

**HENRIETTA TOWN BOARD  
AGENDA  
SEPTEMBER 19, 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):  
- September 5, 2012  
On Motion of: Councilwoman Zinck Seconded by: Councilman Moore
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 #17-150/2012  
Authorize Accounts Payable

RESOLUTION #17-151/2012  
Authorize Real Property Valuation Services – AVS

RESOLUTION #17-152/2012  
Accept Dedication of Sanitary Sewers – Berkshire Park Subdivision, Section 4

RESOLUTION #17-153/2012  
Accept Dedication of Sanitary Sewers – Berkshire Park Subdivision, Section 5

RESOLUTION #17-154/2012  
Accept Dedication of Roads and Storm Sewers – Berkshire Park Subdivision,  
Section 4

RESOLUTION #17-155/2012  
Accept Dedication of Sanitary Sewers – Graywood Meadows Subdivision,  
Section 1

RESOLUTION #17-156/2012  
Authorize Traffic Control Device – John Street @ Lehigh Station Road

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RESOLUTION #17-157/2012

Authorize Traffic Control Device – John Street, from Lehigh Station Road to Park Centre Drive

RESOLUTION #17-158/2012

Authorize Traffic Control Device – John Street, from Park Centre Drive to Bailey Road

RESOLUTION #17-159/2012

Declare Items Surplus Materials – Assessor/Public Works/Library

RESOLUTION #17-160/2012

Authorize Attendance of New York State Town Clerks Association Regional Education Seminar

RESOLUTION #17-161/2012

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 19<sup>TH</sup> DAY OF SEPTEMBER, 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, Town Clerk

*(SILENT PRAYER)*

*(PLEDGE OF ALLEGIANCE TO THE FLAG)*

SUPERVISOR YUDELSON

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

COUNCILWOMAN ZINCK

I'd like to approve the Minutes of the September 5, 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 Yudelson	voting	Aye

Carried

SUPERVISOR YUDELSON

May I have the first Resolution, please?

RESOLUTION #17-150/2012

On Motion of  
Councilman Page

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 9/19/2012	\$ 217,933.91
EXHIBIT B	Manual Bills Payable dated 9/12/2012	\$ 50.00

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 #17-151/2012

On Motion of  
Councilman Page

Seconded by  
Councilman Moore

WHEREAS, it has become necessary to contract for professional real property valuation services to assist in the preparation of the 2013/2014 assessment rolls, and

WHEREAS, this assistance requires specialized valuation experience and technical knowledge.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town, is hereby authorized to sign the attached Agreement with David P. Miller, d/b/a Assessment and Valuation Services, 10 Harmony Circle, Rochester, New York 14624, which is hereby engaged to perform real property valuation services, conforming to the applicable standards, for a total Project cost not to exceed Eleven Thousand Five Hundred Dollars (\$11,500).

BE IT FURTHER RESOLVED, that the Supervisor or his designee be hereby authorized to pay Assessment and Valuation Services, upon the submission of all proper documentation.

SUPERVISOR YUDELSON  
Discussion?

COUNCILMAN MOORE  
Just one question, we don't have a Director of Finance, so will it be under your direction?

SUPERVISOR YUDELSON  
That's a good catch, this would be under, can we just change, I don't think we need an amendment to just correct it to Supervisor. Okay, without objection. 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 #17-152/2012

On Motion of	Seconded by
Councilwoman Zinck	Councilman Mulligan

WHEREAS, Forest Creek Equity Development Corp., the Developer of Berkshire Park Subdivision, Section Four (4), located west of Moore Road and south of Scottsville-West Henrietta Road, has installed sanitary sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated utilities to the Town of Henrietta and for this purpose has delivered to the Town of Henrietta filing instruments granting easements to the Town for said sanitary sewer systems, and

WHEREAS, the Town Attorney has examined these easements and has found them to be in good order, and

WHEREAS, the Foreman of Drainage, Sewer, and Sidewalks and the Director of Engineering and Planning have determined that the said sanitary sewer systems were installed in accordance with Town requirements and have recommended that they be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said sanitary sewer systems for the described subdivision section be and they hereby are accepted and that 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 Thirty-Four Thousand Dollars (\$34,000.00) for a period of one (1) year.

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 #17-153/2012

On Motion of  
Councilman Moore

Seconded by  
Councilman Page

WHEREAS, Forest Creek Equity Development Corp., the Developer of Berkshire Park Subdivision, Section Five (5), located west of Moore Road and south of Scottsville-West Henrietta Road, has installed sanitary sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated utilities to the Town of Henrietta and for this purpose has delivered to the Town of Henrietta filing instruments granting easements to the Town for said sanitary sewer systems, and

WHEREAS, the Town Attorney has examined these easements and has found them to be in good order, and

WHEREAS, the Foreman of Drainage, Sewer, and Sidewalks and the Director of Engineering and Planning have determined that the said sanitary sewer systems were installed in accordance with Town requirements and have recommended that they be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said sanitary sewer systems for the described subdivision section be and they hereby are accepted and that 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 Seventeen Thousand, Three Hundred Dollars (\$17,300.00) for a period of two (2) years.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye

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Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelson	voting	Aye
	Carried	

RESOLUTION #17-154/2012

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, Forest Creek Equity Development Corporation, the Developer of Berkshire Park Subdivision, Section Four (4), located on Haywards Heath and Sedgley Park 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

WHEREAS, the Town Attorney has examined these deeds and has found them to be in good order, and

WHEREAS, the Commissioner of Public Works, the Acting 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 deeds 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.

COUNCILMAN MULLIGAN

Shouldn't that be Deputy Commissioner of Public Works?

COUNCILMAN MOORE

No, he's the Commissioner.

COUNCILMAN MULLIGAN

He ended up Commissioner?

SUPERVISOR YUDELSON  
Yes.

(Laughter)

COUNCILMAN MULLIGAN  
Congratulations.

COUNCILWOMAN ZINCK  
He's already got a promotion, I'm telling you.

SUPERVISOR YUDELSON  
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 #17-155/2012

On Motion of  
Councilman Page

Seconded by  
Councilman Moore

WHEREAS, Jaynes Riverview, LLC, the Developer of Graywood Meadows Subdivision, Section One (1), located north of Farrell Road Extension and west of East River Road, has installed sanitary sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated utilities to the Town of Henrietta and for this purpose has delivered to the Town of Henrietta filing instruments granting easements to the Town for said sanitary sewer systems, and

WHEREAS, the Town Attorney has examined these easements and has found them to be in good order, and

WHEREAS, the Foreman of Drainage, Sewer, and Sidewalks and the Director of Engineering and Planning have determined that the said sanitary sewer systems were installed in accordance with Town requirements and have recommended that they be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said sanitary sewer systems for the described subdivision section be and they hereby are accepted and that easements be recorded in the Monroe County Clerk's Office.

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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 Twenty-Six Thousand Dollars (\$26,000.00) for a period of two (2) years.

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 #17-156/2012

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Mulligan

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

WHEREAS, the Monroe County Director of Transportation has requested permission to install a "STOP" sign on John Street at the intersection of Lehigh Station Road, and

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

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board hereby authorizes the establishment of a "STOP" sign at the above named intersection.

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 #17-157/2012

On Motion of  
Councilman Moore

Seconded by  
Councilman Page

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

WHEREAS, the Monroe County Director of Transportation has requested permission to post the speed limit on John Street from Park Centre Drive to Lehigh Station Road at 35 MPH. This change will install "SPEED LIMIT 35 MPH" signs along John Street, and

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

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board hereby authorizes the establishment of the 35 MPH Speed Limit along John Street from Lehigh Station Road to Park Centre Drive.

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 #17-158/2012

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

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

WHEREAS, the Commissioner of Public Works for the Town of Henrietta has requested that the speed limit on John Street from Bailey Road to Park Centre Drive be changed to 35 MPH. The existing speed limit is set at 30 MPH and the Monroe County Director of Transportation has requested permission to post the speed limit on John Street from Park Centre Drive to Lehigh Station Road at 35 MPH. This change will allow the Monroe County Department of Transportation to install "SPEED LIMIT 35 MPH" signs along John Street from Bailey Road to Park Centre Drive, and

WHEREAS, the Henrietta Town Board supports and encourages the installation of

this traffic control device in the interest of public safety.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board hereby authorizes the establishment of the 35 MPH Speed Limit along John Street from Park Centre Drive to Bailey Road.

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 #17-159/2012

On Motion of  
Councilman Page

Seconded by  
Councilman Moore

WHEREAS, the Assessor, the Commissioner of Public Works, and the Henrietta Public Library, have requested that the attachments be declared surplus materials.

THEREFORE, BE IT RESOLVED, that the attached items from the Commissioner of Public Works be consigned to the Teitsworth Municipal Auction to be held on October 6, 2012.

BE IT FURTHER RESOLVED, that the attached items from the Assessor and the Henrietta Public Library be declared surplus materials and be sent to the Parks and Facilities Department for disposal.

BE IT FURTHER RESOLVED, that all said items be removed from the Town's inventory list.

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	



