

**HENRIETTA TOWN BOARD
AGENDA
JUNE 5, 2013**

Supervisor Yudelson
Councilman Mulligan
Councilwoman Zinck
Councilman Moore
Councilman Page

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):
May 15, 2013
On Motion of: Councilwoman Zinck Seconded by: Councilman Moore
6. Miscellaneous Communications
7. Public Hearing:
 - Application for Proposed Rezoning of Approximately 73 Acres of Land Located at 3860 East River Road from Residential R-1-15 to Industrial – Campus Crest Development (The Grove at Rochester)
(This Public Hearing has been canceled. The Application has been withdrawn by the Applicant.)
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 #12-114/2013
Authorize Accounts Payable

RESOLUTION #12-115/2013
Authorize Request for Special Use Permit Extension – Application Nos. 2012-040 and 2012-043, West Henrietta Road at Methodist Hill Road, DePaul Properties, Inc., to construct a 60 unit, two-story apartment building and to construct an apartment building 48' in height, whereas Town Code only permits a height of 40'

RESOLUTION #12-116/2013
Authorize Independent Construction and Plan Review Services – GHD

RESOLUTION #12-117/2013
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 5TH DAY OF JUNE, 2013 AT 7:00 P.M.

MEMBERS PRESENT

Supervisor Michael B. Yudelson
Councilman William J. Mulligan, Jr.
Councilwoman Janet B. Zinck
Councilman John W. Moore
Councilman M. Rick Page
Daniel J. Mastrella, Town Attorney
Leann Case, Town Clerk
Rebecca B. Wiesner, Deputy Town Clerk

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

(Please note that the June 5, 2013 Town Board Meeting did not Record. Audio files are not available for this meeting.)

(Supervisor Yudelson explained that the Public Hearing regarding an application for rezoning and special permit approvals for an apartment project proposed for property located at the northeast corner of East Henrietta Road and Goodburlet Road, known as Winding Creek Woods, scheduled for tonight was canceled because on Thursday, May 23rd, he received a letter from the attorney representing the Applicant withdrawing the applications.)

(Supervisor Yudelson explained that the Public Hearing that was left open regarding an application for rezoning and approval of a special permit for an apartment project proposed for property located on East River opposite Linhome Drive, known as The Grove, was also canceled, because earlier that afternoon he received a letter from a representative of Campus Crest Development withdrawing their application.)

(Supervisor Yudelson apologized for an error he made during the May 1st Special Permit Meeting when he stated that all of the Board Members voted in favor of the Jayne's Riverview Special Permit in 2012. He corrected the Record by stating that all of the Board Members voted in favor of the rezoning during the May 16, 2012 Town Board Meeting [Resolution #11-112/2012], but both Councilman Moore and Councilman Mulligan voted against the Special Permit to build apartment units [SP2012-026] during the May 16, 2012 Special Permit Meeting.)

(Councilman Mulligan thanked Supervisor Yudelson.)

SUPERVISOR YUDELSON

Is there anybody who would like to comment on any of the items that are on the Agenda tonight?

(From audience, Alan Knaut, Attorney, wanted to speak about The Grove)

(Supervisor Yudelton requested that he make his comments on The Grove after the regular Town Board Agenda, since it is no longer on the Agenda)

SUPERVISOR YUDELSON

Anybody else? *(Pause, no response)* If not, can I have the approval of the Minutes, please?

COUNCILWOMAN ZINCK

I'd like to move approval of the Minutes of the May 15, 2013 meeting.

COUNCILMAN MOORE

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

| | | |
|---------------------|--------|-----|
| Councilman Mulligan | voting | Aye |
| Councilwoman Zinck | voting | Aye |
| Councilman Moore | voting | Aye |
| Councilman Page | voting | Aye |
| Supervisor Yudelton | voting | Aye |

Carried

RESOLUTION #12-114/2013

(Supervisor Yudelton explained that because the server is down, the Accounts Payable Resolution would have to be Tabled.)

RESOLUTION #12-115/2013

On Motion of
Councilman Moore

Seconded by
Councilwoman Zinck

WHEREAS, the Henrietta Town Board approved Special Use Permit Nos. 2012-040 and 2012-043 on August 15, 2012 for DePaul Properties, Inc. to construct a 60 unit, two-story apartment building and to construct an apartment building 48' in height, whereas Town Code only permits a height of 40', on West Henrietta Road at Methodist

Hill Road, and

WHEREAS, the Applicant has requested an extension of said Special Use Permit to allow time to finalize plans for construction now that funding has been received for the project, and

WHEREAS, the Town Board is authorized to grant extensions of the time limits for periods of six (6) months.

THEREFORE, BE IT RESOLVED, that the aforesaid Special Use Permit be extended for a period of six (6) months to expire on June 15, 2014.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

| | | |
|---------------------|--------|-----|
| Councilman Mulligan | voting | Aye |
| Councilwoman Zinck | voting | Aye |
| Councilman Moore | voting | Aye |
| Councilman Page | voting | Aye |
| Supervisor Yudelson | voting | Aye |

Carried

RESOLUTION #12-116/2013

On Motion of
Councilman Mulligan

Seconded by
Councilman Page

WHEREAS, the current number and size of construction projects from time to time have made Independent Consultation Plan Review Services necessary, and

WHEREAS, it is necessary for developers and contractors to absorb the costs incurred by the Town for such services, and

WHEREAS, Independent Plan Review Services billing, including all consultants costs, will be at a hourly rate, and

WHEREAS, the Director of Building & Fire Prevention has arranged for such Construction and Plan Review Services with GHD, 301 Plainfield Road, Suite 180, Syracuse, New York 13212, at the rate of One Hundred Twenty-Five Dollars (\$125.00) per hour for technical staff and engineers, and at the rate of One Hundred Forty-Five Dollars (\$145.00) per hour for Degreed and/or Licensed Fire Protection Engineers.

THEREFORE, BE IT RESOLVED, that the Director of Building & Fire Prevention is hereby authorized and directed to secure the Independent Construction and Plan Review Services in accordance with the above, subject to the approval of the Town Supervisor, as per the Town's Procurement Policy.

BE IT FURTHER RESOLVED, that the Town Supervisor be authorized to pay said consultants upon receipt of all proper documentation.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

| | | |
|---------------------|--------|-----|
| Councilman Mulligan | voting | Aye |
| Councilwoman Zinck | voting | Aye |
| Councilman Moore | voting | Aye |
| Councilman Page | voting | Aye |
| Supervisor Yudelton | voting | Aye |

Carried

RESOLUTION #12-117/2013

On Motion of
Councilwoman Zinck

Seconded by
Councilman Page

BE IT RESOLVED, that the following people be hired:

| | |
|----------------------|---|
| Emma Bettiol | Assessor's Office, Part-Time Seasonal @ \$12.00/hr., effective 6/10/2013. |
| Steven Gary Ross | Building & Fire Prevention, Code Enforcement, Part-Time Laborer @ \$11.50/hr., effective 6/10/2013. |
| Alexandra Timberlake | Recreation Department, Part-Time Recreation Assistant, Golden Comets Swim Program @ \$9.00/hr., effective 6/10/2013. |
| John Northrup | Recreation Department, Part-Time Recreation Assistant, Softball Program Groundskeeper @ \$8.00/hr., effective 6/5/2013. |
| Emma Pratt | Recreation Department, Part-Time Recreation Assistant, Gymnastics Program @ \$7.25/hr., effective 6/5/2013. |

BE IT FURTHER RESOLVED, that the rate changes per the attachment be made effective June 16, 2013.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

| | | |
|---------------------|--------|-----|
| Councilman Mulligan | voting | Aye |
| Councilwoman Zinck | voting | Aye |

| | | |
|---------------------|--------|-----|
| Councilman Moore | voting | Aye |
| Councilman Page | voting | Aye |
| Supervisor Yudelson | voting | Aye |

Carried

SUPERVISOR YUDELSON

That's the end of the regular Agenda, is there anybody who would like to speak on any item involving the Town of Henrietta?

(Please note that the June 5, 2013 Town Board Meeting did not record. Audio file(s) are not available for this meeting and were not available for preparation of these Minutes. Public Comments are summarized below as recalled by the Town Clerk.)

(Alan Knauf, Attorney, spoke in reference to the withdrawal of the Campus Crest Development [The Grove] application.)

(John Schmitt, 139 Campfire Road, spoke in reference to the position of Finance Director in the Town of Henrietta.)

(Carol Malach, 130 Cape Henry Trail, spoke in reference to the withdrawal of the Campus Crest Development [The Grove] application and about future notices regarding the project if it returns.)

(Sheila Hassett, 47 Agar Avenue, and Mary Haskell, 61 Agar Avenue, spoke in reference to a lack of property maintenance at 49 Agar Avenue)

(Rick Martin, 7 Brooks Road, spoke in reference to the mailing list sent to residents surrounding the Jayne's Riverview project)

(Carol Burritt, 620 Shore Drive, spoke in reference to a lack of property maintenance at the Atlas properties owned by Mike Spann on Shore Drive)

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Mulligan, seconded by Councilman Page at 8:05 P.M. and was adjourned without objection.

Respectfully submitted,

Rebecca B. Wiesner
Deputy Town Clerk