

TB September 15, 2010

RESOLUTION #17-153/2010

Authorize Proposed Establishment of Extension No. 204 (True North Hotel Group)
to Henrietta Sewer District No. 1

RESOLUTION #17-154/2010

Declare Items Surplus Materials – Building/Finance/Highway/Nature Center and
Parks and Facilities

RESOLUTION #17-155/2010

Authorize Purchase - Salt Spreader – Highway Department

RESOLUTION #17-156/2010

Authorize Personnel Items

TB September 15, 2010

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 SEPTEMBER, 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, other than the Public Hearing, Agenda items? *(Pause, no response)*
If not, may I have the approval of the Minutes?

COUNCILWOMAN McCABE

Mr. Supervisor, I move we approve the Minutes of September 1, 2010.

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

At this point, we have one (1) Public Hearing, which is for the Establishment of Extension No. 204, for True North Hotel Group to Henrietta Sewer District No. 1. Is there anybody

WHEREAS, the Director of Engineering and Planning has re-inspected the improvements and recommend that they be accepted without requiring posting of said Bond.

THEREFORE, BE IT RESOLVED, that the said watermains and said sanitary sewer system for the described subdivision section be and they hereby are accepted and that said easements be recorded 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 Yudelton	voting	Aye
		Carried

RESOLUTION #17-149/2010

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, BRW of Greece, LLC, the Developer of Chesapeake Subdivision, Section 4, located on Oak Mills Crossing, Still Pond Way and Shore Drive, has constructed roads and installed storm sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said roads and the afore described improvements to the Town and for this purpose has delivered to the Town a Deed for tracts or parcels of land conveying said roadways to the Town, and filing instruments granting easements to the Town for said improvements, and

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

WHEREAS, the Acting Highway Superintendent and the Director of Engineering and Planning have determined that the said roads and said improvements were built in accordance with Town requirements and have recommended that they be accepted by the Town, and

WHEREAS, the standard required two (2) year period of time within which a Maintenance Bond would be required to be posted has elapsed, and

WHEREAS, the Director of Engineering and Planning and the Acting Highway Superintendent have re-inspected the improvements and recommend that they be accepted without requiring posting of said Bond.

THEREFORE, BE IT RESOLVED, that the said roadways and said improvements

for the described subdivision section be and they hereby are accepted and that said Deed and easements be recorded 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 #17-150/2010

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

WHEREAS, BRW of Greece, LLC, the Developer of Chesapeake Subdivision, Section 5, located on Oak Mills Crossing and Reids Grove, has installed watermains and sanitary sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated utilities to the Town of Henrietta and for this purpose has delivered to the Town of Henrietta filing instruments granting easements to the Town for said sanitary sewer system, and

WHEREAS, the Town Attorney has examined these easements and has found them to be in good order, and

WHEREAS, the Director of Engineering and Planning has determined that the said watermains and sanitary sewer system were installed in accordance with Town requirements and have recommended that they be accepted by the Town, and

WHEREAS, the standard required two (2) year period of time within which a Maintenance Bond would be required to be posted has elapsed, and

WHEREAS, the Director of Engineering and Planning has re-inspected the improvements and recommend that they be accepted without requiring posting of said Bond.

THEREFORE, BE IT RESOLVED, that the said watermains and said sanitary sewer system for the described subdivision section be and they hereby are accepted and that said easements be recorded 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 #17-151/2010

On Motion of
Councilman Mulligan

Seconded by
Councilman Moore

WHEREAS, BRW of Greece, LLC, the Developer of Chesapeake Subdivision, Section 6, located on Oak Mills Crossing and Elk River Road, has installed sanitary sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated utility to the Town of Henrietta and for this purpose has delivered to the Town of Henrietta filing instruments granting easements to the Town for said sanitary sewer system, and

WHEREAS, the Town Attorney has examined these easements and has found them to be in good order, and

WHEREAS, the Director of Engineering and Planning has determined that the said sanitary sewer system was installed in accordance with Town requirements and have recommended that they be accepted by the Town, and

WHEREAS, the standard required two (2) year period of time within which a Maintenance Bond would be required to be posted has elapsed, and

WHEREAS, the Director of Engineering and Planning has re-inspected the improvements and recommend that they be accepted without requiring posting of said Bond.

THEREFORE, BE IT RESOLVED, that the said sanitary sewer system for the described subdivision section be and they hereby are accepted and that said easements be recorded in the Monroe County Clerk's Office.

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MULLIGAN

Just under discussion, I wasn't there Monday night; did Mark clarify why the Maintenance Bond wasn't required on this?

SUPERVISOR YUDELSON
Mr. Byrne?

MARK BYRNE, DIRECTOR OF ENGINEERING/PLANNING

It's because the sanitary sewer was put in four (4) years ago. That's the reason why. I mean, the subdivision over there is very old.

COUNCILMAN MULLIGAN

Why did it take four (4) years to accept it?

MARK BYRNE, DIRECTOR OF ENGINEERING/PLANNING

Because the developer wants to get a Letter of Credit for Section Eight (8) that he wants to develop and he needs to clean up the old ones, the bank's pressuring him.

COUNCILMAN MULLIGAN

Thank you.

COUNCILWOMAN McCABE

That was easy.

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 #17-152/2010

On Motion of
Councilman Moore

Seconded by
Councilwoman McCabe

WHEREAS, Lacey Development, the Developer of Harvest Hills Subdivision, Section 5, located on Long Branch Drive, has constructed roads and installed storm sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said roads and the afore described improvements to the Town and for this purpose has delivered to the Town a Deed for tracts or parcels of land conveying said roadways to the Town, and filing instruments granting easements to the Town for said improvements, and

WHEREAS, the Town Attorney has examined this Deed and easements and has

found them to be in good order, and

WHEREAS, the Acting Highway Superintendent and the Director of Engineering and Planning have determined that the roads and said improvements were built in accordance with Town requirements and have recommended that they be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said roadways and said improvements for the described subdivision section be and they hereby are accepted and that said Deed and easements be recorded in the Monroe County Clerk’s Office.

BE IT FURTHER RESOLVED, that such acceptance is made subject to the Developer securing with the Town of Henrietta a sum of Twenty-three thousand, two hundred dollars (\$23,200.00) for a period of two (2) years.

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 #17-153/2010

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 204 (TRUE NORTH HOTEL GROUP) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED AT THE SOUTHEAST CORNER OF JEFFERSON ROAD AND CLAY ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 204 (TRUE NORTH HOTEL GROUP) TO HENRIETTA SEWER DISTRICT NO. 1

WHEREAS, a written Petition for the establishment of an extension to Henrietta Sewer District No. 1 in the Town of Henrietta, County of Monroe, State of New York, to be known as Extension No. 204 (True North Hotel Group) of said Sewer District was duly presented to this Town Board, together with the necessary map and plan attached thereto, and

WHEREAS, pursuant to an Order a Public Hearing was held on the Petition, and

the findings as specified on Exhibit "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 204 to the said Sewer District as proposed in the said Petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such extension shall be designated and known as Extension No. 204 to Henrietta Sewer District No. 1 and shall be bounded as described in attachments annexed hereto.

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this Resolution, file Certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York.

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 #17-154/2010

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

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

<u>Inventory #</u>	<u>Description</u>
3667	Dell Dimension 2350

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

<u>Inventory #</u>	<u>Description</u>
2819	Microworx White Box Computer
2818	Microworx White Box Computer
2813	Microworx White Box Computer
3519	PC Innovations White Box Computer
N/A	PC Innovations White Box Computer
3305	HP LaserJet Printer 4000

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

<u>Inventory #</u>	<u>Description</u>
2542	1985 10 Wheel Ford L9000
1271	1985 Viking Wing Plow
3554	2001 Galion Dump Body
N/A	2008 8' Body for Ford F250

WHEREAS, the Nature Center has requested that the following item be declared surplus material:

<u>Inventory #</u>	<u>Description</u>
N/A	Compaq Computer

WHEREAS, the Parks and Facilities Department has requested that the following item be declared surplus material:

<u>Inventory #</u>	<u>Description</u>
2786	Hot Water Heater

THEREFORE, BE IT RESOLVED, that the items from the Highway Department be declared surplus materials and be consigned to the Teitsworth Municipal Auction on October 2, 2010.

BE IT FURTHER RESOLVED, that items from Building, Finance and the Nature Center be sent to Maven Technologies for proper disposal.

BE IT FURTHER RESOLVED, that all other items be declared surplus materials and be sent to the Parks and Facilities Department for disposal.

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MULLIGAN
Under discussion, is that a typo on the 2008 eight foot (8') Body for the Ford F250? Was it in an accident?

COUNCILMAN MOORE
No, because there was a utility body put on that truck and the regular pick-up body was taken off.

COUNCILMAN MULLIGAN
So, you just didn't need it?

COUNCILMAN MOORE
Right.

(Donald Youngman, Acting Superintendent of Highways, in the audience, inaudible)

COUNCILMAN MULLIGAN
Thank you.

SUPERVISOR YUDELSON
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 Yudelton	voting	Aye

Carried

RESOLUTION #17-155/2010

On Motion of
Councilman Mulligan

Seconded by
Councilman Moore

WHEREAS, the 2010 Highway Budget provides funds for the purchase of one (1) 13' stainless steel salt spreader, and

WHEREAS, three (3) quotes were received, and the low quote, meeting specifications, was received from Thru-Way Spring in the amount of \$11,489.00.

THEREFORE, BE IT RESOLVED, that Thru-Way Spring, 1609 Mount Read Boulevard, Rochester, New York 14606, be hereby awarded the purchase of one (1) stainless steel salt spreader.

BE IT FURTHER RESOLVED, that the Supervisor or his designee be hereby authorized to pay Thru-Way Spring, in an amount not to exceed \$11,489.00, upon delivery and receipt of all proper documentation and acceptance by the Acting Superintendent of Highways.

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MULLIGAN
Under discussion, through you, Mr. Supervisor, the limit on bidding, Dan, on Public Works, is that twenty thousand (\$20,000)?

DANIEL MASTRELLA, TOWN ATTORNEY

It's gone up . . .

SUPERVISOR YUDELSON

It's thirty thousand (\$30,000).

DANIEL MASTRELLA, TOWN ATTORNEY

It was raised last year. I think it's thirty thousand (\$30,000).

COUNCILMAN MULLIGAN

Thirty thousand (\$30,000)? Thank you.

COUNCILMAN MOORE

Under discussion, could I ask what vehicle this is going in and what the background is for this from the Acting Highway Superintendent?

SUPERVISOR YUDELSON

Mr. Youngman, would you go over how this came to be?

DONALD YOUNGMAN, ACTING HIGHWAY SUPERINTENDENT

Yes, that new salt spreader is going to be going in one of the new ten (10) wheeler trucks that we ordered back in July. The other salt spreader that we're going to need is on 151, but we're holding onto 151 for now obviously because it's still on the road and inspectable so we need that truck this winter until we get both of those on the road. Once we have those ready to go, the salter from 151 is going to go on the other ten (10) wheeler and then 151 is going to go to the auction in the spring.

COUNCILMAN MOORE

Thank you.

COUNCILWOMAN ZINCK

Thank you, Don.

DONALD YOUNGMAN, ACTING HIGHWAY SUPERINTENDENT

You're welcome.

SUPERVISOR YUDELSON

Thank you. 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

Yes, I just want to add to that. Mario has taken on an awful lot, and I think it's really high time that we get somebody to give him the assistance that he needs, so thank you for bringing it to us.

COUNCILMAN MULLIGAN

Finally, the position being involved in a lot of sensitive personnel matters, will that be a union position or non-union?

SUPERVISOR YUDELSON

Well, I would imagine, we haven't had that discussion, to be fair, with union representation, but as you said, it deals with sensitive matters, this is the same exact title that Mr. Angotti has, which is exempt from the union, so I think we would be proceeding that way with that understanding.

COUNCILMAN MULLIGAN

Thank you.

COUNCILMAN MOORE

I'd like to add, Mr. Supervisor, I will be voting "No" on this Resolution only because I don't feel at this point in time we should be adding a position.

SUPERVISOR YUDELSON

Okay. Thank you. Anything further? Call the roll, please.

Duly put to a vote:

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

Carried

SUPERVISOR YUDELSON

That concludes the regular Agenda, before we adjourn, is there anybody that would like to speak on any matter involving the Town of Henrietta? Mr. Schmitt?

(John Schmitt, 139 Campfire Road North, spoke in reference to an article in the Henrietta Post regarding changes to the Henrietta Town Code and the reference to Henrietta being a "middle class" town. - Audio File available upon request.)

(Eunice Cassorla, 66 Viscount Drive, spoke in reference to thanking the Town Board for their assistance in getting some church volunteers from the Asset Program to help clean

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up her yard. – Audio File available upon request.)

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman McCabe, seconded by Councilwoman Zinck at 7:28 P.M. and was adjourned without objection.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk