

**HENRIETTA TOWN BOARD  
AGENDA  
MAY 2, 2012**

Supervisor Yudelson  
Councilman Mulligan  
Councilwoman Zinck  
Councilman Moore  
Councilman Page

**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):
  - April 18, 2012
  - On Motion of: Councilwoman Zinck Seconded by: Councilman Moore
6. Miscellaneous Communications
7. Public Hearing:
  - Proposed Rezoning of Land Located on the West Side of East River Road from Residential R-1-15 and Industrial to Residential R-2-15 – Jayne’s Riverview, LLC
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

**Presentation – 7:00 P.M.**

Henrietta Heritage Awards – Helen Elam

**RESOLUTION #10-103/2012**

Authorize Accounts Payable

**RESOLUTION #10-104/2012**

Authorize Supervisor to Sign PILOT Agreement – Calkins Corners Housing Development Fund Company, Inc.

**RESOLUTION #10-105/2012**

Award Low Bid –Hollybrook Road Sanitary Sewer Repair Project

**RESOLUTION #10-106/2012**

Accept Letter of Credit – The Preserve Subdivision, Section 9

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RESOLUTION #10-107/2012

Authorize Independent Consultant Inspection Services

RESOLUTION #10-108/2012

Authorize Repairs at Riverton Golf Course

RESOLUTION #10-109/2012

Authorize Purchase of The Bandstand

RESOLUTION #10-110/2012

Authorize Personnel Items

TB May 2, 2012

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 2<sup>nd</sup> DAY OF MAY, 2012 AT 7:00 P.M.

**MEMBERS PRESENT**

Supervisor Michael B. Yudelson  
Councilman William J. Mulligan, Jr.  
Councilwoman Janet B. Zinck  
Councilman John W. Moore  
Councilman M. Rick Page  
Daniel J. Mastrella, Town Attorney  
Leann C. Case, Interim Town Clerk

*(SILENT PRAYER)*

*(PLEDGE OF ALLEGIANCE TO THE FLAG)*

**SUPERVISOR YUDELSON**

Before we begin our regular Agenda, tonight we have the yearly pleasure of having the former Town Historian, Helen Elam, here with her Committee, to present the Henrietta Heritage Awards. Welcome, to all of you. At this point, I'd like to call upon Helen.

*(Helen Elam conducted the 2012 Henrietta Historic Site Committee Henrietta Heritage Awards, which were presented to: Mr. Jaynes Riverview; Mr. and Mrs. Mark Lagasse; Ms. Lynnette Ladiges; the Bean Family; and the Halpin Family)*

**SUPERVISOR YUDELSON**

Thank you very much. First of all, thanks to, and congratulations to the people who received the awards tonight. Preserving the history and heritage of Henrietta is very important. Those of us who have been in the community a long time take great pride in the fact that there's a real blend of the past and the present in Henrietta, and preserving the past, and honoring it is very important work. So, we appreciate Helen, and Tina, and everyone on the Committee for keeping that at the forefront. We really do appreciate it. Save us a cookie, or two, Helen. So, now we're going to move back into the regular part of our Agenda, but feel free, I know you're here to also visit, and for the people again, congratulations. We hope you're here for awhile and we'll be able to visit with you after the meeting, but if not, thank you, for coming. So, going back to the Agenda, at this point, is there anybody in the audience who wants to speak on any of the items that are on the Agenda for tonight's meeting? Agenda items, at this point? *(Pause, no response)* If not, may I have the approval of the Minutes, please?

COUNCILWOMAN ZINCK

I'd like to move approval of the Minutes of the April 18, 2012 meeting.

COUNCILMAN MOORE

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelton	voting	Aye

Carried

SUPERVISOR YUDELSON

We have the continuation of a rezoning hearing that we started two (2) weeks ago on the Jaynes Riverview Project to rezone land located on the west side of East River Road from Residential R-1-15 and Industrial to Residential R-2-15. If you were here with us before, we had the Special Use Permit, as you know, we talked about that quite a bit, but we did, two (2) weeks ago, continue the Hearing to this point. So, in following form, I just wanted to offer anybody who would like the opportunity to speak again, or for the first time, on this Project. *(Pause, no response)* If not, are we okay to close the Public Hearing, at this point, Mr. Mastrella? Or, should we continue it?

DANIEL MASTRELLA, TOWN ATTORNEY

Well, you have the option of closing and reserving, or of continuing. I guess I would suggest that you continue it because you continued the Special Permit Hearing, so should something come up with that, you'd want to be able to entertain. I mean, you could re-open, too, but you might as well just continue it.

SUPERVISOR YUDELSON

Okay, without objection then, we'll continue that, and could I have the first Resolution, please.

RESOLUTION #10-103/2012

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Page

BE IT RESOLVED, that the Supervisor or his designee be authorized to pay the

following bills payable:

EXHIBIT A	Bills Payable dated 5/2/2012	\$ 214,996.90
EXHIBIT B	Manual Bills Payable dated 4/24/2012	\$ 60,425.50

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelton	voting	Aye
	Carried	

RESOLUTION #10-104/2012

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Moore

WHEREAS, Calkins Corners Housing Development Fund Company, Inc., a corporation organized pursuant to Article 11 of the Private Housing Finance Law and the Not-for-Profit Corporation Law of the State of New York, having an office at 935 East Avenue, Rochester, New York 14607, has requested the Town of Henrietta to enter into a Payment in-Lieu of Taxes (PILOT) Agreement for the property known as part of 745 Calkins Road, Henrietta, New York 14467 (Part of Tax Map Parcel No. 176.06-1-75.111) whereupon Calkins Corners will construct affordable housing for low and moderate income senior citizens sponsored by Bishop Sheen Ecumenical Housing Foundation, and

WHEREAS, the Town pursuant to Resolution #11-117/2011 entered into a Memorandum of Understanding to accept a PILOT Agreement, and

WHEREAS, the Town attorney and the Town Assessor have reviewed this Agreement and found it to be consistent with what was previously proposed and agreed to.

THEREFORE, BE IT RESOLVED, that the Payment in-Lieu-of Tax Agreement be and hereby is accepted, and that the Supervisor is hereby authorized to sign said Agreement and the aforesaid payments in-lieu of taxes received by the Town shall be remitted pro rata to each affected tax jurisdiction.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #10-105/2012

On Motion of  
Councilman Moore

Seconded by  
Councilman Page

WHEREAS, Resolution #7-86/2012 authorized the advertisement for bids for the Hollybrook Road Sanitary Sewer Repair Project, for the lateral replacement and spot repairs to the existing sanitary sewer along Hollybrook Road, and

WHEREAS, five (5) bids were received, and the low bid, meeting specifications, was received from FineLine Pipeline, Inc., for a total cost of \$187,525.00.

THEREFORE, BE IT RESOLVED, that FineLine Pipeline, Inc., 6271 Decker Road, Livonia, New York 14487, be hereby awarded the bid.

BE IT FURTHER RESOLVED, that the Supervisor or his designee be hereby authorized to pay FineLine Pipeline, Inc., in an amount not to exceed \$187,525.00 upon successful completion of said work and acceptance by the Director of Engineering and Planning.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #10-106/2012

On Motion of  
Councilman Page

Seconded by  
Councilman Mulligan

WHEREAS, BRW of Greece, LLC, the Developer of the Preserve Subdivision, Section 9 (located on York Bay Trail) has submitted an Engineer's Estimate for

construction of all site improvements for said subdivision section, and

WHEREAS, the Director of Engineering and Planning has reviewed the estimate prepared by LaDieu Associates, P.C., and has found it acceptable in amount and form, and

WHEREAS, the Town Board wishes to ensure proper and complete installation of all site improvements required by the Town.

THEREFORE, BE IT RESOLVED, that the Developer, BRW of Greece, LLC, submit a Letter of Credit in favor of the Town in the amount of \$494,832.00.

BE IT FURTHER RESOLVED, that the Letter of Credit be in a form acceptable to the Town Attorney.

**SUPERVISOR YUDELSON**

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelton	voting	Aye
	Carried	

**RESOLUTION #10-107/2012**

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, the current number of construction projects, from time to time, have made independent consultant inspection services necessary, and

WHEREAS, it is in the Town's best interest to maintain quality construction inspection, and

WHEREAS, it is necessary for developers to absorb the costs incurred by the Town for such services, and

WHEREAS, the Director of Engineering and Planning has been directed to secure these services in this matter, and

WHEREAS, independent consultant inspection services billing, including all consultants costs, will be at a hourly rate, and

WHEREAS, the Director of Engineering and Planning has arranged for such services with John Burchill, 53 Colony Lane, Rochester, New York 14623, at the rate of Twenty Dollars (\$20.00) per hour.

THEREFORE, BE IT RESOLVED, that the Director of Engineering and Planning is hereby authorized and directed to secure the independent consultant inspection services in accordance with the above.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelton	voting	Aye

Carried

RESOLUTION #10-108/2012

On Motion of  
Councilman Page

Seconded by  
Councilman Mulligan

WHEREAS, the Town of Henrietta is the owner of the Riverton Golf Course and responsible for improvements and repairs to said Course, and

WHEREAS, several of the bunkers on said Course have fallen into disrepair, and

WHEREAS, the Town of Henrietta is committed to providing its residents a high quality golf experience and to maintain the standards of the Riverton Golf Course, as that of a privately owned golf course, and

WHEREAS, the renovation of said bunkers is a specialized professional service requiring expertise to properly refurbish the bunkers, and

WHEREAS, Faery's Golf and Landscape, Inc., 3170 Ridge Road, Ransomville, New York 14131 is a well respected professional golf course expert possessing such expertise, and

WHEREAS, Faery's Golf and Landscape, Inc. has provided an itemized estimate to effect the necessary renovations for the sum of Twenty Five Thousand, Seven Hundred Dollars, (\$25,700.00) per the attached cost break down.

THEREFORE, BE IT RESOLVED, that the Town is authorized to hire Faery's Golf and Landscape, Inc. to perform the refurbishment, and that the Supervisor or his designee is authorized to pay Faery's Golf and Landscape, Inc. in an amount not to exceed Twenty Five Thousand, Seven Hundred Dollars (\$25,700.00) for said work.

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MULLIGAN

Under discussion, I want to thank Councilman Page for digging into this. We've talked about it a number of years, and through Rick's efforts we were able to bring it to fruition.

COUNCILMAN PAGE

Thank you.

SUPERVISOR YUDELSON

Thank you. Call the roll, please.

COUNCILMAN MULLIGAN

If you were helping him, thank you.

Duly put to a vote:

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

Carried

RESOLUTION #10-109/2012

On Motion of  
Councilman Moore

Seconded by  
Councilwoman Zinck

WHEREAS, long time Henrietta resident Henry Hansen has generously offered a gift to the Town of Henrietta the sum of Thirty-one Thousand, Five Hundred Dollars (\$31,500.00) for the purchase of an Arabesque Stage Cover, Model SA 41 Bandshell to be located and installed in the Town of Henrietta Memorial Park, and

WHEREAS, the Town Board wishes to accept this offer and establish a Bandstand for the use and enjoyment of the public in the Town of Henrietta Memorial Park.

THEREFORE, BE IT RESOLVED, that the Town hereby accepts the offer of the gift from Mr. Hansen.

BE IT FURTHER RESOLVED, that the Supervisor or his designee is hereby authorized to execute all documents necessary for the purchase and payment of the Bandstand.

SUPERVISOR YUDELSON

Discussion?

COUNCILWOMAN ZINCK

I'd like to, on behalf of the Board, thank Henry, for his generosity. This is going to be a really nice addition to the Town, and I think it's very consistent with our Town Center concept.

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SUPERVISOR YUDELSON

I agree. Just, as we did with the last Resolution, I'd like to compliment and thank Councilman Moore, who is instrumental in making this whole thing happen. So, thank you, for your efforts.

COUNCILWOMAN ZINCK

Absolutely.

COUNCILMAN PAGE

Mr. Supervisor, I don't know if it's possible, but now that the Resolution is passed, maybe it would be possible to put a picture rendition of the proposed Bandstand on our website for people to view. To have IT maybe do that?

SUPERVISOR YUDELSON

Yes, that's a great idea.

COUNCILWOMAN ZINCK

That would be nice.

COUNCILMAN MULLIGAN

And, within the confines of fiscal conservatism, let's maybe do a sign for Hansen down there.

SUPERVISOR YUDELSON

Absolutely. Thank you. Thanks, Jack. Call the roll, please.

Duly put to a vote:

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

RESOLUTION #10-110/2012

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

BE IT RESOLVED, that the following people be hired effective May 3, 2012:

Jake Durfee                      Parks Department, Seasonal Laborer @ \$8.25/hr.

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Kyle Kelly                      Parks Department, Seasonal Laborer @ \$8.25/hr.  
Kyle Kraeger                    Recreation Dept., Recreation Assistant/Golden Comets Swim  
Program @ \$8.75/hr.  
Steve Shuboney                Recreation Dept., Recreation Assistant/Softball Field  
maintenance @ \$10.25/hr.

BE IT FURTHER RESOLVED, that the following employee changes be made effective May 3, 2012:

Change To: Highway, Seasonal Laborer – From: Part-time On Call Laborer

Aaron Bethmann    @ \$8.50/hr. from \$8.75/hr.  
Kyle Dolan            @ \$8.50/hr. from \$8.00/hr.  
Josh Robison        @ \$8.75/hr. from \$8.75/hr.  
Eric Widanka        @ \$8.50/hr. from \$8.75/hr.

Change to: Highway, Seasonal Laborer – From: Part-time Dispatcher

John Murphy        @ \$8.50/hr. from \$9.25/hr.

Change to: Parks Dept., Seasonal Laborer – From: Part-time On Call Laborer

Timothy Diederich @ \$8.75/hr. from \$8.75/hr.  
Marc Favro            @ \$8.75/hr. from \$8.75/hr.  
Joseph Fazio        @ \$8.75/hr. from \$8.25/hr.  
Chris Prokou        @ \$8.25/hr. from \$8.75/hr.  
Elyse Youngman    @ \$9.75/hr. from \$8.75/hr.

Change to: Sewer Dept., Seasonal Laborer – From: Part-time On Call Laborer

Evan Youngman     @ \$8.75/hr. from \$8.75/hr.

SUPERVISOR YUDELSON

Under discussion, just for clarification, some of these, the rate went up, and some went

down, and especially I wanted to speak to the ones where the rates stayed the same. This is changing people, most of whom were on-call for plowing operations to the rate that they'll get paid for their summer work, and that's based on how many years or summers they've worked with us. And, in the case of somebody where it works out to be the same as their on-call rate, this is just changing them again from a seasonal laborer to a part-time, on-call, or excuse me, from a part-time on-call laborer, to a seasonal laborer for the summer. Any other questions? Call the roll, please.

Duly put to a vote:

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

#### SUPERVISOR YUDELSON

That is the end of the regular Agenda. We're going to get back to the Special Use Permit meeting in just a second. But before doing that, I just wanted to offer if there's anybody who would like to speak on any other matter involving the Town of Henrietta? *(Pause, no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman Zinck, seconded by Councilman Page at 7:50 P.M. and was adjourned without objection.

Respectfully submitted,

Leann C. Case  
Interim Town Clerk