

**TOWN BOARD WORKSHOP  
AGENDA  
NOVEMBER 17, 2014  
4:30 P.M.**

- No Special Permits
  - One (1) Public Hearing – November 19, 2014 – 7:00 P.M.  
-Property Cleanup at 3036 East Henrietta Road
- 1.) Approval of Minutes of the Preceding Town Board Workshop Meeting  
November 3, 2014
  - 2.) Approval of Minutes at Town Board meeting(s)
  - 3.) Info Only: Discuss Request for Proposal for Inspectors - Martin
  - 4.) Consider Adopting Animal Control Fee Schedule – Marshall
  - 5.) Info Only: Generator Update – Marshall
  - 6.) Info Only: Discuss Update of Code Violations - Marshall
  - 7.) Discuss Closing on Telco Road from Town to Private – Eckert
  - 8.) Consider Authorizing No Parking on Blueberry Crescent – Eckert
  - 9.) Consider Authorizing Purchase of Equipment – Highway Department – Eckert
    - Brush Chipper
    - Skid Steer Loader
    - 5 Ton Roller
  - 10.) Info Only: Update on Martin Road Soccer Park – Eckert
  - 11.) Info Only: Update on Leaf and Brush Drop Off - Eckert
  - 12.) Info Only: Discuss Recreation Winter/Spring 2015 Brochure - Kulik
  - 13.) Info Only: Discuss Update to Website – Taylor
  - 14.) Info Only: Discuss Mobile Application for Code Enforcement – Taylor
  - 15.) Info Only: Building Study Update – Minotti
  - 16.) Info Only: Drainage Study Update – Minotti
  - 17.) Info Only: Update on Workman’s Compensation – Minotti

- 18.) Consider Calling for Public - Proposed Local Law No. 4 of 2014 – A Local Law Amending the Town Code to Allow New York State Town Law §278 Cluster Subdivisions to be Permitted in RR Districts – Minotti/Mastrella
- 19.) Consider Authorizing Budget Transfers – Chirido
- 20.) Consider Adopting Whistle Blower Policy – Chirido
- 21.) Consider Acknowledging Donation – Henrietta Dog Park Bench – Chirido
- 22.) Info Only: Rental Registry Update – Mastrella
- 23.) Info Only: Discuss Code Revision Update – Minotti/Page
- 24.) Review Personnel Items – Moore
- 25.) Consider Bills Payable – Moore
- 26.) Old Business

**Executive Session – Zoning Board Chairman Position**

**TOWN OF HENRIETTA  
TOWN BOARD WORKSHOP MEETING NOTES  
NOVEMBER 17, 2014**

The regularly scheduled Workshop of the Henrietta Town Board for Monday, November 17, 2014 was called to order at 4:30 P.M.

**MEMBERS PRESENT**

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

**GUESTS/RESIDENTS PRESENT**

Phil Mancini

- **No Special Permits**
- **One (1) Public Hearing – November 19, 2014 – 7:00 P.M.**
  - **Property Cleanup at 3036 East Henrietta Road**

The legal requirements for notification regarding the Public Hearing for 3036 East Henrietta Road were not met and so the Public Hearing will be at the December 3<sup>rd</sup> Town Board Meeting instead.

**1.) Approval of Minutes of the Preceding Town Board Workshop Meeting  
November 3, 2014**

Councilwoman Zinck made a motion to approve the Town Board Workshop Minutes from the November 3, 2014 Meeting and Councilman Page seconded the motion.

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

**2.) Approval of Minutes at Town Board meeting(s)**

**3.) Info Only: Discuss Request for Proposal for Inspectors - Martin**

Chris Martin, Director of Engineering & Planning, stated that a Request for Proposal (RFP) for Construction Observation Services for various subdivision and site development

projects located within the Town was sent to a number of local engineering firms so that the Town could evaluate whether inspectors should be hired as employees or whether the work should be farmed out. The RFP was sent to: Passero Associates, Fisher Associates, BME Associates, Kenneth Hill, Stephen MacIntyre, and Scott Sullivan. The response from the RFP would include resumes and hourly rates for each person that would be used as an inspector. There was a general discussion about the advantages of farming out the work to area engineering firms in that the Town would not need to provide vehicles, cell phones, or desk space. If the inspectors are hired as employees of the Town, they would need to pass a civil service exam. Councilman Page spoke about his desire to have the inspectors be residents of the Town of Henrietta. Martin mentioned that currently, one (1) out of the three (3) inspectors currently working for the Town is a Henrietta resident. Craig Eckert, Commissioner of Public Works, requested that Larsen Engineers be sent the RFO as well. Councilman Page requested that LaBella Associates also be added.

#### **4.) Consider Adopting Animal Control Fee Schedule – Marshall**

Chuck Marshall, Deputy Commissioner of Public Works, reported that there was a modest increase in fees on the proposed Schedule of Fees from Suburban Animal Hospital. However, the Town was not going to increase the fees for residents, so there would a modest decrease in Town revenue from dog retrievals.

#### **5.) Info Only: Generator Update – Marshall**

Marshall said that the Town has been waiting a solid month for RG&E to respond so that the new generator could be installed, but the final disconnect and reconnect of the backup generator at the Department of Public Works building has finally been scheduled for Friday, November 21<sup>st</sup> and would take approximately two to four (2 – 4) hours to complete. The DPW building would utilize a backup generator during the switch to the new generator. Councilman Page asked about a maintenance contract on the generator, and Marshall said that it came with a five (5) year maintenance contract.

#### **6.) Info Only: Discuss Update of Code Violations - Marshall**

Marshall gave an update on the code violation issues within the Town:

- Marshall visits Joe Legno's property at 3333 East River Road every two (2) weeks and the property had the fewest cars he'd ever seen, but while he was visiting, eight (8) cars were dropped off. Councilman Mulligan asked how anyone could say that it had improved when Councilman Page says that he sees more cars than ever whenever he drives by.
- 50 Faircrest Road is still on Code Enforcement's radar.
- As discussed previously, the Public Hearing regarding the property at 3036 East Henrietta Road has been scheduled for the next Town Board Meeting since they weren't able to meet the fifteen (15) day notification requirement.
- The resident at 31 Blue Avocado has requested more time to complete the roof repairs, but the pool has been removed.
- The Code Enforcement Office has seventy-six (76) violations to clear up by the end

of the year. Jim Radell has been focusing on ensuring that all properties within the Town have visible house numbers to comply with the Town Code.

- o Fred Ross is back to working part-time.

Councilwoman Zinck asked about the chickens that were running free on Gawaine Lane. Peter Minotti, Deputy Supervisor, said that the Town gave the resident seven (7) days to comply with the Town Code. Councilman Page inquired how many residents have come in for a permit to harbor chickens, and Minotti replied that there have been five (5) permits issued.

### **7.) Discuss Closing on Telco Road from Town to Private – Eckert**

Craig Eckert, Commissioner of Public Works, asked whether an additional Resolution (Resolution #16-201/2014 was voted on at the September 3, 2014 Town Board Meeting) would be required for the abandonment of Telco Road and Daniel Mastrella, Town Attorney, responded that no further Resolution was required. Eckert would just need to file an order closing and discontinuing Telco Road, along with a description of the area abandoned, with the Town Clerk. Mastrella offered to come up with a form for the order for Eckert to use.

### **8.) Consider Authorizing No Parking on Blueberry Crescent – Eckert**

The Public Hearing regarding the proposed “No Parking Anytime” on Blueberry Crescent was held on November 5<sup>th</sup> and there was no feedback from any of the residents, so the consensus was to move forward and approve the no parking.

### **9.) Consider Authorizing Purchase of Equipment – Highway Department – Eckert**

- **Brush Chipper**
- **Skid Steer Loader**
- **5 Ton Roller**

The brush chipper and 5 ton roller are equipment for the Highway Department and the skid steer loader is equipment for the Sewer Department. The skid steer was due to be replaced in 2015, but it was decided to push it up. All three items are being purchased through the Capital Project Fund, which was approved at the November 5<sup>th</sup> Town Board Meeting via Resolution #20-250/2014.

### **10.) Info Only: Update on Martin Road Soccer Park – Eckert**

Straw has been placed on the soccer fields for winter preservation until they can be seeded in the spring. Eckert hoped that the fields could have been seeded this year, but the temperatures did not cooperate. This year, the Town has paid fifty-five hundred dollars (\$5,500) per week to rent bulldozers to prepare the fields, so it has cost less than twenty-five thousand dollars (\$25,000.00) to prepare three (3) fields. As a comparison, in years when the Town has hired landscaping companies to prepare the fields, the cost

was significantly greater: in 2005 the Town paid one hundred twenty thousand, nine hundred dollars (\$120,900.00) and in 2002 the Town paid fifty-three thousand, two hundred dollars (\$53,200.00).

**11.) Info Only: Update on Leaf and Brush Drop Off - Eckert**

Eckert explained that the residents have been very appreciative of the leaf and brush drop off event. As previously discussed, there is a proposal to approve the purchase of a 12" brush chipper at Wednesday's meeting, which will help the event in the future. The Town of Pittsford has also offered to let the Town use their top grinder.

**12.) Info Only: Discuss Recreation Winter/Spring 2015 Brochure - Kulik**

Jason Kulik, Director of Parks and Recreation, was out of the office, so on Kulik's behalf, Supervisor Moore mentioned that the Winter/Spring 2015 Recreation brochure will be coming out in early December.

**13.) Info Only: Discuss Update to Website – Taylor**

Michele Taylor, IT Coordinator, reported that she has had the first meeting with the website designer at BAS (Business Automation Services, Inc.) and that a first draft of what the website will look like has already been created, however the design is still flexible. Councilman Breese asked about whether there is flexibility to do a website refresh in the future and Taylor said that it was part of the support included with the website.

**14.) Info Only: Discuss Mobile Application for Code Enforcement – Taylor**

Three ten inch (10") tablets have been purchased for Code Enforcement to run IPS while in the field. The tablets are going to be for Terry Ekwel, Fire Marshal/Building Inspector; Kevin Wilson in the Building Department; and the Code Enforcement Officers. Work orders will be downloaded to the tablet and the system will update in Town Hall whenever they are back on the Town's wireless network. Councilman Page asked about purchasing car chargers for the tablets in the future. Chris Martin, Director of Engineering & Planning, mentioned that his department has considered moving toward tablets as well, but currently that is on hold.

**15.) Info Only: Building Study Update – Minotti**

Peter Minotti, Deputy Supervisor, reported that Chris Talarczyk from LaBella Associates asked for an extension until Wednesday, November 19<sup>th</sup>. Supervisor Moore said that he would forward the information on to the Town Board as soon as he received it. Councilwoman Zinck asked whether LaBella would be making a presentation of their proposal and Supervisor Moore said that they would most likely be willing to if that is what the Town Board wanted.

**16.) Info Only: Drainage Study Update – Minotti**

Minotti stated that there was a Riverton Community Association meeting on Monday, November 10<sup>th</sup>. The Town Supervisor has gone through the Community Association's previous budgets and found that forty thousand dollars (\$40,000.00) was allotted for drainage improvements in 2010, but it never made it into the 2011 budget and no improvements were made. The Riverton Community Association charges residents four hundred dollars (\$400.00) per year, more than what the Town of Henrietta charges for town taxes. As a result, the Community Association currently has two hundred eight thousand dollars (\$208,000.00) in their coffers and Moore would like them to contribute their fair share to the drainage improvements. Supervisor Moore also found a letter from Fabercon stating that they would be willing to put up thirty thousand dollars (\$30,000.00) for drainage improvements, but because Moore is encouraging Bernie Iacovangelo to add sidewalks to Moore Road, he's unsure whether Iacovangelo will honor said letter.

**17.) Info Only: Update on Workman's Compensation – Minotti**

Minotti reported that the Town has had unique challenges through 2013; five (5) personal injury claims were filed in the first quarter alone. In May, the PERMA team came out to tell the Town that the anticipated annual premium would be three hundred sixty thousand, three hundred fifty-seven (\$360,357.00) if the Town wasn't able to get the experience mod factor under 1 (it was at 1.08% and it needs to be under 1 to not have a penalty). Since then, the Town has been able to decrease those numbers significantly. The Town's experience modification factor has since dropped to 0.994%. The Town requested quotes from other insurance agencies and anticipated receiving four (4), but only received one (1) from PERMA. To further decrease the Town's annual premium, Minotti asked PERMA for an Individual Risk Premium Modification (IRPM) credit on October 30<sup>th</sup>, which was approved on November 4<sup>th</sup> by senior underwriter Vince Sullivan based on the Town of Henrietta case management, which resulted in a reversal of five (5) year adverse trends for incurred losses and a significant decrease in out reserves. The end result of Minotti's work was a 2015 annual premium of two hundred sixty-three thousand, six hundred thirty-two dollars (\$263,632.00). The Town received a two percent (2%) discount for paying in one lump sum. Supervisor Moore asked why the Town's insurance consultant, First Niagara, wasn't helping with any of this.

**18.) Consider Calling for Public - Proposed Local Law No. 4 of 2014 – A Local Law Amending the Town Code to Allow New York State Town Law §278 Cluster Subdivisions to be Permitted in RR Districts – Minotti/Mastrella**

At the November 5<sup>th</sup> Town Board Meeting, the Town Board called for a Public Hearing regarding a rezoning request of approximately 46.576 acres of land, identified as Tax Account Number 203.01-2-3.11, located at Ward Hill Road from Residential RR-2 to Residential RR-1 through Resolution #20-243/2014. This request was from Lacey Development Corp. for the Trail View Subdivision at the top of Ward Hill Road. When the

request was initially submitted, Peter Minotti, Deputy Supervisor, had both William Walker, Planning Board Attorney, and Roland Osterwinter of the Engineering Department research the proper procedure for the rezoning. In July of 2005, the Town Board adopted Local Law No. 2 of 2005, (found in §295-51.1), however Chapter §295-59 (B) states that, "The powers delegated to the Planning Board herein shall apply to all districts zoned R-1 and R-2." This means that the Planning Board does not currently have the power to approve a §278 cluster subdivision in a rural residential district, which is what's required for the proposed Trail View Subdivision on Ward Hill Road. Therefore, a new Local Law has been proposed to correct that.

**19.) Consider Authorizing Budget Transfers – Chirido**

Barbara Chirido, Director of Finance, explained that the proposed budget transfers were to pay for a roof replacement, the Parks Department's disc golf target, and an adjustment for the donation received from Janet Howland for a dog park bench.

**20.) Consider Adopting Whistle Blower Policy – Chirido**

Chirido explained that the Whistle Blower Policy is a policy that the Town of Henrietta is currently lacking. It was sent to Tom Lauffer at Ray Wager's office for his opinion and he liked it. This Whistle Blower Policy will eventually be included within the employee handbook that Chirido is working on. Councilman Breese inquired about the Board of Ethics and whether they should be involved with this new policy, but it was explained that the Board of Ethics meets as needed to resolve any issues that may be brought to them.

**21.) Consider Acknowledging Donation – Henrietta Dog Park Bench – Chirido**

This is to acknowledge a donation received by Janet Howland of the Town Clerk's Office for a bench at the Town of Henrietta Dog Park.

**22.) Info Only: Rental Registry Update – Mastrella**

Daniel Mastrella, Town Attorney, reported that he is still working on the rental registry and is hoping to have it by the end of the week. Councilman Page suggested that in the meantime, they should start deciding on the fees and preparing the forms.

**23.) Info Only: Discuss Code Revision Update – Minotti/Page**

Peter Minotti, Deputy Town Supervisor, explained that the Code is currently in the formatting stage and once the final draft is available we could call for a Public Hearing.

**24.) Review Personnel Items – Moore**

**25.) Consider Bills Payable – Moore**

**26.) Old Business**

Councilman Page mentioned that a resident, David Christensen of 1456 Calkins Road, would be making a presentation at the Town Board Meeting on Wednesday about speeding on Calkins Road. Christensen believes that the Town Board may have an influence on the Monroe County Sheriff regarding this issue. Supervisor Moore asked Page to have Christensen call him. Craig Eckert, Commissioner of Public Works, said he has spoken to Christensen about this issue and he has provided Christensen with some of the data obtained from the Town's radar speed sign. Eckert mentioned he'd be happy to provide the same information to the Town Board.

Councilwoman Zinck asked about the computer monitor installed in the east wing entryway and Supervisor Moore explained that it was installed to replace the sign board listing the Town Board Members and Department Heads.

There was a general discussion about subsidizing recreation programs and the money that the Town loses by pricing the recreation programs low. Councilwoman Zinck mentioned that she was in the Town of Henrietta's gymnastics program when she was a child.

**Executive Session – Zoning Board Chairman Position**

On the motion of Councilman Page, seconded by Councilman Mulligan, the Town Board entered into Executive Session.

Respectfully submitted,

Rebecca B. Wiesner  
Town Clerk / Receiver of Taxes