



TOWN OF HENRIETTA

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**2012 STATE OF THE TOWN ADDRESS
BY TOWN SUPERVISOR MICHAEL YUDELSON
TO THE HENRIETTA CHAMBER OF COMMERCE**

Thank you all for being here today. Thank you to the Henrietta Chamber of Commerce for organizing today's luncheon.

The Henrietta Chamber of Commerce plays an important role in promoting business in Henrietta. The board members, most of who are here today, volunteer time from their already busy schedules and have a positive impact on the Henrietta business environment.

If you are not a member of the Chamber, I encourage you to join and take an active role in that effort.

Since becoming Supervisor, I have really stressed open communication and making information available to the public so I hope you will find today's program informative and useful.

It is hard for me to believe that today I am delivering my 5th State of the Town speech.

There is a lot to report regarding the State of the Town. Let me start with some of the things that made 2011 a difficult year.

I am not much of a Facebook person. I mostly have an account so I can follow what my kids are posting. My oldest son is at George Washington University in D.C. and it's the main way I get to find out about the great opportunities he is getting there as I am certainly not getting the information from him!

I commented on a picture of him shaking hands with President Clinton and Alex told me I am a Facebook Creeper!

So I don't post much, but right after the clock struck twelve to take us from 2011 to 2012, I put up a status that said "Thank goodness that's over!"

New Year's Eve is a time for looking back and reflecting. Interestingly, for me preparing this speech is also a chance to reflect on the past year.

Recently I read something someone had said about public service:

“My responsibility, and all I can do, is to listen to my constituents, learn from the best information available and ultimately make sound, rational decisions that are going to be beneficial to the people that I represent. “

The person who said that was Gabby Giffords, Congresswoman from Arizona, 18 months before she was brutally and senselessly attacked. Most of you by now have now seen her at last night’s State of the Union speech, being saluted by her colleagues and by President Obama.

I don’t imagine there are many people who could have seen that and not have been moved. I am certain however, that it was impossible to see it and not be affected if you are or have been involved in public service. It certainly impacted me and was on my mind quite a bit since I saw it last night, and I wish her all the best as she moves on from Congress to concentrate on her recovery.

2011 posed some difficult situations for me and the Town Board.

Rental Issue

Let me start with a particularly thorny issue. It is a situation that involves property rights and the rights to enjoy said property, the equally important rights of people who rent the homes they reside in, zoning issues, the enforcement of town property codes, and perhaps most important of all; how we live together as neighbors.

The issue, as most people in the room know, has to do with homes being rented, mostly by one owner in one neighborhood, to RIT students.

RIT is a tremendous asset for Henrietta and we are pleased that many of the students live in our community, and in many cases choose to stay in Henrietta after completing school.

Over the past couple of years we have worked very diligently to try to balance that with the feeling of some residents that development of a high concentration of rental properties with several tenants in each changes the single-family residential character of the neighborhood, which it was earmarked to be in the original planning.

This has been an incredible struggle for the Town Board because the solution is not clear. We seem to specialize in problems without a “roadmap” to a solution.

We have heard and have tried to respond to the concerns of the homeowners. We have heard and have tried to respond to the concerns of the tenants. We really have. We know now that this is one of those situations that does not have a solution that will be a perfect fit for everyone.

Here is where we are:

First of all, it is important to note that one of the challenges for the Town Board is that we can’t legislate for one neighborhood. New codes have to apply to the whole town.

Although we will from time to time hear about problems connected to rental properties around town, this issue has been about homes in one neighborhood, owned by one landlord. It is also important to remember that lots of the neighbors in the area do not have a problem with the situation and likewise it is only selected homes where discourteous behavior has become an issue.

The town had a law on the books, similar to many other towns that would limit the number of unrelated people that could live together in a residence. However we were not enforcing it on the advice of counsel because the wording in it that would certainly not pass constitutional muster if it was challenged.

In December we held a Public Hearing on a wording change that did not really change the substance of the regulations, but because it now is something that we are under the understanding we can enforce, it has the net effect and feel of a new ordinance.

However it is our intent to use this Code as just one in an array of tools to address these quality of life issues. We believe its most effective use will be in dealing with the most egregious situations. In addition, other tools, such as a Rental Registry for absentee landlord situations, are being evaluated.

Although we are committed to our responsibility to safeguard the rights of homeowners, we have the same commitment to the students (and others) who are tenants in homes around town.

I could not possibly overstate the commitment of attention and resources that RIT has devoted to trying to address this situation. During the past 18 months they have hosted monthly meetings of what we call the Off Campus Initiatives Task Force, which includes several people from RIT as well as the Zone B Commander from the Monroe County Sheriff's Office, a resident of the neighborhood in question, and myself to try to be proactive and educate the students on what it means to live as part of a neighborhood and what their neighbors have a right to expect from them.

These meetings have resulted in several outreach events, and also have resulted in discipline of students as the students who live off-campus are held responsible for the same Code of Conduct as the ones who live in RIT housing. Most importantly several, (but not all) of the neighbors tell me that conditions have improved since the Task Force began its efforts.

Breese Park

As most Henrietta residents can tell you, former Supervisor Jim Breese had a real passion for developing the Town's Park system. And he did just that with the crown jewel being the Tinker Nature Park, which includes the Hansen Nature Center.

One of his last acts as Supervisor was arranging for the Town to acquire a beautiful piece of land, about 75 acres, along the Genesee River on the west side of town. The Town Board decided it was only fitting to name our newest park "Breese Park".

This is an example of where running our operations very leanly means we have to make choices about work to be completed. We started with a beautiful piece of land with great potential that was mostly overgrown. Today that same piece of land has a parking area and a roughed out trail, but besides that is essentially still a beautiful piece of land with great potential that is mostly overgrown!

Having said that, I can tell you that further development of Breese Park as a passive park is in our plan of work for 2012.

Code Update Committee

Last year I updated you on the work of the Code Update Committee. I previously asked Planning Board Chairman Peter Minotti and then Planning Board member Rick Page to chair a committee charged with reviewing and updating our Town Codes.

They and their committee members worked diligently and continuously for a long period of time and have presented draft recommendations that have been reviewed by the Town Board. They now are being edited and put into form for review by our attorney as well as General Code Publishers, the firm that maintains the codes for almost all municipalities in New York State.

After that review, we will conduct public hearings on the proposed changes before the Town Board votes on adoption of the proposed changes and updates.

Executive South

Over the years the Henrietta Town Board has been reluctant to buy property as greenspace or purchase development rights, mainly because close to one-fourth of all the land in Henrietta is still vacant.

A notable exception near the end of 2011 was our decision to purchase 25+ acres on land on East Henrietta Road that most of us recognize as Executive South Family Golf Center, created and operated for so many years by Charlie Lookup, a person who does as much in volunteer service to benefit his community as anyone I have ever met.

Most recently the Center has been operated by the Henrietta Foundation via agreement with Charlie. When they decided it was no longer feasible for them to operate the course, they approached us about our interest in obtaining it.

As I said a minute ago, this is the type of action the Board does not usually take. However given the location on a main road and right next to Roth Middle School, and the opportunity to acquire it for a reasonable price, in this case it really was an easy decision. We are currently putting together a committee to consider possible uses for the land and to make recommendations to the Town Board. If you are interested in participating on this committee, please contact me, or Councilman Rick Page, who will be the Town Board member working with this ad hoc committee.

Tax Cap

All through 2011 we kept hearing that the Tax Cap was coming. That was really my main objection. We just kept hearing about it, and hearing about it. The months went by and we still were just hearing that it would be coming.

When there was at least confirmation that there would indeed be a Tax Cap that would apply to our 2012 Budget, additional months went by while the Attorney General's office and the Comptroller's office differed on how various provisions of the law would be interpreted. So we waited some more.

In early November, when most towns usually have not only finished drafting their budgets but in many cases have held their required public hearing and even in many cases may have normally approved their budget, then and only then, did we get clarification on how the Tax Cap would work.

Most telling of all, the Tax Cap provides towns and fire districts the opportunity to "override" the cap by a simple majority vote of their board. So is it a true cap, or is it an awareness tool?

I don't have any problem with limiting tax increases. My biggest problem with the Tax Cap is that it takes local decision making out of the hands of elected officials, and ironically, because of costs passed down from the State level. For us there is one such cost that dwarfs all the others; our mandated contributions to the State Retirement System.

Consider these numbers:

- Our 2009 required contribution to the Retirement System was \$314,000.
- In 2010 that increased 50% to \$469,582.
- The payment we just made in December 2011 went up another \$268,000 or 57% to \$738,120.
- The State has advised us that in December of 2012 it should not be as bad; their forecast is that the increase will be 12%, bringing our total cost to \$827,666.
- Overall that equates to an increase of 164% or \$513,000 more than we were paying just three years ago. And remember, that is \$513,000 EVERY year.
- Just to give you some context, \$513,000 added to the Town of Henrietta budget on an ongoing basis without any other adjustments for salary increases, health insurance and other costs we cannot control unilaterally, would require us to raise our tax rate by 16%.
- (A 1% increase in the Town tax rate only yields \$32,758.61)

The Tax Cap really did not have a great effect on Henrietta because we were far below the allowable limit, so I will remain open to the concept and at the same time dubious until the Cap is matched with some much-needed Mandate Relief.

Health Care Consortium

Our Health Care costs for 2012 will increase by more than \$100,000 over 2011, and that is actually the good news.

That is a 14% increase whereas for years we were seeing increases of 18% to 20% or even more. By joining with other Monroe County towns to create the Finger Lakes Municipal Health Insurance Trust we have controlled the amount of our rate increases because together we have some leverage to obtain the best possible rates. It is this type of creativity and collaboration that is necessary if we are to strive to find ways to control costs.

The cost of benefits is staggering. The Town Budget increased by a total of only 13% over the past 5 years. However the Cost of Benefits went up by 119%

A full 75% of the increase in the Town Budget over the past five years is due to the increased cost of providing benefits for our employees.

Town Budget

I am pleased that we were able to complete several important projects in 2011 and still stay under budget.

The 2012 town tax rate remains the same as it was when I became Supervisor, at \$1.21 per \$1,000 of assessed value. Given what has happened the past few years with the economy, it seemed especially important to not place any additional burden on Town taxpayers.

Our 2012 Budgeted expenses are actually down slightly compared to 2011.

To do so took a real team effort. Let me mention who makes up that team, namely the Town Board, our department heads and all the Town employees.

Our Town Board consists of five people with very different experiences and view points. We remember every day that using the taxpayers' money wisely is an important responsibility and we take it very seriously. I feel very fortunate not only to work with them but also to count them as friends.

I want to especially welcome, recognize and thank Cathy McCabe who just recently completed 16 years on the Town Board. She was a dedicated and independent member of the Town Board who contributed greatly to shaping the town's development during her time on the Board.

With Cathy's departure, Bill Mulligan, Janet Zinck, Jack Moore and I welcome Rick Page to the Board as the newest member. Rick has a long history of involvement in the community and will make an excellent Board member.

Our department heads are the ones who must lead their departments in keeping with the Town Board's priorities. We do not get the chance often enough to recognize them for their efforts. Several of our department heads are with us today and I would ask you to join me in giving them a round of applause.

There are so many really good employees of the town who work so hard on behalf of our residents. They really care about the Town and the people they serve. They are the backbone of our organization.

One of the things I am proudest of during my four years as Supervisor is the excellent working relationship that has been maintained with the leadership of the union that represents many of the town's employees – the Roadrunners Association. We are in the final year of a five-year contract and will begin negotiations for our new contract in roughly six months.

Dave Moriarty is here representing the Roadrunners and I would ask him to please stand and accept our thanks to the members of the Roadrunners and to all Town employees.

2011 projects

Despite the economy, businesses continued to recognize Henrietta as the place to be. Some of the projects that were completed last year:

- Henrietta continues to be a prime location for new restaurants. I thought Henrietta had every type of restaurant there was to be had, but then late last year appeared "The Melting Pot", specializing in fondue! It is at the Marketplace Mall, across from the Anchor Bar.
- Lovin Cup at Park Point has continued to build its reputation as one of the premiere destination spots for music lovers and fans of good food, and as a result expanded into an adjacent space.
- There was a lot of excitement about Joe's Crab Shack leading up to its opening near the end of last summer.
- Sticky Lips opened in the fall and seems to be packing them in.

There was more going on than just places to eat:

- Benderson Development opened the "5 Below" store on Jefferson Road that is a required stopping point whenever my daughter is in the car as I pass by that area.
- Heritage Christian Services opened the "Expressive Beginnings Child Care" facility on Commons Way next to their Pieter's Family Life Center. While the center is not

only for children with disabilities, the resources and expertise of Heritage Christian Services in that area certainly enhance the program.

- **Excel Care on Jefferson Road, a Walk-In Urgent Care Center opened recently. In fact another Urgent Care Center; Extended Medical Services on East Henrietta Road should be opening soon.**
- **At Eagles Landing – Rich LeFrois put Lumetrics into one of the few remaining spaces, bringing that project to, or near full capacity.**
- **Lake Beverage completed a nearly 50,000 sq. ft. addition on John Street.**
- **Paychex added 22,000 sq. feet of space on Kenneth Drive**

I know that filling empty space is an ongoing item of interest to many. As I have said before it has been our experience that this process is cyclical; some spaces become vacant and others get filled every year. Some examples:

- **Savers went into the space on Marketplace Drive that formerly was Dick's Sporting Goods.**
- **Stanley Dewalt tools moved into the space next to Ollies in the plaza with Kohls on West Henrietta Rd.**
- **Mariachi Mexican Grill went into the space formerly occupied by DiBellas opposite Southtown Plaza**
- **Jimmy Johns moved into the Video Barn space**

Not all of the construction activity in Henrietta during 2011 was for commercial purposes. Henrietta continues to be a strong market for residential development. People continue to want to make Henrietta their home because of the low taxes and high level of services.

Despite the slow economy, almost 100 new homes were built in Henrietta last year.

Let me mention some of our important partners in serving this community. Henrietta Volunteer Ambulance is celebrating their 50th year of serving the Henrietta Community. They answer 5,800+ calls per year and help keep our community safe.

The Henrietta Fire District also provides critical services to our community by answering thousands of calls for assistance each year. I thank them on behalf of everyone who lives or does business in Henrietta.

We also continue to enjoy a close working relationship with the Monroe County Sheriff's Dept. They answer more than 25,000 calls per year in Henrietta and help us with situations that need extra police attention whenever we ask them to.

For many years we have enjoyed a very close working relationship with the Rush-Henrietta School District. Superintendent Ken Graham and the School Board have continuously ensured that our young people are receiving an excellent education and have the support services and extra opportunities to give them the highest probability of being successful after they graduate.

With a combination of a town government that works well with business and a location at the intersection of the New York State Thruway and Route 390, Henrietta is an excellent home for business.

RBA Top 100

There are 21 companies located in Henrietta that are on the Rochester Business Alliance's list of the Top 100 Businesses in the region. Amazing! Every year there are about that many Henrietta businesses on the list which clearly demonstrates what a great place Henrietta is in which to locate your business. Several of them are represented here today as guests of the Chamber; I congratulate all of them.

I also express my appreciation to all the Henrietta businesses that are here today; collectively you are the business community that has helped to make Henrietta successful.

2012 projects

Even with the economy idling, there are many projects that are currently being planned or are already under construction:

- Construction should begin soon on a new Hampton Inn & Suites on Clay Road, behind Bugaboo Creek. It will be a four-story hotel with 120 rooms.
- I announced last year that Car Max will open in the former Patrick Pontiac site on West Henrietta Road. They have received all the necessary Town approvals. As you have noticed if you have driven by the site, the old building has been taken down and this exciting project should be breaking ground soon.
- Dairy Queen is locating on Jefferson Road next to Verizon.
- The Nichols Team is constructing 49,000 sq. ft. of additional space for Reflexite Precision Technology on Park Center Drive.
- Rochester Precision Optics is adding a 50,000 sq. feet addition on John Street.
- Benderson is bringing a 48,000 sq. ft. L.A. Fitness to Marketplace Drive. As far as a project in development creating a buzz, I have only two words: **Mighty Taco**. It's interesting. We send out information to the media all the time that does not get used....but for **Mighty Taco** I ended up doing four television interviews!!

There are also some very important and significant residential projects in the works as well.

- The Rockwood Center at Brentland Woods is new construction of 40 rental units for seniors being built by Episcopal Senior Life Communities next to their existing facility on East Henrietta Road.
- The Bishop Sheen Ecumenical Housing Foundation will construct sixty (60) units (forty-eight (48) one bedroom and twelve (12) two-bedroom units of housing for seniors behind the Doodlebugs Day Care Center on Calkins Road next to Wegmans, addressing the need for more senior housing in our community. The project will be called the Calkins Corners Senior Apartments.
- Several of the projects that are receiving financial support through the recently announced funding from Governor Cuomo's Regional Economic Development Councils are located in Henrietta, including the Rockwood Center apartments and the previously mentioned Calkins Corners Senior apartments.
- In addition, Rochester Precision Optics is receiving funding for a training program and High Tech Rochester is receiving 2.5 million dollars to construct a new business incubator and then connect to several outlying smaller facilities to coordinate and support fledgling tech start-ups.
- RIT is constructing a state-of-the art green facility for the Golisano Institute for Sustainability. The building will serve as a center for sustainability research, technology transfer, education and outreach and provide a state-of-the-art showcase for green construction and design. It should be completed late this year. The 70,000 square foot LEED platinum facility that will make Henrietta and Rochester the global hub of the green economy.
- Another new academic and research facility, "Institute Hall" is under construction as well. When completed later this year, it will include Biomedical Engineering, Chemical Engineering, Chemistry, Institute Classrooms, and laboratory space for funded research projects.

In addition to creating jobs on campus as a result of their growth, RIT contributes to economic development in the area by creating new businesses and new jobs right here in Henrietta. Venture Creations, RIT's business incubator, is successfully mentoring 34 companies and is at capacity. Businesses housed in the incubator created 224 new jobs in Henrietta in 2011.

I am regularly reminded by business leaders that RIT is a huge economic driver for the economy of Henrietta and Monroe County as a whole. County Executive Maggie Brooks has expressed that opinion to me as well.

Comprehensive Plan

During the past year the Town completed the process of updating our Comprehensive Plan.

The plan in its entirety can be found on our web site. It focuses on three major areas:

- Economic Development
- Green Infrastructure
- Building Community

In addition one of the things very important to the Town Board was identifying areas of the town that could be studied as possible areas for additional light industrial development, such as office space, and warehouse space that has been in high demand and has helped to keep the taxes in Henrietta low. That was addressed in the plan, generally identifying the southwest quadrant of town. That is where there is still ample undeveloped land but also a clear picture of where and how infrastructure could be extended and complement other opportunity areas. An example of an area this could complement is the excellent development Konar Properties has on Thruway Park Drive.

You will be hearing more about our follow up efforts related to the Comprehensive Plan as 2012 progresses.

We will also continue to talk about the Town's Economic Development Strategy and coordinate it with that of the Henrietta Chamber of Commerce.

In closing, allow me to thank you for the opportunity to give you this update on matters involving the Town of Henrietta.

I continue to feel incredibly honored and privileged to serve this community as Supervisor. As I told some of our staff last week, I have worked at the Town Hall in one capacity or another for 31 years and I have never walked up the sidewalk to that building saying to myself that I didn't want to be there that day; not once. I know that I am very fortunate to be able to say that.

Thank you so much. Please never hesitate to call my office on any matter involving the Town, and if you are in the Town Hall, please stop and say hello.

Thank you.