

TB November 3, 2010

RESOLUTION #20-185/2010

Adopt Official Undertaking of Receiver of Taxes and Assessments

RESOLUTION #20-186/2010

Authorize Supervisor to Sign Intermunicipal Agreement, and all Related Agreements – Finger Lakes Municipal Health Insurance Trust

RESOLUTION #20-187/2010

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 3rd DAY OF NOVEMBER, 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

Before we begin the Agenda, is there anybody who would like to speak on any of the Agenda items, at this point? *(Pause, no response)* If not, could I have the approval of the Minutes, please?

COUNCILMAN MOORE

Mr. Supervisor, I'd like to make a motion to approve the Minutes October 20, 2010.

COUNCILMAN MULLIGAN

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	Abstain
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #20-178/2010

On Motion of
Councilwoman Zinck

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 11/3/2010	\$ 242,496.79
EXHIBIT B	Manual Bills Payable	\$ 3,677.79

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 #20-179/2010

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, the term of Joseph Bellanca, Board of Assessment Review expired as of September 30, 2010, and

WHEREAS, Mr. Bellanca has requested reappointment, and

WHEREAS, the Henrietta Town Board wishes to maintain the Boards at their authorized strength for maximum input.

THEREFORE, BE IT RESOLVED, that Joseph Bellanca, 1451 Pinnacle Road, Henrietta, New York 14467, be reappointed to the Board of Assessment Review for a five (5) year term effective October 1, 2010 and expiring September 30, 2015.

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 #20-180/2010

On Motion of	Seconded by
Councilman Mulligan	Councilwoman McCabe

WHEREAS, Certiorari proceedings have been commenced by various property owners to challenge tax assessments in the Town of Henrietta, and

WHEREAS, John Considine was hired by the Town of Henrietta to act as the Special Counsel in Certiorari proceedings per Resolution #15-199/82, and

WHEREAS, Mr. Considine has submitted an invoice for said services for the period of May 1, 2010 through September 30, 2010.

THEREFORE, BE IT RESOLVED, that the Supervisor or his designee be authorized to pay John Considine of the firm McConville, Considine, Cooman & Morin, P.C., 25 East Main Street, Rochester, New York 14614, the sum of \$10,427.00 for services rendered.

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 #20-181/2010

On Motion of	Seconded by
Councilwoman Zinck	Councilman Moore

WHEREAS, the Owner, Precision Properties, LLC, has constructed two (2) additional apartment buildings located at 2100 Hylan Drive, and

WHEREAS, under the approved site plans, the existing sanitary pump station was abandoned and existing sanitary flows were redirected to new sanitary sewers, and

WHEREAS, the existing Town sanitary sewer easement recorded in Liber 8999 of Deeds, Page 20, on the property being identified as Tax Identification Number 162.17-1-

12.111, 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 Yudelton	voting	Aye

Carried

RESOLUTION #20-182/2010

On Motion of
Councilman Moore

Seconded by
Councilman Mulligan

WHEREAS, Resolution #13-124/2010 awarded the Year 2010 Sanitary Sewer Repairs Project for spot repairs on Dikeman Road, New Gate Drive, Princess Drive, Red Lion Road, Sperry Drive and Viscount Drive to Villager Construction, Inc., for a total cost of \$272,859.00, and

WHEREAS, funds are available in the Year 2010 Sewer Budget for this work, and for additional sewer problems that exist on Finucane Road, and

WHEREAS, the Town wants to continue an active repair program with regard to correcting sewer deficiencies in the Town's existing sanitary sewer system, and

WHEREAS, Change Order No. 1 would provide for additional sewer repairs on Finucane Road, at the original Contract Bid prices, and

WHEREAS, the Director of Engineering and Planning has reviewed the proposed change to this Contract, and recommends that this be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to execute Change Order No. 1, increase not to exceed the amount of \$7,433.45, resulting in increasing the total Contract amount to \$280,292.45.

BE IT FURTHER RESOLVED, that the Supervisor or his designee, be hereby authorized to pay Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, New York 14450, upon successful completion of this Project, and acceptance by the Director of Engineering and Planning.

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 #20-183/2010

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

BE IT RESOLVED, that the Supervisor be authorized to sign, on behalf of the Town of Henrietta, the attached extension to the New York State Snow and Ice Agreement for the 2012/2013 snow season.

BE IT FURTHER RESOLVED, that this extension shall commence on July 1, 2012, and expire on June 30, 2013.

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 #20-184/2010

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

WHEREAS, the County of Monroe has extended an offer to municipalities within the County to enter into an Intermunicipal Agreement allowing the County's Department of Transportation to provide transportation signs and markings for roads within the jurisdiction of the Town, and

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WHEREAS, the County has provided such services in the past and is willing, able, and qualified to perform such services, and

WHEREAS, the Town of Henrietta desires to participate in the proposed Intermunicipal Agreement.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to sign the Intermunicipal Agreement for the provision of transportation signs and markings for roads.

BE IT FURTHER RESOLVED, that the term of this Agreement shall be from the date of its execution to December 31, 2015, terminable by either party upon sixty (60) days written notice to the other.

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 #20-185/2010

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

BE IT RESOLVED, that the Town Board adopts the attached official Undertaking of Receiver of Taxes and Assessments Resolution in the amount of \$100,000 and directs that it be filed in the Office of the Town Clerk.

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 #20-186/2010

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Eileen Jelfo

Recreation, After School Program Assistant @
\$8.75/hr., from \$8.00/hr., effective 11/1/2010.

Highway

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

SUPERVISOR YUDELSON

That's the end of the regular Agenda. I did want to mention that if you were at the last meeting, you know we had the Public Hearing on the Budget, and at the time, I had indicated we would be voting on that tonight, because there are still some matters to be resolved regarding the Henrietta Ambulance Budget, that just, we weren't able to basically, not being able to get a meeting together because of people's availability, we are not ready to do that and the Budget should be voted on two (2) weeks from tonight. Having said that, is there anybody that wants to speak on any item involving the Town of Henrietta before we adjourn? Mrs. Schmitt?

(Jane Schmitt, 139 Campfire Road North, spoke in reference to the vacant Finance Director position. - 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 7:20 P.M. and was adjourned without objection.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk