

**HENRIETTA TOWN BOARD
AGENDA
JUNE 4, 2008**

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 21, 2008
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 #13-141/2008
Authorize Accounts Payable

RESOLUTION #13-142/2008
Authorize Opposition to Article X - New York State Public Service Law - Override Home Rule Authority

RESOLUTION #13-143/2008
Award Low Bid – Henrietta Public Library Tower Roof Rehabilitation Project

RESOLUTION #13-144/2008
Call for Public Hearing - Proposed Rezoning of Land Located at 2100 Hylan Drive from Residential R-1-15 to Residential R-2-15 and Proposed Special Use Permit

RESOLUTION #13-145/2008
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 4th DAY OF JUNE, 2008 AT 8:00 P.M.

PRESENT

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

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

SUPERVISOR YUDELSON

Just before we proceed, as a point of order, I see many of our friends from Cobblefield Way, who I know are interested in the item about the Group Home. That is not formally on the Agenda tonight, but I will say two (2) things, there will be, this is a very short Agenda, and at the end of the Meeting there is an opportunity for public comments about anything, and in a minute, under Miscellaneous Communications, in our Agenda, I will be reading a short letter into the Record. Before that, I would call now for anybody in the audience who would like to speak on any items that are on the Agenda for tonight's meeting. *(Pause, no response)* If not, can I have the Approval of the Minutes, please?

COUNCILWOMAN McCABE

Mr. Supervisor, I move we Approve the Minutes of May 21, 2008.

COUNCILMAN MOORE

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

SUPERVISOR YUDELSON

Under Miscellaneous Communications, I'll read the following letter into the Record, this is addressed to the President and CEO, as well as the Executive Vice President and CFO of Continuing Developmental Services.

"Gentlemen, thank you for your cooperation in providing the Town of Henrietta, and the residents of the Cobblefield area with the additional opportunity to ask questions, and give feedback at the May 29, 2008 meeting, and for agreeing to extend our response time to June 5th, 2008. The Town of Henrietta will offer an alternative site. That property is located at 1571 Pinnacle Road in Henrietta. It is listed with ERA Realty, and is MLS number SO9358. We recommend that site to you as an alternative site, per the provisions of the Mental Hygiene Law, on behalf of the Henrietta Town Board, Michael Yudelson, Supervisor."

As I said, at the end of the Meeting, there will be a period of public comment, if you should have any questions on that, but first, we will go through the Resolutions. If I could have the first Resolution, please.

RESOLUTION #13-141/2008

On Motion of
Councilwoman McCabe

Seconded by
Councilman Moore

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

EXHIBIT A	Bills Payable dated 06/04/2008	\$ 186,400.78
EXHIBIT B	Manual Bills Payable	\$ 267.95

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #13-142/2008

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, the New York State Legislature will consider renewing Article X (10) of the Public Service Law regarding the siting of power generation facilities in New York State, and

WHEREAS, said Article X (10) of the Public Service Law will exempt the siting of power generation facilities from local Zoning and Planning Review, and

WHEREAS, the Town Board of the Town of Henrietta opposes the erosion of its Home Rule authority, both generally and specifically, as will occur with the proposed Legislation.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henrietta hereby opposes the re-establishment of Article X (10) of the New York State Public Service Law, and requests that our State Representatives do not support said Legislation.

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified copy of the foregoing Resolution with Assemblyman Joseph A. Errigo, Senator James S. Alesi, the New York State Association of Towns, and the Monroe County Supervisors' Association.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #13-143/2008

On Motion of
Councilman Moore

Seconded by
Councilwoman McCabe

WHEREAS, Resolution #10-124/2008 authorized the advertisement for bids for the Henrietta Public Library Tower Roof Rehabilitation Project, and

WHEREAS, one (1) bid was received, and the bid, meeting specifications, was received from Spring Sheet Metal and Roofing, in the amount of \$25,150.00, which includes the base bid for the roof rehabilitation, wall louver hoods, and the replacement of the north wall aluminum.

THEREFORE, BE IT RESOLVED, that Spring Sheet Metal and Roofing, 678 South Clinton Avenue, Rochester, New York 14620 be hereby awarded the bid for the Henrietta Public Library Tower Roof Rehabilitation Project, per specifications.

BE IT FURTHER RESOLVED, that any and all salvageable copper be retained by the Town of Henrietta, to be sold at a later date, with all revenues collected being

deposited into the General Fund.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Spring Sheet Metal and Roofing, in an amount not to exceed \$25,150.00, upon delivery and receipt of all proper documentation and acceptance by the Commissioner of Public Works.

SUPERVISOR YUDELSON

Discussion?

COUNCILWOMAN ZINCK

Yes, through you, Mr. Supervisor, Mr. Marshall, where are you? *(Laughter)* Oh, there you are. Is this, are we going to be able, is this worded in a way where we're going to be able to use the grant money for this?

CHUCK MARSHALL, COMMISSIONER OF PUBLIC WORKS

Yes.

COUNCILWOMAN ZINCK

Rehabilitation counts as replacement?

CHUCK MARSHALL, COMMISSIONER OF PUBLIC WORKS

Yes, it was the wording in the grant paperwork that I received from the Library Director.

COUNCILWOMAN ZINCK

And the timing will work?

CHUCK MARSHALL, COMMISSIONER OF PUBLIC WORKS

Yes.

COUNCILWOMAN ZINCK

Fantastic.

COUNCILMAN MOORE

Through you, Mr. Supervisor, so, the total grant money that will be used versus the Town money spent, do you have any idea on what it will be?

CHUCK MARSHALL, COMMISSIONER OF PUBLIC WORKS

It will be fifty percent (50%), it's a fifty percent (50%) match grant.

COUNCILWOMAN ZINCK

Thank you.

COUNCILMAN MULLIGAN

Also, under discussion, I want to thank the Supervisor and the Administration for working with the Board on this, and in the end I think providing us with a project that will

get the job done at significantly less money.

COUNCILWOMAN McCABE

Agreed.

SUPERVISOR YUDELSON

Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelton	voting	Aye

Carried

RESOLUTION #13-144/2008

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

WHEREAS, a written request for rezoning of approximately 1.8 acres of land from Residential R-1-15 to R-2-15, has been received along with a Special Use Permit to construct a total of twenty-eight (28) unit apartments in two (2) buildings located at 2100 Hylan Drive, known as Tax Account No. 162.17-1-14, and

WHEREAS, the Henrietta Town Board declares its intent to be the Lead Agency for the Environmental Quality Review under the New York State Environmental Quality Review Act (SEQRA).

THEREFORE, BE IT RESOLVED, that a Public Hearing on the rezoning request will be held simultaneously with the scheduled Special Use Permit Hearing on June 18, 2008 at 8:00 P.M. at the Henrietta Town Hall, Main Meeting Room, 475 Calkins Road, Henrietta, New York 14467, to consider rezoning said property from Residential R-1-15 to Residential R-2-15, along with a Special Use Permit.

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MULLIGAN

Through you, Mr. Supervisor, a question for the attorney, although the Applicant is looking for twenty-eight (28) units on this Dan, if the Board decides otherwise, we could lower the density?

DANIEL MASTRELLA, TOWN ATTORNEY

You can because of the Special Use Permit aspect of this, it's well within your authority to determine what the density can be. It's not really so much a Zoning question, as a

Special Use Permit question.

COUNCILMAN MULLIGAN

Thank you.

SUPERVISOR YUDELSON

Following that question then, I would suggest that because that's also an issue to be considered by the Planning Board, and possible recommendations to the Town Board by the Planning Board, that I understand, Mr. Mastrella, that we could ask the Planning Board for an advisory, if it's asked informally to review it, and give us some feedback on the number of units.

DANIEL MASTRELLA, TOWN ATTORNEY

You can, and in fact, under a Special Permit Application, our Code specifically provides for the Town Board to refer the matter for any advisement the Planning Board wishes to provide, and then, under New York State Town Law, we're obligated under the rezoning issue, to inform the Planning Board and entertain any comments that they have, regarding the recommendation on the rezoning. So, in both instances, that is appropriate.

SUPERVISOR YUDELSON

Would the Board agree that, although I think in this case because this was a previous Application that was withdrawn by the Applicant, the required notice has already gone out to the Planning Board and other Agencies, so they have that already, so it would just be a matter of us acknowledging to them that we would like some feedback to consider along with a Public Hearing.

COUNCILMAN MULLIGAN

I agree with that, we're not bound to their recommendation.

SUPERVISOR YUDELSON

Absolutely.

COUNCILWOMAN ZINCK

So, you'll handle that?

SUPERVISOR YUDELSON

Yes. Any further discussion? If not, call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelton	voting	Aye

Carried

RESOLUTION #13-145/2008

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

BE IT RESOLVED, that the following persons be hired:

Brittany Terenzi	Recreation, Part-time Afterschool Assistant @ \$7.25/hr., effective 5/11/2008.
Mitchell Wright	Highway, Part-time Seasonal Laborer @ \$8.00/hr., effective 6/5/2008.
Recreation	As per the Attachment.

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

Earl Blighton	Parks and Facilities, Part-time Seasonal Laborer @ \$9.50/hr., from Part-time @ \$9.25/hr., effective 4/28/2008.
Douglas Scarson	Building/Fire Prevention, Seasonal Assistant Inspector @ \$14.00/hr., from Part-time Fire Marshal @ \$11.07/hr., effective 6/8/2008.
Fred Ross	Building/Fire Prevention, Seasonal Property Maintenance @ \$12.00/hr., from Part-time @ \$10.30/hr., effective 6/8/2008.
Ken Stavalone	Building/Fire Prevention, Part-time Fire Inspector @ \$12.50/hr., from \$11.07 /hr., effective 6/8/2008.
Rick Tracey	Building/Fire Prevention, Part-time Fire Inspector @ \$12.50/hr., from \$11.07 /hr., effective 6/8/2008.

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MULLIGAN

Just under discussion, I was happy to see the administration bring this in, and expanding some hours for these people that are working in the Building Department during this busy season, coupled with providing some of these people with additional money, hopefully making their stay here at the Town longer, as opposed to bouncing over to some of the other towns that are quicker to spend.

SUPERVISOR YUDELSON

I appreciate the Board's support on that.

COUNCILMAN MULLIGAN

You're welcome.

COUNCILWOMAN McCABE

And also, the fact that now we have more time to do more maintenance around the Town.

SUPERVISOR YUDELSON

Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelston	voting	Aye

Carried

SUPERVISOR YUDELSON

That concludes the Regular Agenda, before opening the microphone to any residents that would like to speak, we read that letter into the Record concerning the Cobblefield Way property, and I'll just ask Mr. Mastrella, our Town Attorney, to quickly update us on the process from here, now that we've made this recommendation to CDS, and what they now have the right to do, and what process might follow after that.

DANIEL MASTRELLA, TOWN ATTORNEY

Mr. Supervisor, I don't have the statute in front of me because it wasn't on the Agenda, although it's never far from me, it's in my car if I need it. But, generally speaking, CDS has the opportunity now to either accept the recommendation of the Town Board in which case, or of the Town, in which case the facility will be located at the location, the alternative location proposed by the Town, or to reject that. In the event that they reject that, the Town has the opportunity to suggest a further alternative site, or sites, not an everlasting chain of events of those, but it leaves another opportunity to suggest alternative sites, or to request a Hearing with the Commissioner of OMRDD to determine if the site suggested by the Town is equivalent or superior to the site suggested by, or selected by CDS.

SUPERVISOR YUDELSON

Are there any questions for the attorney?

COUNCILMAN MOORE

Is there any advantage or disadvantage Dan, to offer more than one (1) alternative site?

DANIEL MASTRELLA, TOWN ATTORNEY

The disadvantage to offering any alternative site is that you don't have the opportunity for a Public Hearing on that site, and if you submit more than one (1) site, you don't have the opportunity for a Public Hearing on any of those sites because it's strictly the Municipality that has the right to object. So, if the Municipality is suggesting alternative sites it is because they have approved those sites, it's tantamount, it's to the approval and therefore, there's no input from the neighborhoods that may be suggested as an alternative. So, you know, there certainly is a downside when you suggest alternative sites in that you don't get the type of neighborhood input that you do with the original site as was done with the Cobblefield site. There were traffic concerns that were brought to the attention of the Town that really weren't considered prior to the Public Hearing occurring. So, if you suggest a number of sites, it gives CDS the opportunity to select any of those sites without the opportunity for anybody to voice their opinion in that regard.

COUNCILMAN MULLIGAN

So, you're advising against the second site?

DANIEL MASTRELLA, TOWN ATTORNEY

Well, at this point you do have, if they reject the site that the Town has suggested, you still have another opportunity to consider that, but I guess prudence would dictate that you first see what their response is, see what, if they reject the site, why they reject it, so based upon their selection criteria, and then determine if there's another site that you wish to suggest or if based upon what they have to say if you think that you should appeal or request a Hearing with the Commissioner or just accept their rejection of it, which will of necessity locate the facility where CDS has chosen at Cobblefield.

COUNCILWOMAN ZINCK

The Hearing process, is there any statistics you can give us, and the likelihood of how we would come out in something like that?

DANIEL MASTRELLA, TOWN ATTORNEY

I can say this, that you know, I have really looked into this as about as hard as you can from the outside, and there's no repository of reported decisions of the Commissioner of the OMRDD, so you don't know exactly what they've decided. But, in the reported decisions that I have found where the Commissioner has upheld the Agencies siting of the location, and the Town is then sought to challenge it, Town, City, whatever the Municipality may be, is sought to challenge that in Court, I have not found a case where the Commissioner was not upheld. So, they have a wide latitude.

COUNCILWOMAN McCABE

Well, through you, Mr. Supervisor, I just wanted to compliment the Supervisor, we looked at, we're not real estate people, but we looked at a lot of places, and the one (1) that did come up was not in the middle of a neighborhood, and this is one (1) of the criteria that we looked at, and I think recommending this particular site was very good, and thank you for finding it.

SUPERVISOR YUDELSON

Several people, Board Members, audience, some of the people I think were in the audience, several had forwarded many different sites for consideration, and that one (1) was included from several people, including Councilman Mulligan. At this point, I'd like to open it, if there are, again, this is not a Hearing per say on that, but based on what we talked about tonight, if anybody had any follow up questions or comments they'd be welcome at this time. Yes, Sir.

COUNCILWOMAN ZINCK

There are some seats in the front for some of you if you're interested.

SUPERVISOR YUDELSON

Yes, there's nine (9) or ten (10) seats up here, and we would invite people to come up and sit down.

DONALD JENKS, 86 LANGSTON POINT

I'm Don Jenks, 86 Langston Point. I'd just like to continue the conversation that you've had here. I met with Mr. Yudelson on Monday, and I gave him a couple of sites, I know he's had some others. What I would like the Town Board to do for a few reasons, the residents of this area have not really had a lot of opportunity as far as time goes to do much about this, as you know. It's been kind of tough, and I'm glad that everything was extended for us, but I know the extension is coming up so you have to do something. I think that depending on what the criteria is, the property that you have mentioned I think is perfect for the residents of the Project, and it will have very little effect as far as the parking and the cars go, and very honestly this is the only thing that concerns any of us, really. I think that the layout that they did on the house was fine, the extension of it, we're very concerned about the number of cars that are going to be out there, and the traffic problems, and everything else as far as the community goes, not the residents. But, there are some other sites, and I think if one (1) of the criteria is, is to get into an area where there are more people. There are some sites right on Stone Road that again, will take the traffic off the road, there's lots of parking, and the houses are big enough, the house is big enough in there, and it still does not take the community away from the people. So, what I would hope that the Town Board would do is say, "Look, we have more than one (1) alternative here." And, I would like to see these people turned down. If you've got more than, I don't know, I just looked at a couple that I thought were big enough, and were in the right areas, and it would give the residents of the homes something to do, too. You've got acreage here where they could put a garden in, where they could have recreational facilities outside, where you don't have at the Project that you're talking about, and you're going to take up more of the space by putting on additional housing, you're going to have to expand it for the extra bedrooms. So, you're not going to have the land there. There are better sites that will not affect the community in any way, shape, or manner, as far as the parking goes. You've got a Project right now,

you've got a very small lot, and you've got sixty-five feet (65') in the front. We've already been told by the Town Attorney that if in fact we restrict the parking on the road, the only thing that they can do is to go on the property, and the State supersedes anything that we in the Town, as far as I understand this, correct me if I'm wrong, but they can turn that sixty-five feet (65') into blacktop, and park on that.

SUPERVISOR YUDELSON

Just for clarification purposes, that's not because of the Agency they are, that's the same thing any property owner could do as long as they stay within the required distance within the Town's right-of-way, which I believe is twenty-four feet (24') wide, once you get back past the Town's right-of-way anybody, under current Town Code, can black top as much of their front yard as they wanted to, so it's not that . . .

DONALD JENKS, 86 LANGSTON POINT

Oh, I thought that there was a restriction on the amount of black top that you could have on a front yard.

COUNCILWOMAN McCABE

We found out there is not.

SUPERVISOR YUDELSON

There's not.

DONALD JENKS, 86 LANGSTON POINT

Okay, I stand corrected. Alright, in any case, it wouldn't be very apropos for that community. The people moved into that community to get away from that, honestly.

COUNCILWOMAN McCABE

And this is why, Mr. Jenks, we thought that the Pinnacle Road site would be good, first of all, you're talking about recreation, they have plenty of room there, there's a barn there, there's plenty room for the parking, they put in a garden, they could have whatever they need out back for recreation, and even in the front, so, we thought that was a pretty good one (1).

DONALD JENKS, 86 LANGSTON POINT

And, I agree.

COUNCILWOMAN McCABE

Now, your suggestion for another site, should they turn down the Pinnacle Road one (1), then we could turn around and recommend the one (1) you're talking about on Stone Road.

DONALD JENKS, 86 LANGSTON POINT

All I'm saying is I think the Board should keep this open.

COUNCILWOMAN McCABE

Oh, we're trying.

DONALD JENKS, 86 LANGSTON POINT

There's a lot of areas out here that I think we affect adversely in any way, shape or manner the community, Lord knows we have these houses out there now.

COUNCILWOMAN McCABE

Oh yeah, we do.

DONALD JENKS, 86 LANGSTON POINT

Okay, that's all I would ask the Board do is not restrict yourself to one (1) spot.

SUPERVISOR YUDELSON

Well, I think we have, as Mr. Mastrella alluded to, although we've told them that we're going to be recommending this site, that we will have the opportunity to offer, if they rejected it, assuming they did, offer an alternative site or sites, and we certainly could consider, you know, just what you're talking about at deliberation.

DONALD JENKS, 86 LANGSTON POINT

Thank you.

COUNCILWOMAN McCABE

Thank you.

SUPERVISOR YUDELSON

Is there anyone else who would like to speak on any matter involving the Town? Yes, Ma'am.

SUSAN STOEV, 83 COBBLEFIELD WAY

Susan Stoev, 83 Cobblefield Way. Two (2) questions for you, if CDS decides to turn down the recommendation, is it then the Town Board's intent to file a complaint with the State or you know, the next step because the residents are really very concerned about the traffic, and we feel that it's important enough to take it to the next step.

DANIEL MASTRELLA, TOWN ATTORNEY

It's the Town Board's, at this point in time they're going to wait and see what they do and why they do it, if in the event they reject it, they'll give us reasons and they'll evaluate them.

SUPERVISOR YUDELSON

I think it would be only prudent, based on the advice that the Town Attorney has given us, is to take it one (1) step at a time, but the other thing because it was mentioned that, you know, now we're making this one (1) recommendation which comes right at the end of

this extended period of time, the process by making this recommendation extends automatically the process gives them time to respond, and then gives us time to respond to what they . . . would have the opportunity.

SUSAN STOEV, 83 COBBLEFIELD WAY

So, before I forget, I think I can speak on behalf of the Cobblefield Way residents, we're very pleased with the way you've communicated with us, and taking our concerns into account, and I'm sure that you'll continue to communicate with us as we go through the next steps, but one (1) of the things that's come to our attention through one (1) of our neighbors, in that some proposed legislation that's currently before the State Assembly, which will allow this Site Selection Law to extend to other facilities such as juvenile delinquency homes, and drug half way houses . . .

SUPERVISOR YUDELSON

It wouldn't be juvenile delinquency, it would be things administered, I believe, by the Office of Substance Abuse and Alcohol Services, which would be for recovery, and it would be addictions recovery, at least that's the part I heard.

SUSAN STOEV, 83 COBBLEFIELD WAY

This is Bill Number A0470, and you know, my request to the Town Board, is if you haven't already done so, to file a formal opinion on this Bill because it's my personal opinion that this just takes this Law, and takes it to a completely new level. It's one (1) thing when you have developmentally disabled folks who are acting as a family, but this is a completely different situation. The Bill states that this is for not only socially disabled persons but juvenile delinquents, adult group homes, half way houses, and other group residences, and that's not a family, and so, I'd request that the Board formally takes a look at this Bill, and issues some sort of a formal Town statement about it because we really don't want to be in this situation again, and it has, this whole process has just shown us that our rights as residents are really very, they're not there, and that different places can come into our communities and form a hazard for our children, and other things, and we really don't have a way of protecting ourselves against that. And so, if this Bill is allowed to go through, it's just going to make that problem terribly worse. And so, I'd like for you to take a look at this to see what we can do to prevent the extension of this Site Selection Law into other areas.

SUPERVISOR YUDELSON

And, I would just point out that just in tonight's Board meeting, Councilwoman McCabe had brought a Resolution to us, that in the past where the same kind of issue, authority of the Town Board, you know, being taken away, and in this case on the siting of power generation facilities. So, it's something that, as we talked about Thursday night, the Town Board is very frustrated about their diminishing of their authority in this case, and I'm sure we will follow up on your suggestion.

SUSAN STOEV, 83 COBBLEFIELD WAY

And, if you need the support of our residents, I'm sure we will be there for you. So, thank you.

COUNCILWOMAN ZINCK

I just would like to add, it's been wonderful to have you communicating with us as well, all the neighbors, because it's much easier to represent our constituents when we hear from you and hear what your concerns are. So, we appreciate that as well.

SUPERVISOR YUDELSON

Is there anybody else who would like to talk on any matter involving the Town?

COUNCILMAN MULLIGAN

Just a point of information, after we submit this tomorrow, any idea Dan, on what the turnaround time is, so that the residents will be aware of where it's headed?

DANIEL MASTRELLA, TOWN ATTORNEY

I think it'll be within fifteen (15) days, two (2) weeks.

COUNCILMAN MULLIGAN

Thank you.

COUNCILWOMAN ZINCK

And one (1) other question, the letter that was read into the Record, would there be any advantage or disadvantage to us adding the location to that particular document, or would you recommend that we go forward with the one (1) recommendation, and then follow through from there?

DANIEL MASTRELLA, TOWN ATTORNEY

Same thing, it's certainly, you know, it's your decision, but you're inviting CDS without any further comment to locate at any location that you suggest, without anything further happening. Nobody has a right, at that point in time, to complain, so. If where you think this is most appropriate to go is Pinnacle, the address on Pinnacle that you suggested in the letter, then . . . something that you're less, you think is less appropriate.

SUPERVISOR YUDELSON

Thank you. Anybody else, before we adjourn? *(Pause, no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman McCabe, seconded by Councilwoman Zinck at 8:40 P.M. and passed unanimously.

Respectfully submitted,
Leann C. Case
Deputy Town Clerk