

**HENRIETTA TOWN BOARD
AGENDA
JULY 18, 2007**

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): June 20, 2007
6. Miscellaneous Communications
7. Public Hearings:
 - Proposed Establishment of Extension No. 150 (Erie Station Road at West Henrietta Road) to Henrietta Water District No. 1
 - Proposed Establishment of Extension No. 195 (Erie Station Road at West Henrietta Road) to Henrietta Sewer District No. 1
 - Proposed Parks Master Plan
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 #14-154/2007
Authorize Accounts Payable

RESOLUTION #14-155/2007
Authorize Proposed Establishment of Extension No. 150 (Erie Station Road at West Henrietta Road) to Henrietta Water District No. 1

RESOLUTION #14-156/2007
Authorize Proposed Establishment of Extension No. 195 (Erie Station Road at West Henrietta Road) to Henrietta Sewer District No. 1

RESOLUTION #14-157/2007
Accept Dedication of Roadways and Storm Sewers - Shadow Ridge Subdivision, Section One (1)

RESOLUTION #14-158/2007
Authorize Advertisement for Bids - Library Roof

RESOLUTION #14-159/2007
Adopt Town of Henrietta Internet Policy

RESOLUTION #14-160/2007
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 18TH DAY OF JULY, 2007 AT 8:00 P.M.

MEMBERS PRESENT

MEMBERS ABSENT

Supervisor James R. Breese
Councilwoman Catherine A. McCabe
Councilman William J. Mulligan, Jr.
Councilman Michael B. Yudelson
Councilwoman Janet B. Zinck
Daniel J. Mastrella, Town Attorney
Patricia J. Shaffer, Town Clerk

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

SUPERVISOR BREESE

Is there anyone that would like to speak on agenda items, just agenda items, other than the Public Hearings? Agenda items, only.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

I'm interested in the Resolution to be presented, #14-159/2007, having to do with the Internet Policy for the Town of Henrietta, having worked in a software industry for twenty some years, I'm very much concerned about copyrights, whether they're Common Law Copyrights, or Registered Copyrights, what is it that you say you don't want us to use? I mean, because very honestly, the Minutes, and the Agenda for this meeting, once it's put up, if it has a statement that says "Copyright, Town of Henrietta," and "July of this year" , it's under Common Law Copyright, and someone does not have the right to use that. Maybe I just don't understand what has brought this about? We also, for example, on the website for the Henrietta Foundation and other places have links to the website of the Town of Henrietta, so people can communicate back and forth, so the question about illegality and the internet is where my question lies. Is that the use of something? Or is it proprietary information and the programs being used on the internet by the Town of Henrietta? I don't want to get in a situation where I am doing something incorrect that belongs to the Town, out of sheer ignorance, which is very easy to do.

SUPERVISOR BREESE

Well, this wouldn't apply to you, it only applies to the Town, Town Officials, and Town Department Heads.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH

Okay, it's strictly a matter of the Town?

COUNCILWOMAN McCABE
Internal.

SUPERVISOR BREESE
We're still trying to sort out what it means ourselves.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH
I just want to clarify.

SUPERVISOR BREESE
It's a fair question.

COUNCILWOMAN McCABE
I think it's our opportunity to take a look at the internet, to have some control over the internal use of the internet, by the employees. This is a start, this is something that other Towns have done, it's the same on what other Towns are using, and so we're going to start it and see what happens, but it doesn't mean that you can't click into our website from yours.

JOHN SCHMITT, 139 CAMPFIRE ROAD NORTH
Okay, I just didn't want to make any assumptions. Thank you.

COUNCILWOMAN McCABE
You're welcome.

SUPERVISOR BREESE
Anyone else? If not, may I have the approval of the Minutes?

COUNCILWOMAN McCABE
Mr. Supervisor, I move we approve the Minutes of June 20, 2007.

COUNCILMAN YUDELSON
Second.

SUPERVISOR BREESE
Discussion? Call the roll.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye

Carried

SUPERVISOR BREESE

We have several Public Hearings, one on the proposed Establishment of Extension 150, to the Water District. A proposed Establishment of Extension 195, to the Sewer District. Have these been advertised?

PATRICIA SHAFFER, TOWN CLERK/TAX RECEIVER

Yes, sir.

SUPERVISOR BREESE

Same area of town. Is there somebody who'd like to speak on these particular Public Hearing? If not, I'll adjourn it. The other Public Hearing is on a proposed Parks Master Plan, has this been advertised?

PATRICIA SHAFFER, TOWN CLERK/TAX RECEIVER

Yes, Sir.

SUPERVISOR BREESE

Would anyone like to speak on the Parks Master Plan? Which I don't believe we want to vote on tonight, so if somebody has some ideas afterwards, it's not too late. It probably won't be adopted until our August meeting. Okay, I'll adjourn that Public Hearing. May I have the first Resolution, please.

RESOLUTION #14-154/2007

On Motion of
Councilman Yudelson

Seconded by
Councilwoman McCabe

BE IT RESOLVED, that the Director of Finance be authorized to pay the following bills payable:

EXHIBIT A	Bills Payable dated 7/18/2007	\$ 319,232.25
EXHIBIT B	Manual Bills Payable	\$ 58,533.66

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye

Carried

RESOLUTION #14-155/2007

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 150 (ERIE STATION ROAD AT WEST HENRIETTA ROAD) TO HENRIETTA WATER DISTRICT NO. 1 LOCATED ON THE EAST SIDE OF WEST HENRIETTA ROAD AND TO THE SOUTH OF THE NEW YORK STATE THRUWAY IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 150 (ERIE STATION ROAD AT WEST HENRIETTA ROAD) TO HENRIETTA WATER DISTRICT NO. 1

WHEREAS, a written Petition for the establishment of an extension to Henrietta Water District No. 1 in the Town of Henrietta, County of Monroe, State of New York, to be known as Extension No. 150 (Erie Station Road at West Henrietta Road) of said Water District was duly presented to this Town Board, together with the necessary map and plan attached thereto, and

WHEREAS, pursuant to an Order a Public Hearing was held on the Petition, and the findings as specified on Exhibit "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 150 to the said Water District as proposed in the said Petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such extension shall be designated and known as Extension No. 150 to Henrietta Water District No. 1 and shall be bounded as described in attachments annexed hereto.

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this Resolution, file Certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York.

SUPERVISOR BREESE
Discussion? Call the roll.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye

Carried

RESOLUTION #14-156/2007

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 195 (ERIE STATION ROAD AT WEST HENRIETTA ROAD) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED ON THE EAST SIDE OF WEST HENRIETTA ROAD AND TO THE SOUTH OF THE NEW YORK STATE THRUWAY IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 195 (ERIE STATION ROAD AT WEST HENRIETTA ROAD) TO HENRIETTA SEWER DISTRICT NO. 1

WHEREAS, a written Petition for the establishment of an extension to Henrietta Sewer District No. 1 in the Town of Henrietta, County of Monroe, State of New York, to be known as Extension No. 195 (Erie Station Road at West Henrietta Road) of said Sewer District was duly presented to this Town Board, together with the necessary map and plan attached thereto, and

WHEREAS, pursuant to an Order a Public Hearing was held on the Petition, and the findings as specified on Exhibit "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 195 to the said Sewer District as proposed in the said Petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such extension shall be designated and known as Extension No. 195 to Henrietta Sewer District No. 1 and shall be bounded as described in attachments annexed hereto.

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this Resolution, file Certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York.

SUPERVISOR BREESE
Discussion? Call the roll.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye

Carried

RESOLUTION #14-157/2007

On Motion of
Councilman Yudelson

Seconded by
Councilwoman McCabe

WHEREAS, Conifer Realty, the Developer of Shadow Ridge Subdivision, Section 1, located on Egret Drive, has constructed roads and installed storm sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said roads and the aforescribed improvements to the Town and for this purpose has delivered to the Town a deed for tracts or parcels of land conveying said roadways to the Town, and filing instruments granting easements to the Town for said improvements, and

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

WHEREAS, the Superintendent of Highways and the Director of Engineering and Planning have determined that the roads and said improvements were built in accordance with Town requirements and have recommended that they be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said roadways and said improvements for the described subdivision be and they hereby are accepted and that said deed and 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 Maintenance Bond in the sum of Twenty-Seven Thousand, Six Hundred Dollars (\$27,600.00) for a period of two (2) years.

SUPERVISOR BREESE
Discussion?

COUNCILWOMAN McCABE
Under discussion, Mr. Supervisor I'm going to ask that the Town Clerk make sure that the attachments with the parcels of land be better produced, re-produced, please. Thank you.

SUPERVISOR BREESE
Good point, thank you very much. Call the roll.

Duly put to a vote:

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

RESOLUTION #14-158/2007

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

WHEREAS, the Town of Henrietta requires bids for the Town of Henrietta Public Library for the replacement of the roof, to conform with construction plans and specifications on file in the Town Clerk's Office, with bids to be opened at 10:00 A.M. on Wednesday, August 8, 2007 and received no later than 9:30 A.M. on Wednesday, August 8, 2007.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for the Town of Henrietta's Library Roof as per cited plans and specifications on file, in the manner provided by Law.

SUPERVISOR BREESE

Under discussion, all this Resolution does is authorize us to go out to bid, it's not an appropriation of funds, basically we're testing the waters to see what a new roof might cost. We still have the right to reject all bids if we so choose.

COUNCILWOMAN McCABE

The reason outlined for going to bids is the fact that the Library has been leaking and dripping since it was built and it's been nickel and dime(ing) us to death for a long time and we're trying to fix all the problems that it has, so that's why we want to go out to bids.

SUPERVISOR BREESE

To see what's out there and to see how that would match up with other alternatives.

COUNCILWOMAN McCABE

That's correct.

SUPERVISOR BREESE

Fine, okay. Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye

Councilman Yudelson voting Aye
Councilwoman Zinck voting Aye
Supervisor Breese voting Aye

Carried

RESOLUTION #14-159/2007

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

BE IT RESOLVED, that the attached Internet Policy for the Town of Henrietta be hereby adopted by the Henrietta Town Board, effective immediately, and be reviewed annually at its Organizational Meeting.

SUPERVISOR BREESE
Discussion? Call the roll.

Duly put to a vote:

Councilwoman McCabe voting Aye
Councilman Mulligan voting Aye
Councilman Yudelson voting Aye
Councilwoman Zinck voting Aye
Supervisor Breese voting Aye

Carried

RESOLUTION #14-160/2007

On Motion of
Councilman Mulligan

Seconded by
Councilman Yudelson

BE IT RESOLVED, that the following person be hired:

Erica Hahn Recreation, Part-time Assistant @ \$7.15/hr.,
effective 7/8/2007.

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

Crossing Guards As per the Attachment

Frank Wowkowych, Jr. Recreation, Part-time Assistant @ \$8.25/hr.,
from \$7.25/hr., effective 7/8/2007.

SUPERVISOR BREESE

That's the end of the regular meeting, is there someone here who'd like to speak on any other items that belong to the Town of Henrietta before we adjourn? (*Pause - no*)

response)

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman McCabe at 8:35 P.M. and passed unanimously.

Respectfully submitted,

Leann C. Long
Deputy Town Clerk