

**HENRIETTA TOWN BOARD
AGENDA
DECEMBER 4, 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):
November 20, 2013
On Motion of: Councilman Page Seconded by: Councilman Moore
6. Miscellaneous Communications
7. Public Hearing:
 - Fiscal Year 2014 Preliminary Budget for the Town of Henrietta; Proposed salaries for Elected Town Officers are Supervisor, \$85,000; Councilpersons, \$18,682; and Town Judges, \$28,909
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 #22-186/2013
Authorize Accounts Payable

RESOLUTION #22-187/2013
Accept Dedication of Sanitary Sewers – Berkshire Park Subdivision, Section 6

RESOLUTION #22-188/2013
Authorize Supervisor to Sign NYSDOT Multi Modal No. 4 Agreement

RESOLUTION #22-189/2013
Declare Items Surplus Materials – Sewer/Library/Commissioner of Public Works/Recreation

RESOLUTION #22-190/2013
Authorize Payment for Workers Compensation and Employers Liability Insurance – PERMA

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 4TH DAY OF DECEMBER, 2013 AT 7:00 P.M.

MEMBERS PRESENT

Supervisor Michael B. Yudelson
Councilman William J. Mulligan, Jr.
Councilman John W. Moore
Councilman M. Rick Page
Daniel J. Mastrella, Town Attorney
Leann C. Case, Town Clerk

MEMBERS ABSENT

Councilwoman Janet B. Zinck

(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 Town Board Agenda tonight other than the Budget for 2014, which we'll call separately? Agenda items at this time? *(Pause, no response)* If not, may I have the approval of the Minutes?

COUNCILMAN PAGE

Mr. Supervisor, I'd like to make a motion to approve the Minutes of the November 20, 2013 Meeting.

COUNCILMAN MOORE

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Absent
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

SUPERVISOR YUDELSON

Next is the Public Hearing on the Fiscal Year 2014 Preliminary Budget for the Town of Henrietta. I'll give people a chance to speak on that in a moment. I just wanted to say as, by way of background, that the Town Board is pleased to be presenting a Budget that for the seventh (7th) or eighth (8th) year in a row has no increase in the Town tax rate. It maintains the level of services that our residents have been accustomed to. We do have, as has been subject to discussion, a pretty healthy fund balance. I wanted to point out, just for the Record, that the impact that sales tax has had on that, I've been Supervisor for six (6) years and the time I became Supervisor the fund balance was about twelve million dollars (\$12,000,000.00). When we finish this year, it will probably be eighteen to eighteen and a half million dollars (\$18,000,000.00 - \$18,500,000.00), so that's an increase of roughly six and a half million dollars (\$6,500,000.00). When I became Supervisor we budgeted for one point five million dollars (\$1,500,000.00) in sales tax from the sharing of sales tax that involves the County and all the Towns and School Districts. At this point, this year we were budgeted for two point five million (\$2,500,000.00), so quite an increase and next year we have it in the budget for two million eight hundred and fifty thousand dollars (\$2,850,000.00). The point is that that amount has continued to increase every year, as far as the amount we budgeted, but it's been outpaced by the amount that we've received. This year we have, as I said, two point five million dollars (\$2,500,000.00) budgeted for the year and as of our third (3rd) quarter check, we're at ninety-nine percent (99%) of the revenue we anticipate and Mr. Adair in the room, so thank you for that. Mr. Adair, he used to send us the notices on that. But during the time that I've been Supervisor the amount that we've received is about nineteen million dollars (\$19,000,000.00). The amount that we've received that exceeded what the Town Board budgeted is around six million dollars (\$6,000,000.00), and I make that point to kind of support what the Board has known all along, that we do not have an excess of fund balance because of taxes. There's not eighteen million dollars (\$18,000,000.00) of taxes sitting in our fund balance. During the time I've been Supervisor, the amount we've collected in property taxes set by, collected because of the property tax rate, is only about nineteen million dollars (\$19,000,000.00) total. So obviously most of that was used, but it all goes to Highway and Library. They do not have much. So we are in a healthy position. It is not what was said and I think it was important to clarify that for the Record. We do have the opportunity now for anybody who would like to come up and make a comment or ask a question about the Budget. This is your chance. Anybody who would like to speak on the 2014 Budget? Mr. Schmitt?

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

John Schmitt, 139 Campfire Road North. You have answered some of my questions this evening, but I was really wondering, in past Preliminary Budgets there's been the last few years a statement which showed the actual expenses up to the year prior. I didn't see that with the Budget this year, so all we're talking about here is this year's Budget and the proposed new Budget and we don't have any actual figures for 2012 that I've seen.

SUPERVISOR YUDELSON

This is the same format as last year, the exact same. It did not have that information in last year's Budget.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

I wonder where I picked it up. There was a whole spreadsheet. Anyway...

SUPERVISOR YUDELSON

Yes.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

...the other thing is, as I've said before before this group that these are nice, there's a lot of figures, but they don't tell you much. There needs to be some verbage that goes along with the Budget, it's under the assumption that I'll say five (5) of you, including Mrs. Zinck, have discussed this and know what it's about, but I think that the citizens of Henrietta have a right to have some feel as to what you're doing. Do you have some goal in mind? Do you have some new programs? Any processes? Are you maintaining at an adequate staff? When these budgets are presented, are they presented by the staff, whoever runs the particular department, department heads? And are they given any particular comments before they even begin a Budget? Like we don't want any increases, we don't want any of this, we don't want any (*inaudible*). Sometimes it helps if we know, if you're really, if you're keeping underneath the figures are you really moving ahead for the Town as a whole? There must be some things that we can do to improve it. There are areas, as a Town, we heard at a meeting that you were at in regard to the public safety and the casino comment, and people who are beginning to spend three hundred thousand dollars (\$300,000.00) for a home in Henrietta are getting concerned about the type of police safety, that they have these types of things. Are there any issues that come up during the Budget that you could explain or put on the webpage or something to help us feel a little more confident that we're all in this together. And it's not a matter of finger pointing or blaming somebody, but we all work in the Town and are proud to be in the Town and tell everybody that and so on. So anyway, that's my comment for this year.

SUPERVISOR YUDELSON

Thank you, Mr. Schmitt.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

I'll record it so I have to have it ready for next year. (*Laughter*)

SUPERVISOR YUDELSON

(*Laughter*) Thank you. Is there anybody else who would like to speak on the Budget? (*Pause, no response*) If not, I'll close the Public Hearing. We will be voting on this at our next Board Meeting in two (2) weeks. Moving on, can I have the first Resolution,

please?

RESOLUTION #22-186/2013

On Motion of
Councilman Page

Seconded by
Councilman Mulligan

BE IT RESOLVED, that the Supervisor or his designee be authorized to pay the following bills payable:

Exhibit A	Bills Payable dated 12/04/2013	\$ 1,041,709.81
Exhibit B	Manual Bills Payable dated 11/25/2013	\$ 1,751.27

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Absent
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelton	voting	Aye
Carried		

RESOLUTION #22-187/2013

On Motion of
Councilman Page

Seconded by
Councilman Mulligan

WHEREAS, Forest Creek Equity Development Corp., the Developer of Berkshire Park Subdivision, Section Six (6), located west of Moore Road and south of Scottsville-West Henrietta Road, has installed 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 systems, and

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

WHEREAS, the Foreman of Drainage, Sewer, and Sidewalks and the Director of Engineering and Planning have determined that the said sanitary sewer systems were installed in accordance with Town requirements and have recommended that they be accepted by the Town.

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

BE IT FURTHER RESOLVED, that such acceptance is made subject to the Developer, or its representative, securing with the Town of Henrietta a properly executed Maintenance Bond in the sum of Fifteen Thousand, One Hundred Dollars (\$15,100.00) for a period of two (2) years.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Absent
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelson	voting	Aye
		Carried

RESOLUTION #22-188/2013

On Motion of
Councilman Mulligan

Seconded by
Councilman Page

WHEREAS, a Project for the Jefferson Road lighting replacement from East River Road to John Street P.I.N. D027530 (the Project) is eligible for funding (under Title 23 U.S. Code, as amended, and) New York State's Multi-Modal Program No. 4 Project 4MS212.30A administered by the New York State Department of Transportation (NYSDOT), and

WHEREAS, the Town of Henrietta desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project.

WHEREAS, Town Board Resolution #11-123/2011 authorized funds to be made available in the amount of \$250,000.00, to cover the cost of participation in the above Project.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board hereby authorizes the Supervisor to sign the Agreement with R.I.T. on behalf of the Town of Henrietta.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Absent

Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelson	voting	Aye
		Carried

RESOLUTION #22-189/2013

On Motion of
Councilman Mulligan

Seconded by
Councilman Page

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

<u>Inventory #</u>	<u>Description</u>
02878	Flow Meter
02879	Flow Meter
02882	Flow Meter
02883	Flow Meter
02884	Flow Meter

WHEREAS, the Henrietta Public Library has requested that the following items be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
386	Filing Cabinet
499	Table
2706	Book Spinner
8046	Citizen Receipt Printer
8047	Citizen Receipt Printer
8048	Citizen Receipt Printer

WHEREAS, the Commissioner of Public Works has requested that the following item be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
008067	2008 ½" Dewalt Drill, Serial #980846

WHEREAS, the Recreation Department has requested that the following item be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
008134	Toshiba 50" Television

THEREFORE, BE IT RESOLVED, that the items listed above be declared surplus

materials and be sent to the Parks and Facilities Department for disposal.

BE IT FURTHER RESOLVED, that all said items be removed from the Town's inventory list.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Absent
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelton	voting	Aye

Carried

RESOLUTION #22-190/2013

On Motion of
Councilman Moore

Seconded by
Councilman Page

WHEREAS, a quote for the Town's Workers Compensation and Employers Liability Insurance was received by the Supervisor of the Town of Henrietta, and

WHEREAS, Public Employer Risk Management Association, Inc. (PERMA), 9 Cornell Road, Latham, New York, 12110, currently provides the Town's Workers Compensation and Employers Liability Insurance and their quote has been recommended for approval by the Town's insurance consultant.

THEREFORE, BE IT RESOLVED, that PERMA, is hereby awarded the Town's Workers Compensation and Employers Liability Insurance effective January 1, 2014 and expiring on January 1, 2015, in the amount of \$246,602.00.

BE IT FURTHER RESOLVED, that the Supervisor or his designee be authorized to pay PERMA, in an amount not to exceed \$246,602.00, upon receipt of proper documentation.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Absent
Councilman Moore	voting	Aye
Councilman Page	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 item involving the Town of Henrietta? *(Pause, no response)* If not, is there a motion to adjourn?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Page, seconded by Councilman Mulligan at 7:16 P.M. and was adjourned without objection.

Respectfully submitted,

Rebecca B. Wiesner
Deputy Town Clerk