

**HENRIETTA TOWN BOARD  
AGENDA  
FEBRUARY 20, 2013**

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):  
February 6, 2013  
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 #5-64/2013  
Authorize Accounts Payable

RESOLUTION #5-65/2013  
Accept Dedication of Roadway and Storm Sewers – Calkins Corporate Park, LLC

RESOLUTION #5-66/2013  
Accept Dedication of Sanitary Sewers and Water Mains – Calkins Corporate Park, LLC

RESOLUTION #5-67/2013  
Authorize General Engineering and Planning Services – Lu Engineers

RESOLUTION #5-68/2013  
Authorize Traffic Control Device – Pinnacle Road

RESOLUTION #5-69/2013  
Recognize Year 2013 Youth Hall of Fame Inductees

RESOLUTION #5-70/2013  
Appoint Recreation Commission Member

RESOLUTION #5-71/2013  
Authorize Attendance of the New York State Town Clerks Annual Conference

RESOLUTION #5-72/2013  
Authorize Supervisor to Sign Undertaking for New York State Department of  
Transportation Highway Work Permits

RESOLUTION #5-73/2013  
Authorize Budget Transfers

RESOLUTION #5-74/2013  
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 20<sup>TH</sup> DAY OF FEBRUARY, 2013 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  
Leann C. Case, Town Clerk

**MEMBERS ABSENT**

Daniel J. Mastrella, Town Attorney

*(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 at this point? *(Pause, no response)* If not, may I have the approval of the Minutes?

**COUNCILWOMAN ZINCK**

I'd like to move approval of the Minutes of the February 6, 2013 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**

Leann, you okay without the Town Attorney down there? You want me to send someone to sit with you?

LEANN CASE, TOWN CLERK

I'm okay. *(Laughter)*

SUPERVISOR YUDELSON

Okay, then can I have the first Resolution, please?

RESOLUTION #5-64/2013

On Motion of  
Councilman Moore

Seconded by  
Councilman Mulligan

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

Exhibit A	Bills Payable dated 02/20/2013	\$ 277,857.85
Exhibit B	Manual Bills Payable dated 02/06/2013	\$ 2,350.00
Exhibit C	Manual Bills Payable dated 02/12/2013	\$ 30.00

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 Yudelton	voting	Aye

Carried

RESOLUTION #5-65/2013

On Motion of  
Councilman Page

Seconded by  
Councilman Mulligan

WHEREAS, Calkins Corporate Park, LLC, the Developer of Calkins Corporate Park (located on Red Creek Drive) has constructed a road and installed storm sewers in said subdivision section, 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 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 Commissioner of Public Works, the Acting Superintendent of Highways and the Director of Engineering and Planning have determined that the road and said 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, the Commissioner of Public Works, and the Acting 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 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.

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 #5-66/2013

On Motion of  
Councilman Moore

Seconded by  
Councilwoman Zinck

WHEREAS, Calkins Corporate Park, LLC, the Developer of Calkins Corporate Office Park, Resubdivision of Lot 2 (located on Red Creek Drive) has installed sanitary sewers and water mains in said subdivision, 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 system and water main, and

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

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WHEREAS, the Foreman of the Drainage, Sewer and Sidewalks Department and the Director of Engineering and Planning have determined that the said sanitary sewer system and water main was installed 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 Foreman of the Drainage, Sewer and Sidewalks Department have re-inspected the improvements and recommend that they be accepted without requiring posting of said Bond.

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

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MOORE

One question: we talk about water mains in this Resolution, isn't that under the Monroe County Water Authority jurisdiction?

SUPERVISOR YUDELSON

Mr. Martin, would you be able to address that?

CHRIS MARTIN, DIRECTOR OF ENGINEERING & PLANNING

Chris Martin, Director of Engineering and Planning. Since the project was so old, we actually had the water main back when this subdivision was built and that's why we're maintaining ownership of it.

COUNCILMAN MULLIGAN

Isn't the deal with the Authority a lease anyway, so it's a...

CHRIS MARTIN, DIRECTOR OF ENGINEERING & PLANNING

Well, it's a long-term lease, yes.

COUNCILMAN MULLIGAN

So we still own it.

CHRIS MARTIN, DIRECTOR OF ENGINEERING & PLANNING

We still own it, regardless, right. But we own... well, right.

COUNCILMAN MOORE

So basically you're cleaning up some old files then and doing a good job?

CHRIS MARTIN, DIRECTOR OF ENGINEERING & PLANNING  
Well, yeah, we're cleaning up some old files.

COUNCILMAN MOORE  
Thank you.

CHRIS MARTIN, DIRECTOR OF ENGINEERING & PLANNING  
You're welcome.

COUNCILWOMAN ZINCK  
Thanks, Chris.

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 #5-67/2013

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Page

WHEREAS, Lu Engineers, 175 Sullys Trail, Suite 202, Pittsford, New York 14534, has submitted to the Town of Henrietta a proposal for General Engineering and Planning Services, dated February 5, 2013, a copy of which is attached and on file in the Town Clerk's Office, and

WHEREAS, the proposed scope of services, as more fully detailed therein, is to provide General Engineering and Planning Services in order to supplement current Town Staff.

THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized, on behalf of the Town of Henrietta, to execute the proposed General Engineering and Planning Services proposal with Lu Engineers, for a total cost not to exceed \$10,000.00 through December 31, 2013, at the hourly billing rates set forth in said proposal.

BE IT FURTHER RESOLVED, that the Supervisor or his designee be hereby authorized to pay Lu Engineers, for Engineering and Planning Services performed at the rates set forth in said proposal, upon satisfactory completion and acceptance of the

services provided, 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 #5-68/2013

On Motion of  
Councilwoman Zinck

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 authorization to establish a "Center Lane, Left Only/Northbound and Southbound" on Pinnacle Road (195' South of Lehigh Station Road to 140' South of Red Lion Road North Entrance).

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board hereby authorizes the establishment of this traffic control measure at the above named location.

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 #5-69/2013

On Motion of  
Councilman Page

Seconded by  
Councilman Moore

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WHEREAS, the Henrietta Youth Board has selected twenty-six (26) exceptional young people to be inducted into the Year 2013 Youth Hall of Fame because of their special accomplishments, and

WHEREAS, these individuals have made significant contributions to the Henrietta community and/or have made a great personal achievement, and

WHEREAS, the Henrietta Town Board hereby recognizes the contributions and achievements of these young people.

THEREFORE, BE IT RESOLVED, that

Benjamin Cammett	Katherine Leo	Jordyn Simmons
Sandra Chang	Victoria Mangino	Molly Stark
Kylie Connell	Matthew Marks II	Aiman Syeda
Amanda Davis	Joshua McGough	David Towne
Ettie Delavak	Samir Nasim	Alyssa VanRyne
Daniel Drummond	Spencer Phillips	Jarek Wierzba
Nicholas Gerbino	Danielle Reid	Najzma Williams
Abel Kiros	Andrew Rondeau	Joshua Wray
Amanda Lee	Emilie Scardilla	

are congratulated by the Town Board for their induction into the Year 2013 Youth Hall of Fame and will be recognized on March 14, 2013 at 6:30 P.M. during a dinner being held at the RIT Inn and Conference Center, Henrietta, New York, for their positive influence on the quality of life in our community.

#### SUPERVISOR YUDELSON

Under discussion, we all congratulate these students and look forward to the annual dinner and I just want to thank the Youth Board for all the work they've done to this point, getting ready for the dinner and going through the selection process to honor these very deserving inductees. 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 #5-70/2013

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Mulligan

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WHEREAS, vacancies currently exist on the Henrietta Recreation Commission, and  
WHEREAS, Rita Shuboney is qualified and has expressed an interest in serving on  
the Recreation Commission, and

WHEREAS, the Henrietta Town Board wishes to maintain the Boards at their  
authorized strength for maximum input.

THEREFORE, BE IT RESOLVED, that Rita Shuboney, of 63 Eagan Boulevard in the  
Town of Henrietta, be appointed to the Henrietta Recreation Commission for a term  
effective immediately and expiring December 31, 2013.

SUPERVISOR YUDELSON

Under discussion, just as a point that was not discussed on Monday, the expiration date  
at the end of this year is because that is the first vacant term that will be expiring and  
we try to have one (1) term expire each year.

COUNCILWOMAN ZINCK

And just to add to that, this Board's had a number of people go off of it, so it's  
wonderful to have some new, an enthusiastic person on board.

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 #5-71/2013

On Motion of  
Councilman Moore

Seconded by  
Councilman Page

WHEREAS, the Town Clerk has requested authorization to attend the New York  
State Town Clerks 31<sup>st</sup> Annual Conference to be held at the Hyatt Regency Hotel in  
Buffalo, New York on April 28, 2013 through May 1, 2013, and

WHEREAS, funds are available in the year 2013 Budget, and

WHEREAS, the Town Board supports and encourages additional training for all  
Town employees.

THEREFORE, BE IT RESOLVED, that Leann C. Case, Town Clerk, and Jennifer  
Kimerly, Deputy Town Clerk/Receiver of Taxes be hereby authorized to attend the three

(3) day conference at a cost not to exceed \$1,200.00, to include registration, meals, hotel accommodations, and mileage.

BE IT FURTHER RESOLVED, that all properly prepared vouchers be submitted to the Finance Department for reimbursement.

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 #5-72/2013

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, the Town of Henrietta, from time to time, receives permits from the New York State Department of Transportation allowing the Town to temporarily obstruct, install, construct, maintain, operate or replace any facilities within the bounds of a State highway right-of-way, and

WHEREAS, the Department requires that the Town of Henrietta file an undertaking to secure the Town of Henrietta faithful performance within the terms of any such permit and also to indemnify the State of New York and others with respect to all operations under such permits by the Town of Henrietta.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town of Henrietta, be hereby authorized to execute said undertaking with the New York State Department of Transportation.

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

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Carried

RESOLUTION #5-73/2013

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Moore

BE IT RESOLVED, that the Supervisor be authorized to make the Budget transfers, as per the attachment.

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 #5-74/2013

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Page

BE IT RESOLVED, that the following people be hired:

Anthony Sanganetti     Engineering, Student Intern @ \$11.00/hr., effective 2/24/2013.

Alexander Pogal         Highway, Seasonal, Wing Person at \$9.00/hr., effective 2/24/2013.

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

Philip Baretela         Recreation, Part-Time Recreation Assistant, Golden Comets Swim Program @ \$16.50/hr., from \$10.50/hr., effective 2/10/2013.

Jennifer Cannon         Highway, Seasonal, Wing Person @ \$9.00/hr., from \$8.75/hr., effective 2/24/2013.



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to speak on any item concerning the Town of Henrietta? *(Pause, no response)* If not, is there a motion to adjourn?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman Zinck, seconded by Councilman Page at 7:17 P.M. and was adjourned without objection.

Respectfully submitted,

Rebecca B. Wiesner  
Deputy Town Clerk