

**HENRIETTA TOWN BOARD
AGENDA
APRIL 15, 2009**

ORDER OF BUSINESS

1. Roll Call
2. Prayer
3. Pledge of Allegiance to the Flag
4. Public Presentation/Agenda Items
5. Approval of Minutes of the Preceding Meeting(s): April 1, 2009
6. Miscellaneous Communications
7. Public Hearing:
 - Proposed 13th Historic Preservation District – “The Heartland” – Middle/Martin Roads
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 #9-98/2009
Authorize Accounts Payable

RESOLUTION #9-99/2009
Authorize Attendance of PERMA Annual Safety Conference

RESOLUTION #9-100/2009
Declare Items Surplus Materials – Highway/Parks

RESOLUTION #9-101/2009
Award Low Bid – Cul-de-sac & Pump Station Mowing

RESOLUTION #9-102/2009
Rescind Resolution #6-72/2009 and Authorize Re-Advertisement for Bids – Creek Cutting

RESOLUTION #9-103/2009
Award Low Bid - Sewer Main Camera

RESOLUTION #9-104/2009
Authorize Purchase of State Contract Vehicle - Mower – Parks & Facilities

RESOLUTION #9-105/2009
Authorize Supervisor to Sign Contract - County of Monroe Year 2009 Senior Meals Program

RESOLUTION #9-106/2009

Authorize Attendance of Public Historian's of New York State Conference

RESOLUTION #9-107/2009

Authorize Advertisement for Bids – Sound System – Town Hall Main Meeting Room

RESOLUTION #9-108/2009

Authorize Independent Construction and Plan Review Services

RESOLUTION #9-109/2009

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 15th DAY OF APRIL, 2009 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

Before we get to the Public Hearing, is there anybody who would like to speak on Agenda items, other than the Public Hearing, Agenda items at this point? *(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 the preceding meeting, April 1, 2009.

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

Tonight, we have a Public Hearing on the proposed 13th Historic Preservation District, known as, "The Heartland", in the area of Middle and Martin Roads. At this point, I'd like to ask our Town Historian, Helen Elam, to come to the microphone and give an overview of the Historic Preservation District process, and this one in particular's District.

HELEN ELAM, TOWN HISTORIAN

Thank you, Supervisor Yudelson. Good evening and welcome to the Public Hearing for the Preservation District, number thirteen (13). This Hearing is held as a requirement of the Historic Site Ordinance, and provides people an opportunity to learn about this District, and speak on it if you want to. It is a pleasure to see all of you here. I met some of you at the information night that was held on April 2nd. People there told us that they learned a lot at that meeting, and I hope this evening will be of help to you, also. My name is Helen Elam. Since 1977, when the Town Board enacted the Preservation Ordinance, I have been Chairperson of the Henrietta Historic Site Committee. I also am the Henrietta Town Historian. I would like to introduce some members of the Historic Site Committee and ask each member to stand. Gary Goodridge, Tina Thompson, and we have Kathleen Englert, Molly Nikodem, Marlene Wilson and Don Yost, who are also members, and Linda Frank who is a visiting scholar from California. Molly, Marlene and Don all have beautiful old homes that are members of one (1) of the Preservation Districts. We have twelve (12) other Districts that are in the Town now, and there are eighty-four (84) people who have joined these Districts. The reason we are here tonight is that our Committee has proposed to the Town Board a new Historic Site Preservation District to be known as "The Heartland District." It will be the Thirteenth (13) District in Town. It will take in some properties located on Middle Road and Martin Road. It is named "The Heartland District" because these two (2) streets are located in the center of Town, and are known as the "heart" of Henrietta. Since your property is located in this area, it is being officially recognized either because of its age, (built before 1925) historic past, or architectural merit. We are hoping that you will accept this designation. In the letter sent to you, we enclosed a copy of the Historic Site Ordinance so that you could read it and have an understanding of it. I will go over the Ordinance with you in just a minute. You may have noticed that we have photographs of the involved properties on display here, right up here, and will move it outside after we're through with the Hearing, and you're welcome to view them tonight. Also, we have some items for you to take home, and they are on the table in the front foyer, so please help yourself. I know that many of you have questions that we will attempt to answer in the discussion, so if you will hold your questions until later, we will begin the presentation. Historic preservation is described by several authoritative writers to be the most important work that a local town historian must do. I consider this to be true also, and have proposed this new preservation district as a means to protect the Town's most valuable assets, its homes and properties. It is recognition of your property as being a landmark, and worth saving. We are saying to you that your home and property is a community treasure, a part of the historic Henrietta rural landscape, which is disappearing very quickly, the rural part of it, I mean. This Historic Preservation District will help to protect these properties so that future generations will know and enjoy them. Henrietta has already lost so many fine homes and buildings to development, such as the Trudy and Steve McNall house that was located on West Henrietta Road. I visited Trudy many times and we talked about the prospect of joining one of our districts, she said, "Well," and I understand at the time she was going through a lot of physical problems, so it was almost too much for her to

take in, she said, "I'll let the next owner decide what to do." Well, we know what happened. The next owner did not want the house on the property anymore, and it was taken down, and there was no way I could stop it, I met with the President and the Financial Director of the Company, it's Ward's Natural Science Museum, it was their old title anyway, and they took the building down and there was no way we could stop it legally since it was not a designated site. Well, we certainly don't want to lose any more homes or buildings in Henrietta, especially the old ones, we want to see them preserved, and we want to make sure that your property is preserved, as well. First of all, joining the District is strictly voluntary. The Historic Site designation is not imposed on property owners, such as in the City of Rochester, rather, owners are asked to join. If a property owner agrees, the property is placed in the District. If the owner does not wish to accept this honor, the property is not designated. We have already heard from many who wish to join in the preservation movement in the Town of Henrietta, New York, and also across the United States. In our Town, there are twelve (12) Preservation Districts in place that include over eighty (80) properties. To the property owners who have joined these Districts, we are most appreciative and we applaud them for their concern and perception in trying to save their homes. Alas, we have also heard from a few owners who do not wish to be placed in the District at this time, and we will abide by their wishes. Before the Town Board designates the properties, we require that you sign a form that indicates your decision to either accept it or deny it. We will contact all owners and mail you that form with an envelope to mail it back to me. Once we have all those forms and we have completed this Public Hearing, we will notify the Town Board to designate the Thirteenth (13) Heartland Preservation District. You can rest assured that we will abide by your answers. Now, let's go over the Historic Site Ordinance. I won't go through the whole thing because it's not necessary. I sent you a copy of that Ordinance and I have more outside on the table if you want to take some home, and what we need to discuss are the two (2) things that seem to be the most concerning to people. These two (2) items that you're concerned with, the changing of the streetscape of the property by remodeling or an addition or by demolition of the building. Those are the important parts of the Ordinance. When a property owner wishes to remodel or add new construction, he simply submits his plans to the Town for a building permit, this is a normal procedure. Next, the Building Department checks to see if this is a designated site, and if it is, will notify the Historic Site Committee of the request. If the application is for demolishing the building, the same procedure applies. The Committee will review the request in the prescribed time by law, will notify the Building Department either to go ahead with the permit or to deny it. In the case where the Committee has decided to deny the application, they will pass the denial verdict with information onto the members of the Town Board, and they will make the final decision. Next, I will pass out to you a sheet that describes why you should join the District, and I will go over this with you. (*A handout is submitted.*) This paper describes my own ten (10) top reasons why you should join a Preservation District. To protect your building from demolition, so that the house you loved will be protected after you are gone from it. To protect the building from inappropriate remodeling and construction so that the house you loved will be protected

after you are gone. I wonder if you could give some to the Town Board, too. Thank you. Outside, I have a brochure from the National Trust, and they have been collecting a list, that's all you can call it is a list, of important houses and buildings in the United States. Those, this is a wonderful thing to join and to have your house listed on this because it's a very prestigious list, it's hard to get on it, but it's nothing more than a list. It does not protect your property, it doesn't save it from destruction or inappropriate remodeling, and it doesn't do any of that. The only thing that will save a property is a local designation, and that's true throughout the Country. So, we're very fortunate, I believe, to have had the Town Board many years ago to decide that preservation was an important part, and should be an important part of our Town's inventory, and so that's why we have established it, and that's the only thing that's going to save your property from the next owner, like Trudy McNall, the next owner was Ward's Museum and Science Center and they decided to take the house down. And, if you remember, it was one of our landmark houses in Henrietta, and it was a terrible shame that it was destroyed because it was a beautiful house. It was old and it had some problems, but I have been to so many places at the Landmark Society, and people have restored, so I know you can do anything to restore an old house, and because you do have old houses I know that there are many problems that come along with an older house, but even with a younger house, my house is not that old, but we still have maintenance problems for it and I'm sure that you do, too. Those two (2) items, the demolition and the remodeling, you put a lot of work and love and time into maintaining your property, and I'm sure that you want to see it preserved for the future. Number three (3), you will become a part of an elite group in Henrietta who have joined this District. As I said, there are now eighty-four (84), and I was thinking about it today, and the fact that we probably have, we're close to fifty thousand (50,000) in population and I imagine there's at least twenty thousand (20,000) homes in Henrietta, and out of that we are only choosing a small group, just those properties that were built before 1925. So, those houses that were built in the 1800's, they are just so important to us, and we are so glad that we have many of them in a district. We also know that we can, with the Historic District we will be able to protect your properties from road encroachment. We had very good luck with, a few years ago, when they were widening East Henrietta Road and they put in, especially the intersection at Lehigh and East Henrietta Road, we worked with the State Department, the people in the Town did, and our Committee also, and we were able to save one house that was going to come down, that was the Wright home on East Henrietta Road, a home that they had lived in for over fifty (50) years, and we and other things, I can't go into all of it right now because it takes too long, but we were able to save at least one (1) house and save the way the road was designed. Number six (6), to benefit from the upgrading of the value of your property. It has been documented throughout the United States that once a preservation district has been put in place, property values do increase. An example of this is in the Corn Hill District in the City of Rochester, if you've been through any tours in that area and have gone into any of the homes like I have, you'll understand why it has increased in value, these old places are now just so beautiful, and it was a crime that for so many years they had deteriorated, but the Landmark Society was

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instrumental in saving that area and one of the things that I do, and the members of the Committee do, we do work with the Landmark Society in getting ideas about what we should do, how we should proceed, and when we do have, we don't just make up our minds that, "Oh, we don't like that house, or we don't want this done," or whatever, we don't do that, we're not arbitrary, we have to have reasons for what we do. When we deny someone, we have to have a good reason, and we work with the Landmark Society and other organizations. We go to preservation conferences, we had just attended one and we will be going to one at the end of the month, and they provide a lot of information and ideas and also, they help homeowners with their properties and give you help and suggestions as to how to maintain your property, and I have a lot of that information, too that's available to anyone that would like it. They have house notes that they produce every time they send out their newsletter, and I have saved those and made copies of those too, so they're available and they have ideas about how to save your chimneys and your roofs and all kinds of things. One thing that just came up tonight was do we allow siding on your house or building, and we do, we don't like it too well because sometimes it can be damaging to an older home. If there's any moisture in the house it can make it into sort of like a green house, which you don't want, but given the fact that wood is now so expensive and siding is a lot cheaper and easier to maintain, we do allow it, so that's not a problem. Also, I want to mention too that we are not concerned with anything in your house, you can do anything you want to it. We are not concerned with it, we hope that you wouldn't buy an older house unless you were going to take care of it. So, I'm not too worried about what you would have or might happen to your house, but I think we are not concerned with the inside, so you don't have to worry about that. Well, by being established in a preservation district, District number thirteen (13), you are now able to purchase a Henrietta historic house marker. These are not available to anyone but designated home owners, and I have a copy of that out on the table, it's a beautiful aluminum marker with raised letters, it's very attractive, and we've sold a lot of them in the Town, we get them from a place called "Landmark Industries", it's out of Erie Pennsylvania, and it's a lovely marker, unfortunately it keeps going up in price, it's now one hundred and twenty-five dollars (\$125.00), but it's well worth it to have that marker on your house to show that it's in a designated district, and we will also send you a designated certificate from the Historic Site Committee. And, to realize the Town of Henrietta believes that your building is important to that landscape of the Town, it gives it character and dignity. Also, we are fostering civic pride in the beauty and noble accomplishments of Henrietta's past. So, we hope you'll consider these items. Also, we have a brochure from our Committee with, it has a picture of the West Henrietta Baptist Church, which was the first building to be accepted in a Historic District in Henrietta, and we're very proud of that. In the beginning we started out small with just nominating seven (7) houses in the West Henrietta area, and we do have four (4) of them now in that District, and the West Henrietta Baptist Church was the first. Now, as I said before, we do have a few buildings in Town that belong to the National Register of Historic Places that, the first one (1) was the Antoinette Brown Blackwell House and it was the childhood home of Antoinette Brown Blackwell, the most famous history person from the

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Town, and we have pursued many things with Antoinette Brown Blackwell, Vivian Heffernan, the previous Town Historian and myself, started the Antoinette Brown Blackwell Society, and we give out an award every year to an outstanding Henrietta woman, and we've been doing it for over twenty-five (25) years now, so we're very happy about that. The other building that has the designation of being on the historic list of places is the Tinker Museum, Homestead Museum, and we're very proud of that building and of everything that the whole Tinker Park, and one (1) thing that's going to happen is that building will be preserved, not only because it's a designated site, but more importantly because it's an important part of the Town and is financed through the Town and through your taxes, a good tax to pay. Well, we thank you for coming tonight and after this meeting, we'll review the acceptance forms and for those people who have agreed, their names and addresses will be turned over to the Town Board who will place them in District Thirteen (13), the Heartland District, and as I said before, you will receive a Certificate acknowledging your status, and we hope you will accept our designation in our efforts to preserve and protect our treasured old homes. Now, if there are any questions, I will be glad to answer them. If you would like to speak, if you want to come up to the microphone and give your name and address you can do so now.

SUPERVISOR YUDELSON

Thank you, Helen.

HELEN ELAM, TOWN HISTORIAN

Alright.

SUPERVISOR YUDELSON

I want to point out as Helen said, that earlier this month there was an informational meeting, and I appreciate you conducting that meeting where some people were able to attend and ask questions, and in addition, although you have the opportunity to speak now as part of this required Public Hearing, this is not going to be voted on tonight, so there is still also time whether it's after this Public Hearing, or talking to Helen tonight, or talking to her subsequently to get further questions answered. It comes back to the Board, so thank you Helen, and having said that, is there anybody that would like to speak at this point, or ask any questions?

PATRICIA BRILL, 1365 MARTIN ROAD

Thank you. My name is Patty Brill, 1365 Martin Road. I was not able to attend the initial Hearing, so unfortunately I missed out on some very important details. I wanted to know, Helen, when do you need to know confirmation on whether we want to or not, I have a little more research I'd like to do.

HELEN ELAM, TOWN HISTORIAN

(From audience, "Well, I'm going to be . . .)

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SUPERVISOR YUDELSON

Please come up to the microphone.

HELEN ELAM, TOWN HISTORIAN

I'm going to mail out the acceptance form, and it also has a place for someone to deny it, as well, and we're going to ask to have them back by the end of April.

PATRICIA BRILL, 1365 MARTIN ROAD

If anyone, I see a lot of pros as to why it would be good, but has anyone ever asked you for any cons of joining other than possibly not being able to build onto the home, is there any other reasons why someone would not want to join?

HELEN ELAM, TOWN HISTORIAN

Well, I think everyone is afraid that if they put the historic designation on it, they won't be able to sell the property, but I can't tell you the number of buildings that have not joined it who have had a problem selling the property, and sometimes if there is a designation that helps to do it. I'm thinking of one (1) building that came down a couple years ago, and it was across from the Cartwright Inn, those people did not want to be in the District and they rejected it, and they put a sign up for sale and they couldn't sell the house and it had a lot of problems, it had slipped off the foundation and it was in bad shape, it hadn't been taken care of in years. So then eventually they took the building down, well they couldn't sell it when it was up and they couldn't sell it once the building came down, it is still for sale. So, it's, and I know that the City has had a wonderful time selling their older homes and they say that now they are at a premium, and certain sections of the City, not all of it, but in certain sections, so that's the only thing I can think of right now. We've had about, in the twenty (20) years we've been doing this, more than that, we've had only five (5) requests, and only one (1) was denied and we worked around that one, too. We came to an agreement, we worked with the people, and came to an agreement on that so, and in fact, what it was, was someone wanted to build a wraparound porch on an old house so that his father could come out on the porch and wave to people as they walked by, it was a very busy area and people don't really want that. Well, before, we worked it out how he was going to get a porch in the front, but it never happened because his father died before he had a chance to do it, so the house is the way it was, the way it was originally, so that's good, but Mr. Bixby here, he wanted to put an addition onto the side of his house and we looked the plans over, nothing seemed to be amiss and you know, the house has some history and the house that I checked on today, the JoNett house, that has had four (4) or five (5) different things happen to it over the years. It was built in 1910, and there was a porch and other things that were added to the house, so there is a history to a house and we don't like to stop that history when it is compatible to what is there already. So, does that answer your question?

PATRICIA BRILL, 1365 MARTIN ROAD

Yes. And, lastly, I've had a tough time trying to find the history on my house . . . *(Tape*

being switched to side 2)

HELEN ELAM, TOWN HISTORIAN

I don't recall exactly, but, well, unfortunately the Town Assessor in the 1950's had all the records at home, which was not unusual at that time because people didn't, not every Town had a town hall and a place to keep them, but then there was a fire in his home and everything was destroyed, so there's, you kind of have to go by what . . .

PATRICIA BRILL, 1365 MARTIN ROAD

(Away from mic, inaudible)

HELEN ELAM, TOWN HISTORIAN

Could be, but . . .

PATRICIA BRILL, 1365 MARTIN ROAD

(Away from mic, inaudible)

HELEN ELAM, TOWN HISTORIAN

Well, if you're going to add on or do anything to your house, which would require building, you have to get a building permit, then that department . . .

PATRICIA BRILL, 1365 MARTIN ROAD

(Away from mic, inaudible)

HELEN ELAM, TOWN HISTORIAN

Well, yes, it's a normal procedure to get a building permit, and then they check with us and look it over.

PATRICIA BRILL, 1365 MARTIN ROAD

I appreciate it, thank you.

COUNCILWOMAN ZINCK

Helen, can I ask you one (1) question? I'm just curious, once someone decides they want to go forward with this, what if they change their mind ten (10) years later?

HELEN ELAM, TOWN HISTORIAN

Well, we did have that come up because of the house I was talking about earlier, and Mr. Breese decided, they wanted to come out of it, and he said, "No, we're not going to let them." They have to really show us a hardship case, and anybody that doesn't like the idea can have a hearing with now Supervisor Yudelson and other members of the Board, and you make the final decision.

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COUNCILWOMAN ZINCK

Thank you.

HELEN ELAM, TOWN HISTORIAN

Thank you.

SUPERVISOR YUDELSON

Is there anybody else who has a question? *(Pause, no response)* If not, I'll close this Public Hearing. Thank you, very much, Helen, and your entire Committee for this information. May I have the first Resolution, please.

RESOLUTION #9-98/2009

On Motion of
Councilman Mulligan

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 4/15/2009	\$ 188,988.04
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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 Yudelton	voting	Aye

Carried

RESOLUTION #9-99/2009

On Motion of
Councilwoman McCabe

Seconded by
Councilman Moore

WHEREAS, the Safety Coordinator has requested authorization to attend the Annual PERMA Safety Conference at the Sagamore Hotel in Bolton Landing, New York on May 21, 2009 through May 22, 2009, and

WHEREAS, funds are available in the year 2009 Budget, and

WHEREAS, PERMA covers the cost of meals and lodging for one (1) employee of the Town, and

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WHEREAS, the Town Board supports and encourages additional training for all Town employees.

THEREFORE, BE IT RESOLVED, that Dean C. Marshall, Jr., Safety Coordinator, be hereby authorized to attend the two (2) day Annual PERMA Safety Conference at a cost not to exceed \$100.00, to include Thruway tolls and the use of a Town vehicle.

BE IT FURTHER RESOLVED, that all properly prepared vouchers be submitted to the Director of Finance for reimbursement.

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 Yudelton	voting	Aye

Carried

RESOLUTION #9-100/2009

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

WHEREAS, the Superintendent of Highways and the Superintendent of Drainage, Sewer, Sidewalks, Parks and Facilities have requested that the attached list of vehicles and equipment be declared surplus materials and removed from the Town's inventory.

THEREFORE, BE IT RESOLVED, that the attached list be consigned to the Teitsworth Municipal Auction, to be held on May 9, 2009, in Palmyra, New York.

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MULLIGAN

Just briefly, and you probably know the answer to this Mr. Supervisor, why are we getting rid of a 2004 salt spreader?

SUPERVISOR YUDELSON

You give me much credit thinking that I would know the answer to that. Mr. Martin, or no, where is this from, Parks? Mr. Pettrone?

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PAUL PETTRONE, SUPERINTENDENT OF DRAINAGE, SEWER, SIDEWALKS,
PARKS AND FACILITIES

It's out of service more than it is in service, and it's difficult to repair, and after a lot of discussion with Mr. Tobey, we both came to the conclusion that it should be sent away.

COUNCILMAN MULLIGAN

You bought a lemon?

PAUL PETTRONE, SUPERINTENDENT OF DRAINAGE, SEWER, SIDEWALKS,
PARKS AND FACILITIES

Well, I didn't buy it, but yes.

COUNCILWOMAN ZINCK

It's more problems than it's worth.

PAUL PETTRONE, SUPERINTENDENT OF DRAINAGE, SEWER, SIDEWALKS,
PARKS AND FACILITIES

It's more problems than it's worth, yes.

COUNCILMAN MULLIGAN

What do they go for new?

PAUL PETTRONE, SUPERINTENDENT OF DRAINAGE, SEWER, SIDEWALKS,
PARKS AND FACILITIES

About eight hundred dollars (\$800.00).

COUNCILMAN MULLIGAN

Oh, gees.

COUNCILMAN MOORE

Actually, Bill, Mr. Tobey and I discussed it prior to this.

COUNCILMAN MULLIGAN

This isn't that special.

COUNCILMAN MOORE

He was having a lot of problems with it.

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 Yudelson	voting	Aye

Carried

RESOLUTION #9-101/2009

On Motion of
Councilman Moore

Seconded by
Councilwoman McCabe

WHEREAS, Resolution #6-73/2009 authorized the advertisement for bids for Cul-de-sac & Pump Station Mowing, and

WHEREAS, two (2) bids were received, and the low bid, meeting specifications, was received from Hassle Free Lawn and Landscape, for a three (3) year Contract at a total cost of \$930 per mowing, with an annual cost not to exceed \$14,880 each year, for the years of 2009, 2010 and 2011.

THEREFORE, BE IT RESOLVED, that Hassle Free Lawn and Landscape, 1220 Lake Avenue, Rochester, New York 14613, be hereby awarded the bid for Cul-de-sac & Pump Station Mowing, per specifications.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Hassle Free Lawn and Landscape, upon delivery and receipt of all proper documentation and acceptance by the Superintendent of Drainage, Sewer, Sidewalks, Parks and Facilities.

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 #9-102/2009

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, Resolution #6-72/2009 requested bids for creek cutting, and
WHEREAS, no bids were received by the date and time specified.

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THEREFORE, BE IT RESOLVED, that Resolution #6-72/2009 for creek cutting is hereby rescinded.

BE IT FURTHER RESOLVED, that the Town Clerk be authorized to re-advertise for bids for creek cutting, with bids to be opened at 11:00 A.M. on Friday, May 15, 2009 and received no later than 10:30 A.M. on Friday, May 15, 2009, as per cited plans and specifications on file, in the manner provided by Law.

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MULLIGAN

Under discussion, I'm usually a big advocate of contracting out, but would the summer staff, did the administration review whether or not we would have the manpower to do some of this? I've gotten very mixed reactions from the public, some people say the Town did a better job, other people like the private people, but with the seasonal workers maybe it's something we can take back in house. Just a thought.

SUPERVISOR YUDELSON

I just want to ask Mr. Pettrone to give us an analysis of this, I would suggest that we still go out to bid . . .

COUNCILMAN MULLIGAN

I don't have a problem with it.

SUPERVISOR YUDELSON

So that at least we are not *(inaudible)*

COUNCILMAN MULLIGAN

Thank you.

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 Yudelson	voting	Aye

Carried

RESOLUTION #9-103/2009

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

WHEREAS, Resolution #6-74/2009 authorized the advertisement for bids for a sewer main camera, and

WHEREAS, three (3) bids were received, and the low bid, meeting specifications, was received from Fosters Equipment, for a total cost not to exceed \$65,288.00.

THEREFORE, BE IT RESOLVED, that Fosters Equipment, One Keuka Business Park, Suite 103, Penn Yan, New York 14527, be hereby awarded the bid for a sewer main camera, per specifications.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Fosters Equipment, in an amount not to exceed \$65,288.00, upon delivery and receipt of all proper documentation and acceptance by the Superintendent of Drainage, Sewer, Sidewalks, Parks and Facilities.

SUPERVISOR YUDELSON

Call the roll, please. No, I'm just kidding, under discussion, as I mentioned at Workshop on Monday, I want to thank Paul Pettrone for the work he's done, for bringing this to the Board, this was a suggestion during the Budget process and then answering the Board's question, but I also want to thank the Board as I did on Monday because this is something that, there's been some questions, there's been some disagreement on how to proceed, but I thought it was a very good process because a lot of the questions that were asked we got additional information as a result of that, and whatever the result is, I think the process was a healthy one. Any further discussion? Call the roll, please?

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	No
Councilman Moore	voting	No
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #9-104/2009

On Motion of
Councilman Mulligan

Seconded by
Councilman Moore

WHEREAS, the 2009 Parks and Facilities Budget provides funds for the purchase of one (1) new zero turn mower, and

WHEREAS, a zero turn mower, meeting specifications, is available through New

York State Contract PC64361 from Ontrac Equipment Corporation, at a total cost not to exceed \$10,062.24.

THEREFORE, BE IT RESOLVED, that Ontrac Equipment Corporation, 4111 West Henrietta Road, Rochester, New York 14623, be hereby awarded the purchase of one (1) new John Deere Z Track Z2850A mower, per specifications.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Ontrac Equipment Corporation, in an amount not to exceed \$10,062.24, upon delivery and receipt of all proper documentation and acceptance by the Superintendent of Drainage, Sewer, Sidewalks, Parks and Facilities.

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MULLIGAN
Just under discussion, it's good to see us buy from somebody locally, and I always think of Dave Pillittere, he was always pushing buying in Henrietta. There's a voice from the past.

COUNCILWOMAN McCABE
Yes.

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 #9-105/2009

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, the Town of Henrietta's Year 2009 Application to the Monroe County Office of the Aging for the Senior Center Program Agreement (Senior Meals Program) has been approved, and

WHEREAS, this Program provides nutritionally balanced meals to Seniors four (4) times a week, and

WHEREAS, the Town is committed to providing needed services to our Seniors.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to sign the Senior Center Program Agreement between the Town of Henrietta and the County of Monroe for the operation of the Year 2009 Senior Meals Program.

COUNCILWOMAN ZINCK

Regis, you were going to check into this, is this, you were going to confirm whether or not the Contract was the same, or if it was different. I was just wondering what you found out.

REGIS STEINKAMP, DIRECTOR OF YOUTH BUREAU

I talked with Steve Newcombe today from the Monroe County Office of the Aging, and he assured me that it's the exact same Contract, they just decided to name it something different. It's the old Congregate Meals for the Elderly Contract, but it's the same identical Contract.

COUNCILWOMAN McCABE

I did compare it to last year's.

COUNCILWOMAN ZINCK

Okay, thank you.

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 Yudelson	voting	Aye
		Carried

RESOLUTION #9-106/2009

On Motion of
Councilman Mulligan

Seconded by
Councilman Moore

WHEREAS, Helen Elam, the Town Historian and Tina Thompson have requested authorization to attend the Association of Public Historians of New York State Spring

Conference in Albany, New York on April 27, 2009 and concluding April 29, 2009, and WHEREAS, funds are available in the year 2009 Budget, and WHEREAS, the Town Board supports and encourages additional training for all Town employees.

THEREFORE, BE IT RESOLVED, that Helen Elam, Town Historian, and Tina Thompson, be hereby authorized to attend the conference in Albany, New York at a cost not to exceed \$705.00, plus mileage reimbursement at \$.58/ per mile.

BE IT FURTHER RESOLVED, that all properly prepared vouchers be submitted to the Finance Director for reimbursement.

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 #9-107/2009

On Motion of
Councilman Moore

Seconded by
Councilwoman McCabe

WHEREAS, the Town of Henrietta requires bids for a new sound system for the Town Hall Main Meeting Room, to conform with plans and specifications on file in the Town Clerk=s Office, with bids to be opened at 9:30 A.M. on Thursday, May 14, 2009 and received no later than 9:15 A.M. on Thursday, May 14, 2009.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for a new sound system for the Town Hall Main Meeting Room, as per cited plans and specifications on file, in the manner provided by Law.

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 #9-108/2009

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

WHEREAS, the current number and complexity of construction projects, from time to time, have made Independent Consultation Review Services necessary, and

WHEREAS, it is in the Town's best interest to maintain quality construction and plan review services in a timely fashion, and

WHEREAS, it is necessary for developers and contractors to absorb the costs incurred by the Town for such services, and

WHEREAS, Independent Plan Review Services billing, including all consultants costs, will be at an hourly rate, and

WHEREAS, the Building Inspector/Fire Marshal has arranged for such Construction and Plan Review Services with Laura M. Cooney, AIA, 391 Basket Road, Webster, New York 14580, at the rate of Ninety-Five Dollars (\$95.00) per hour.

THEREFORE, BE IT RESOLVED, that the Building Inspector/Fire Marshal is hereby authorized and directed to secure the Independent Construction and Plan Review Services in accordance with the above, subject to the approval of the Director of Finance and Personnel and/or the Town Supervisor, as per the Town's Procurement Policy.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay said consultant upon receipt of all proper documentation.

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 #9-109/2009

On Motion of
Councilman Mulligan

Seconded by
Councilman Moore

BE IT RESOLVED, that the following persons be hired:

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Samuel Newell Recreation, Part time Gymnastics Instructor @ \$7.15/hr., effective 4/13/2009.

Scott Held Recreation, Part time Ball Field Maintenance @ \$9.25/hr., effective 4/13/2009.

Katelyn Schenkel Recreation, Part time Gymnastics Instructor @ \$9.00/hr., effective 4/13/2009.

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

Brad Conner Highway, Seasonal Laborer @ \$8.75/hr., from On Call Wingperson @ 8.50/hr., effective 4/16/2009.

Jeff Dewey Highway, Seasonal Laborer @ \$9.50/hr., from On Call Wingperson @ 8.50/hr., effective 4/16/2009.

James Hodges Highway, Seasonal Laborer @ \$9.50/hr., from On Call Wingperson @ 8.50/hr., effective 4/16/2009.

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 Yudelton	voting	Aye

Carried

SUPERVISOR YUDELSON

That's the end of the Regular Agenda, before we adjourn, is there anyone who would like to speak on any matters involving the Town of Henrietta? Mr. Schmitt?

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

John Schmitt, 139 Campfire Road North. Mr. Supervisor and members of the Board. I realize that to respond to something in the newspaper, they have a different purpose for putting something in print that may or may not be significant, however, last week the Rush-Henrietta Post had ran an editorial entitled, "Some Not Paying Share in Henrietta."

They then stated the issue was non-for-profit agencies don't pay property taxes or thus contribute to emergency services. Each of the non-for-profit agencies provides services to the entire community that Henrietta cannot provide itself. For example, the Al Sigi Center, the School of the Holy Childhood, Veterans Organizations, and on, and on. The question should be, what does Henrietta contribute to these Organizations to help them provide their needed services. Over the years this assistance has been recognized by relief from property taxes. The article then goes on to quote Mr. Joe Martin, Chairman of the Town's Fire Commission as, "thinking that it's time Henrietta made non-for-profits, at least some of them, bear some of the burden." Obviously, I disagree. Looking at my last Town and County tax bill I see that the total tax levy for the Fire District is five million, six hundred and forty-five thousand, two hundred and ninety-two dollars (\$5,645,292), up over three hundred and seventy-seven thousand dollars (\$377,000) from the prior year. It should be noted that convenient tax abatements do not extend to emergency services like the Ambulance or the Fire Department, therefore, they have a higher tax base than what the Town itself has. Just as an aside and not to get anything of it, I wondered if any of you had actually seen a Budget from the Fire Department. I know they don't report to you, I know they're a separate Organization, but they are asking for something from the Town. If there is a problem in providing a particular facility with emergency service, deal with that facility based on actual experience, not penalize everyone. Non-for-profits have been hit just as hard as everyone else in this recession, and so to increase their burden is to lessen the image and integrity in Henrietta as a caring community. Henrietta is usually thought of by those outside the Town, in terms of Jefferson Road and West Henrietta Road. We are much more I think, and I hope. In one way that has always been expressed is our willingness to welcome those who are committed to helping others. I don't think it is necessary to make any change to the assessment procedure in this Town. I have been told this Town is financially in very sound condition, so it really is not necessary for the Town itself to make this change, and I ask if it should come before you, that you continue to support these groups who have done so much to so many people over a long period of time. Thank you.

SUPERVISOR YUDELSON

As far as your one question about the Fire District Budget, as you said, we really have no control over that, by State Law the Fire Commissioner's pass their Budget, it's then submitted to the Town Board, and we're required to attach it to the Town Budget and file it with the State.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

That I appreciate, but this discussion is changing the assessment on Town property.

SUPERVISOR YUDELSON

Right, and that's the other thing I was going to say because this is an issue that is, you know, we're seeing some press lately and I just wanted to clarify that these non-for-profits are tax exempt by State law. The argument that's being made about that the

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Town should force them, and that's not even something that we have the power to do.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

Okay.

SUPERVISOR YUDELSON

And, I think there's also a discussion about whether we should be encouraging them, or force them through other means whatever, but as far as our ability as that editorial kind of spoke to that we should require that of them, we don't have that authority.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

Thank you.

COUNCILWOMAN ZINCK

(Inaudible)

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

I appreciate your clarification.

SUPERVISOR YUDELSON

Is there anyone else who would like to speak? *(Pause, no response)* If not, is there a motion to adjourn?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman McCabe, seconded by Councilwoman Zinck at 9:07 P.M. and was adjourned without objection.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk