

**HENRIETTA TOWN BOARD
AGENDA
JULY 21, 2010**

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):
- June 16, 2010
On Motion of: Councilwoman Zinck Seconded by: Councilman Moore
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 #14-128/2010
Authorize Accounts Payable

RESOLUTION #14-129/2010
Authorize Professional Real Estate Appraisal Services – Schlegel Systems

RESOLUTION #14-130/2010
Authorize Acceptance of Land Located on the Northeast Corner of Moore Road
and Martin Road for Right-of-Way

RESOLUTION #14-131/2010
Authorize Advertisement for Bids – Tractor

RESOLUTION #14-132/2010
Authorize Supervisor to Sign Inter-municipal Agreement – Monroe County
Stormwater Coalition

RESOLUTION #14-133/2010
Declare Items Surplus Materials

RESOLUTION #14-134/2010
Authorize Purchase of Two (2) State Contract Vehicles - Trucks – Highway
Department

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RESOLUTION #14-135/2010
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 21ST DAY OF JULY, 2010 AT 7:00 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 who would like to speak on any of the items that are on the Agenda for tonight's meeting, Agenda items, at this point? Mr. Schmitt?

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

I noticed that for tonight, you would be presenting Resolution No. 14-129/2010, having to do with professional real estate appraisal services. Was that selected because it was the lowest bid you received?

SUPERVISOR YUDELSON

Those are professional, I'm going to call upon Mr. Gabbert to come forward and tell why we are using that firm.

COUNCILMAN MULLIGAN

Good question.

SUPERVISOR YUDELSON

Good question and he's more equipped to answer than I am.

NATHAN GABBERT, ASSESSOR

Actually, that's the only appraisal firm that would bid on it out of the four (4) that we contacted. *(Laughter)*

SUPERVISOR YUDELSON

So, yes, they are the lowest.

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JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

The reason I'm asking, they're from Amherst, and they're going to be doing appraisal work in Henrietta. The two (2) environments are considerably different, I would think, but what do I know. At least you got a response.

NATHAN GABBERT, ASSESSOR

Yes, one (1) out of four (4).

SUPERVISOR YUDELSON

Thank you. Is there anybody else who would like to speak on Agenda items, at this point? *(Pause, no response)* If not, can I have the approval of the Minutes?

COUNCILWOMAN ZINCK

Yes, Mr. Supervisor, I'd like to move approval of the Minutes of June 16, 2010.

COUNCILMAN MOORE

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

SUPERVISOR YUDELSON

Can I have the first Resolution, please.

RESOLUTION #14-128/2010

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

BE IT RESOLVED, that the Supervisor or his designee be authorized to pay the following bills payable:

EXHIBIT A	Bills Payable dated 7/21/2010	\$ 719,786.75
EXHIBIT B	Manual Bills Payable	\$ 84,760.57

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MOORE
I got a question. That's awful high for Manual Bills. Is there a reason why?

COUNCILWOMAN McCABE
There is, I can tell you.

SUPERVISOR YUDELSON
If you look at the stuff . . .

COUNCILMAN MULLIGAN
MVP Health was Sixty-four thousand (\$64,000).

SUPERVISOR YUDELSON
Yes, you can see the . . .

COUNCILWOMAN McCABE
We meet once a month in July and August, and we have to pay these bills or be fined sometimes.

SUPERVISOR YUDELSON
And, those are all attached and you'll see the one (1) payment to MVP Health Care is a good chunk of it, Sixty-four thousand dollars (\$64,000). Medical insurance.

COUNCILWOMAN McCABE
Right.

COUNCILMAN MULLIGAN
The Supervisor's the Finance Director.

COUNCILMAN MOORE
Thank you, very much, for clarification. *(Laughter)*

SUPERVISOR YUDELSON
Call the roll, please.

Duly put to a vote:
Councilwoman McCabe voting Aye
Councilman Mulligan voting Aye
Councilman Moore voting Aye

Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye
		Carried

RESOLUTION #14-130/2010

On Motion of	Seconded by
Councilman Moore	Councilwoman Zinck

WHEREAS, Forest Creek Equity Corporation will convey by Warranty Deed a portion of land for Right-of-Way purposes, located at the northeast corner of Moore Road and Martin Road intersection, being identified as Tax Account Number 188.03-1-52.121, consisting of approximately 0.084 acres of land, and

WHEREAS, the conveyance of said land will become a permanent Right-of-Way to realign Martin Road perpendicular to Moore Road, and

WHEREAS, a map of the land under consideration is on file in the Office of the Town Clerk, and

WHEREAS, the Town Attorney has examined this deed and has found it to be in good order, and

WHEREAS, the transfer of ownership of said land for Right-of-Way purposes where there is no material change in conditions or scope of activities constitutes a Type II Action for SEQRA purposes and does not have a significant effect on the environment and requires no further review.

THEREFORE, BE IT RESOLVED, that Forest Creek Equity Corporation shall transfer to the Town of Henrietta by Warranty Deed the portion of land described and shown on a map dated May 24, 2010, attached hereto as Attachment A, consisting of approximately 0.084 acres of land.

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 #14-131/2010

On Motion of	Seconded by
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Councilwoman McCabe

Councilman Mulligan

WHEREAS, the Town of Henrietta requires bids for the purchase of one (1) new narrow series tractor and a 50" Dual Auger two (2) stage snow blower for the Drainage Department, per specifications on file in the Town Clerk's Office, with bids to be opened at 10:00 A.M. on Friday, August 27th, 2010 and received no later than 9:30 A.M. on Friday, August 27th, 2010.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for one (1) new narrow tractor and 50" Dual Auger, two (2) stage snow blower, per specifications on file, in the manner provided by Law.

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MULLIGAN

Under discussion, the one we're getting rid of, is that a trade in or are we taking it to the auction?

SUPERVISOR YUDELSON

Mr. Youngman or whoever can answer that, Chuck, I guess you were kind of talking about that. I don't remember what we talked about there.

CHUCK MARSHALL, SAFETY OFFICER

The plan is to trade it on the new unit and hopefully getting more for it than we would at auction.

COUNCILMAN MULLIGAN

When you get that number, can you just let us know what you got?

CHUCK MARSHALL, SAFETY OFFICER

Yes.

COUNCILMAN MULLIGAN

Thank you.

COUNCILMAN MOORE

Through you, Mr. Supervisor, Chuck, could you also give us the reason why we're trading it and what led up to what we're doing because it really isn't a budgeted item.

CHUCK MARSHALL, SAFETY OFFICER

Well, because the unit was involved in a major accident. Obviously it was repaired, but are very apprehensive about what its longevity and dependability will be and once we get into the winter that is a unit that's required every run for sidewalk and snowplowing. If it

should fail on us then we'd be down a unit, so trading it in because it's a specialized tractor, it's for orchard use for the majority of the time. We may do better with a dealer than trying to send it to auction and hopefully are going to reap more reward for it.

COUNCILMAN MOORE

Thank you.

COUNCILWOMAN McCABE

Thank you.

SUPERVISOR YUDELSON

Thanks, Chuck. 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 #14-132/2010

On Motion of
Councilwoman Zinck

Seconded by
Councilman Moore

WHEREAS, the County of Monroe has requested that the Town of Henrietta and various other towns within the County to enter into an Inter-municipal Agreement to formally authorize the work of the Monroe County Stormwater Coalition, and

WHEREAS, the Town Attorney has reviewed said Agreement and finds it to be in good order.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town of Henrietta, is hereby authorized to execute said Inter-municipal Agreement.

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 #14-133/2010

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

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

<u>Inventory #</u>	<u>Description</u>
324	1978 Chrome Desk Chair
328	1978 Chrome Desk Chair
2695	1990 Panasonic Fax Machine

WHEREAS, the Recreation Department has requested that the following item be declared surplus material:

<u>Inventory #</u>	<u>Description</u>
3988	Uniden Two (2) Line Cordless Phone

WHEREAS, the Safety Officer has requested that the following item be declared surplus material:

<u>Inventory #</u>	<u>Description</u>
3765	2005 Alamo Flail Mower

THEREFORE, BE IT RESOLVED, that the items described above be declared surplus materials and be sent to the Parks and Facilities Department for disposal.

BE IT FURTHER RESOLVED, that the Uniden Cordless Phone be returned to 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 #14-134/2010

On Motion of
Councilman Moore

Seconded by
Councilman Mulligan

WHEREAS, Highway funds are available for the purchase of two (2) new ten (10) wheel plow/dump trucks to replace existing trucks, and

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WHEREAS, replacement trucks, meeting specifications, are available through New York State Contract PC 62374 from Beam Mack Sales and Service, Inc., at a total cost not to exceed \$326,965.02.

THEREFORE, BE IT RESOLVED, that Beam Mack Sales and Service, Inc., 2674 West Henrietta Road, Rochester, New York 14623, are hereby awarded the purchase of two (2) new 2011 Mack Granite GU713 Ten (10) Wheel Dump Trucks with plow equipment, per specifications.

BE IT FURTHER RESOLVED, that the Supervisor or his designee be hereby authorized to pay Beam Mack Sales and Service, Inc., in an amount not to exceed \$326,965.02 upon delivery and receipt of all proper documentation, and acceptance by the Acting Superintendent of Highways.

SUPERVISOR YUDELSON

Under discussion, I'd like to thank all involved, led by Councilman Moore, for kind of getting us focused on this and moving us forward with our equipment replacement schedule, and especially Don Youngman, for calling a potential savings of eleven thousand dollars (\$11,000) per truck to us by ordering them now rather than at the beginning of next year when we would have had to do that anyways. See, you order two (2) trucks and Bob Tobey comes to a meeting. *(Laughter)* It's like an early Christmas for him! He's a happy guy. Thank you. Anything else?

COUNCILMAN MOORE

I'd like to ask Don Youngman to come forward and explain the two (2) trucks we're replacing, why we're replacing them, and hopefully, Bob Tobey won't lose any more hair. *(Laughter)*

DON YOUNGMAN, ACTING HIGHWAY SUPERINTENDENT

Yes, the trucks that are being replaced are a 1985 Ford L9000 with one hundred and sixty thousand (160,000) miles on it. Last November we found that the frame rails had deteriorated when we tried to get it inspected it would no longer pass inspection and the repairs would cost as much as the value of the truck, so it really didn't make sense to repair it. The other truck is a 1986 auto car with over one hundred thousand (100,000) miles on it, as well. It's been a very reliable truck, but there are no longer parts available for it, you can't purchase, if anything does go wrong with the truck, we won't be able to repair it, and it'll be a garden ornament. So, we don't want that. It's time for them to be replaced, and the additional savings that we got for not having to worry about the new emissions that are going to take place as of January 1st, that's eleven thousand dollars (\$11,000) additional for all the trucks that are going to be on the new State Contract, so by purchasing them this year you save that money right there, and Bob Tobey and I also have looked into it, we'll be able to reuse the plows that were on these trucks, they've both been recently refurbished, they're in excellent shape, we're going to be able to use those, and they both have stainless steel salters that we're going to be able to transfer onto these trucks along with the computer control units, so that's an additional savings

there, as well. Otherwise, those trucks are one hundred and seventy thousand (\$170,000) something on State Contract.

COUNCILWOMAN McCABE

Thank you.

COUNCILWOMAN ZINCK

Thank you, very much.

SUPERVISOR YUDELSON

Alright. 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 #14-135/2010

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

BE IT RESOLVED, that the following persons be hired effective 7/18/2010:

Recreation Department

Recreation Assistants, Part-time/Seasonal:

Amanda Mundorff, Swim Program @ \$7.75/hr.

Teresa Long, Start Smart Program @ \$9.00/hr.

Alan Baker, Playground Program @ \$7.25/hr.

Raine Jones, Pre-school Playground @ \$7.25/hr.

Mark Pilarski, Bus Driver, Playground Program @ \$11.50/hr.

Fire Marshal's Office

James Ackerman, Assistant Fire Marshal, Part-time/Seasonal @ \$14.85/hr.

Daniel Kress, Laborer Part-time/Seasonal @ \$20.00/hr.

BE IT FURTHER RESOLVED, that the attached employees be given an

additional day's pay for unused sick leave (per Labor Agreement):

SUPERVISOR YUDELSON

Discussion?

COUNCILWOMAN ZINCK

Through you, Mr. Supervisor, it came to my attention on Monday at the Workshop when we saw this Resolution that Casey Jackson had left, and I just want to go on Record as saying a thank you to Casey for his long time service to the Town.

COUNCILWOMAN McCABE

I second that.

SUPERVISOR YUDELSON

Thank you, very much. 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 anybody that would like to speak on any matter involving the Town of Henrietta? Carol?

(Carol Burritt, 620 Shore Drive, spoke in reference to issues concerning student rental properties and related, and the status of the updates to the Town Code. – Audio File available upon request.)

SUPERVISOR YUDELSON

Before we adjourn, is there anyone else who wants to speak on any matter involving the Town? *(Pause, no response)* If not, is there a motion to adjourn?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Mulligan, seconded by Councilwoman Zinck at 7:35 P.M. and was adjourned without objection.

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Respectfully submitted,

Leann C. Case
Deputy Town Clerk