

**HENRIETTA TOWN BOARD
AGENDA
MAY 6, 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 15, 2009
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 #10-110/2009
Authorize Accounts Payable

RESOLUTION #10-111/2009
Declare Items Surplus Materials – Library/Engineering/Recreation

RESOLUTION #10-112/2009
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 6th DAY OF MAY, 2009 AT 8:00 P.M.

PRESENT

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

ABSENT

Councilwoman Catherine A. McCabe

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

SUPERVISOR YUDELSON

Before we move into the Architectural Heritage Awards, is there anybody that would like to speak on any of the small number of items that are on tonight's Regular Agenda? *(Pause, no response)* If not, then I will call upon our Town Historian, Helen Elam, for our program on the Architectural Heritage Awards. Helen?

(Helen Elam conducted the 2009 Henrietta Historic Site Committee Architectural Heritage Awards, which were presented to: Mr. and Mrs. Gary A. Emens; Members of the Ridgeland Community Church; and to Wegmans Markets, Inc.)

SUPERVISOR YUDELSON

On behalf of the whole Town Board, we thank you and your Committee for the good work you do and for honoring these folks tonight, and congratulations to all the award winners for this much deserved honor, thank you to all. Save us a couple cookies, Helen. *(Laughter)*

HELEN ELAM, TOWN HISTORIAN

I will, we have a Wegmans cake out there.

SUPERVISOR YUDELSON

We will be out there in just a moment. Could I have the Approval of the Minutes of the preceding meeting, please?

COUNCILMAN MOORE

Mr. Supervisor, I move we Approve the Minutes of April 15, 2009.

COUNCILWOMAN ZINCK

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

SUPERVISOR YUDELSON

May I have the first Resolution, please.

RESOLUTION #10-110/2009

On Motion of
Councilwoman Zinck

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 5/6/2009	\$ 195,336.59
-----------	------------------------------	---------------

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #10-111/2009

On Motion of
Councilwoman Zinck

Seconded by
Councilman Moore

WHEREAS, the Henrietta Public Library Board of Trustees has requested that the following item be declared surplus material:

<u>Inventory #</u>	<u>Description</u>
3069	

Leteron Sign Machine

WHEREAS, the Engineering Department has requested that the following items be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
3953	19" Dell Monitor
4050	Dell Desktop PC

WHEREAS, the Recreation Department has requested that the following items be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
3971	Computer System
3972	Computer System
3973	Computer System
3974	Computer System
3975	Computer System

THEREFORE, BE IT RESOLVED, that the item described above from the Henrietta Public Library Board of Trustees be declared surplus material and be sent to the Parks and Facilities Department for disposal.

BE IT FURTHER RESOLVED, that the items described above from the Engineering Department and the Recreation Department be declared surplus materials and be sent to Maven Technologies, LLC, for disposal.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #10-112/2009

On Motion of
Councilman Mulligan

Seconded by
Supervisor Yudelson

TB May 6, 2009

BE IT RESOLVED, that the following persons be hired:

COUNCILMAN MULLIGAN

Before I read the list, I'd like to move that we amend the Resolution deleting Garth Carney for the purpose of further discussion.

SUPERVISOR YUDELSON

I think an amendment would be for after we have read the Resolution, I think, Dan, we should have the original Resolution moved on and then amended, or just delete the name, there's a desire to have further discussion on one action at this time. What would be the right procedure?

DANIEL MASTRELLA, TOWN ATTORNEY

You're not obligated to, the original Resolution is what's proposed, and you're not obligated to (*inaudible*)

SUPERVISOR YUDELSON

So, if he just leaves that name off there's not a need for an amendment.

Josh Layfield	Highway, Seasonal Laborer @ \$8.00/hr., effective 5/10/2009.
Drainage/Sewer/Parks	Seasonal Hires, as per the Attachment, effective 5/7/2009.
Lisa Bowles	Town Court, Substitute Court Clerk @ \$15.00/hr., effective 5/7/2009.

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

Nate Pogal	Highway, Seasonal Laborer @ \$8.25/hr., from Seasonal Wingperson @ 8.50/hr., effective 5/10/2009.
Adam Schell	Highway, Seasonal Laborer @ \$8.50/hr., from Seasonal Wingperson @ 8.50/hr., effective 5/10/2009.
Andrew Widanka	Highway, Seasonal Laborer @ \$8.50/hr., from Seasonal Wingperson @ 8.50/hr., effective 5/10/2009.

SUPERVISOR YUDELSON

And, just for the Record as the Town Attorney advised, one name was not read for the purposes of further discussion. So, on the Resolution, as read, is there any discussion? *(Pause, no response)* Call the roll, please.

Duly put to a vote:

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

SUPERVISOR YUDELSON

That concludes the Regular Agenda, before we adjourn is there anybody that would like to speak on any item involving the Town of Henrietta?

BETH WHITE, 128 EAGLE PINE WAY

As you know, I've talked to you a couple times about a dog park here in Henrietta, and I don't know if you've noticed or not, but in Thursday's paper there was an article about a dog park being opened up in Greece. It is one of several that are being opened by the County, and since you needed more information I would suggest maybe that you call the County to see how they're doing this, how they're getting around the insurance and the responsibility issues, and so on, and so on, and so on. So, I'll just *(away from mic, a hand-out is submitted.)*

SUPERVISOR YUDELSON

Thank you and we will provide copies to all the Board members.

COUNCILWOMAN ZINCK

You're tenacious; you've stayed right on things!

BETH WHITE, 128 EAGLE PINE WAY

Thank you.

SUPERVISOR YUDELSON

Is there anyone else who would like to speak on any matter involving the Town?

KENNETH MATTICE, 298 GALAHAD DRIVE

After that presentation by the archive people here, I feel like I should be joining that group. I'm Kenneth Mattice and I've lived and worked here for over sixty (60) years. This is the first time I've come before the Town Board. I'm very pleased with things and how they've been running, not only presently, but in the past. Let me just start out, and

TB May 6, 2009

bear with me if I wander a little bit, but it's perceived by the people out here in Henrietta that the Town Board is doing a great job in keeping our taxes low, a great job and it's quite notorious around the County that Henrietta is the place to be not only the Town, but the School Board, too. They do a great job, and we're very pleased with that. That's the perception we have, okay? Now, last week I get a letter in the mail from someone, I just can't remember his name, but he's the Assessor, and I can only relate to me and some of the other facts I've learned in the last couple days, my assessment has gone up twenty thousand dollars (\$20,000). I was a little upset about that so I jumped in the car, and I got a list of, well I checked over here first with the listings, and I got in the car and I went around my neighborhood, which is Camelot Hills, and the next one to the east I think is LampLighter, and I checked all the building four type construction, which is all cape cods, I took a list of them, went back to the book, and it's pretty obvious he did this with a cookie cutter type situation. Cape cods are pretty much all the same regardless of how they look in the front, and I just couldn't figure it out, everybody knows if they watch T.V. and read the papers, the Country is going into a very serious recession right now. The auto company is getting bailed out, the insurance companies are getting bailed out, the banks are getting bailed out, the housing market is depressed and going down, not up, it's a good time to buy because houses are selling cheap. Now all of a sudden my assessment goes up twenty thousand dollars (\$20,000). Believe me, I'm almost ashamed to even talk about this, I can't believe it's going on, a twenty thousand dollar (\$20,000) increase, and I've talked to five (5) people, two (2) of them are close to me, and the others I just happen to run into on the street, and they're going to talk to whoever the Assessor is that makes these decisions. But, I'm almost ashamed to talk to these people about what's happened here. Twenty thousand dollars (\$20,000) up and these are all cape cod people, and the market has dropped down. I just can't believe it's going on. It's the recession of the century really, I don't remember the great recession, but this borders it very closely. Unemployment is at a record high, one person on this street, he just retired, and I don't know if he's going to make it or not. The letter did say that your taxes may not go up, but we all know they are. It's ridiculous to even think about that. Foreclosures and defaults on mortgages are happening daily around here. If you listen to Good Morning America or any other news channel, it's a sad situation. The retirement incomes are down probably forty percent (40%) or fifty percent (50%). I could go on about this, but I won't. You get the message of what I'm trying to tell you here, but remember the people perceive you guys as being the guys who are setting the tax rate, not the Assessor, but you got to stand up and do something about this. I know it's not your responsibility, but you got to stand up and do something about this right now, but it's not only disgracing for me to even have to talk about this as this time, and it's pretty stupid to be honest with you. That's all I got to say.

SUPERVISOR YUDELSON

Thank you, and I'll just make a couple of comments, and I'll allow other Board members to, as well. As you are aware, assessments are set by the Assessor, the Town Board sets the tax rate, the tax rate is based on how much we decide is going to be in the

TB May 6, 2009

Budget for the year taken with the total value of properties. You have, as they might have explained to you, have some recourse available to you. Assessments in general, the work the Assessor does is not really an arbitrary thing, it's set by State Law and there's procedures for it, and the thing that you mentioned at looking at comparable, you know other cape cods, what they sold for in the area and using that as criteria, that's part of what he's supposed to do. But, as far as the recourse you have available to you, any time between now and May 26th, which is the grievance day that every Town has provided for also by State Law. You can come in to the Assessor, talk about your particular concerns, but also file to appear before the Grievance Board, which is a citizen's board, appointed by the Town Board, you present your case about why you think the assessment's an error, and then the Grievance Board has the final say on that. I will also comment, and this has been the subject that the Board has discussed very much, that despite all the things that you said that are absolutely on target about the economy, that the statistics are that home values in Monroe County in general, Henrietta is no different, have not declined. I just had a meeting yesterday with Monroe County's Director of Real Property Services, and he made that point to me, as well. We've heard it in the news that Monroe County has not seen any of the big up swings or the down swings, there continues to be slow but steady increase in property values, and I think the work the Assessor does has to reflect that. So, I would encourage you, if you think it's in error, to avail yourself to the grievance process because it's by Law, that's what you have available, we can't do anything on the assessments. Having said that, I open it to any of the Board members.

COUNCILWOMAN ZINCK

The only other thing I want to add to it is that people that actually hear the case are not Town employees, so as you come in . . .

KENNETH MATTICE, 298 GALAHAD DRIVE

I know that.

SUPERVISOR YUDELSON

It sounds like you also, I'll just say for the benefit of others that you're aware of the set actually provided by the Assessor, our efforts to make information available to people we put out all the comparable sales data and the same stuff they're looking at is right outside here in the hallway for people to inspect during the day, it's on our website for someone who uses the internet, so you can go on and look at sales, so we're certainly not hiding anything about the process.

KENNETH MATTICE, 298 GALAHAD DRIVE

(Away from mic, inaudible)

SUPERVISOR YUDELSON

On the point of the cookie cutter thing, I'm not sure that would be something you should

TB May 6, 2009

find out of the ordinary because a cape cod of a certain size is going to be about the same. Also, your point about timing of it, there's also again, it's all set by the State, but certain restrictions placed on the Town is that the State reviews these assessments, too, and if they don't find that they're accurate, like they're too low or too high, they apply a factor to the assessment that then changes your tax bill anyway, we could keep them all lower, and they're going to apply the equalization rate in a way that's going to make the taxes that they consider to be fair and equitable as compared to the rest of the County.

KENNETH MATTICE, 298 GALAHAD DRIVE
(Away from mic, inaudible)

SUPERVISOR YUDELSON

You have to prove to the Assessor or the Assessment Board that the house isn't worth what the Assessor has said it's worth. Part of the way you would do that is showing comparable, you know, the house that you feel it's the same kind of house, same kind of neighborhood and it's priced differently.

KENNETH MATTICE, 298 GALAHAD DRIVE
(Away from mic, inaudible)

SUPERVISOR YUDELSON

Thank you, very much. Is there anybody else who would like to speak on any issue involving the Town? *(Pause, no response)* If not, is there a motion?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman Zinck, seconded by Councilman Moore at 8:49 P.M. and was adjourned without objection.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk