

**HENRIETTA TOWN BOARD
AGENDA
FEBRUARY 16, 2011**

Supervisor Yudelson
Councilwoman McCabe
Councilman Mulligan
Councilwoman Zinck
Councilman Moore

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):
- February 2, 2011
On Motion of: Councilwoman McCabe Seconded by: Councilwoman Zinck
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

Recognition of Wegmans Good Samaritans – 7:00 P.M.

RESOLUTION #5-75/2011
Authorize Accounts Payable

RESOLUTION #5-76/2011
Termination of Contract Agreement - Troy and Banks, Inc.

RESOLUTION #5-77/2011
Call for Public Hearing - Proposed Local Law No. 1 of 2011 – Amending Town Code Chapter 219, Entitled “Sewers”, Article 3 - Commercial Establishment Surcharges

RESOLUTION #5-78/2011
Call for Public Hearing – Establishing Sewer Rents and Commercial Establishment Surcharges

RESOLUTION #5-79/2011
Authorize Personnel Items

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 16th DAY OF FEBRUARY, 2011 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? *(Pause, no response)* If not, can I have the approval of the Minutes?

COUNCILWOMAN McCABE

Mr. Supervisor, I move we approve the Minutes of February 2, 2011.

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

May I have the first Resolution, please?

RESOLUTION #5-75/2011

On Motion of
Councilman Moore

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 2/16/2011 \$ 363,089.83

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 #5-76/2011

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

WHEREAS, Resolution #16-175/2009 retained audit/survey services on Town utility bills from Troy and Banks, Inc., and

WHEREAS, the Town's Engineering Department has completed the street lighting inventory and mapping for all the street lights in the Town of Henrietta, and

WHEREAS, Troy and Banks, Inc. has made one (1) submission claim to RG&E and this claim is being processed by RG&E.

THEREFORE, BE IT RESOLVED, that Troy and Banks, Inc. has completed their commitment under Contract Agreement and are no longer needed.

BE IT FURTHER RESOLVED, that the Troy and Banks, Inc. Contract Agreement be terminated effective immediately.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

RESOLUTION #5-77/2011

On Motion of
Councilman Mulligan

Seconded by
Councilman Moore

WHEREAS, the Town Board has the opportunity to review the effect of the Sewer Impact Fees and enacted pursuant to Local Law No. 2 of 2007 amending Chapter 219 of the Henrietta Town Code, and

WHEREAS, it appears that the standard sewer rent fee for a single household unit adequately compensates the Town for the sewer usage of a typical apartment and that the Apartment Impact Fee is no longer necessary and may be eliminated, and

WHEREAS, with the elimination of the Apartment Impact Fee, the fees charged are more properly titled "Commercial Establishment Surcharges."

THEREFORE, BE IT RESOLVED, that a Public Hearing will be held on the 2nd day of March, 2011, at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York to consider the proposed Amendment to the Henrietta Town Code, Chapter 219, Article 3, by adopting the attached Local Law No. 1 of 2011, a Local Law entitled and enacting "Commercial Establishment Surcharges" and eliminating any impact fee or surcharge on apartment units, and to hear all persons interested in the subject.

BE IT FURTHER RESOLVED, that notice of said Public Hearing be published in the manner provided by law.

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MULLIGAN
Under discussion, I just want to thank the administration for bringing this to our attention. It appears very clearly that this was unfair to the apartment people, and correcting it was the right thing to do.

SUPERVISOR YUDELSON
Thank you.

COUNCILWOMAN McCABE
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 Yudelton	voting	Aye

Carried

RESOLUTION #5-78/2011

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, the Town Board has had the opportunity to review the impact of the proposed Local Law No. 1 of 2011 on Town revenues generated by sewer rents, and

WHEREAS, it appears that if Local Law No. 1 of 2011 is enacted, the Apartment Unit Impact Fee will be eliminated and each apartment unit will be charged the residential sewer rent rate, and

WHEREAS, it appears that said residential rate should be set at the sum of \$50.98 per residential unit, and

WHEREAS, said proposed Local Law No. 1 of 2011 eliminates the term "Impact Fees" and in its place proposes a Commercial Establishment Surcharge, and

WHEREAS, it appears that the present charge of \$16.28 per quarter for each commercial establishment and an additional \$16.28 per quarter for commercial establishments including a restaurant is an appropriate rate for the surcharge.

THEREFORE, BE IT RESOLVED, that a Public Hearing will be held on the 2nd day of March, 2011, at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York to consider the proposed establishment of sewer rents and Commercial Establishment Surcharges, and to hear all persons interested in the subject.

BE IT FURTHER RESOLVED, that notice of said Public Hearing be published in the manner provided by law.

SUPERVISOR YUDELSON
Discussion? Call the roll, please.

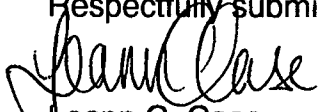
Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye

TB February 16, 2011

adjourned without objection.

Respectfully submitted,


Leann C. Case
Deputy Town Clerk