

TB November 18, 2009

RESOLUTION #22-212/2009

Accept Dedication of Roads and Storm Sewers – Berkshire Park Subdivision,
Section 2

RESOLUTION #22-213/2009

Authorize Advertisement for Bids – Telecommunication System and Related –
Town Hall, Department of Public Works, Senior Center and Library

RESOLUTION #22-214/2009

Adopt Official Undertaking of Receiver of Taxes and Assessments

RESOLUTION #22-215/2009

Authorize Personnel Items

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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 NOVEMBER, 2009 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

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

SUPERVISOR YUDELSON

Is there anybody that would like to speak on any items that are on the Agenda for tonight? Agenda items only, at this point? *(Pause, no response)* If not, could I have the Approval of the Minutes?

COUNCILWOMAN McCABE

Mr. Supervisor, I move we Approve the Minutes of November 4, 2009.

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 #22-206/2009

On Motion of
Councilwoman Zinck

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 11/18/2009	\$ 383,064.80
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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	

RESOLUTION #22-207/2009

On Motion of
Councilman Moore

Seconded by
Councilwoman McCabe

WHEREAS, Resolution #14-137/2009 awarded the Year 2009 Sanitary Sewer Repairs Project to B. Beardsley Management and Enterprises, Inc., for a total cost of \$270,345.00, and

WHEREAS, during sanitary sewer repairs, the existing watermain was in direct conflict with the sanitary sewer and had to be relocated, and

WHEREAS, Change Order No. 1 provides for the watermain relocation costs and extension to the Contract time, and

WHEREAS, funds are available in the 2009 Sewer Budget for this work, and

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

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to execute Change Order No. 1, increase not to exceed the amount of \$3,437.01, resulting in increasing the total Contract amount to \$273,782.01.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized

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to pay B. Beardsley Management and Enterprises, Inc., 7027 West Main Street, Lima, New York 14485, upon successful completion of this Project, and acceptance by the Director of Engineering and Planning.

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 Yudelton	voting	Aye
	Carried	

RESOLUTION #22-208/2009

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

WHEREAS, Resolution #14-137/2009 awarded the Year 2009 Sanitary Sewer Repairs Project to B. Beardsley Management and Enterprises, Inc., for a total cost of \$270,345.00, and

WHEREAS, during excavation for sanitary sewer repairs, concrete encasement was encountered and had to be removed, and

WHEREAS, Change Order No. 2 provides for the removal of said concrete encasement, and

WHEREAS, funds are available in the 2009 Sewer Budget for this work, and

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

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to execute Change Order No. 2, increase not to exceed the amount of \$2,607.51, resulting in increasing the total Contract amount to \$276,389.52.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay B. Beardsley Management and Enterprises, Inc., 7027 West Main Street, Lima, New York 14485, upon successful completion of this Project, and acceptance by the Director of Engineering and Planning.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #22-209/2009

On Motion of	Seconded by
Councilwoman McCabe	Councilman Moore

WHEREAS, the property owner at 141 Nevins Road has a residential dwelling currently occupying a portion of an existing Town Drainage Easement recorded in Liber 3726 of Deeds, Page 248, and

WHEREAS, the release of said portion of the Drainage Easement is necessary for the sale of property being identified as Tax Identification No. 175.16-1-21, and

WHEREAS, the described portion of this existing Drainage Easement is no longer needed by the Town, and

WHEREAS, the Town Attorney and the Director of Engineering and Planning have reviewed the Abandonment of Easement and recommended that the Town of Henrietta consent to and execute said Abandonment.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to execute the Abandonment of Easement, which shall be filed 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 #22-210/2009

On Motion of	Seconded by
Councilwoman Zinck	Councilman Mulligan

WHEREAS, Resolution #19-190/2009 awarded the Crimson Bramble Road

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Sanitary Sewer Repairs Project to B. Beardsley Management and Enterprises, Inc., for a total cost of \$46,450.00, and

WHEREAS, funds are available in the 2009 Sewer Budget for this work, and for additional sewer problems that exist on Crimson Bramble Road, and

WHEREAS, the Town wants to continue an active repair program with regard to correcting sewer deficiencies in the Town's existing sanitary sewer system, and

WHEREAS, Change Order No. 1 would provide for the continuation of additional sewer repairs on Crimson Bramble Road, at the original Contract Bid prices, and

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

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to execute Change Order No. 1, increase not to exceed the amount of \$34,000.00, resulting in increasing the total Contract amount to \$80,450.00.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay B. Beardsley Management and Enterprises, Inc., 7027 West Main Street, Lima, New York 14485, upon successful completion of this Project, and acceptance by the Director of Engineering and Planning.

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 #22-211/2009

On Motion of
Councilman Moore

Seconded by
Councilwoman McCabe

WHEREAS, Forest Creek Equity Development Corporation, the Developer of Berkshire Park Subdivision, Section 1, located on Doncaster Trail, Westcombe Park, and Harrogate Crossing, 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 section 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 properly executed Maintenance Bond in the sum of Ninety-nine Thousand Dollars (\$99,000.00) for a period of two (2) years.

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 #22-212/2009

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

WHEREAS, Forest Creek Equity Development Corporation, the Developer of Berkshire Park Subdivision, Section 2, located on Harrogate Crossing, Longton Place, Doncaster Trail and Bracknell Circle, 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

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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 section 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 properly executed Maintenance Bond in the sum of Ninety-eight Thousand, Nine Hundred Dollars (\$98,900.00) for a period of two (2) years.

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 Yudelton	voting	Aye
Carried		

RESOLUTION #22-213/2009

On Motion of
Councilwoman McCabe

Seconded by
Councilman Moore

WHEREAS, the Town of Henrietta requires bids for the Telecommunications VoIP (Voice over IP) Phone System Project, for the replacement of the existing phone system in the Town Hall, Library, Department of Public Works and the Senior Center, to conform with bid specifications on file in the Town Clerk's Office, with bids to be opened at 10:00 a.m. on Tuesday, December 22, 2009 and received no later than 9:30 a.m. on Tuesday, December 22, 2009.

THEREFORE, BE IT RESOLVED, that the Town Clerk be hereby authorized to advertise for bids for the Telecommunications VoIP (Voice over IP) Phone System Project, as per cited bid specifications on file, 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 #22-214/2009

On Motion of Councilwoman Zinck	Seconded by Councilman Mulligan
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BE IT RESOLVED, that the Town Board adopts the attached official Undertaking of Receiver of Taxes and Assessments Resolution in the amount of \$100,000 and directs that it be filed in the Office of the Town Clerk.

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 #22-215/2009

On Motion of Councilman Mulligan	Seconded by Councilman Moore
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BE IT RESOLVED, that the following person be hired:

Michael Cahill	Engineering, Engineering Aide @ \$9.50/hr., effective 11/30/2009.
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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

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Given the facts released by Cornell University regarding New York state's farms inability to feed all of its inhabitants, one would think that our leaders would be looking for solutions other than importing food from California and around the world. Much of the time, we do not know its origins and whether or not the food is grown in rich soil with or without pesticides that have been banned in the United States. One day last week I read an article in the Wall Street Journal that the US and China signed a pact that allows us to export pork to their country, and allows China to export chickens to the U.S. And this is happening after China exported lead jewelry, children's toys painted with lead paint, pet food that was tainted and killed a number of American's pets and also sent us tainted baby formula.

How comfortable are when you serve Chinese-manufactured food at your table? I've also heard that grapes grown in other parts of the world also are grown with pesticides that are unsafe. We are also eating seafood grown around the world, and we have no idea of the conditions in their habitats. How much nutritional value do our vegetables and fruits have by the time they've traveled across the country? After five days, the vitamins and minerals have lost their nutritional clout.

Our current food system is flawed. Eating local is the healthiest and most economical food distribution system. It's not only good for our health, but it is good for the economy.

I am suggesting to you that we seriously consider saving some farmland to dedicate to hydroponic farming. R.I.T., I believe has incubator businesses. They also work at improving technology. I am certain they could design energy-efficient green houses, powered with solar panels, mini windmills, and hydroelectric power. Vegetables can be grown the year round hydroponically.

We've lost a lot of our manufacturing in this area over the years. Why not consider local food manufacturing, that would create jobs, feed the people, and help our economy. We need to start to think out of the box about our food supply to be physically and economically healthy. Watch the DVD "The True Cost of Food." Think about it and then make a decision about continuing down our current food path or change is to something that would be beneficial for our towns, counties, and state.

Thank you for your time and attention.

Rachel Warren