

**HENRIETTA TOWN BOARD  
AGENDA  
OCTOBER 17, 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): October 3, 2007
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

**RESOLUTION #19-198/2007**  
Authorize Accounts Payable

**RESOLUTION #19-199/2007**  
Authorize Amendments to the Fiscal Year 2008 Preliminary Budget

**RESOLUTION #19-200/2007**  
Call for a Public Hearing - Fiscal Year 2008 Preliminary Budget

**RESOLUTION #19-201/2007**  
Authorize Professional Real Estate Appraisal Services - Xerox

**RESOLUTION #19-202/2007**  
Call for a Public Hearing - "Cold War Veterans" Tax Exemption

**RESOLUTION #19-203/2007**  
Authorize Change Order # 1 - Televising Contract

**RESOLUTION #19-204/2007**  
Authorize Supervisor to Sign Extension to the New York State Snow and Ice Removal Agreement

**RESOLUTION #19-205/2007**  
Authorize Co-Application with the County of Monroe for New York State Department of State's Shared Municipal Services Incentive Grant

RESOLUTION #19-206/2007

Authorize Traffic Control Device - Middle Road at Calkins Road, Calkins Road at Hylan Drive

RESOLUTION #19-207/2007

Authorize Advertisement for Bids - Salt Spreader - Highway Department

RESOLUTION #19-208/2007

Authorize Attendance of the National Alliance for Youth Sports Conference

RESOLUTION #19-209/2007

Authorize Attendance of the 2007 Healthy Communities/Healthy Youth Conference

RESOLUTION #19-210/2007

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 17<sup>th</sup> DAY OF OCTOBER, 2007 AT 8:00 P.M.

**MEMBERS PRESENT**

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

**MEMBERS ABSENT**

Councilwoman Catherine A. McCabe

*(SILENT PRAYER)*

*(PLEDGE OF ALLEGIANCE TO THE FLAG)*

SUPERVISOR BREESE

Is there anyone who would like to speak on the Agenda items, just the Agenda items? If not, may I have the Approval of the Minutes, please.

COUNCILMAN YUDELSON

Mr. Supervisor, I move the Approval of the Minutes of the October 3, 2007 Meeting.

COUNCILWOMAN ZINCK

Second.

SUPERVISOR BREESE

Discussion? Call the roll.

Duly put to a vote:

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

Carried

SUPERVISOR BREESE

May I have the first Resolution.

RESOLUTION #19-198/2007

On Motion of

Seconded by

Councilman Yudelson

Councilwoman Zinck

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

EXHIBIT A	Bills Payable dated 10/17/2007	\$ 229,606.04
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SUPERVISOR BREESE  
Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #19-199/2007

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Yudelson

WHEREAS, the attached items are proposed amendments to said Tentative Budget for the Fiscal Year 2008, totaling \$110,528.00.

THEREFORE, BE IT RESOLVED, that the attached amendments to the Tentative Budget for the Fiscal Year 2008 be adopted.

BE IT FURTHER RESOLVED, that the \$110,528.00 as reflected in said amendments, put into Account #A.9950.900, to be transferred into a Building Capital Reserve Fund.

SUPERVISOR BREESE  
Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #19-200/2007

On Motion of  
Supervisor Breese

Seconded by  
Councilman Yudelson

WHEREAS, the Tentative Budget of the Town of Henrietta for the fiscal year 2008 was filed in the Office of the Town Clerk on October 2, 2007, and was presented to Town Board Members on this same date, and

WHEREAS, Town Law requires that a Public Hearing be held on the Preliminary Budget, as amended from Tentative Budget by Resolution #19-199/2007.

THEREFORE, BE IT RESOLVED, that a Public Hearing be held on November 7, 2007 at 8:00 P.M. at the Henrietta Town Hall, 475 Calkins Road, Main Meeting Room, Henrietta, New York on the fiscal year 2008 Preliminary Budget, as amended.

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

SUPERVISOR BREESE  
Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #19-201/2007

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, it has become necessary to contract for professional real estate appraisal services for the certiorari actions filed by the Xerox Corporation, for the premises located at 1350-1400 Jefferson Road in the Town of Henrietta, known as Tax Account Numbers 162.07-1-3, 162.08-1-1, 162.08-1-2, 162.08-1-30, and 162.08-1-31, and

WHEREAS, a number of appraisers were solicited for fee quotes.

THEREFORE, BE IT RESOLVED, that Ronald J. Rubino, MAI, of GAR Associates, Inc., 2399 Sweet Home Road, Amherst, New York 14228, is hereby engaged to perform real estate appraisal services, conforming to the applicable standards, for a fee not to exceed \$19,000.00, with necessary court testimony and trial preparation being billed separately at an hourly rate of \$150.00 per hour.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Ronald J. Rubino, MAI, of GAR Associates, Inc., in an amount not to exceed \$19,000.00, with necessary court testimony and trial preparation being billed separately at an hourly rate of \$150.00 per hour, upon the submission of all proper documentation.

SUPERVISOR BREESE  
Discussion? Call the roll.



WHEREAS, Funds are available in the 2007 Sewer Budget for this work, and additional problem areas have been encountered, and the Town wants to continue an active approach in identifying severity of problem areas in the Town's existing sanitary sewer system, and

WHEREAS, Change Order No. 1 provides for the continuation of additional professional televising services of existing sanitary sewers at the originally quoted unit price of \$0.77/Linear Feet, and

WHEREAS, the Director of Engineering and Planning, and the Superintendent of Drainage, Sewer, and Sidewalks have reviewed and request the proposed change of this Contract and recommends that this be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the Town Supervisor, on behalf of the Town, be and hereby is authorized to execute Change Order No. 1, increase to the not to exceed the amount of \$14,000.00, resulting in increasing the total Contract amount to \$43,953.00.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay National Vacuum Corp., 860 Maple Street, Suite 200, Rochester, New York 14611, upon successful completion of this Project and acceptance by the Director of Engineering and Planning.

SUPERVISOR BREESE  
Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #19-204/2007

On Motion of  
Councilman Yudelson

Seconded by  
Councilman Mulligan

BE IT RESOLVED, that the Supervisor be authorized to sign, on behalf of the Town of Henrietta, the attached extension to the New York State Snow and Ice Agreement for the 2009/2010 season.

BE IT FURTHER RESOLVED, that this extension shall commence on July 1, 2009 and expire on June 30, 2010.

SUPERVISOR BREESE  
Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #19-205/2007

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, the County of Monroe, the Town of Henrietta, and other towns in Monroe County are eligible to receive grant funding under the New York State Department of State's Shared Municipal Services Incentive Grant Program which provides funds to undertake projects or purchase equipment that encourages inter-municipal cooperation, and

WHEREAS, Monroe County and towns within the County have identified specific pieces of equipment at a cost of \$200,000.00 that could be shared by, and provide benefits to, each municipality, and

WHEREAS, the Shared Municipal Services Incentive Grant Program will fund 90% of the purchase price of the equipment, if the remaining 10% balance is provided by local municipalities, and

WHEREAS, the County of Monroe has agreed to be the lead applicant for the grant application and to provide the entire 10% of the local funding requirement for the new equipment, and

WHEREAS, should grant funding be secured for this purchase, the County has also agreed to store and perform all maintenance on the new equipment.

THEREFORE, BE IT RESOLVED, that the Town of Henrietta shall be a co-applicant with the County of Monroe and other Monroe County towns on an application for a Shared Municipal Services Incentive Grant from the State of New York.

SUPERVISOR BREESE  
Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #19-206/2007

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Yudelson

WHEREAS, New York State Vehicle and Traffic Law, Section 1660, permits the Town Board to establish traffic regulations within the Town by Resolution, and

WHEREAS, the Monroe County Director of Transportation has requested permission to abolish one traffic control device and to install new traffic control devices related to the current Middle Road/Calkins Road/Hylan Drive Construction Project, and as listed specifically in Attachment "A", and

WHEREAS, the Henrietta Town Board supports and encourages the installation of these traffic control devices in the interest of public safety.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board hereby authorizes the establishment of the traffic control devices listed in Attachment "A".

SUPERVISOR BREESE  
Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #19-207/2007

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Mulligan

WHEREAS, the Town of Henrietta requires bids for one (1) salt spreader to comply with specifications on file in the Town Clerk's Office, with bids to be opened at 10:00 A.M. on Friday, November 2, 2007, and received no later than 9:45 A.M. on Friday, November 2, 2007.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for one (1) salt spreader, as per cited specifications on file, in the manner provided by Law.

SUPERVISOR BREESE  
Discussion? Call the roll.

Duly put to a vote:

Councilwoman McCabe	voting	Absent
Councilman Mulligan	voting	Aye

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

Carried

RESOLUTION #19-208/2007

On Motion of  
Councilman Yudelson

Seconded by  
Councilwoman Zinck

WHEREAS, the Director of Recreation and Youth Bureau, Regis P. Steinkamp, has requested authorization to send Dave Moriarty to the 2007 National Alliance for Youth Sports Congress Conference in Orlando, Florida from November 28, 2007 to December 1, 2007, and

WHEREAS, funds are available in the year 2007 Budget, and

WHEREAS, the Town Board supports and encourages additional training for all Town employees.

THEREFORE, BE IT RESOLVED, that Dave Moriarty be hereby authorized to attend the three (3) night 2007 National Alliance Youth Sports Congress Conference at a cost not to exceed \$450.00 to include air fare, and meals.

BE IT FURTHER RESOLVED, that all properly prepared vouchers be submitted to the Finance Department for reimbursement.

SUPERVISOR BREESE  
Discussion? Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #19-209/2007

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Mulligan

WHEREAS, the Director of Recreation and Youth Bureau, Regis P. Steinkamp, has requested authorization to send the individuals listed on the attachment to the 2007 Healthy Communities/Healthy Youth Conference in Rochester, New York from November 8, 2007 to November 10, 2007, and

WHEREAS, funds for this are made available through a Grant-in-Aid from a State Senator Alesi Grant in the amount of Five Thousand Dollars (\$5,000.00), and a One

Thousand Dollar (\$1,000.00) Donation from the Wal-Mart Corporation, and

WHEREAS, the Town Board supports and encourages additional training for all Town employees.

THEREFORE, BE IT RESOLVED, that attached list of individuals be authorized to attend the three (3) day 2007 Healthy Communities/Healthy Youth Conference at a cost not to exceed Six Thousand Dollars (\$6,000.00), to include hotel accommodations for some of the listed participants, and Conference Registration, and meals for the other listed participants.

BE IT FURTHER RESOLVED, that all properly prepared vouchers be submitted to the Finance Department for payment to the Search Institute for Conference expenses, and that all properly prepared invoices from the Search Institute be submitted to the Director of Recreation and Youth Bureau for submission to the Office of Children and Family Services for reimbursement to the Town from the Five Thousand Dollars (\$5,000.00) Grant-in-Aid from New York State.

SUPERVISOR BREESE

Under discussion, this Resolution refers to an attached list, of course, it's not here.

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir, I'll correct that tomorrow morning.

SUPERVISOR BREESE

It was attached on Monday, correct?

PATRICIA SHAFFER

It was attached Monday, yes, Sir.

SUPERVISOR BREESE

Make sure it gets attached.

PATRICIA SHAFFER

I will.

SUPERVISOR BREESE

Call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #19-210/2007



MARK BYRNE, DIRECTOR OF ENGINEERING AND PLANNING

It's a County road.

SUPERVISOR BREESE

I know that, but out of courtesy. They wouldn't have to advise us, would they . . .

JOHN HOUSEL, 178 LYSANDER DRIVE

*(Inaudible)*

COUNCILWOMAN ZINCK

It is inconvenient though, I agree.

JOHN HOUSEL, 178 LYSANDER DRIVE

They don't have to . . .

SUPERVISOR BREESE

No . . .

COUNCILWOMAN ZINCK

*(Inaudible)*

SUPERVISOR BREESE

Anyone else want to speak on anything else? *(Pause, no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman Zinck at 8:16 P.M. and passed unanimously.

Respectfully submitted,

Leann C. Long  
Deputy Town Clerk