

**HENRIETTA TOWN BOARD
AGENDA
JANUARY 1, 2005**

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) - December 15, 2004
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 #2-39/2005

Authorize Accounts Payable

RESOLUTION #2-40/2005

Call for Public Hearing - Proposed Local Law No. 1 of 2005 - Extension of Temporary Moratorium on the Subdivision of Real Estate South of the New York State Thruway

RESOLUTION #2-41/2005

Authorize Supervisor to Sign State Assistance Contract - Monroe County Storm Water Coalition

RESOLUTION #2-42/2005

Declare Items Surplus Materials

RESOLUTION #2-43/2005

Authorize Budget Transfers

RESOLUTION #2-44/2005

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 JANUARY, 2005 AT 10:30 A.M.

MEMBERS PRESENT

MEMBERS ABSENT

Supervisor James R. Breese
Councilwoman Catherine A. McCabe
Councilman William J. Mulligan, Jr.
Councilman Michael B. Yudelson
Councilwoman Janet B. Zinck
Daniel J. Mastrella, Town Attorney
Patricia J. Shaffer, Town Clerk

SUPERVISOR BREESE

Is there anybody that would like to speak on any agenda items at this time? Agenda items only? *(Pause - no response)* If not, may I have the approval of the Minutes, please.

COUNCILWOMAN McCABE

Mr. Supervisor, I move we approve the Minutes of December 15, 2004.

COUNCILMAN YUDELSON

Second.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye

Carried

SUPERVISOR BREESE

May I have the first Resolution, please.

RESOLUTION #2-39/2005

On Motion of
Councilwoman Zinck

Seconded by
Councilman Yudelson

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

EXHIBIT A

Bills Payable dated 1/1/2005

\$ 241,434.58

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye

Carried

RESOLUTION #2-40/2005

On Motion of
Councilwoman Zinck

Seconded by
Councilman Yudelson

WHEREAS, the Town Board of the Town of Henrietta, through Resolution #9-127/2004, adopted Local Law No. 1 of 2004 on April 21, 2004, establishing a temporary Moratorium on the subdivision of real property south of the New York State Thruway to expire on January 17, 2005, and

WHEREAS, true and correct copies of proposed Local Law No. 1 of 2005, Extension of Temporary Moratorium on Real Estate Development South of the New York State Thruway, were delivered to each member of the Town Board, and

WHEREAS, due consideration has been given to the adoption of proposed Local Law No. 1 of 2005, Extension of Temporary Moratorium on Real Estate Development South of the New York State Thruway, by all members of the Town Board, and

WHEREAS, it was the considered opinion of all members of the Town Board that a Public Hearing should be held on the 19TH day of January, 2005 at 8:00 P.M. at the Town Hall, 475 Calkins Road, Henrietta, New York, to consider the adoption of proposed Local Law No. 1 of 2005, Extension of Temporary Moratorium on Real Estate Development South of the New York State Thruway.

THEREFORE, BE IT RESOLVED, that a Public Hearing be held on the 19TH day of January, 2005 at 8:00 P.M. at the Town Hall, 475 Calkins Road, Henrietta, New York, on the proposed adoption of Local Law No. 1 of 2005, Extension of Temporary Moratorium on Real Estate South of the New York State Thruway, and a summary thereof be published in a newspaper previously designated as an official newspaper for publication of public notices, not less than five (5) days prior to said Hearing.

BE IT FURTHER RESOLVED, that the Town Clerk shall post certified copies of both this Resolution and said proposed Local Law No. 1 of 2005, Extension of Temporary Moratorium on Real Estate Development South of the New York State Thruway, or a summary thereof, on the bulletin board maintained by the Town Clerk, pursuant to Section 30(6) of the Town Law, for a period of not less than five (5) days prior to said Public Hearing.

BE IT FURTHER RESOLVED, that the Town of Henrietta shall not accept any applications for the subdivision and/or rezoning of land in the area potentially affected by said Local Law, from this date until action is taken on said proposal, and if passed, until such Local Law takes effect.

SUPERVISOR BREESE

Under discussion, this is simply a Resolution calling for a Public Hearing, which of course, I support. I do have some reservations about a six (6) month Moratorium. Maybe I can get them resolved by the time we have the Public Hearing. I'm not sure six (6) months is necessary. But this is only a call for Public Hearing, and of course I'll support that. Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye

Carried

RESOLUTION #2-41/2005

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, the Town of Henrietta, herein called the "Municipality," after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project," is desirable, is in the public interest and is required in order to implement the Project, and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith.

THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Henrietta as follows:

1. That James R. Breese, Supervisor, or such person=s successor in office, is the representative authorized to act on behalf of the Municipality=s governing body in all matters related to State assistance under ECL Article 56, Title 3. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality=s governing body in all matters related to the Project and to State assistance.
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project=s field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation.
3. That one (1) Certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation.
4. That this Resolution take effect immediately.

SUPERVISOR BREESE

Discussion?

COUNCILMAN MULLIGAN

Just for my own clarification, this is about the stormwater?

SUPERVISOR BREESE

Yes.

COUNCILMAN MULLIGAN

Thank you.

SUPERVISOR BREESE

This refers to the Town funding, it=s portion of the cost of the project. We know, of course, what our portion is going to be Mr. Marshall?

CHUCK MARSHALL, COMMISSIONER OF PUBLIC WORKS

At present, our costs are the Five Thousand Dollar (\$5,000.00) membership fee that we provide to the Stormwater Coalition and either my time or Mark Byrne=s time when we attend the meetings and the workshops to work on the stormwater issues.

SUPERVISOR BREESE

Thank you. Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye

Councilwoman Zinck voting Aye
Supervisor Breese voting Aye
Carried

RESOLUTION #2-42/2005

On Motion of Councilwoman Zinck
Seconded by Councilman Yudelson

WHEREAS, the Library Board of Trustees have requested that the following items be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
None	Gateway Monitor
3072	1996 Pentium computer/monitor
3067	1996 Pentium computer/monitor
3093	Epson printer
3065	HP laser printer

WHEREAS, the Superintendent of Highways has requested that the following item be declared surplus material:

<u>Inventory #</u>	<u>Description</u>
1462	1964 3M sign baking machine

THEREFORE, BE IT RESOLVED, that the items described above be declared surplus materials and be sent to the Parks and Facilities Department for disposal.

SUPERVISOR BREESE
Discussion? Call the roll, please.

Duly put to a vote:
Councilwoman McCabe voting Aye
Councilman Mulligan voting Aye
Councilman Yudelson voting Aye
Councilwoman Zinck voting Aye
Supervisor Breese voting Aye
Carried

RESOLUTION #2-43/2005

On Motion of Councilwoman McCabe
Seconded by Councilman Mulligan

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

SUPERVISOR BREESE
Discussion?

COUNCILMAN MULLIGAN
Under discussion, Mr. Supervisor, and maybe we need Mr. Liess, I see in some of the transfers Seventy Thousand (\$70,000.00) from Parks personnel being transferred from there. If we did, how did we have that kind of savings in that, budget wise? That=s a lot of money.

SUPERVISOR BREESE
Mr. Liess, will you come up.

PAUL LIESS, JR., DIRECTOR OF FINANCE AND PERSONNEL
The Seventy Thousand (\$70,000.00) is mostly from overtime production from the year, as well as some staffing, summer help staffing that either left early or did not come on as soon as possible. So, those were savings to the Town on the payroll in that area and it=s to offset the bridge, as it=s stated in there.

COUNCILMAN MULLIGAN
What was the last part?

PAUL LIESS, JR., DIRECTOR OF FINANCE AND PERSONNEL
It=s to offset the bridge, as stated in the transfer.

COUNCILMAN MULLIGAN
Thank you.

SUPERVISOR BREESE
Call the roll, please

Duly put to a vote:
Councilwoman McCabe voting Aye
Councilman Mulligan voting Aye
Councilman Yudelson voting Aye
Councilwoman Zinck voting Aye
Supervisor Breese voting Aye
Carried

RESOLUTION #2-44/2005

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

BE IT RESOLVED, that the following persons be hired:

Curtis Wooderson	Highway, Wingperson @ \$8.25/hr., effective 1/1/2005.
Ronald Share	Highway, Wingperson @ \$8.25/hr., effective 1/1/2005.
Kevin J. Conner	Highway, Wingperson @ \$8.25/hr., effective 1/1/2005.

SUPERVISOR BREESE

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye

Carried

SUPERVISOR BREESE

That=s the end of the meeting. Before we adjourn, is there anyone that would like to speak on any other items involving the Town of Henrietta? *(Pause - no response)*.

(Let the Record show the Committee Appointments are as follows: Personnel Committee - William J. Mulligan, Jr., Chairman, Catherine McCabe and Janet Zinck; Finance Committee - Janet Zinck, Chairwoman, William J. Mulligan, Jr. and Michael Yudelson; Public Works Committee - Michael Yudelson, Chairman, William J. Mulligan, Jr. and Catherine McCabe; Public Safety Committee - Catherine McCabe, Chairwoman, Janet Zinck and Michael Yudelson. Let the Record show other Appointments are as follows: Deputy Supervisor, Michael Yudelson; Director of Finance, Paul Liess, Jr.; Secretary to Supervisor, Tammy McGlashon)

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman Zinck at 11:15 A.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson
Deputy Town Clerk