

**HENRIETTA TOWN BOARD  
AGENDA  
SEPTEMBER 21, 2011**

Supervisor Yudelson  
Councilwoman McCabe  
Councilman Mulligan  
Councilwoman Zinck  
Councilman Moore

**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):
  - September 7, 2011
  - On Motion of: Councilwoman McCabe Seconded by: Councilwoman Zinck
6. Miscellaneous Communications
7. Public Hearing: (Continued from September 7, 2011)
  - Proposed Adoption of Local Law No. 2 of 2011 - Amending Chapter 207, entitled, "Vehicles: Abandoned, Junked and Unlicensed" and Chapter 240, entitled, "Streets and Sidewalks" of the Town Code – To Restrict Parking on Residential Properties
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 #18-171/2011  
Authorize Accounts Payable

RESOLUTION #18-172/2011  
Call for Public Hearing - Proposed Establishment of Extension No. 207 (1249 Lehigh Station Road) to Henrietta Sewer District No. 1

RESOLUTION #18-173/2011  
Authorize Supervisor to Sign Abandonment of Easement – 3165 Brighton Henrietta Town Line Road

RESOLUTION #18-174/2011  
Award Low Quote – Light Fixtures – Henrietta Town Hall West Wing

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RESOLUTION #18-175/2011

Adopt Monroe County Pre-Disaster Mitigation Plan

RESOLUTION #18-176/2011

Authorize Supervisor to Sign Monroe County Community Development Grant

RESOLUTION #18-177/2011

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 21<sup>ST</sup> DAY OF SEPTEMBER, 2011 AT 7:00 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

Okay, at this point in the meeting is the opportunity to speak on items that are on the Agenda. This would not include the continued Public Hearing on proposed changes to our Town Codes, but any of the other items that you see listed on the Agenda. Is there anybody who wants to speak on those? I'll call the Public Hearing separately, in a minute. Anybody on any of the other Agenda items? Sir?

*(From audience, inaudible)*

SUPERVISOR YUDELSON

If you have the printed Agenda that's up there, this is, I'm not asking, at this time, for people to speak on proposed changes to the Town Code. It would just be any of the things that you see on the printed Agenda.

*(From audience, inaudible)*

SUPERVISOR YUDELSON

Are you here to speak about the issues regarding the Code?

*(From audience, inaudible)*

SUPERVISOR YUDELSON

Yes? Okay. All right. So, we'll move to that point. We did have a Public Hearing on this at our last meeting of September 7<sup>th</sup>, and we are continuing the Public Hearing tonight to give people an opportunity to speak further, people who were not here might be here, and I will note that because of possible changes, and having to finalize those to the Code, we will not vote on this tonight. Most likely that will be done at the next meeting, but we wanted to, as I said, continue the Public Hearing to give you a chance for more input. So, at this point, is there anybody who would like to speak on this matter? Sir? Okay, Mr. Lortz? Come on up. And, any of the speakers, if you would give your name and address, as you begin.

SHELDON LORTZ, 33 VALIANT DRIVE

Sheldon Lortz at 33 Valiant Drive. I'd like to thank the Town Board members for continuing the Public Hearing, and basically would like to reiterate my statements at the last Town Board meeting. I'm not in favor of the proposed changes to parking on the grass and the proposed size of the driveway extensions. I think there are a lot of existing houses in the older subdivisions in the Town of Henrietta that this would be an economic burden to the people that own these things, and would create problems for them, and I know it could cost me, because I own a corner lot, to have to widen the driveway from ten (10') to twenty feet (20'), so, I would not be happy about that. I know that at the last meeting there were comments that parking on the grass wouldn't be a problem for family get-togethers and those kinds of events, but it doesn't really say that in the wording that I've seen on the proposed changes. So, again, I'd like to reiterate that I don't think this would be a fair Code change to put on all the people of Henrietta. Thank you.

SUPERVISOR YUDELSON

Thank you very much. Who would like to go next? Sir?

BENJAMIN SCHOLLNICK, 240 CROCKETT DRIVE

Benjamin Schollnick. 240 Crockett Drive. Are questions acceptable?

SUPERVISOR YUDELSON

You can make your comments and ask questions. If any of the Board members choose to answer, they can, but it's not a question and answer thing, but we'll try to do our best.

BENJAMIN SCHOLLNICK, 240 CROCKETT DRIVE

I'd like to know the background and motivation on these proposed changes. It seems arbitrary since parking on the grass and driveway sizes, to my knowledge, have not been significantly limited in the past, and now these changes are coming into place. Can we hear the background of this?

SUPERVISOR YUDELSON

Yes, let me speak to that and give you just kind of a general explanation. First of all, I'll say that this is the result of a process that began over a year and a half ago when there was a Committee appointed by the Town Board to review our Codes and to update them. We invited participation by the public, the Committee met several, several times, went over a lot of different things, and these are just two (2) Codes that we happen to be considering, at this point. Most of that was based on input from the public, from the Town Board, things they had observed, people who chose to participate and they had backgrounds that many of them lent to having knowledge about the items that are covered by the Code. As far as these items in particular, they were largely based on feedback that Town Board members have gotten, not just recently, but for many years about what people would like to see their Town look like, comparing ourselves to some of the other towns. Most of the other towns do not allow, for instance, parking on the grass. Several people, there obviously could be dissenting opinions, but several people feel that is not aesthetically pleasing and it speaks to a quality of life issue, as far as they're concerned. I can guarantee you that, certainly the recommendations, whether you agree with them or not, are not arbitrary. The other thing I'll just say is, as far as the section that deals with driveway extensions in order to provide a space to park campers, etc., on the side of the driveway, that was actually done with intent to provide some relief for people as we restricted the driveways. We were not going to allow parking on the grass to give people some extra space to be able to put their boats or their campers without having to have a finished driveway. So, that's a broad overview.

BENJAMIN SCHOLLNICK, 240 CROCKETT DRIVE

My main concern here is that not allowing people to use their private property, for an example, their grass to park on, could limit the number of vehicles that are available. Expanding your driveway, re-doing, adding on extensions is very costly. And, for example, we just ended up bringing in our sister-in-law and their family to our household, due to a family tragedy, and now we have an additional car, our driveway is barely big enough for three (3) or four (4) vehicles, and if we have any guests over, that severely limits them to either parking on the street, which may be a safety hazard, especially

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during the winter, or allowing us to allow them to park slightly off the driveway. It's also limiting for other families where they may have a smaller driveway, the extensions, I mean, effectively the Town is, to a certain extent, limiting the number of vehicles you can have. They have to fit on the driveway, which while not being bad idea, does limit you to, if you get an additional car, you may have to extend or expand your driveway. Of course, to some extent that's family planning, but when you have a teenage driver that just gets a license and they want a vehicle, sometimes you don't have those six (6) months to a year to pre-plan. There's also, while you do have a provision to grandfather in driveways that are less than five feet (5') away from the property line that does decrease the property value if that driveway is within that range. It's less likely to pull a full bid if you go to sell it, which may mean that to get your full value of your house you may have to move your driveway over. And, in our case, that would be removing a tree. There's a whole slew of unintended consequences that can arise from these changes, and while the idea is a good intention, I don't think that this has been properly thought out fully beyond that. My main concern is that the limitations are being placed on your own property, setting the width of the driveway, minimum and maximum, setting the restrictions on putting the driveway extensions from the garage to the property line can't be more than "X" number of feet. I do think that that may be overstretching the bounds needlessly. I don't think that those are a solid concern. If I want an oversized driveway, I think I should have that opportunity. Thank you.

SUPERVISOR YUDELSON

Thank you very much. Is there somebody else who would like to speak? Ma'am?

RACHEL BRIFFA, 39 MARR DRIVE

I'm Rachel Briffa and I live over on Marr Drive by Winslow School, and I have, my backyard is pretty secluded, and I would like to be able to put my camper back there, or something like that, but the way my, I cannot do an adjacent driveway extension the way my yard is. I mean, it's not the way because there's a hill there, so I have to deal with what I have.

SUPERVISOR YUDELSON

Well, one thing, and this goes to your comments, too, is that within the proposed changes there is the stipulation that the Zoning Board of Appeals can grant relief to somebody who might be in a situation such as you're describing, if the Code was adopted as is, could make an application to the Zoning Board for an exception to be made. There is a process for doing that, as provided for by State Law, so there would be

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that. We talked a little bit last time about how hard it is to try and craft some legislation to speak to issues that have been brought up by many people when there's so many, obviously, different properties, not just different opinions, but different properties and that, and as I said, I think the Committee did their best to try and address . . .

RACHEL BRIFFA, 39 MARR DRIVE

The majority . . .

SUPERVISOR YUDELSON

. . . the majority of what they had heard, but we are aware that there's going to be certain situations where it's not going to be exactly as people had hoped for.

RACHEL BRIFFA, 39 MARR DRIVE

And, we have a lot of gatherings, so would we need a permit to do something like that?

SUPERVISOR YUDELSON

To do what?

RACHEL BRIFFA, 39 MARR DRIVE

Well, to be able to park on our lawn during a gathering?

SUPERVISOR YUDELSON

Well, yeah, I guess, we talked about this a little bit and it's certainly not something that you could put in the Code to say, you can park on the lawn for a party because then everyday people would say it's a party. I can tell you that, as far as what we've talked about, what the Town Board had discussed, and we're not going to be able to keep up with every car or everything that violates something, but that our primary objective is going to be towards the ones that really go to the heart of why we talked about this. People who have an awful large number of vehicles and equipment that might be having to do with their work and they're just kind of parked all over their lot, people who choose just for convenience because they don't want to have to move the cars out of their driveway to get in and out to use part of their lawn as additional parking, as opposed to somebody that's having a graduation party, and they have a lot of people. I think that is understood.

RACHEL BRIFFA, 39 MARR DRIVE

Okay.

COUNCILWOMAN ZINCK

Yes, and we don't have the staff to be going out for every party either.

RACHEL BRIFFA, 39 MARR DRIVE

Yes, I understand that.

COUNCILWOMAN ZINCK

So, I mean, we're looking for the bigger offenses.

RACHEL BRIFFA, 39 MARR DRIVE

Okay. Thank you.

COUNCILMAN MULLIGAN

Miss? We've got cases where someone might have like a business out of the house, a bulldozer, a backhoe, a ten wheel dump truck, this is de-valuing people's property, and we're interested in trying to come up with a remedy through the Code to hopefully correct this.

RACHEL BRIFFA, 39 MARR DRIVE

Okay.

COUNCILMAN MULLIGAN

It's great to have private property, but you have to use it responsibly.

COUNCILWOMAN ZINCK

Yes. Thank you. Thank you, for your comments.

SUPERVISOR YUDELSON

And, I think, just to add on to Councilman Mulligan's comments; I'll add also that the Committee that came up with this draft proposal, as another acknowledgement towards trying to leave some leeway to people, when concerning what types of vehicles could be parked in the driveway or on the driveway extensions really did not limit that too much. In some communities you can't bring trucks over a certain size home from work, you can't have the bulldozers and some of those; we did not go into that area. It was discussed, but the recommendation was to just make the rules about where they have to be parked, but not to prohibit any particular type of thing, again trying to limit somewhat the impact that it would have on people. Next? Sir?

MITCHELL GILMAN, 28 COBRA DRIVE

Hi, I'm Mitch Gilman. I live at 28 Cobra Drive. It's kind of nice to see some of the people I see on the letterheads and the Receiver of Taxes. *(Laughter)* That's probably my nice thought for the night! One of the, I read the Code, at least what I thought was the Code, and it talked about licensed vehicles. It has to be a licensed vehicle.

SUPERVISOR YUDELSON

Yes, sir.

MITCHELL GILMAN, 28 COBRA DRIVE

And, I think there's a loop hole in that because I know of licensed vehicles, people get their licenses supposedly, but they don't get their vehicle inspected. The vehicles never move. They're used as storage. How do you plan on enforcing that?

SUPERVISOR YUDELSON

Well, I don't know, and I'll let the Town Attorney jump in, but that is not much different than what's currently in place. I believe the Code right now only speaks of licensed vehicles, as opposed to inspections and that.

MITCHELL GILMAN, 28 COBRA DRIVE

They get the license but they don't get it inspected.

SUPERVISOR YUDELSON

Well, I'm agreeing with you. Mr. Mastrella, do you want to . . .

DANIEL MASTRELLA, TOWN ATTORNEY

And that, in essence, is the way the Code is right now. I mean, we're not trying to be, this isn't designed to be a police maneuver, it's designed to try to maintain a standard of appearance and the like in the neighborhood.

SUPERVISOR YUDELSON

And, I think . . .

MITCHELL GILMAN, 28 COBRA DRIVE

Well, the vehicles, from my perspective, and that can be debated, don't look very good.

SUPERVISOR YUDELSON

If they're not . . .

MITCHELL GILMAN, 28 COBRA DRIVE

And, that's probably what you want to get rid of.

SUPERVISOR YUDELSON

Yes, that very often is true, but I guess the distinction that's been made with the Code, as it's existed and going forward, is that inspections are really about its worthiness to be driven on the road, which is not within our purview. There's other body of law that covers that. Registration would be the right to own it and to maintain it on your property.

MITCHELL GILMAN, 28 COBRA DRIVE

That's just one thing I wanted to mention.

SUPERVISOR YUDELSON

Yes, it's a good point.

MITCHELL GILMAN, 28 COBRA DRIVE

Another thing is, and I know you mentioned about going for an appeal with the Zoning Board or whatever it is, well, as a property owner, and I would think most reasonable people, before this is enacted, we would want to know where we stand. I mean, I don't want to have to take time off or, from your perspective you're going to have probably a ton of people, all of a sudden they find out they're not in compliance with whatever new Code is coming up. I don't think that's the proper way to do it. I think we need to put the horse ahead of the cart, and come along and say, you live at so and so, if this regulation is enacted, here's what you're going to have to do to come up to it. Because for all I know, and probably most people think they're in compliance.

SUPERVISOR YUDELSON

Yes, I think it's mostly how you roll it out, but I'll tell you that somebody could not go to the Zoning Board for relief until this Code was enacted, that's what the Zoning Board . . .

MITCHELL GILMAN, 28 COBRA DRIVE

Yeah, but I don't want to have to do that after the fact.

SUPERVISOR YUDELSON

Well, I'm just saying that they're not able to do that now. As far as the enforcement side of it, we're not going to go out, if this is passed, and start writing tickets the first day. A big part of this is going to be the education process if this is what has been put in place. As far as letting people know that ahead of time, I mean, that's what this Public Hearing and the one last Board meeting are a culmination of. We've had the information out there for quite awhile.

MITCHELL GILMAN, 28 COBRA DRIVE

I know you all mean well, but I didn't know anything about this. Call me ignorant or that, I'll volunteer, but if my brother-in-law hadn't told me about it, I wouldn't have known about this.

SUPERVISOR YUDELSON

I understand.

MITCHELL GILMAN, 28 COBRA DRIVE

And, I don't know how many other people that live in the Town don't really know what's going on. That's just, again, my point. I sort of recall some of the history that caused this to take effect or whatever term you want to apply. They had to do with the houses around the RIT area. There was a lot of absentee ownership, well, in a "prior life", I used to be a landlord in the City of Rochester, and one of the things that they had was you had, if you were a landlord, there were certain Codes you had to follow. I'm not sure what the Codes are here, so I'm ignorant, but a way around that would be if the owner doesn't reside at the house, that could set up a whole scheme of things that the Town could use to alleviate themselves from those kinds of things happening. I mean, you know, if I buy a house and rent it out, now I'm a landlord. That's the way the City of Rochester looks at it, I'm renting, and then you have to be zoned a certain way to rent. I could be wrong on that, but it's been many moons since I did that, so, and I had the Code people coming down and there were violations I didn't even know about. I thought the house was good, and typically it was the tenants that would call in and complain and they'd send somebody down.

SUPERVISOR YUDELSON

Well, landlord, all property owners are subject to certain restrictions.

MITCHELL GILMAN, 28 COBRA DRIVE

But, these people are renting. This is a rental property, it's not a residence.

SUPERVISOR YUDELSON

I understand that. That's not the subject of this Public Hearing, so I don't say it to cut you off but . . .

MITCHELL GILMAN, 28 COBRA DRIVE

I understand that, but I'm saying that would help out.

SUPERVISOR YUDELSON

Well, we have been dealing with that particular issue you're talking about for a couple of years and talking about ways, there are certain restrictions on what we're allowed to do, as far as limiting people's ability to rent their houses. We can't just basically prevent them from doing that, but we're trying to see how to best serve the residents.

MITCHELL GILMAN, 28 COBRA DRIVE

No, you can't. That's against the law, too.

SUPERVISOR YUDELSON

Yes.

MITCHELL GILMAN, 28 COBRA DRIVE

Okay. Another thing is, how are you going to enforce this? Is this going to cost more, the taxpayers more money?

SUPERVISOR YUDELSON

Well, we hope not. There could be the need for more staffing to do that. In general, when we've needed more staffing the past few years we've done that through the use of part-time people. Most of our Code Enforcement work is done by part-time people, so it will fall to that office. I can't tell you right now if more staff will be added.

MITCHELL GILMAN, 28 COBRA DRIVE

Okay. I just happen to be one of those who want to see less government not more government.

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SUPERVISOR YUDELSON

Well, we have several fewer positions in Town government than we had just three (3) or four (4) years ago, we've had more than a ten percent (10%) reduction in our workforce. So, we're going in the right direction.

MITCHELL GILMAN, 28 COBRA DRIVE

Listen, I moved here from Pittsford, so I know. This is why I moved here. I don't want to see all those things. Well, I guess I just discussed it all, and I want to thank you for listening to me. I hope I didn't bother you too much.

COUNCILMAN MULLIGAN

Sir? If you got some of these rules from the City . . .

MITCHELL GILMAN, 28 COBRA DRIVE

Pardon me?

COUNCILMAN MULLIGAN

When you were in the City as a landlord, you said there were different rules for homes that rented out . . .

MITCHELL GILMAN, 28 COBRA DRIVE

For landlords, yes.

COUNCILMAN MULLIGAN

If you could get those to the Supervisor, we'd love to read them.

MITCHELL GILMAN, 28 COBRA DRIVE

Boy, it's been so many years.

COUNCILMAN MULLIGAN

If you know how to get them . . .

MITCHELL GILMAN, 28 COBRA DRIVE

I did that probably thirty (30) years ago.

COUNCILMAN MULLIGAN

We'd like to read them.

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COUNCILWOMAN ZINCK

Yes, or just even as you're driving down the road, if you think of what one was, we would be very interested.

MITCHELL GILMAN, 28 COBRA DRIVE

You must have a Code Enforcement person. Have the Code Enforcement person contact . . .

SUPERVISOR YUDELSON

Yes, we can find out.

COUNCILWOMAN McCABE

He's right back there.

MITCHELL GILMAN, 28 COBRA DRIVE

Have the Code Enforcement person contact the City Code and find out how they got it.

COUNCILWOMAN McCABE

Right.

MITCHELL GILMAN, 28 COBRA DRIVE

I remember; let me tell you, I was short lived as a landlord. I bought the place, and flipped it and sold it because I said, I don't want, I had visions of making tons of money, and I could have, but all the rules and regulations, and that's why, in part, that's some of the city problems, too. I don't want to go into it.

COUNCILWOMAN ZINCK

Thank you.

SUPERVISOR YUDELSON

Thank you very much.

COUNCILWOMAN ZINCK

Terry, you have homework.

COUNCILWOMAN McCABE

I think it's a good idea for our Code Enforcement officer to look into the new rules and regulations for the City of Rochester because, as you know, the courts make decisions and change the laws all the time. So, an updated version would be fine.

SUPERVISOR YUDELSON

Thank you. Is there anybody else who wants to speak? Sir?

*(From audience, inaudible)*

SUPERVISOR YUDELSON

There will be, the question was whether we can provide information on the other proposed changes, there's well in excess of one hundred (100) proposed changes. Most of them are word changes that are necessary updates. They will be, as we get ready to consider them, they will be put on the Town website, they will be released to the newspaper. So, you'll be seeing those shortly. Okay? Anybody else who wanted to speak before I close this Public Hearing? *(Pause, no response)* If not, I will close this Public Hearing, and ask for the first Resolution, please.

COUNCILWOMAN McCABE

Did we . . .

SUPERVISOR YUDELSON

Oh, did we skip the Minutes? I almost did that again.

DANIEL MASTRELLA, TOWN ATTORNEY

No, there was just one thing I wanted to say.

SUPERVISOR YUDELSON

Oh, I'm sorry. Go ahead.

DANIEL MASTRELLA, TOWN ATTORNEY

Just, for purposes of being able to act on this next time, there were slight changes to §207-9, 207-12, and 243-L from what was considered at the first session of the Public Hearing.

SUPERVISOR YUDELSON

Okay. Thank you.

COUNCILWOMAN McCABE

So, we'll put them up on the website.

SUPERVISOR YUDELSON

Okay. We all set with that? And, before the Resolution, actually, we skipped over the Minutes. Can I have the approval of the Minutes, please?

COUNCILWOMAN McCABE

Mr. Supervisor, I move we approve of the Minutes of September 7, 2011.

COUNCILWOMAN ZINCK

Second.

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MULLIGAN

Under discussion, Mr. Supervisor, why does the Town need a sidewalk permit?

SUPERVISOR YUDELSON

A sidewalk permit?

COUNCILWOMAN McCABE

That's not the Resolution we're doing right now.

SUPERVISOR YUDELSON

We're doing the Minutes.

COUNCILWOMAN McCABE

Mr. Mulligan.

COUNCILMAN MULLIGAN

Oh, I'm sorry.

COUNCILWOMAN McCABE

Thank you.

COUNCILMAN MULLIGAN

Thank you, Mrs. McCabe.

COUNCILWOMAN McCABE

You're welcome.

SUPERVISOR YUDELSON

Any further discussion on the Minutes? Call the roll, please.

COUNCILMAN MULLIGAN

Do you run the meeting, or Cathy there?

SUPERVISOR YUDELSON

We're doing it together.

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

SUPERVISOR YUDELSON

Could I have the first Resolution, please? Get ready.

COUNCILWOMAN McCABE

Not yet. I'll read it and then you can discuss it.

SUPERVISOR YUDELSON

Then you ask, yes, that's what I meant.

COUNILMAN MULLIGAN

What about the sidewalks?

SUPERVISOR YUDELSON

All right, let her read the Resolution first.

RESOLUTION #18-171/2011

On Motion of  
Councilwoman McCabe

Seconded by  
Councilwoman Zinck

BE IT RESOLVED, that the Supervisor or his designee be authorized to pay the following bills payable:

EXHIBIT A	Bills Payable dated 9/21/2011	\$ 498,077.51
EXHIBIT B	Manual Bills Payable	\$ 100.00

COUNCILWOMAN ZINCK  
Second. And, I think he answered his own question. We have the answer.

COUNCILMAN MULLIGAN  
We have the answer.

COUNCILWOMAN ZINCK  
You want to share?

COUNCILWOMAN McCABE  
Yes, share.

COUNCILMAN MULLIGAN  
County road.

COUNCILWOMAN McCABE  
That's right.

COUNCILWOMAN ZINCK  
There you go.

SUPERVISOR YUDELSON  
A County road. Thank you.

COUNCILWOMAN ZINCK  
A little bit of a delay.

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 #18-172/2011

On Motion of  
Councilman Moore

Seconded by  
Councilman Mulligan

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IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 207 (1249 LEHIGH STATION ROAD) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED ON LEHIGH STATION ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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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. 207 (1249 Lehigh Station Road) 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. 207, 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 5<sup>th</sup> day of October, 2011 at 7:00 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?

COUNCILWOMAN McCABE  
Under discussion, Mr. Supervisor, this will not have any effect on the trail, will it?

SUPERVISOR YUDELSON  
No.

COUNCILWOMAN McCABE  
Thank you.

SUPERVISOR YUDELSON  
Anything else? 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 #18-173/2011

On Motion of Councilwoman Zinck  
Seconded by Councilwoman McCabe

WHEREAS, the County of Monroe Industrial Development Agency (C.O.M.I.D.A.), property owner of 3165 Brighton Henrietta Town Line Road has a water main easement that overlaps a water main easement recorded in Liber 8314 of Deeds, Page 123, and

WHEREAS, the release of the water main was necessary for the building construction being identified as Tax Identification No. 149.19-1-10.2, and

WHEREAS, the described water main easement is no longer needed by the Town, and

WHEREAS, the Town Attorney and the Acting Town Engineer 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 #18-174/2011

On Motion of  
Seconded by

Councilman Mulligan

Councilman Moore

WHEREAS, the 2011 Town Budget provides funds as part of the New York State Energy, Research and Development Association (NYSERDA) Grant funding to retrofit the existing fluorescent lighting in the Town Hall West Wing with energy efficient fluorescent bulbs and ballasts, and

WHEREAS, the Town of Henrietta has requested quotes from qualified electrical contractors, and

WHEREAS, three (3) quotes were received and the low quote, meeting specifications, was received from Unlimited Electric for a total cost of \$7,775.00.

THEREFORE, BE IT RESOLVED, that Unlimited Electric, 1296 East Victor Road, Victor, New York 14564, be hereby authorized to provide materials and labor to retrofit one hundred and fifty-one (151) fluorescent light fixtures in the Town Hall West Wing, in an amount not to exceed \$7,775.00.

BE IT FURTHER RESOLVED, that the Supervisor or his designee be authorized to pay Unlimited Electric in an amount not to exceed \$7,775.00, upon successful completion of the Project and acceptance by the Safety Officer.

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 #18-175/2011

On Motion of  
Councilwoman McCabe

Seconded by  
Councilwoman Zinck

WHEREAS, the Town of Henrietta, with the assistance from the Monroe County Office of Emergency Preparedness, has gathered information and prepared the Monroe County Pre-Disaster Mitigation Plan, and

WHEREAS, the Monroe County Pre-Disaster Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000, and

WHEREAS, the Town of Henrietta is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan by providing a link for citizens to view this Plan on the Town's website, and

WHEREAS, the Town of Henrietta has reviewed the Plan and affirms that the

Plan will be updated no less than every five (5) years.

THEREFORE, BE IT RESOLVED, by the Town Board, that the Town of Henrietta adopts the Monroe County Pre-Disaster Mitigation Plan, as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

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 #18-176/2011

On Motion of  
Councilman Moore

Seconded by  
Councilman Mulligan

WHEREAS, a Community Development Block Grant for the year 2011, in the amount of \$41,750.00, is available through Monroe County, and

WHEREAS, this Grant provides for rehabilitation of gutters and road surfaces on Kenwick Drive in the Town of Henrietta.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, be hereby authorized to accept and sign the Community Development Construction Agreement for said Grant.

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 #18-177/2011

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Moore

TB September 21, 2011

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

Fred Ross Code Enforcement, Laborer Part-time @  
\$16.00/hr., from \$14.00/hr., effective 9/25/2011.

Step Increases, per the Collective Bargaining Agreement, as per the attached,  
effective 9/1/2011.

SUPERVISOR YUDELSON  
Discussion?

COUNCILWOMAN ZINCK  
Someone put some gas in your engine! Boy, you sped up, huh? *(Laughter)*

SUPERVISOR YUDELSON  
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's the end of the regular Agenda, before we adjourn; is there anybody who wants to  
speak on any item involving the Town of Henrietta. Sir?

*(Shawn Drake, 148 Oak Mills Crossing, spoke in reference to putting speed bumps in his  
neighborhood. – Audio File available upon request.)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by  
Councilwoman McCabe, seconded by Councilwoman Zinck at 7:40 P.M. and was  
adjourned without objection.

Respectfully submitted,

Leann C. Case  
Deputy Town Clerk