

**HENRIETTA TOWN BOARD
AGENDA
NOVEMBER 4, 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):
On Motion of: Councilwoman McCabe Seconded by: Councilman Mulligan
- October 21, 2009 Regular Meeting
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 #21-199/2009
Authorize Accounts Payable

RESOLUTION #21-200/2009
Authorize Supervisor to Sign Abandonment of Easement – Kenneth Drive

RESOLUTION #21-201/2009
Authorize Amendments to the Fiscal Year 2010 Preliminary Budget

RESOLUTION #21-202/2009
Adopt Fiscal Year 2010 Final Budget

RESOLUTION #21-203/2009
Accept Dedication of Cul-de-sac on Shore Drive

RESOLUTION #21-204/2009
Authorize Agricultural Lease Renewal - Mark Greene, Property on Calkins Road

RESOLUTION #21-205/2009
Authorize Personnel Items

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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 NOVEMBER, 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 Agenda, is there anybody that would like to speak on any of the items that are on the Agenda for tonight? Any Agenda items at this time? *(Pause, no response)* If not, could I have the Approval of the Minutes?

COUNCILWOMAN McCABE

Mr. Supervisor, I move we Approve the Minutes of the October 21, 2009 Meeting.

COUNCILMAN MULLIGAN

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

May I have the first Resolution, please.

RESOLUTION #21-199/2009

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

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

EXHIBIT A	Bills Payable dated 11/4/2009	\$ 230,150.21
EXHIBIT B	Manual Bills Payable	\$ 10,055.26

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 #21-200/2009

On Motion of
Councilwoman Zinck

Seconded by
Councilman Moore

WHEREAS, the Developer, LeFrois Development, LLC, constructed a building known as Global Crossings located at 225 Kenneth Drive, and

WHEREAS, during the site plan review process it was determined that the existing storm sewer was not required and therefore should be abandoned, and

WHEREAS, the existing Town drainage easement recorded in Liber 10225 of Deeds, Page 26, on the property being identified as Tax Account No. 175.11-1-10.11, is no longer needed by the Town, and

WHEREAS, the Town Attorney and the Director of Engineering and Planning have reviewed the attached Abandonment of Easement and recommended that the Town of Henrietta consent to and execute said Abandonment.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town of Henrietta, be hereby authorized to execute the attached Abandonment of Easement, which shall be filed in the Monroe County Clerk's Office.

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 #21-201/2009

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, pursuant to Section 108 of the Town Law, a Public Hearing was held on October 21, 2009 on the Preliminary Budget of the Town of Henrietta for the Fiscal Year 2010, at which time all persons wishing to be heard thereon were heard, in favor of, or against, the said Preliminary Budget as compiled, or for, or against, any item or items therein contained, and

WHEREAS, the following items are proposed amendments to said Preliminary Budget for the Fiscal Year 2010, as per the attachment.

THEREFORE, BE IT RESOLVED, that the attached amendments to the Preliminary Budget for the Fiscal Year 2010 be hereby adopted.

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 #21-202/2009

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

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WHEREAS, pursuant to Section 108 of the Town Law, a Public Hearing was held on October 21, 2009 at 8:00 P.M. at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York, on the Preliminary Budget of the Town of Henrietta for the Fiscal Year 2010, at which time all persons wishing to be heard thereon were heard, in favor of, or against, the said Preliminary Budget as compiled, or for, or against, any item or items therein contained.

THEREFORE, BE IT RESOLVED, that the Fiscal Year 2010 Preliminary Budget, as amended through Resolution #21-201/2009, be hereby adopted as the Annual Budget for the Town of Henrietta for the Fiscal Year beginning January 1, 2010 and that it shall be entered into the Minutes of the Town Board.

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MULLIGAN

Just under discussion, thank you to you, Mr. Supervisor, for the work you put into this thing with our Finance Director, Mr. Liess. I think, with the circumstances, you did as well as you could. Thank you, to Mrs. McCabe, for holding the financial meetings where we were actually able to do some additional cuts, as well as additions that were warranted and I think through a lot of work we came to some good conclusions and good decisions and I was happy to be a part of it.

SUPERVISOR YUDELSON

Thank you.

COUNCILWOMAN McCABE

Thank you, Mr. Mulligan

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 #21-203/2009

On Motion of

Seconded by

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Supervisor Yudelson

Councilman Mulligan

WHEREAS, the Town of Henrietta Planning Board in its final approval of the Chesapeake Subdivision, Section 4, required the Developer to deed Parcel No. 427 of said Subdivision Section, consisting of approximately 0.57 acres of land to the Town of Henrietta, and

WHEREAS, the Developer, Bierworth-Reidman Homes, Inc., has agreed to transfer Title of said property to the Town of Henrietta at no cost to the Town, and

WHEREAS, the Director of Engineering and Planning and the Town Attorney have reviewed and recommended said conveyance.

THEREFORE, BE IT RESOLVED, that the Town of Henrietta shall take Title to Parcel No. 427 of the Chesapeake Subdivision, Section 4, Tax Account No. 174.01-2-76.

BE IT FURTHER RESOLVED, that the Director of Finance is hereby authorized to pay any expenses properly incurred in acquiring Title to said property.

SUPERVISOR YUDELSON

Under discussion, I want to thank the Board for moving forward with this, we've been dealing with a lot of issues down at the Shore Drive neighborhood and this was an opportunity to take a parcel of land and kind of secure it to the Town and see that it remains undeveloped and I think this is just an example of the Board trying to look out for the residents in the neighborhood.

COUNCILWOMAN McCABE

Agreed.

COUNCILMAN MULLIGAN

A second matter, through you, Mr. Supervisor, for the Shore Drive people that might be here, we also discussed, in detail, the plausibility of doing a registration system for people that have homes that are being used extensively for student housing. The administration has been directed by the Town Board to research it, and then come back with a recommendation hopefully in the next three (3) weeks.

SUPERVISOR YUDELSON

Correct. Thank you.

COUNCILMAN MULLIGAN

We are aware of the problem over there, and I think we've made a concerted effort with the cooperation of the Highway Superintendent, as well as our Building Inspector, to try to correct the problem.

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 #21-204/2009

On Motion of
Councilman Moore

Seconded by
Councilwoman McCabe

WHEREAS, the Town of Henrietta acquired the Development Rights and Fee Title to property on Calkins Road in the Town of Henrietta formerly known as the Aldridge Farm, and

WHEREAS, the Town Board of the Town of Henrietta desires to continue to keep the land in use as farm land, and

WHEREAS, Mark Greene, 3170 Clover Street, Pittsford, New York 14534, has previously farmed the land and desires to continue to plant crops on the land and to renew the Lease Agreement with the Town for a period of one (1) year, from December 1, 2009 through November 30, 2010, for thirty-one (31) acres of tillable land at \$40.00 per acre, amounting to an annual rental of \$1,240.00, and

WHEREAS, the Town Attorney has reviewed the Lease renewal and found it to be in proper form.

THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to sign the Lease renewal on behalf of the Town of Henrietta, as per the attached.

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MULLIGAN

Just under discussion, with being involved in renting some farmland out in the Town of Rush, we might want to next year, look at maybe requiring this individual to put something back into the soil whether it be nutrients or lyme or fertilizer just to make sure it isn't totally depleted of the strength in the soil. Mr. Moore, being in the agricultural business, you might have some additional thoughts on that.

COUNCILMAN MOORE

I would tell you if he's going to make money on the land he's going to have to keep the PH at the proper level, and if he wants to harvest a crop, Bill, he's going to have to use

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fertilizer. So, I don't think you have to require him to do it. Bare economics, and I know you know a lot about economics, you'll understand that he's got to put the inputs in to get anything back out.

COUNCILMAN MULLIGAN

Would you be available to help him?

COUNCILMAN MOORE

No, I'll loan you my manure spreader. *(Laughter)*

COUNCILWOMAN ZINCK

I think he's got one already.

SUPERVISOR YUDELSON

I was going to say . . .

COUNCILWOMAN McCABE

Okay. It's only up from there.

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 #21-205/2009

On Motion of
Councilman Moore

Seconded by
Councilman Mulligan

BE IT RESOLVED, that the following persons be hired:

Walter Wysowski

Town Court, Court Attendant @ \$10.00/hr.,
effective 10/29/2009.

Keith Yohe

Crossing Guards, Crossing Guard @
\$9.60/hr., effective 11/2/2009.

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

Nick Proukou Highway, Part-time on-call Wingperson @ \$8.75/hr., from Temp Seasonal @ \$9.00/hr., effective 11/5/2009.

Josh Marshall Highway, Part-time on-call Wingperson @ \$8.75/hr., from @ \$8.50/hr., effective 11/5/2009.

BE IT FURTHER RESOLVED, that the position of Curator of the Tinker Museum is abolished as of December 31, 2009, in accordance with the 2010 Budget, as Adopted.

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

That's the end of the regular Agenda, before inviting public comment, I just wanted to mention last week's first meeting, the public workshop on updating our Comprehensive Plan, we had about sixty (60), sixty-five (65) people attend. We had a really good session, and there will be another opportunity for anyone who did not get to attend the first one on November 10th next week at 7:00 p.m. at the Senior Center. It will be the same session that was run last week and we hope people will take the opportunity to participate. Having said that, is there anybody who would like to comment on any matter involving the Town of Henrietta? Carol Burritt, 620 Shore Drive.

CAROL BURRITT, 620 SHORE DRIVE

I just wanted to say I'm glad to see you all here, glad to know you'll be here after January 1st.

SUPERVISOR YUDELSON

Thank you.

CAROL BURRITT, 620 SHORE DRIVE

Congratulations and thank you very much for what happened here tonight. Thank you

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for all the attention, I know that has been paid to Shore Drive and the neighborhood in the last few weeks. We're very well aware of it, and we hope that, in the future, you're hearing us and I thank you so much for that because it's something that I haven't noticed in Henrietta in a long time and it's just good to see. So, thank you!

SUPERVISOR YUDELSON

Thank you. I appreciate that.

COUNCILWOMAN ZINCK

Thank you, Carol.

SUPERVISOR YUDELSON

Thank you, Carol. Is there anyone else who would like to speak on any matter involving the Town? *(Pause, no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman McCabe, seconded by Councilwoman Zinck at 8:54 P.M. and was adjourned without objection.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk