

**HENRIETTA TOWN BOARD
AGENDA
NOVEMBER 17, 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):
 - November 3, 2010
 - On Motion of: Councilwoman McCabe Seconded by: Councilwoman Zinck
6. Miscellaneous Communications
7. Public Hearings:
 - Proposed Local Law No. 1 of 2010 - Town Code, Proposed Amendments to Chapter 79, entitled "Dogs"
 - Continued Fiscal Year 2011 Preliminary Budget for the Town of Henrietta; Proposed Salaries for Elected Town Officials are: Supervisor, \$91,928; Councilpersons, \$17,605; and Town Judges, \$27,242.
8. Introduction of and Action Upon Local Laws, Ordinances, Resolutions
9. Reports of Standing Committees and Actions Thereon
10. Reports of Special Committees
11. Public Comment
12. Adjournment

RESOLUTION #21-188/2010
Authorize Accounts Payable

RESOLUTION #21-189/2010
Authorize Supervisor to Sign Monroe County Shared Intermunicipal Agreement – Fleet Services, Machinery, Tools, Equipment and Services Sharing

RESOLUTION #21-190/2010
Award Low Bid - KIP- Printer/Scanner/Copier

RESOLUTION #21-191/2010
Authorize Supervisor to Sign Amendatory Agreement – 2010 Senior Meals Contract

RESOLUTION #21-192/2010
Authorize Attendance of Search Institute Conference

RESOLUTION #21-193/2010

Adopt Local Law No. 1 of 2010 – Town Code, Amendments to Chapter 79,
entitled “Dogs”

RESOLUTION #21-194/2010

Declare Items Surplus Materials

RESOLUTION #21-195/2010

Authorize Amendments to the Fiscal Year 2011 Preliminary Budget

RESOLUTION #21-196/2010

Adopt Fiscal Year 2011 Final Budget

RESOLUTION #21-197/2010

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 17th 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

We have a couple of items under "Public Hearings", but before that, is there anybody that would like to speak on any of the regular Agenda items, so, other than the Dog Ordinance or the Budget, any other Agenda items? Mrs. Schmitt?

JANE SCHMITT, 139 CAMPFIRE ROAD NORTH

I was, I have a question regarding the Resolution on dogs. And, I sat out there and I read the entire document, and I just wondered, it doesn't mention anything about the number of dogs, and I'm curious because a couple of weeks ago there was a Public Hearing about a family that owned more than, what was it, four (4) dogs? And, that was an issue, so I just wondered why there was nothing about how many, the number of dogs that could be owned by a family in that particular document.

SUPERVISOR YUDELSON

Well, basically, that's a different part of the Code. This Public Hearing really has to do with the fact that the State of New York has decided to force the towns to take on the responsibility of licensing dogs, and just kind of absolve themselves of any responsibility. So, these are changes to our Code necessary to allow us to do that, and it wasn't intended to address that issue. That's really separate under the Code.

COUNCILWOMAN ZINCK

So, that remains the same.

SUPERVISOR YUDELSON

So, this is relative to dog licensing.

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JANE SCHMITT, 139 CAMPFIRE ROAD NORTH
Okay.

COUNCILMAN MULLIGAN
Unless you have more than three (3) dogs, you know . . .

JANE SCHMITT, 139 CAMPFIRE ROAD NORTH
Yes, that was the issue at the Public Hearing, yeah, and I just didn't see that many.

COUNCILMAN MULLIGAN
. . . you don't need a kennel license. I think three (3) is the magic number.

SUPERVISOR YUDELSON
Right.

COUNCILMAN MULLIGAN
That stays in place. Four (4) dogs, kennel license.

JANE SCHMITT, 139 CAMPFIRE ROAD NORTH
Thank you.

SUPERVISOR YUDELSON
Or Special Permit.

COUNCILWOMAN ZINCK
Special Permit.

COUNCILWOMAN McCABE
Or Special Permit.

SUPERVISOR YUDELSON
Anything else on Agenda items? *(Pause, no response)* If not, first I will call said Public Hearing on Local Law No. 1 of 2010, Proposed Amendments to Chapter 79, "Dogs". Is there anybody who would like to speak on that Public Hearing? *(Pause, no response)* If not, I will close that. And second, I will continue the Public Hearing that was started two (2) Board Meetings ago on the 2011 Preliminary Budget for the Town of Henrietta. That Budget has been available on our website for quite awhile. What we have before us tonight, later on the Agenda, is some Amendments to address items that still had to be resolved at the time that we put out the Preliminary Budget, most important of which is the Henrietta Ambulance District. That is in there now. It was not in the Preliminary Budget that we first put in. There is an appropriation of six hundred and fifty-seven thousand dollars (\$657,000), six hundred and fifty-seven thousand, two hundred and eighty-six dollars (\$657,286) to be exact. That is money that, under our Contract with

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the Ambulance, would be collected in tax dollars by the Town and provided to Henrietta Volunteer Ambulance, as part of their Operating Budget. Most of the Budget that we proposed is to be adopted tonight is the same as the Preliminary Budget that we had the Hearing on. In the Budget, you'll see salaries for Elected Officers, as required, and I just wanted to point out that the Town Board members felt that as part-time Town Board members they would like to continue the practice they've had in place for many years of not taking a pay increase and I commend them for that. Is there anybody who would like to speak or ask questions on the Budget that we're considering for adoption? *(Pause, no response)* If not, I'll close the Public Hearing, and ask for, as I skipped over, the approval of the Minutes of the November 3rd meeting.

COUNCILWOMAN McCABE

Mr. Supervisor, I move we approve the Minutes of November 3, 2010.

COUNCILWOMAN ZINCK

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll.

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 #21-188/2010

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 11/17/2010	\$ 249,141.39
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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 #21-189/2010

On Motion of
Councilman Moore

Seconded by
Councilwoman Zinck

WHEREAS, the Town of Henrietta and the County of Monroe have previously entered into an Intermunicipal Agreement for Fleet Services, Machinery, Tools, Equipment and Services Sharing Access, and Sale of Alternative Fuels, and

WHEREAS, the County of Monroe has proposed a revised Agreement, which will run from the date of its execution until December 31, 2033, without the requirement of annual written consent of the parties, and

WHEREAS, any party to the Agreement may withdraw from same upon thirty (30) days of written notice to all other parties, and

WHEREAS, the Town of Henrietta desires to continue its participation in the combined Intermunicipal Agreement with the County, and other various municipalities within the County.

THEREFORE, BE IT RESOLVED, that the Supervisor be hereby authorized to sign, on behalf of the Town, said Intermunicipal Agreement for Fleet Services, Machinery, Tools, Equipment and Services Sharing Access, and Sale of Alternative Fuels.

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 #21-190/2010

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, Resolution #18-164/2010 authorized the advertisement for bids for the purchase of one (1) new wide format Printer/Scanner/Copier, and

WHEREAS, two (2) bids were received, and the low bid, meeting specifications, was received from Toshiba Business Solutions, in the amount of \$13,863.00, and

WHEREAS, an additional module will be required to print from PDF for the amount of \$580.00, as included in the bid package.

THEREFORE, BE IT RESOLVED, that Toshiba Business Solutions, 150 Metro Park, Rochester, New York 14623, be hereby awarded the bid for one (1) new KIP 7100 Wide Format Printer/Scanner/Copier with optional PDF Printing Module, per specifications.

BE IT FURTHER RESOLVED, that the Supervisor or his designee be hereby authorized to pay Toshiba Business Solutions, in an amount not to exceed \$14,443.00, upon delivery and receipt of all proper documentation and acceptance by the IT Coordinator.

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MOORE
One (1) question; what department will be utilizing this new piece of machinery?

SUPERVISOR YUDELSON
Well, primarily Engineering, but also Building and any other departments that would commonly use it, and the Town Clerk's Office, as well.

COUNCILMAN MOORE
Thank you.

SUPERVISOR YUDELSON
Okay. 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 #21-191/2010

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

WHEREAS, Resolution #9-91/2010 authorized the Supervisor to sign the Town of Henrietta's Year 2010 Application to the Monroe County Office of the Aging for the Senior Center Program Agreement, and

WHEREAS, the County of Monroe has submitted an Amendatory Agreement for 2010 for a supplemental Enhancement Grant of Eight Thousand Dollars (\$8,000.00), to be spent on Senior Center contracted personnel and equipment, as outlined in the attached Budget, for the Contract period of January 1, 2010 to December, 31 2010.

THEREFORE, BE IT RESOLVED, that the Supervisor be hereby authorized to sign, on behalf of the Town, this Amendatory Agreement with Monroe County allowing the Town to utilize this supplemental funding for the benefit of Henrietta Senior Citizens and Senior Services.

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 #21-192/2010

On Motion of
Councilwoman Zinck

Seconded by
Councilman Moore

WHEREAS, the Director of Recreation and Youth Bureau, Regis Steinkamp, has requested that Karen McArthur, the Assistant Director of Recreation & Youth Bureau, and Nicholas Briggs, Member of the Youth Board, be granted authorization to attend the Search Institute Conference in Houston, Texas from November 18, 2010 to November 20, 2010, and

WHEREAS, funds are available in the year 2010 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.

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THEREFORE, BE IT RESOLVED, that Karen McArthur and Nicholas Briggs be hereby authorized to attend the three (3) day Conference at a cost not to exceed Three Hundred and Seventy-Five Dollars (\$375.00), to cover the Conference Registration.

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

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 #21-193/2010

On Motion of
Councilman Moore

Seconded by
Councilwoman Zinck

WHEREAS, upon proper notice a Public Hearing was held on the 17th day of November, 2010, where all persons wishing to speak regarding proposed Local Law No. 1 of 2010 were heard by the Town Board, and

WHEREAS, after consideration of all information presented and available it is the determination of the Town Board that the Town Code, Chapter 79 entitled, "Dogs", be Amended.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board hereby enacts Local Law No. 1 of 2010, A Local Law Amending Chapter 79 entitled, "Dogs", of the Town Code of the Town of Henrietta.

BE IT FURTHER RESOLVED, that said Local Law be designated Local Law No. 1 of 2010.

BE IT FURTHER RESOLVED, that the Town Clerk shall file with the Secretary of State, one (1) Certified copy of said Local Law No. 1 of 2010, and that said Law shall take effect immediately upon filing with the Secretary of State.

SUPERVISOR YUDELSON

Under discussion, as I mentioned before during the Public Hearing, this was something that was kind of forced on us by New York State with not an awful lot of notice, and I just wanted to thank our Town Clerk, Patty Shaffer, who worked very hard, along with her colleagues, other Town Clerks, to figure out the best way to do this and to get it in place. We appreciate it.

COUNCILWOMAN McCABE
Agreed.

COUNCILWOMAN ZINCK
Agreed.

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 #21-194/2010

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, the Finance Office has requested that the following
Items be declared surplus materials:

Inventory #

0616

0125

Description

Black desk with Left Return

Black Metal Cabinet with sliding doors

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

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 #21-195/2010

On Motion of
Councilwoman Zinck

Seconded by
Councilman Moore

WHEREAS, pursuant to Section 108 of the Town Law, a Public Hearing was held on October 20, 2010 and November 17, 2010 at 7:00 P.M. on the Preliminary Budget of the Town of Henrietta for the Fiscal Year 2011, 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 2011, as per the attachment.

THEREFORE, BE IT RESOLVED, that the attached amendments to the Preliminary Budget for the Fiscal Year 2011 be hereby adopted.

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MULLIGAN

Under discussion, I just want to thank the Supervisor for putting the Budget together with his staff. Not having a Finance Director, that's a very awesome demanding task, and I think the Town is very fortunate to not only have someone like you committed to doing a good job, but to be in the financial position we're in with a heavy financial surplus, in terms of cash reserves and little or no debt. So, unlike a lot of towns and communities that struggle, we're in very good shape.

SUPERVISOR YUDELSON
Thank you.

COUNCILWOMAN McCABE
Agreed.

COUNCILWOMAN ZINCK
Absolutely.

COUNCILMAN MOORE

I'd also like to add that the Budget that was presented was in a format that was very readable and very easy to comprehend, unlike some of the previous budgets that I've looked at.

COUNCILWOMAN McCABE
That we've had to look at over the many years, yes.

SUPERVISOR YUDELSON

Thank you.

COUNCILWOMAN ZINCK

Mr. Schmitt, you made some suggestions and . . .

SUPERVISOR YUDELSON

Yes, kudos goes to Mr. Schmitt for suggesting that to us last year.

COUNCILWOMAN ZINCK

Yes.

COUNCILWOMAN McCABE

Yes.

COUNCILWOMAN ZINCK

Thank you.

COUNCILWOMAN McCABE

I hope you like it, John.

SUPERVISOR YUDELSON

Further 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 #21-196/2010

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

WHEREAS, pursuant to Section 108 of the Town Law, a Public Hearing was held on October 20, 2010 at 7:00 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 2011, 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 . . .

COUNCILWOMAN McCABE

Don't we have to include today's open Budget discussion, as well? Throw that date in.

SUPERVISOR YUDELSON

Oh.

DANIEL MASTRELLA, TOWN ATTORNEY

I think you handled it in the . . .

COUNCILWOMAN McCABE

In the beginning . . .

COUNCILWOMAN ZINCK

The Amendment that we just did before this.

COUNCILWOMAN McCABE

It should be written into here, "to include, as well, the November 17, 2010 Hearing".

THEREFORE, BE IT RESOLVED, that the Fiscal Year 2011 Preliminary Budget, be hereby adopted as the Annual Budget for the Town of Henrietta for the Fiscal Year beginning January 1, 2011 and that it shall be entered into the Minutes of the Town Board.

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 #21-197/2010

On Motion of
Councilwoman Zinck

Seconded by
Councilman Moore

BE IT RESOLVED, that the following persons be hired:

Kevin Wilson	Building, Assistant Building Inspector @ \$39,120 annually, effective 11/22/2010 (six
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months provisional).

Angelica Wisniewski Recreation, Part-time Recreation Assistant, Indoor Soccer Program @ \$7.25/hr., effective 11/16/2010.

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

Highway Department

Seasonal Laborer, Parks Department to On Call Wingperson, Part-time, effective 11/18/2010:

- Alex Proukou, from \$8.25/hr., to \$8.75/hr.
- Timothy Diedrich, from \$8.00/hr., to \$8.75/hr.
- Chris Proukou, from \$8.00/hr., to \$8.75/hr.

SUPERVISOR YUDELSON

Under discussion, I just wanted to recognize that Kevin Wilson, our new Assistant Building Inspector, pending this vote, is with us tonight, he's sitting here in front. We thank you for being here, and welcome you and please stick around afterwards and meet the Board members and others. Further 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

SUPERVISOR YUDELSON

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

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH
(From audience, "You all have a Happy Thanksgiving.")

COUNCILMAN MULLIGAN

Thank you.

COUNCILWOMAN ZINCK

You as well.

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SUPERVISOR YUDELSON

You as well.

COUNCILWOMAN McCABE

Thank you.

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

Respectfully submitted,

Leann C. Case
Deputy Town Clerk