

**HENRIETTA TOWN BOARD
AGENDA
OCTOBER 1, 2014
7:00 P.M.**

Supervisor Moore
Councilman Mulligan
Councilwoman Zinck
Councilman Page
Councilman Breese

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 17, 2014
On Motion of: Councilwoman Zinck Seconded by: Councilman Page
6. Miscellaneous Communications
7. Public Hearings:
 - Proposed Local Law No. 3 of 2014: A Local Law Establishing a Rental Registry
 - Fiscal Year 2015 Preliminary Budget for the Town of Henrietta; Proposed salaries for Elected Town Officers are Supervisor, \$87,125.00; Councilpersons, \$19,149; and Town Judges, \$30,909.
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 #18-219/2014
Authorize Accounts Payable

RESOLUTION #18-220/2014
Authorize SEQRA Declaration, Rezone from Residential R-1-15 to Industrial, and Approve Special Permit No. 2014-044 – Campus Crest Development (The Grove at Rochester)

RESOLUTION #18-221/2014
Authorize Supervisor to Sign Inter-municipal Agreement – Monroe County Stormwater Coalition

RESOLUTION #18-222/2014

Authorize Supervisor to Sign Monroe County Community Development Block Grant – Holiday Road and Summer Sky Drive Sanitary Sewer Repairs Project – 2014 CDBG YR 39 Sanitary Sewer Slip Lining Project Phase III

RESOLUTION #18-223/2014

Accept Dedication of Drainage Inlet and Storm Sewer – 2087 East Henrietta Road

RESOLUTION #18-224/2014

Award Request for Proposal and Authorizing Supervisor to Sign Agreement – Town of Henrietta Bicycle and Pedestrian Trail Plan – Barton & Loguidice, DPC

RESOLUTION #18-225/2014

Call for Public Hearing – No Parking on Blueberry Crescent

RESOLUTION #18-226/2014

Re-Name Recreation Committee – Parks and Recreation Advisory Board

RESOLUTION #18-227/2014

Appoint Parks and Recreation Advisory Board Member

RESOLUTION #18-228/2014

Declare Items Surplus Materials – Parks Department / Commissioner of Public Works

RESOLUTION #18-229/2014

Authorize Budget Transfers

RESOLUTION #18-230/2014

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 1ST DAY OF OCTOBER 2014 AT 7:00 P.M.

MEMBERS PRESENT

Supervisor Jack W. Moore
Councilman William J. Mulligan, Jr.
Councilwoman Janet B. Zinck
Councilman M. Rick Page
Councilman Kenneth Breese
Daniel J. Mastrella, Town Attorney
Rebecca B. Wiesner, Town Clerk / Receiver of Taxes

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

SUPERVISOR MOORE

Is there anybody in the audience tonight that would like to speak on any agenda item?

(From audience, Mike Stafford, 32 Essex Drive, "Does that include the Campus Crest?")

SUPERVISOR MOORE

Yes, that's an agenda item, so yes. You're more than welcome.

(Unintelligible from audience, Mike Stafford, 32 Essex Drive)

SUPERVISOR MOORE

Yes.

MIKE STAFFORD, 32 ESSEX DRIVE

Mike Stafford, 32 Essex. Last month when we were here and Campus Crest put on their presentation, I thought there was a lot of unanswered questions that I should, that I think should be answered before, before they get approved for the zoning change, which includes, can they guarantee that it remains student housing? We don't know what kind of project it's going to be. This project could turn into a totally different, five (5) years down the road. Next would be, they, I'd like to know what they're going to do with all the extra land eventually. They say they have no plans. I find that hard to believe that they're, that they don't plan on selling it off or doing something with it sooner or later.

SUPERVISOR MOORE

Well, to correct you there, they have stated that it will be Industrial Land and I do believe that it will be sold, from what my understanding is.

MIKE STAFFORD, 32 ESSEX DRIVE

Okay.

SUPERVISOR MOORE

Okay.

MIKE STAFFORD, 32 ESSEX DRIVE

Well you didn't say, he didn't say he planned on selling it, so.

SUPERVISOR MOORE

I didn't think he said he was planning on holding it either.

MIKE STAFFORD, 32 ESSEX DRIVE

He didn't, well right he didn't say that...

SUPERVISOR MOORE

It costs money...

MIKE STAFFORD, 32 ESSEX DRIVE

...exactly that's the whole problem. That's what I'm saying with this whole thing.

SUPERVISOR MOORE

But...

MIKE STAFFORD, 32 ESSEX DRIVE

You didn't get many firm answers out of him.

SUPERVISOR MOORE

It costs money to hold Industrial...

MIKE STAFFORD, 32 ESSEX WAY

Right, I realize, but he didn't say, "Yes, I plan on selling it." Once again I think he used, when it came to the tax, how much taxes, I believe the words he used, but the Minutes from the past Meeting weren't up on the internet yet, I believe he used the words again, "fair share", and I really wonder what "fair share" means. I think big, I

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think what big business believes is their fair share and what everybody else is...

SUPERVISOR MOORE

Well, my understanding again is they're going to pay the same amount that you and I pay every day.

MIKE STAFFORD, 32 ESSEX DRIVE

Right. Well, fair share, I....

SUPERVISOR MOORE

Well I'll go on the Record...

MIKE STAFFORD, 32 ESSEX DRIVE

...he said that, he said that twice...

SUPERVISOR MOORE

...of saying that, okay?

MIKE STAFFORD, 32 ESSEX DRIVE

...you know, once back in, once back in 2013 and last month. The, other thing is, was brought up is, you know I'm still wondering, I would think that, I would think as a Board you'd want to make sure that you keep people locally employed and to ask him, again, to keep the work local. The building, you know it's a 25 million dollar (\$25,000,000.00) project, there's plenty of people in this community that need work in the construction trade. And, finally I mentioned to you Supervisor, prior to the meeting, and you explained it to me about their stock price that the company itself, its stock prices have fallen into, have gone down quite substantially, but you did, you explained why and told me why that was, but that's about it.

SUPERVISOR MOORE

Thank you.

COUNCILMAN PAGE

Mike, from the last presentation, if I heard it right, when the question came up about, "Would it be, remain student housing, or could it change?", I thought he did a pretty good job of answering that, it's marketed towards college kids, but it's against the law to not be able to rent it to anyone who comes in to seek it.

MIKE STAFFORD, 32 ESSEX DRIVE

Right.

COUNCILMAN PAGE

And he did give some percentages in the other ones that weren't students. He gave you the small percentages, so he readily admitted that it could be other than student housing.

MIKE STAFFORD, 32 ESSEX DRIVE

Right. So if I...

COUNCILMAN PAGE

So anybody who wants to rent and live with five hundred and eighty (580) other college kids needs special attention anyway, but...

MIKE STAFFORD, 32 ESSEX DRIVE

Yes, but five (5), (*laughter*) but five (5) years down the road you don't know they may want to turn it into any kind of other housing.

COUNCILMAN PAGE

Correct. And the only thing we had in our research was that the ninety (90) places that they already own, none of them were ever sold and none of them were ever changed from what it was originally attended.

MIKE STAFFORD, 32 ESSEX DRIVE

Okay.

COUNCILMAN PAGE

That's what we...

MIKE STAFFORD, 32 ESSEX DRIVE

Yes, in their last ten (10) years of business.

COUNCILMAN PAGE

Correct.

MIKE STAFFORD, 32 ESSEX DRIVE

Okay.

COUNCILMAN PAGE

Thank you.

MIKE STAFFORD, 32 ESSEX DRIVE
Thanks.

COUCILMAN PAGE
Yes.

SUPERVISOR MOORE
Thanks Mike.

MIKE STAFFORD, 32 ESSEX DRIVE
Yes, thanks.

SUPERVISOR MOORE
May I have a motion to approve the Minutes of September 17, 2014?

COUNCILWOMAN ZINCK
Mr. Supervisor, I move approval of the Minutes of September 17, 2014 Meeting.

COUNCILMAN PAGE
Second.

SUPERVISOR MOORE
Please call the roll.

Duly put to a vote:		
Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Page	voting	Aye
Councilman Breese	voting	Aye
Supervisor Moore	voting	Aye
Carried		

SUPERVISOR MOORE
We have two (2) Public Hearings tonight. The first one is on a Proposed Local Law No. 3 of 2014. It's a Local Law to establish a rental registry and at this point and time this meeting is about gathering information and facts for a document that we hope to put forth later in the year that will enable us to have some oversight over single-family rental properties in neighborhoods. I've been on the Board since 2009 and I believe that the largest problem that I think our residents have occurred since then, has been

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the rental of single-family homes. So, that's the reason that we have a document that we've worked on or and overhauled to a certain extent from the Town of Greece that we're using as a, more or less a model. We know we have to shape it so it can move forward and be more attuned to our community. But, I'll open up the...

COUNCILMAN MULLIGAN

Just to interject, did you mention to the residents about the Court case?

SUPERVISOR MOORE

No, I didn't. Earlier this week we were informed that the litigation that we were in with Mr. Spaan, that the Town of Henrietta did prevail and that the no more than three (3) unrelated people can reside in one (1) single-family home. So, the rental registry will, should become a document on which it will enable our Code Enforcement people to be able to verify some of that and verify the safety of whoever's in the house along with the code complaints. We'll open up the meeting to whoever would like to come address on this subject.

COUNCILWOMAN ZINCK

So basically you're looking for ideas of what you would want to see incorporated into this policy from the public?

SUPERVISOR MOORE

Yes.

MEREDITH SMITH, ASSOCIATE VP FOR GOVERNMENT & COMMUNITY RELATIONS, RIT
Good evening. I'm Meredith Smith, Associate VP for Government and Community Relations at RIT, and I'm here basically to express that RIT is supportive of the exploration of a rental registry. We've done some research in my office in Government and Community Relations about rental registries that are on the books in some various locations including in Buffalo and in Minneapolis, Minnesota, and there are definitely some intricacies involved, which I'm sure you all know as you're exploring one here. I think there are lessons to be learned from some of those communities and there are some great public reports available that explain what's been successful and not. So, I would express, wanted to express on behalf of RIT that we would appreciate a collaborative process with the Town. We'd love to get together to look at the language that you are exploring and to share some of the information that we've gathered. We think that the penalty that is bestowed upon a landlord is critical to having the rental registry be effective. And in closing, I would add that we think a rental registry will make our community safer and we think it will make our students safer and will provide for better housing for really everyone in the Town, so thank you.

SUPERVISOR MOORE

Yes.

COUNCILMAN PAGE

Thank you.

COUNCILWOMAN ZINCK

Can I just ask a question...

MEREDITH SMITH, ASSOCIATE VP FOR GOVERNMENT & COMMUNITY RELATIONS, RIT
Sure.

COUNCILWOMAN ZINCK

...of a person making a comment?

SUPERVISOR MOORE

Yes.

COULCILWOMAN ZINCK

Okay. You say that you think the penalty's important. Do you have something in mind when you say that?

MEREDITH SMITH, ASSOCIATE VP FOR GOVERNMENT & COMMUNITY RELATIONS, RIT
Sure. So, the penalties vary across the country and in some cases a penalty for failing to register is as small as a twenty dollar (\$20.00) fine. I don't think that that's significant enough to help us cope with some of our absentee landlords. In other cases penalties can add up to you not having your C. of O. (Certificate of Occupancy) renewed, which is pretty significant, which obviously makes it impossible for someone to occupy the property. So, I think within the bounds, you know of the, of the Law obviously, and what courts would uphold in New York State, we would, we need to be as severe as possible.

COUNCILWOMAN ZINCK

Thank you.

MEREDITH SMITH, ASSOCIATE VP FOR GOVERNMENT & COMMUNITY RELATIONS, RIT
Anybody else? Okay.

COUCILMAN MULLIGAN

Quick, Meredith...

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MEREDITH SMITH, ASSOCIATE VP FOR GOVERNMENT & COMMUNITY RELATIONS, RIT
Yes?

COUCILMAN MULLIGAN

...would you be willing to play a role in a committee, Councilman Page talked about having RIT and residents involved in this process and you representing the school, I think it would be beneficial for you to play an important part of that.

MEREDITH SMITH, ASSOCIATE VP FOR GOVERNMENT & COMMUNITY RELATIONS, RIT
Absolutely. We'd be appreciative of the opportunity to do so.

SUPERVISOR MOORE

Yes, I mean, before we came out here tonight, Rick had mentioned the fact that he thought that going forward for the Community, we would have to put together a Community of shareholders that have been basically a lot of people in the audience have had their lives disrupted because of rental property and, you know, you live in it every day with the student population, so I think it's very important we bring everybody together and figure out we can put forth a document and a Local Law that we all can be proud of.

MEREDITH SMITH, ASSOCIATE VP FOR GOVERNMENT & COMMUNITY RELATIONS, RIT
That would be great. It would be my pleasure.

COUNCILMAN PAGE

Councilor Mastrella did an exceptional job of reviewing the Proposed Code that we used as a boiler plate, and we have significant work to get that ready. Once we do that, and present it and get it ready, we're going to invite people from the community, the stake holders in for their professional opinion, what needs to be changed, what needs to be added, what needs to be deleted. I promise you we'll do that.

MEREDITH SMITH, ASSOCIATE VP FOR GOVERNMENT & COMMUNITY RELATIONS, RIT
Great.

COUNCILMAN PAGE

Okay.

MEREDITH SMITH, ASSOCIATE VP FOR GOVERNMENT & COMMUNITY RELATIONS, RIT
Thank you.

SUPERVISOR MOORE

Thank you Meredith.

COUNCILWOMAN ZINCK

Thanks Meredith.

SUPERVISOR MOORE

Is there anybody else that would like to speak on... Carol, please.

CAROL BURRITT, 620 SHORE DRIVE

Carol Burritt, 620 Shore Drive. I just have a question. In doing some research and I actually went back a few years when I was doing some research on this whole subject, you say that we're basing it on a Greece...

SUPERVISOR MOORE

Correct. There's a document that the Town of Greece adopted this past year.

CAROL BURRITT, 620 SHORE DRIVE

Okay.

SUPERVISOR MOORE

We also have documents from Brockport and Irondequoit...

CAROL BURRITT, 620 SHORE DRIVE

Irondequoit, okay.

SUPERVISOR MOORE

...and I believe the Village of Geneseo and...

CAROL BURRITT, 620 SHORE DRIVE

I did notice that Syracuse has had a lawsuit brought against it when they tried to say do a super-enforcement of landlords that were renting very close to Syracuse University. It seems that a lot of these towns that come up, Buffalo, Syracuse, a lot of this probably came up because of the proximity to large institutes, college institutions and universities and such. But I did notice that Syracuse had a lawsuit, a couple of lawsuits being brought against it, especially by the landlords near the colleges. And I was wondering if you had looked into that as to what results have happened so far, because we don't need to put something into effect that is going, that we're going to have to drag through court for another three (3) or four (4) years. You know, I'd like to see something that's been well tested.

DANIEL MASTRELLA, TOWN ATTORNEY

May I speak to the question? Yes, the answer is yes, I have looked at some court decisions regarding rental registries or their equivalent. And it, it's evolving. I don't expect that anybody can do a perfect job with this, and the challenges are relatively new, they're relatively young and there isn't something that's so well established that we can rely on it. What I will say is that the reason this is introduced at this time is to get the ball rolling. There's a, the document that's proposed is based on the Town of Greece. I have already suggested several modifications, revisions, etc. to it. I don't think what you're ultimately going to see is, is at all going to be what is proposed now. And, it given time constraints and when things have to be voted on, I think the Board is fully prepared to continue to listen to not pass this until it's in a form where it is, at least we believe to be workable and in fact, if they have to due to time deadlines, just vote no on this Rental Registry Law in the hopes of getting a better one. So, I don't want you to, I don't want anybody to have the impression that because this is introduced as a Local Law, that it's immanent. By the same token, doing it this way gets everybody, it's a little kick in the behind to get everybody moving ahead at a greater pace than might otherwise be. So, this is definitely a work in progress and what's proposed, what's on the table right now, is no more than a platform.

CAROL BURRITT, 620 SHORE DRIVE

Okay. I guess my other comments would be, I would hope that in considering the kinds of registration fees that would be charged against landlords, would be seriously put aside. Levied and put aside to have enough personnel and resources to put some teeth into the enforcement.

SUPERVISOR MOORE

Can I answer a little bit?

CAROL BURRITT, 620 SHORE DRIVE

Yes.

SUPERVISOR MOORE

In the proposed or preliminary budget tonight there is an additional Code Enforcement, full-time officer that will be hired to be dedicated to what we're going to put forth. And hopefully by the first of the year we'll be able to implement what this dialogue here and the ongoing process is so that we will have a rental registry by the first of the year.

CAROL BURRITT, 620 SHORE DRIVE

Okay.

SUPERVISOR MOORE

With personnel to back it up. And I, like Meredith said, if we don't have some teeth in the part of the law that hurts the person in the pocketbook, they're going to continue to make those mistakes.

CAROL BURRITT, 620 SHORE DRIVE

Oh yeah.

SUPERVISOR MOORE

I'm not one to probably give you more than one (1) chance or two (2).

CAROL BURRITT, 620 SHORE DRIVE

And I guess the last thing I want to say, is I would never want to see any volume discounts on the fees, please.

(Laughter)

CAROL BURRITT, 620 SHORE DRIVE

In fact I'd like to see them go up. The more you own, the bigger the fee.

COUNCILMAN PAGE

Carol, would you be willing to sit on the Committee?

CAROL BURRITT, 620 SHORE DRIVE

Definitely.

(Laughter)

COUNCILMAN PAGE

I know where you live. I'll be in touch.

CAROL BURRITT, 620 SHORE DRIVE

You know where I live?

SUPERVISOR MOORE

You're hired, okay?

COUNCILWOMAN ZINCK

I think we knew the answer to that.

SUPERVISOR MOORE

Is there anybody else that would like to speak on this? *(Pause, no response)* Seeing none, I'd like to go ahead and close this Public Hearing, and we'll go to the next Public Hearing. It's for our Town Budget. It's fiscal year 2015. It's our Preliminary Budget for the Town of Henrietta. Our Finance Director Barbara Chirido is going to walk us through what her and her staff have worked on most of the summer. They've done an excellent job. I'm very proud of this Budget. She actually even gave me some notes that I was supposed to read when I was up here that I didn't bring with me, but I will tell you that it appears to be at this point in time that the tax rate is proposed to go down by six point two five percent (6.25 %). We'll be holding the line on spending as spending will be up by about three hundred thousand dollars (\$300,000.00), but we will actually collect about two hundred thousand dollars (\$200,000.00) less in total taxes, because of the way they treated Marketplace Mall with the PILOT agreement. PILOT agreements aren't really considered in part of your tax levy, but Barbara will explain that. I'm very proud of the Budget we put forth and the way the Town Board had reviewed it and helped get us to this point, but I'll turn it over to Barbara.

DANIEL MASTRELLA, TOWN ATTORNEY

And Mr. Supervisor, before she starts on the Public Hearing for the rental registry, I assume you're just closing it for this evening's presentation but it, that it remains open for consideration of the new materials that will be coming.

SUPERVISOR MOORE

Oh, correct. I mean it's just going to be an ongoing process, I just...

DANIEL MASTRELLA, TOWN ATTORNEY

Okay. So it's an open...

SUPERVISOR MOORE

I usually close Public Hearings so, this one is an ongoing document moving forward.

DANIEL MASTRELLA, TOWN ATTORNEY

It's an open item...

SUPERVISOR MOORE

Correct.

DANIEL MASTRELLA, TOWN ATTORNEY

...it's just we're done with it tonight.

SUPERVISOR MOORE

Thank you, Councilor.

COUNCILMAN PAGE

Thank you.

SUPERVISOR MOORE

Yes.

BARBARA CHIRDO, DIRECTOR OF FINANCE

Now it's me. Thank you Supervisor Moore and Members of the Town Board. I'm here tonight, as the Supervisor expressed, to present an overview of the 2015 Preliminary Budget. The proposed appropriations in the 2015 Budget allow the Town to deliver the highest level of service, emphasizes our continued commitment to the future of the community, and recognizes the importance of affordability to our residential and business tax payers. As the Supervisor also mentioned, the general Town tax rate for 2015 is proposed to be at one dollar and approximately sixteen cents (\$1.16) per one thousand dollars (\$1,000.00) of assessed value. This proposed tax rate is actually equal to what the rate was in 2005. So the average Henrietta tax payer with an assessed value of one hundred and forty four thousand dollars (\$144,000.00) will pay one hundred and sixty six dollars and fifty nine cents (\$166.59) for Town General services. In comparison to 2014, this is nearly ten dollars (\$10.00) less with no reduction in services. As we were formulating the Budget, obviously as we all know by now that the Tax Payer Assistance Program was put into effect, once the Governor signed the legislation and the Town was able to pass that Local Law. To date, we have issued almost ten thousand (10,000) checks totaling nearly one million dollars (\$1,000,000.00), and as I said that was taken into account as we put together the Budget, and, because as we know the surplus issue, we wanted to look at affordability and giving back to the tax payers. As far as our non-tax revenue estimates for 2015, as you can see, we're nearly twelve million dollars (\$12,000,000.00) in nontax revenue. This results from a strong economy in Monroe County, that as consumer spending has led to a projection of nearly four and a half percent (4.5%) increase in our sales tax projection, and as the Supervisor mentioned, there was also a COMIDA agreement with Marketplace Mall. That led to a significant increase in what the Town will be receiving in PILOT revenue, nearly sixty percent (60%) more than we received in 2014. Although that impacts the taxable assessed value, of all properties we do essentially get the money in another form through the revenue through a PILOT. A little bit more on the non-tax revenue sources, as I mentioned sales tax, and I mentioned the PILOT, and it's kind of smushed down there at the bottom, but, also within that you'll see services to other governments. That is, the Town, as we probably know, provides services for the

State and County to maintain the roadways located within Henrietta, provides snow and ice removal services as well as do routine maintenance throughout the year. This is a depiction of our taxable value. A slight drop, although Henrietta still experiences significant growth in both commercial and residential, (*coughing*), excuse me, building throughout the Town. We had the little bit of decrease because of the PILOT, but we make up for it on the revenue side of things. People often ask, "Where does your tax dollar actually go?" This is a breakdown of a dollar bill (\$1.00) more or less. As you can see, equipment and capital outlay is about thirteen cents (\$0.13). What's cut off there at the bottom is contractual expenses which is thirty six cents (\$0.36). So essentially the Town spends between equipment and maintaining infrastructure and hiring contractors to assist us in such, nearly fifty cents (\$0.50) of every dollar (\$1.00) goes towards that. A large portion of the Town's budget is allocated to the Highway Service Garage and transportation. Departments for, they obviously maintain the roads, as well as our equipment. Recreation and cultural appropriations in parks, library and recreation total nearly a quarter (1/4) of the budget. It's the pies at the bottom there; eight percent (8%) each. As I mentioned, here's a depiction for the Highway Service Garage and transportation, over three point eight million dollars (\$3,800,000.00) of the Budget is appropriated for these departments, and that's twenty one percent (21%) of the budget. Those departments maintain over nearly two hundred and sixty five (265) miles of Town lane miles as well as taking care of the State and County miles, which is nearly a hundred and ninety one (191) miles. Our library is part of our culture and recreations that I mentioned being almost a quarter (1/4) of the budget. Library in particular is about eight percent (8%), a little over one point four million dollars (\$1,400,000.00) is appropriated for 2015. What's impressive is our library is quite popular. In 2013 circulation exceeded four hundred and seventy four thousand (474,000) pieces, which is approximately thirteen hundred (1,300) items per day, which is pretty astounding and is a very valuable resource to the Town. Our Recreation, Senior Center, and celebrations budgets, that's a nice picture of our Senior Center, those appropriations are a little over one point four million (1,400,000.00), which is again about eight percent (8%) of the budget. In 2013, the Recreation and Senior Center offered over six hundred and ten (610) programs for all ages of residents in our community. One difference in our budget this year is the appropriation to the Henrietta Ambulance, which is collected as part of the tax levy of the Town, is included in the Town Budget. In years past, this was not included as part of our Budget. However, based on the State Comptroller's report issued late last year, it was erroneously left off and does need to be included in our Budget. So, therefore the appropriation of a little over seven hundred thousand dollars (\$700,000.00) is collected on behalf of the Ambulance. That entire amount is distributed to the Ambulance to offset and defray costs to the Henrietta residents for emergency services provided by the Ambulance. Another significant portion of the Budget is our capitol and equipment

appropriation. For 2015, that is just under two point four million dollars (\$2,400,000.00). Again, you can see that the strong emphasis is on our infrastructure and roads, infrastructure being about forty percent (40%) and roads being about thirty percent (30%), so, you know, approximately seventy percent (70%) is spent to really maintain the infrastructure of Henrietta. In conclusion, the Town's Preliminary Budget totals eighteen million, three hundred and twenty eight thousand and sixteen dollars (\$18,328,016.00), an increase of slightly over two point two percent (2.2%) over 2014. As the Supervisor mentioned, even with an increase of appropriations, the actual Town tax collection will be two hundred thousand dollars (\$200,000.00) less than what was collected in 2014 or nearly four percent (4%) less. And that's our pretty slide to end with.

(Laughter)

SUPERVISOR MOORE

Thank you, Barbara. As you can see, it's a little bit different budget and a little bit different budget presentation than we've been accustomed to. We went to a little bit more of a realistic budget, our revenues are what we think the projections will be and our expenditures are what we think we will be, different than in the past when we underestimated revenue and overestimated expenses. So, at this point in time I would invite anybody that would like to come and speak on this issue to come forward. I have to have your name and address Rita.

RITA SHUBONEY, 63 EAGAN BOULEVARD

Rite Shuboney, 63 Eagan Boulevard, 14623. Does all of the money that pays for all of these services come from the tax payers?

(From audience, Barbara Chirido, Director of Finance: "Well, some of the money comes from the tax levy, but (inaudible) generates the revenues.")

RITA SHUBONEY, 63 EAGAN BOULEVARD

Okay so, like when you're showing all of those...

(From audience, Barbara Chirido, Director of Finance: "Yes")

RITA SHUBONEY, 63 EAGAN BOULEVARD

...pieces of pie is that all tax payer money, or are you getting money from the State to also pay that?

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(From audience, Barbara Chirdo, Director of Finance: " Recreation Department does get a little bit of money, very little at this point, from, through New York State from the office of Child and Family Services. But the majority of money comes from the fees charged for programs, as you know, with gymnastics...")

RITA SHUBONEY, 63 EAGAN BOULEVARD

Yes.

(From audience, Barbara Chirdo, Director of Finance: "...and then the tax payer money as well.")

RITA SHUBONEY, 63 EAGAN BOULEVARD

Okay, so what is the tax levy?

(From audience, Barbara Chirdo, Director of Finance: "Taxes next year will be about five point two (5.2), I don't know the exact amount... five million, two hundred and forty four thousand seven hundred and forty six dollars (\$5,244,746.00).")

RITA SHUBONEY, 63 EAGAN BOULEVARD

Okay, so basically this is all money that's coming from businesses in the community and the tax payers that live here, the residents?

(From audience, Barbara Chirdo, Director of Finance: "Correct.")

RITA SHUBONEY, 63 EAGAN BOULEVARD

Okay, that's all I wanted to know. Thank you.

SUPERVISOR MOORE

You're welcome. Is there anybody else that would like to speak on the 2015 Budget? *(Pause, no response.)* Seeing none, I'll go ahead and close the Public Hearing on the Budget and could I please have the first Resolution?

RESOLUTION #18-219/2014

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

BE IT RESOLVED, that the Director of Finance be authorized to pay the following bills payable:

Exhibit A	Bills Payable dated 10/01/2014	\$ 477,523.37
Exhibit B	Manual Bills Payable dated 09/30/2014	\$ 35.00

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

RESOLUTION #18-220/2014

On Motion of
Councilman Mulligan

Seconded by
Councilman Page

WHEREAS, the Town Board received a written request from Campus Crest Development for the rezoning of approximately 73 acres of land, identified as Tax Account Number 174.02-1-20, located at 3860 East River Road, and approximately 2.35 acres of land identified as Tax Account Number 174.02-1-5.1, located at 333 Bailey Road, from Residential R-1-15 to Industrial, along with an Application for a Special Use Permit to construct two hundred twenty-four (224) suite style unit apartment buildings for student housing, and

WHEREAS, a map of the land under consideration is on file in the Office of the Town Clerk, and

WHEREAS, after consideration by the Henrietta Town Board that the requested rezoning change and use does not exceed one or more thresholds for a Type I Action, as listed in Section 617.4 of the New York State Environmental Quality Review Act (SEQRA), and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA) such an Action is a Type I Action, and

WHEREAS, an Environmental Assessment Form (EAF) has been prepared and reviewed for the proposed rezoning, and

TB October 1, 2014

WHEREAS, the Henrietta Town Board declares its intent to be the Lead Agency for the Environmental Quality Review, and

WHEREAS, the Henrietta Town Board is the sole approval board or agency affected by this Action, and

WHEREAS, the Henrietta Town Board has taken a hard look at the environmental issues raised by this rezoning and Special Use Permit Application, pursuant to Section 617.7 of SEQRA, and

WHEREAS, pursuant to an Order, a Public Hearing was held on September 17, 2014.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board does formally designate itself and accepts Lead Agency status for the environmental review of described rezoning under the State Environmental Quality Review Act (SEQRA) and has determined that the proposed Action therein described will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be required and therefore issues a Negative Declaration.

BE IT FURTHER RESOLVED, that the Henrietta Town Board hereby ratifies, confirms, and adopts the rezoning to Industrial.

BE IT FURTHER RESOLVED, that the Henrietta Town Board approves Special Permit Application No. 2014-044 by Campus Crest Development for two hundred twenty-four (224) suite style unit apartment buildings for student housing located at 3860 East River Road, upon the terms and conditions set forth on the Record at the Henrietta Town Board Special Permit Hearing held on September 17, 2014, the parcel being Rezoned to Industrial, as per the attached legal description and further subject to any easements of Record and any necessary approvals of the Henrietta Planning Board.

SUPERVISOR MOORE

Discussion?

COUNCILMAN MULLIGAN

Under discussion, my hope with this development is that it results in hopefully some of these kids that are in the neighborhoods, many of which are good citizens and some however fall short of that category, and that they move into this housing and we end up with better neighborhoods.

SUPERVISOR MOORE

Please call the roll.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	No
Councilman Page	voting	Aye
Councilman Breese	voting	No
Supervisor Moore	voting	Aye

Carried

RESOLUTION #18-221/2014

On Motion of
Councilman Breese

Seconded by
Councilman Page

WHEREAS, the Town of Henrietta is a member of the Monroe County Stormwater Coalition, and

WHEREAS, the Coalition has prepared a new Stormwater Coalition Inter-municipal Agreement, and

WHEREAS, the Town Board of the Town of Henrietta has determined it is in the best interest of the Town to continue its participation in the Coalition, and

WHEREAS, the Town Attorney has reviewed said Agreement and finds it to be in good order.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town of Henrietta, is hereby authorized to execute said Inter-municipal Agreement.

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

COUNCILMAN BREESE

Wait a second I've got to pull it up.

COUNCILWOMAN ZINCK

Eighty five (85) pages to go through Ken?

(Laughter)

COUNCILMAN BREESE

Yes, it looks like there's a whole bunch of them.

(Laughter)

COUNCILMAN BREESE

Mr. Supervisor I have Resolution #18...

SUPERVISOR MOORE

You have to bear with us because we're, the second meeting that we've gone paperless, and...

COUNCILMAN BREESE

Yes, it takes a while to flip through all those pages.

SUPERVISOR MOORE

...it was a good idea in theory.

COUNCILMAN MULLIGAN

It sounded good at the time.

RESOLUTION #18-222/2014

On Motion of
Councilman Breese

Seconded by
Councilman Page

WHEREAS, a Community Development Block Grant for the 2014 CDBG YR 39 Sewer Slip Lining Project Phase III (year 2014), in the amount of \$34,750.00, is available through Monroe County, and

WHEREAS, this Grant provides for sanitary sewer repairs on Holiday Road and Summer Sky 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 MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #18-223/2014

On Motion of
Councilman Page

Seconded by
Councilwoman Zinck

WHEREAS, upon completion of the Summit Federal Credit Union Project, the Town of Henrietta agrees to own and maintain the portion of drainage inlet and storm sewer located at 2087 East Henrietta Road (NYS Route 15A), and

WHEREAS, the Director of Engineering and Planning has reviewed this Project and recommends that this be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henrietta agrees to own and maintain the portion of drainage inlet and storm sewer located at 2087 East Henrietta Road (NYS Route 15A).

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #18-224/2014

On Motion of
Councilman Breese

Seconded by
Councilwoman Zinck

TB October 1, 2014

WHEREAS, a grant for \$74,000.00 was awarded to the Town of Henrietta from the Genesee Transportation Council to have a Bicycle and Pedestrian Trail Plan conducted, and

WHEREAS, the Town of Henrietta has requested proposals from qualified architectural and engineering firms for study and planning services and preparation of a Bicycle and Pedestrian Trail Plan, and

WHEREAS, the Director of Engineering & Planning has carefully examined all proposals submitted for fairness and equitability for the scope of work to be performed and recommends acceptance of the proposal received from Barton & Loguidice, DPC for a Bicycle and Pedestrian Trail Plan.

THEREFORE, BE IT RESOLVED, that Barton & Loguidice, DPC, 11 Centre Park, Suite 203, Rochester, New York 14614 be hereby authorized to provide professional design services for the Town of Henrietta Bicycle and Pedestrian Trail Plan, for an amount not to exceed \$74,000.00.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay said consultant upon successful completion of the Project, and acceptance by the Director of Engineering & Planning, and to apply for reimbursement from the grant.

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to execute and deliver an agreement by and between the Town and Barton & Loguidice, DPC based upon the recommendations of the Genesee Transportation Council and said subcommittee, at a maximum contract price of \$74,000.00, which agreement shall be in form and substance as may be approved by the Attorney for the Town.

SUPERVISOR MOORE

Discussion?

COUNCILWOMAN ZINCK

Thanks a lot Chris. You worked on this right? The bike trail? Thank you very much. I think this will be a wonderful, wonderful addition to our Town, so, thank you.

SUPERVISOR MOORE

Please call the roll.

Duly put to a vote:

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

RESOLUTION #18-225/2014

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

WHEREAS, The Rush Henrietta Central School District and emergency responders have requested that the Town of Henrietta disallow parking on the Cul-De-Sac portion of Blueberry Crescent, located at the end of Blueberry Crescent in the Town of Henrietta, New York to facilitate the traffic flow of school buses and emergency response equipment and that said restriction be posted on Blueberry Crescent, and

WHEREAS, the Town Board wishes to address this request to change the parking ordinance and wishes to allow the public any input it may have regarding such changes.

THEREFORE, BE IT RESOLVED, I hereby introduce an ordinance amending Henrietta Town Code Section 273-6D to allow "no parking anytime": (I) Blueberry Crescent Cul-de-Sac at the end of Blueberry Crescent".

THEREFORE, BE IT FURTHER RESOLVED, that a Public Hearing will be held on November 5, 2014 at 7:00 p.m. at the Town Hall, Main Meeting Room, 475 Calkins Road, Henrietta New York, on the question of the adoption of the proposed ordinance as hereto described where the Town Board will hear all persons interested in the subject.

BE IT FURTHER RESOLVED, that notice of said Public Hearing shall be published in the manner provided by Law.

BE IT FURTHER RESOLVED, that the Public Hearing previously scheduled for October 15, 2014 on a proposed ordinance amending Henrietta Town Code Section 273-6D to allow "no parking from 7:00 a.m. to 4:00 p.m. school days: (I) Blueberry Crescent Cul-de-Sac at the end of Blueberry Crescent" be hereby canceled.

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #18-226/2014

On Motion of
Councilman Breese

Seconded by
Councilman Page

WHEREAS, Town Board Resolution #14-178/2014 abolished the Town of Henrietta's Recreation Commission and established a citizen Advisory Committee to the Town Board known as the Town of Henrietta Recreation Committee, and

WHEREAS, the purpose of the Advisory Committee is to advise and assist the Town Board in the preparation of plans and programs for carrying out the functions of the Parks and Recreation Department, and

WHEREAS, the Advisory Committee also reviews plans and proposals for the acquisition and development of parks and recreation facilities and may be referred to make such recommendations to the Town Board through the Director of Parks and Recreation in connection therewith as deemed appropriate, and

WHEREAS, the Town of Henrietta Recreation Committee has decided that the name of "Town of Henrietta's Recreation Commission" does not adequately identify the role of the Committee.

THEREFORE, BE IT RESOLVED, that the Town Board, by this Resolution, does hereby rename the Town of Henrietta Recreation Committee and that it shall now be known as the Parks and Recreation Advisory Board.

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #18-227/2014

On Motion of
Councilman Page

Seconded by
Councilman Breese

WHEREAS, there are currently vacancies on the Parks and Recreation Advisory Board, and

WHEREAS, Stella Wu is a qualified residents who has expressed an interest in serving on the Parks and Recreation Advisory Board, and

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

THEREFORE, BE IT RESOLVED, that Stella Wu, 29 Alverstone Way, West Henrietta, NY 14586, be hereby appointed to the Parks and Recreation Advisory Board for the remainder of a three (3) year term effective immediately and expiring December 31, 2015.

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #18-228/2014

On Motion of
Councilman Mulligan

Seconded by
Councilman Page

WHEREAS, the Parks Department and the Commissioner of Public Works have requested that the attachments be declared surplus materials.

THEREFORE, BE IT RESOLVED, that the attached item from the Parks Department be declared surplus material and be sent to the Parks and Facilities Department for disposal.

BE IT FURTHER RESOLVED, that the attached item from the Commissioner of Public Works be consigned to the Teitsworth Municipal Auction to be held on October 4, 2014.

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

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #18-229/2014

On Motion of
Councilman Page

Seconded by
Councilwoman Zinck

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

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #18-230/2014

On Motion of
Councilman Page

Seconded by
Councilwoman Zinck

TB October 1, 2014

BE IT RESOLVED, that the following persons be hired:

Kevin Morales-Baez Recreation Department, Afterschool Recreation Attendant @ \$8.25/hr., effective September 28, 2014.

Robin Glossy Recreation Department, Senior Center Recreation Attendant @ \$9.50/hr., effective September 28, 2014.

Matthew Lincoln Recreation Department, Seasonal Recreation Attendant (Golden Comets Swim Coach) @ \$10.00/hr., effective September 28, 2014.

John Brunner Crossing Guard @ \$10.00/hr., effective September 22, 2014.

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

Deborah Arnaud Recreation Department, Part-Time Program Director @ \$12.85/hr., from \$9.50/hr., effective September 7, 2014.

Kelly Gusman Recreation Department, Part-Time Clerk (Temporary) @ \$10.25/hr., effective September 8, 2014.

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

SUPERVISOR MOORE

That concludes the business part of our Meeting. Is there anybody in the audience that would like to speak on anything before the Town Board? Mr. Moffitt, 81 Finnegan Way.

CRAIG MOFFITT, 81 FINNEGAN WAY

Craig Moffitt, 81 Finnegan Way, 14467. I just wanted to personally thank Craig and the Highway Department for fixing the gutters at our home and I truly appreciate it and, there's two (2) sides: One is you come in and complain, and then other side is that you reward and it's resolved and I appreciate it, Craig. I just wanted to let you know that.

COUNCILWOMAN ZINCK

Okay.

CRAIG MOFFITT, 81 FINNEGAN WAY

And I just have a quick question about approval of the Final Budget, if I may. Are there any more Public Hearings on the Preliminary before the final approval is made?

SUPERVISOR MOORE

No. Tonight was the only Public Hearing.

CRAIG MOFFITT, 81 FINNEGAN WAY

That's it.

SUPERVISOR MOORE

Yes.

CRAIG MOFFITT, 81 FINNEGAN WAY

And so then, next Meeting it's, it's approved?

SUPERVISOR MOORE

Well, it has to be voted on, yes.

CRAIG MOFFITT, 81 FINNEGAN WAY

Okay.

COUNCILMAN MULLIGAN

And you can talk on it before the meet...

COUNCILWOMAN ZINCK

You, yes.

CRAIG MOFFITT, 81 FINNEGAN WAY
Right.

COUNCILMAN MULLIGAN
...you know, before the meeting starts you have an opportunity.

CRAIG MOFFITT, 81 FINNEGAN WAY
Okay.

COUNCILWOMAN ZINCK
It'll be on the Agenda, so at the beginning of the Meeting.

SUPERVISOR MOORE
If you have any questions before that Craig, we'd be glad to answer them.

CRAIG MOFFITT, 81 FINNEGAN WAY
Alright. So, thank you and I thank all of you.

SUPERVISOR MOORE
You're welcome.

CRAIG MOFFITT, 81 FINNEGAN WAY
I just wanted to make sure everybody knew that.

COUNCILWOMAN ZINCK
Thank you.

SUPERVISOR MOORE
Mr. Rautenstrauch.

LINUS RAUTENSTRAUCH, 1412 MARTIN ROAD
Linus Rautenstrauch, 1412 Martin Road, West Henrietta, New York. I want to say thanks to the Parks Department and whoever their supervisor is of that whole conglomerate but, they did a wonderful job after many years of just mentioning it, to get that garbage and brush by Martin Road Park cleaned up. It looks outstanding and I, for myself, and for the residents, deserve that. Because it's your tax dollar at work and people from all over the County come to that Park, and it looks excellent.

SUPERVISOR MOORE
Are you watering...

TB October 1, 2014

LINUS RAUTENSTRAUCH, 1412 MARTIN ROAD
Thank you.

SUPERVISOR MOORE
...are you watering the grass seed?

LINUS RAUTENSTRAUCH, 1412 MARTIN ROAD
Oh God, more taxes.

(Laughter)

SUPERVISOR MOORE
No, I want to make sure you're watering the grass seed...

COUNCILWOMAN ZINCK
You're watering.

SUPERVISOR MOORE
...because you're the park czar.

(Laughter)

LINUS RAUTENSTRAUCH, 1412 MARTIN ROAD
I'll have to take care of that upon my own time. I'll do that.

(Laughter)

COUNCILWOMAN ZINCK
Thank you, Linus.

SUPERVISOR MOORE
Okay. Thank you. Is there anybody else that would like to speak? *(Pause, no response)* Could I have a motion for adjournment please?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman Zinck, seconded by Councilman Mulligan at 7:43 P.M. and was adjourned without objection.

TB October 1, 2014

Respectfully submitted,

Jennifer L. Miranda
Deputy Town Clerk