistant Director @ \$8.25/hr., from \$7.50/hr., effective 11/11/2007. |
| Eileen Jelfo | Recreation, Part-Time Recreation Assistant @ \$7.75/hr., from \$7.50/hr., effective 11/11/2007. |

SUPERVISOR BREESE
Discussion? Call the roll.

Duly put to a vote:

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

Carried

SUPERVISOR BREESE

That's the end of the regular meeting. Just for the Record, I'd like to ask the Town Clerk, generally, when a Town Board Member is not going to be here they notify the Town Clerk unless it's an emergency, and they couldn't. Were you notified by Councilman Mulligan that he would not be here tonight?

PATRICIA SHAFFER, TOWN CLERK

Not as of five (5) P.M., however I have not checked my e-mail since, but as of five (5) no, Sir.

SUPERVISOR BREESE

Thank you. Anyone else?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman Zinck at 8:20 P.M. and passed unanimously.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk