

**HENRIETTA TOWN BOARD
AGENDA
MARCH 5, 2008**

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): February 20, 2008
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 #6-78/2008

Authorize Accounts Payable

RESOLUTION #6-79/2008

Call for Public Hearing - Proposed Establishment of Extension No. 153 (1555 Jefferson Road and Eagles Landing 1) to Henrietta Water District No. 1

RESOLUTION #6-80/2008

Call for Public Hearing - Proposed Establishment of Extension No. 201 (1555 Jefferson Road and Eagles Landing 1) to Henrietta Sewer District No. 1

RESOLUTION #6-81/2008

Call for Public Hearing - Proposed Establishment of Extension No. 11 (1555 Jefferson Road and Eagles Landing 1) to Henrietta Lighting District

RESOLUTION #6-82/2008

Authorize Acceptance of Dedication of Roadways - Marketplace Drive Improvements by Sam's Club

RESOLUTION #6-83/2008

Authorize Acceptance of Dedication of Roadways - Marketplace Drive and Strassenburgh Drive Improvements by Wal-mart

RESOLUTION #6-84/2008

Call for Public Hearing - Abandonment of a Portion of Moore Road Right-of-Way

RESOLUTION #6-85/2008

Authorize Purchase of State Contract Vehicle - Dump Truck -
Drainage/Sewer/Sidewalks

RESOLUTION #6-86/2008

Authorize Purchase of State Contract Vehicle - SUV - Building/Fire Prevention
Department

RESOLUTION #6-87/2008

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 MARCH, 2008 AT 8:00 P.M.

RESOLUTION #6-78/2008

On Motion of
Councilman Moore

Seconded by
Councilwoman Zinck

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

EXHIBIT A	Bills Payable dated 03/05/2008	\$ 270,332.05
EXHIBIT B	Manual Bills Payable	\$ 7,332.00

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 MARCH, 2008 AT 8:00 P.M.

RESOLUTION #6-79/2008

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 153 (1555 JEFFERSON ROAD ASSOCIATES AND EAGLES LANDING I) TO HENRIETTA WATER DISTRICT NO. 1 LOCATED ON THE SOUTH SIDE OF JEFFERSON ROAD AND ON THE NORTH SIDE OF CASTLE ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

WHEREAS, a written Petition in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Henrietta, County of Monroe, New York for the establishment of Extension No. 153 (1555 Jefferson Road Associates and Eagles Landing I) to the Henrietta Water District No. 1 bounded and described as set forth on exhibits now on file in the Town Clerk's Office, and

WHEREAS, the improvements proposed consist of a water system to serve the said Extension No. 153, including the acquisition of the necessary rights-of-way therefore, in accordance with a certain map and description made a part of such Petition and now on file in the Office of the Town Clerk of the said Town, and

WHEREAS, the maximum amount proposed to be expended for the said establishment of the said extension and the construction of said water system, including the acquisition of any necessary lands, easements and rights-of-way within and also outside of the limits of the proposed District Extension shall be borne by the owners and developers of the land included in said extension.

THEREFORE, BE IT RESOLVED, that a Public Hearing of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, 475 Calkins Road, in the Town of Henrietta, Monroe County, New York on the 2nd day of April, 2008 at 8:00 P.M. to consider the said Petition and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted in the manner provided by law.

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 MARCH, 2008 AT 8:00 P.M.

RESOLUTION #6-80/2008

On Motion of
Councilman Moore

Seconded by
Councilman Mulligan

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 201 (1555 JEFFERSON ROAD ASSOCIATES AND EAGLES LANDING I) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED AT THE SOUTH END OF JEFFERSON ROAD AND ON THE NORTH SIDE OF CASTLE ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

WHEREAS, a written Petition in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Henrietta, County of Monroe, New York for the establishment of Extension No. 201 (1555 Jefferson Road Associates and Eagles Landing I) to Henrietta Sewer District No. 1 bounded and described as set forth on exhibits now on file in the Town Clerk's Office, and

WHEREAS, the improvements proposed consist of a sewer system to serve the said Extension No. 201, including the acquisition of the necessary rights-of-way therefore, in accordance with a certain map and description made a part of such Petition and now on file in the Office of the Town Clerk of the said Town, and

WHEREAS, the maximum amount proposed to be expended for the said establishment of the said extension and the construction of said sewer system, including the acquisition of any necessary lands, easements and rights-of-way within and also outside of the limits of the proposed District Extension shall be borne by the owners and developers of the land included in said extension.

THEREFORE, BE IT RESOLVED, that a Public Hearing of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, 475 Calkins Road, in the Town of Henrietta, Monroe County, New York on the 2nd day of April, 2008 at 8:00 P.M. to consider the

said Petition and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted in the manner provided by law.

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 MARCH, 2008 AT 8:00 P.M.

RESOLUTION #6-81/2008

On Motion of
Councilwoman Zinck

Seconded by
Councilman Moore

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 11 (1555 JEFFERSON ROAD ASSOCIATES AND EAGLES LANDING I) TO THE HENRIETTA LIGHTING DISTRICT LOCATED ON THE SOUTH SIDE OF JEFFERSON ROAD AND ON THE NORTH SIDE OF CASTLE ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

WHEREAS, a written Petition in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Henrietta, County of Monroe, New York for the establishment of Extension No. 11 (1555 Jefferson Road Associates and Eagles Landing I) to Henrietta Lighting District, bounded and described as set forth on exhibits now on file in the Town Clerk's Office, and

WHEREAS, the improvements proposed consist of lighting equipment to serve the said Extension No. 11, including the acquisition of the necessary rights-of-way therefore, in accordance with a certain map and description made a part of such Petition and now on file in the Office of the Town Clerk of the said Town, and

WHEREAS, the maximum amount proposed to be expended for the said establishment of the said extension and the construction of said lighting system, including the acquisition of any necessary lands, easements and rights-of-way within and also outside of the limits of the proposed District Extension shall be borne by the owners and developers of the land included in said extension.

THEREFORE, BE IT RESOLVED, that a Public Hearing of the Town Board of the

Town of Henrietta shall be held at the Henrietta Town Hall, 475 Calkins Road, in the Town of Henrietta, Monroe County, New York on the 2nd day of April, 2008 at 8:00 P.M. to consider the said Petition and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted in the manner provided by law.

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 MARCH, 2008 AT 8:00 P.M.

RESOLUTION #6-82/2008

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, Sam's Real Estate Business Trust, the Developer of Sam's Club Expansion, located at 1600 Marketplace Drive, has constructed a road and installed storm sewers on Marketplace Drive, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said road and the afore described improvements to the Town and for this purpose has delivered to the Town Deeds for tracts or parcels of land conveying said roadway to the Town for said improvements, and

WHEREAS, the Town Attorney has examined this Deed and has found it to be in good order, and

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

WHEREAS, the standard required two (2) year period of time within which a Maintenance Bond would be required to be posted has elapsed, and

WHEREAS, the Director of Engineering and Planning and the Superintendent of Highways have re-inspected the improvements and recommend that they be accepted without requiring posting of said Bond.

THEREFORE, BE IT RESOLVED, that the said roadway improvements for the described Project be and they hereby are accepted and that said Deed be recorded in the Monroe

County Clerk's Office.

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 MARCH, 2008 AT 8:00 P.M.

RESOLUTION #6-83/2008

On Motion of
Councilman Moore

Seconded by
Councilwoman Zinck

WHEREAS, Wal-mart Real Estate Business Trust, the Developer of Wal-mart Expansion, located at 1200 Marketplace Drive, has constructed a road and installed storm sewers on Marketplace Drive and Strassenburgh Drive, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said road and the afore described improvements to the Town and for this purpose has delivered to the Town Deeds for tracts or parcels of land conveying said roadway to the Town for said improvements, and

WHEREAS, the Town Attorney has examined this Deed and has found it to be in good order, and

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

WHEREAS, the standard required two (2) year period of time within which a Maintenance Bond would be required to be posted has elapsed, and

WHEREAS, the Director of Engineering and Planning and the Superintendent of Highways have re-inspected the improvements and recommend that they be accepted without requiring posting of said Bond.

THEREFORE, BE IT RESOLVED, that the said roadway improvements for the described Project be and they hereby are accepted and that said Deed be recorded in the Monroe

County Clerk's Office.

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 MARCH, 2008 AT 8:00 P.M.

RESOLUTION #6-84/2008

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

WHEREAS, the Developer, Forest Creek Equity Corporation, for the Berkshire Park Subdivision, Section 3, has approached the Town of Henrietta concerning the potential sale by the Town of Henrietta of a portion of the original right-of-way of Moore Road located to the south of Martin Road consisting of approximately 1.0 acre of land, and

WHEREAS, the Superintendent of Highways has advised the Director of Engineering and Planning that this portion of the original right-of-way is not needed for the roadway or for any other Town purposes, and

WHEREAS, the Town Assessor believes that \$1,800.00 is a fair and reasonable estimate of value for said right-of-way, and

WHEREAS, this money will be deposited into the General Fund, and

WHEREAS, the transfer of ownership of said right-of-way where there is no material change in conditions or scope of activities constitutes a Type II action for SEQRA purposes and does not have a significant effect on the environment and requires no further review.

THEREFORE, BE IT RESOLVED, that a meeting of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, Main Meeting Room, 475 Calkins Road, Henrietta, New York on the 2nd day of April, 2008 at 8:00 P.M., to consider said sale and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted in the manner provided by law.

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 MARCH, 2008 AT 8:00 P.M.

RESOLUTION #6-85/2008

On Motion of
Councilman Moore

Seconded by
Councilwoman Zinck

WHEREAS, the 2008 Drainage/Sewer/Sidewalks Budget provides funds for the purchase of one (1) new dump truck to replace a six (6) wheel dump truck # 516, and

WHEREAS, a replacement truck, meeting specifications, is available through New York State Contract PC62374 from Beam Mack, at a total cost not to exceed \$124,242.44.

THEREFORE, BE IT RESOLVED, that Beam Mack, 2674 West Henrietta Road, Rochester, New York 14623, be hereby awarded the purchase of one (1) new 2009 dump truck, per specifications.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Beam Mack, in an amount not to exceed \$124,242.44, upon delivery and receipt of all proper documentation, and acceptance by the Superintendent of Drainage/Sewer/Sidewalks.

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 MARCH, 2008 AT 8:00 P.M.

RESOLUTION #6-86/2008

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, the 2008 Building/Fire Prevention Budget provides funds for the purchase of one (1) new SUV to replace truck # 21, and

WHEREAS, a replacement SUV, meeting specifications, is available through New York State Contract PC62962 from Fairport Ford, LLC, at a total cost not to exceed \$13,788.00.

THEREFORE, BE IT RESOLVED, that Fairport Ford, LLC, 71 Marsh Road, East Rochester, New York 14445, be hereby awarded the purchase of one (1) new 2008 Ford Escape XLS, per specifications.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Fairport Ford, LLC in an amount not to exceed \$13,788.00, upon delivery and receipt of all proper documentation, and acceptance by the Fire Marshal.

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 MARCH, 2008 AT 8:00 P.M.

RESOLUTION #6-87/2008

On Motion of
Councilman Mulligan

Seconded by
Councilman Moore

BE IT RESOLVED, that the following persons be hired:

Katherine Langschwager

Recreation, Part-time after school assistant @
\$7.75/hr., effective 3/2/2008.

Joshua Sixt

Engineering, Aide co-op @ \$9.25/hr., effective
3/10/2008.

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

Jeremy DeFilippo

Engineering, from Engineering Aide @ \$11.00/hr.,
to Drafting Technician (provisional) @ \$12.12/hr.,
required to pass civil service exam and be
obtainable, effective 1/1/2008.

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 MARCH, 2008 AT 8:00 P.M.

PRESENT

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

ABSENT

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

SUPERVISOR YUDELSON

Is there anyone who would like to speak on any items that are on the Agenda for tonight's meeting? *(Pause, no response)* If not, may I have the Approval of the Minutes.

COUNCILWOMAN McCABE

Mr. Supervisor, I move we Approve the Minutes of February 20, 2008.

COUNCILWOMAN ZINCK

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

SUPERVISOR YUDELSON

May I have the first Resolution, please.

RESOLUTION #6-78/2008

On Motion of
Councilman Moore

Seconded by
Councilwoman Zinck

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

EXHIBIT A	Bills Payable dated 03/05/2008	\$ 270,332.05
EXHIBIT B	Manual Bills Payable	\$ 7,332.00

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #6-79/2008

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 153 (1555 JEFFERSON ROAD ASSOCIATES AND EAGLES LANDING I) TO HENRIETTA WATER DISTRICT NO. 1 LOCATED ON THE SOUTH SIDE OF JEFFERSON ROAD AND ON THE NORTH SIDE OF CASTLE ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

WHEREAS, a written Petition in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Henrietta, County of Monroe, New York for the establishment of Extension No. 153 (1555 Jefferson Road Associates and Eagles Landing I) to the Henrietta Water District No. 1 bounded and described as set forth on exhibits now on file in the Town Clerk's Office, and

WHEREAS, the improvements proposed consist of a water system to serve the said Extension No. 153, including the acquisition of the necessary rights-of-way therefore, in accordance with a certain map and description made a part of such Petition

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and now on file in the Office of the Town Clerk of the said Town, and

WHEREAS, the maximum amount proposed to be expended for the said establishment of the said extension and the construction of said water system, including the acquisition of any necessary lands, easements and rights-of-way within and also outside of the limits of the proposed District Extension shall be borne by the owners and developers of the land included in said extension.

THEREFORE, BE IT RESOLVED, that a Public Hearing of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, 475 Calkins Road, in the Town of Henrietta, Monroe County, New York on the 2nd day of April, 2008 at 8:00 P.M. to consider the said Petition and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted in the manner provided by law.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #6-80/2008

On Motion of
Councilman Moore

Seconded by
Councilman Mulligan

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 201 (1555 JEFFERSON ROAD ASSOCIATES AND EAGLES LANDING I) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED AT THE SOUTH END OF JEFFERSON ROAD AND ON THE NORTH SIDE OF CASTLE ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

WHEREAS, a written Petition in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Henrietta, County of Monroe, New York for the establishment of Extension No. 201 (1555 Jefferson Road Associates and Eagles Landing I) to Henrietta Sewer District No. 1 bounded and described as set forth on exhibits now on file in the Town Clerk's Office, and

WHEREAS, the improvements proposed consist of a sewer system to serve the said Extension No. 201, including the acquisition of the necessary rights-of-way therefore, in accordance with a certain map and description made a part of such Petition and now on file in the Office of the Town Clerk of the said Town, and

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WHEREAS, the maximum amount proposed to be expended for the said establishment of the said extension and the construction of said sewer system, including the acquisition of any necessary lands, easements and rights-of-way within and also outside of the limits of the proposed District Extension shall be borne by the owners and developers of the land included in said extension.

THEREFORE, BE IT RESOLVED, that a Public Hearing of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, 475 Calkins Road, in the Town of Henrietta, Monroe County, New York on the 2nd day of April, 2008 at 8:00 P.M. to consider the said Petition and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted in the manner provided by law.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #6-81/2008

On Motion of
Councilwoman Zinck

Seconded by
Councilman Moore

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 11 (1555 JEFFERSON ROAD ASSOCIATES AND EAGLES LANDING I) TO THE HENRIETTA LIGHTING DISTRICT LOCATED ON THE SOUTH SIDE OF JEFFERSON ROAD AND ON THE NORTH SIDE OF CASTLE ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

WHEREAS, a written Petition in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Henrietta, County of Monroe, New York for the establishment of Extension No. 11 (1555 Jefferson Road Associates and Eagles Landing I) to Henrietta Lighting District, bounded and described as set forth on exhibits now on file in the Town Clerk's Office, and

WHEREAS, the improvements proposed consist of lighting equipment to serve the said Extension No. 11, including the acquisition of the necessary rights-of-way therefore, in accordance with a certain map and description made a part of such Petition and now on file in the Office of the Town Clerk of the said Town, and

WHEREAS, the maximum amount proposed to be expended for the said

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establishment of the said extension and the construction of said lighting system, including the acquisition of any necessary lands, easements and rights-of-way within and also outside of the limits of the proposed District Extension shall be borne by the owners and developers of the land included in said extension.

THEREFORE, BE IT RESOLVED, that a Public Hearing of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, 475 Calkins Road, in the Town of Henrietta, Monroe County, New York on the 2nd day of April, 2008 at 8:00 P.M. to consider the said Petition and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted in the manner provided by law.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #6-82/2008

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, Sam's Real Estate Business Trust, the Developer of Sam's Club Expansion, located at 1600 Marketplace Drive, has constructed a road and installed storm sewers on Marketplace Drive, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said road and the afore described improvements to the Town and for this purpose has delivered to the Town Deeds for tracts or parcels of land conveying said roadway to the Town for said improvements, and

WHEREAS, the Town Attorney has examined this Deed and has found it to be in good order, and

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

WHEREAS, the standard required two (2) year period of time within which a Maintenance Bond would be required to be posted has elapsed, and

WHEREAS, the Director of Engineering and Planning and the Superintendent of Highways have re-inspected the improvements and recommend that they be accepted without requiring posting of said Bond.

THEREFORE, BE IT RESOLVED, that the said roadway improvements for the

described Project be and they hereby are accepted and that said Deed be recorded in the Monroe County Clerk's Office.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #6-83/2008

On Motion of
Councilman Moore

Seconded by
Councilwoman Zinck

WHEREAS, Wal-mart Real Estate Business Trust, the Developer of Wal-mart Expansion, located at 1200 Marketplace Drive, has constructed a road and installed storm sewers on Marketplace Drive and Strassenburgh Drive, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said roads and the afore described improvements to the Town and for this purpose has delivered to the Town Deeds for tracts or parcels of land conveying said roadway to the Town for said improvements, and

WHEREAS, the Town Attorney has examined this Deed and has found it to be in good order, and

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

WHEREAS, the standard required two (2) year period of time within which a Maintenance Bond would be required to be posted has elapsed, and

WHEREAS, the Director of Engineering and Planning and the Superintendent of Highways have re-inspected the improvements and recommend that they be accepted without requiring posting of said Bond.

THEREFORE, BE IT RESOLVED, that the said roadway improvements for the described Project be and they hereby are accepted and that said Deed be recorded in the Monroe County Clerk's Office.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

RESOLUTION #6-84/2008

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

WHEREAS, the Developer, Forest Creek Equity Corporation, for the Berkshire Park Subdivision, Section 3, has approached the Town of Henrietta concerning the potential sale by the Town of Henrietta of a portion of the original right-of-way of Moore Road located to the south of Martin Road consisting of approximately 1.0 acre of land, and

WHEREAS, the Superintendent of Highways has advised the Director of Engineering and Planning that this portion of the original right-of-way is not needed for the roadway or for any other Town purposes, and

WHEREAS, the Town Assessor believes that \$1,800.00 is a fair and reasonable estimate of value for said right-of-way, and

WHEREAS, this money will be deposited into the General Fund, and

WHEREAS, the transfer of ownership of said right-of-way where there is no material change in conditions or scope of activities constitutes a Type II action for SEQRA purposes and does not have a significant effect on the environment and requires no further review.

THEREFORE, BE IT RESOLVED, that a meeting of the Town Board of the Town of Henrietta shall be held at the Henrietta Town Hall, Main Meeting Room, 475 Calkins Road, Henrietta, New York on the 2nd day of April, 2008 at 8:00 P.M., to consider said sale and to hear all persons interested in the subject. Notice of said Hearing shall be published and posted in the manner provided by law.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

RESOLUTION #6-85/2008

On Motion of
Councilman Moore

Seconded by
Councilwoman Zinck

WHEREAS, the 2008 Drainage/Sewer/Sidewalks Budget provides funds for the purchase of one (1) new dump truck to replace a six (6) wheel dump truck # 516, and

WHEREAS, a replacement truck, meeting specifications, is available through New York State Contract PC62374 from Beam Mack, at a total cost not to exceed \$124,242.44.

THEREFORE, BE IT RESOLVED, that Beam Mack, 2674 West Henrietta Road, Rochester, New York 14623, be hereby awarded the purchase of one (1) new 2009 dump truck, per specifications.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Beam Mack, in an amount not to exceed \$124,242.44, upon delivery and receipt of all proper documentation, and acceptance by the Superintendent of Drainage/Sewer/Sidewalks.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #6-86/2008

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, the 2008 Building/Fire Prevention Budget provides funds for the purchase of one (1) new SUV to replace truck # 21, and

WHEREAS, a replacement SUV, meeting specifications, is available through New York State Contract PC62962 from Fairport Ford, LLC, at a total cost not to exceed \$13,788.00.

THEREFORE, BE IT RESOLVED, that Fairport Ford, LLC, 71 Marsh Road, East Rochester, New York 14445, be hereby awarded the purchase of one (1) new 2008 Ford Escape XLS, per specifications.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Fairport Ford, LLC in an amount not to exceed \$13,788.00, upon delivery and receipt of all proper documentation, and acceptance by the Fire Marshal.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #6-87/2008

On Motion of
Councilman Mulligan

Seconded by
Councilman Moore

BE IT RESOLVED, that the following persons be hired:

Katherine Langschwager	Recreation, Part-time after school assistant @ \$7.75/hr., effective 3/2/2008.
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Joshua Sixt	Engineering, Aide co-op @ \$9.25/hr., effective 3/10/2008.
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BE IT FURTHER RESOLVED, that the following employee change be made:

Jeremy DeFilippo	Engineering, from Engineering Aide @ \$11.00/hr., to Drafting Technician (provisional) @ \$12.12/hr., required to pass civil service exam and be obtainable, effective 1/1/2008.
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SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

SUPERVISOR YUDELSON

That concludes the Regular Agenda, before we adjourn, is there anyone who would like to speak on any matter involving the Town of Henrietta? *(Pause, no response)*

TB March 5, 2008

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman McCabe, seconded by Councilwoman Zinck at 8:42 P.M. and passed unanimously.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk