

**HENRIETTA TOWN BOARD
AGENDA
SEPTEMBER 2, 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): August 19, 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 #16-167/2009
Authorize Accounts Payable

RESOLUTION #16-168/2009
Authorize Supervisor to Sign Monroe County Community Development Block Grant – Crimson Bramble Road Sanitary Sewer Repairs Project

RESOLUTION #16-169/2009
Authorize Advertisement for Bids – Crimson Bramble Road Sanitary Sewer Repairs Project

RESOLUTION #16-170/2009
Authorize Attendance of Annual Fire Marshals and Inspectors Conference

RESOLUTION #16-171/2009
Appoint Youth Board Member

RESOLUTION #16-172/2009
Authorize Attendance of the Annual Association of New York State Youth Bureaus Conference

RESOLUTION #16-173/2009
Add an Official Town Bank

RESOLUTION #16-174/2009
Authorize Financing of Highway Vehicle

RESOLUTION #16-175/2009

Authorize Supervisor to Sign Professional Services Agreement - Troy and Banks

RESOLUTION #16-176/2009

Authorize Supervisor to Sign the Suburban Animal Hospital Contract and Increase Animal Release Fees

RESOLUTION #16-177/2009

Authorize Supervisor to Sign Boundary, Encroachment, and Similar Agreements

RESOLUTION #16-178/2009

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 2nd DAY OF SEPTEMBER, 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

Is there anybody that would like to speak on any items that are on the Agenda for tonight's meeting, there will be a chance to speak on other items at the end of the meeting, but any Agenda items, at this point? *(Pause, no response)* If not, can I have the Approval of the Minutes?

COUNCILWOMAN McCABE

Mr. Supervisor, I move we Approve the Minutes of August 19, 2009.

COUNCILWOMAN ZINCK

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

Can I have the first Resolution, please.

RESOLUTION #16-167/2009

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

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

EXHIBIT A	Bills Payable dated 9/2/2009	\$ 224,346.39
EXHIBIT B	Manual Bills Payable	\$ 1,932.13

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 #16-168/2009

On Motion of
Councilman Moore

Seconded by
Councilwoman McCabe

WHEREAS, a Community Development Block Grant (CDBG-R) for the year 2009, in the amount of \$68,000.00, is available through Monroe County, and

WHEREAS, this Grant provides for sanitary sewer repairs and manhole replacement on Crimson Bramble Road in the Town of Henrietta.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to accept and sign the Community Development Construction Agreement for said Grant.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye

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Prevention, be hereby authorized to attend the conference at Montour Falls, at a cost not to exceed \$300.00.

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

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MULLIGAN

Under discussion, I think Terry also mentioned he'll be gaining his State certification through this conference, which I know is imperative, as part of his job.

SUPERVISOR YUDELSON

He's nodding, "Yes", on both counts. Anything else? 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 #16-171/2009

On Motion of
Councilman Moore

Seconded by
Councilman Mulligan

WHEREAS, one (1) application has been received and reviewed from a qualified resident of the Town of Henrietta for a position on the Henrietta Youth Board, and

WHEREAS, the Town Board wishes to keep the various Boards of the Town at their authorized strength for maximum input.

THEREFORE, BE IT RESOLVED, that Rachel Arnaud, 43 Osprey Drive, West Henrietta, New York 14586 be hereby appointed to the Henrietta Youth Board for the remainder of a two (2) year term to be effective immediately and expiring December 31, 2010.

SUPERVISOR YUDELSON

Discussion?

COUNCILWOMAN ZINCK

I just want to comment that Rachel has been very, very involved with the Henrietta Recreation Programs, so she'll be a nice youth voice to bring to the Board.

SUPERVISOR YUDELSON

Thank you. 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 #16-172/2009

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, the Director of Recreation and Youth Bureau, Regis Steinkamp, has requested that Karen McArthur, the Assistant Director of Recreation & Youth Bureau, be granted authorization to attend the New York State Youth Bureaus Association Annual Conference in Liverpool, New York from October 5, 2009 to October 6, 2009, and

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

WHEREAS, a Scholarship has been granted towards the cost of attending said conference, and

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

THEREFORE, BE IT RESOLVED, that Karen McArthur be hereby authorized to attend the two (2) day New York State Youth Bureaus Association Annual Conference at a cost not to exceed Seventy Dollars (\$70.00), to cover the balance of the Conference Registration, hotel lodging, meals and banquet.

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

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MULLIGAN

Under discussion, I know it'll be difficult with Karen being away for a couple days, but you're going to get through it.

SUPERVISOR YUDELSON

Yes, I wanted to amend this to read to October 30th. *(Laughter)* There being no second, 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 #16-173/2009

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

BE IT RESOLVED, that the following bank be added to the designated list of official depositories of the Town of Henrietta:

Steuben Trust Company

BE IT FURTHER RESOLVED, that the said depository shall be required to furnish securities by depositing governmental bonds or the equivalent in escrow to equal all deposits for the Town of Henrietta.

BE IT FURTHER RESOLVED, that the Town Clerk be instructed to transmit a copy of this Resolution to Steuben Trust Company, City View Office Building, 20 Wildbriar Road, Suite C, Rochester, New York 14623.

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 #16-174/2009

On Motion of
Councilman Moore

Seconded by
Councilwoman McCabe

WHEREAS, the Town of Henrietta Highway Department purchased one (1) new ten wheel plow/dump truck, per Resolution #6-71/2009, and

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WHEREAS, the vehicle and parts have been delivered to the Town of Henrietta Highway Department.

THEREFORE, BE IT RESOLVED, that the Director of Finance be hereby authorized to finance this purchase, in the amount of \$55,389.97, at a rate of 1.81%, for a three (3) year Lease Agreement totaling \$166,169.91.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to complete this transaction upon receipt of all proper documentation, and acceptance by the Superintendent of Highways.

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MULLIGAN

Under discussion, I'd like to thank Mr. Moore for bringing this type of internal financing concept to the Board's attention, it'll save us some money, and I think provide us with a lot more control.

COUNCILMAN MOORE

I'd also like to add the Director of Finance, the Highway Superintendent, and the Supervisor, and the Town Attorney for helping to accomplish this. But, in a perfect world, we would be budgeting this and paying for it in the year in which we purchased it. It's kind of like financing your groceries.

COUNCILMAN MULLIGAN

A lot of people do that.

SUPERVISOR YUDELSON

A lot of people are doing that, yes.

COUNCILMAN MOORE

Well, I'm hoping the Town of Henrietta won't in the future.

COUNCILWOMAN McCABE

We have to work on it.

COUNCILWOMAN ZINCK

Yes.

COUNCILWOMAN McCABE

Slowly.

SUPERVISOR YUDELSON

Thank you. 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 #16-175/2009

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

WHEREAS, the Town of Henrietta has engaged in audit/survey work for Town utility bills in prior years, and desires to conduct a current audit on utility bills for the Town of Henrietta, and

WHEREAS, the Town has used Troy and Banks for a previous utilities audit, and

WHEREAS, the fee schedule is sliding upon amounts recovered, and no fees are assessed if there are no savings incurred.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town of Henrietta, is hereby authorized to sign the Agreement with Troy and Banks, Suite 102, 4536 Main Street, Buffalo, New York 14226, to audit the utility bills, as per the attachment.

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 #16-176/2009

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

BE IT RESOLVED, that the Supervisor be hereby authorized, on behalf of the Town of Henrietta, to execute the Suburban Animal Hospital Contract for care and boarding of animals for a contract period effective immediately and expiring on July 1,

2010.

BE IT FURTHER RESOLVED, that each party, with thirty (30) day written notification, has the ability to be released from said Contract, as stated in the attached.

BE IT FURTHER RESOLVED, that the proposed fee increases for the seizure, care and boarding of animals be hereby approved, as per the attachment.

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MULLIGAN

Does this Contract, it talks about care and boarding, does it also handle the end of the road, too?

SUPERVISOR YUDELSON

Yes, it does.

COUNCILMAN MULLIGAN

Thank you.

SUPERVISOR YUDELSON

Yes, it's number four (4) on the . . .

COUNCILMAN MOORE

You mean like funeral services or what? *(Laughter)*

SUPERVISOR YUDELSON

. . . four (4) on the attachment.

COUNCILWOMAN ZINCK

How's that go, from cradle to . . .

SUPERVISOR YUDELSON

Any further discussion? I hope not. *(Laughter)* 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 #16-177/2009

On Motion of
Councilwoman Zinck

Seconded by
Councilman Moore

WHEREAS, the Town of Henrietta owns several and various parcels of land throughout the Town of Henrietta, which border on other parcels in private ownership, and

WHEREAS, occasionally there exists the minor encroachment, mistaken fence location, and similar minor irregularities between lands owned by the Town and lands in private ownership, and

WHEREAS, current real estate standards for this community, as set forth by the Monroe County Bar Association, require the recording of boundary or encroachment agreements between owners of the adjacent parcels to legally establish the true boundary lines of such parcels, and to minimize claims of adverse possession and litigation resulting therefrom, and

WHEREAS, the Town Attorney recommends that the Supervisor be authorized to execute such Agreements, as may routinely be presented to the Town to avoid unnecessary delay in the resolution of such issues.

THEREFORE, BE IT RESOLVED, that the Supervisor, upon advice of the Town Attorney, is hereby authorized to execute said boundary, encroachment and similar agreements on behalf of the Town of Henrietta.

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 #16-178/2009

On Motion of

Seconded by

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Respectfully submitted,

Leann C. Case
Deputy Town Clerk