

**HENRIETTA TOWN BOARD  
AGENDA  
JANUARY 17, 2007**

ORDER OF BUSINESS

Hearing - 7:45 P.M.:

- Action with Regard to Resolution #23-279/2006 - Code Violations at 1344 Pinnacle Road

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):
  - January 1, 2007 Organizational Meeting
  - January 1, 2007 Regular Meeting
6. Miscellaneous Communications
7. Public Hearings:
  - Proposed Establishment of Amended Extension No. 9 (Berkshire Park Subdivision) to the Henrietta Lighting District
  - Proposed Rezoning of Lands on Middle/Erie Station Roads
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 #3-44/2007  
Authorize Accounts Payable

RESOLUTION #3-45/2007  
Authorize Reappointment of Planning Board Member

RESOLUTION #3-46/2007  
Authorize Temporary Assignment of Judges

RESOLUTION #3-47/2007  
Authorize Reappointment of Recreation Commission Member

RESOLUTION #3-48/2007  
Authorize Supervisor to Sign Contract for Appraisal Services - 755 Jefferson Road

RESOLUTION #3-49/2007

Adopt Proposed Local Law No. 5 of 2006 Amending Real Property Tax Exemption for Senior Citizens

RESOLUTION #3-50/2007

Adopt Proposed Local Law No. 6 of 2006 Amending Real Property Tax Exemption for Disabled Persons (*a/k/a Local Law No. 1 of 2007*)

RESOLUTION #3-51/2007

Authorize General Engineering and Planning Services - Corneles Engineering, P.C. and Lu Engineers

RESOLUTION #3-52/2007

Authorize Proposed Establishment of Amended Extension No. 9 (Berkshire Park Subdivision) to the Henrietta Lighting District

RESOLUTION #3-53/2007

Authorize Advertisement for Bid - One (1) Excavator

RESOLUTION #3-54/2007

Authorize Advertisement for Bids - Storm Water Way Mowing

RESOLUTION #3-55/2007

Authorize Proposed Application Fees - Building and Fire Prevention Department

RESOLUTION #3-56/2007

Award Quote/Authorize 2006 Auditing Services - Raymond F. Wager, CPA, P.C.

RESOLUTION #3-57/2007

Authorize Budget Transfers

RESOLUTION #3-58/2007

Authorize Fee for Notary Services for Non-Residents

RESOLUTION #3-59/2007

Authorize Town Clerk to Collect Passport Photo Fees

RESOLUTION #3-60/2007

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 17<sup>TH</sup> DAY OF JANUARY, 2007 AT 8:00 P.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

We're having a, before we start the Regular meeting, we're having an advertised Public Hearing on a Resolution regarding Code violations at 1344 Pinnacle Road. Has that been properly advertised?

PATRICIA SHAFFER, TOWN CLERK

According to the Law, yes, Sir.

SUPERVISOR BREESE

According to the Law. Mr. Roth, do you want to give us a summary of this disaster over there on Pinnacle Road? Keep it short.

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR

This gentleman has had several violations for a period of . . .

SUPERVISOR BREESE

What's his name?

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR

Mr. Knowlton.

SUPERVISOR BREESE

Mr. Knowlton? Thank you. He's on Reeves Road, up that way, near Reeves Road?

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR

Yes.

SUPERVISOR BREESE

Okay. Go ahead.

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR

This property has had several violations for a period of time on and off. We have had him through appearance tickets in and out of court. He's actually sat in jail a few times.

He knows the system and he knows the processes. With enacting the new recent two sections of the Code, that allows us now to notify him of the violation, have such Hearing this evening, and at that point the Town can go in and commence and do the work and put it on his taxes at this point.

COUNCILMAN MULLIGAN

Just to be clear, I thought this was the one down towards Calkins.

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR

This is the other one. Calkins is 468. That's a different one.

SUPERVISOR BREESE

That's the used car lot there.

COUNCILMAN MULLIGAN

This is up on the south end?

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR

This is the other one. Unfortunately, we have one on each end.

SUPERVISOR BREESE

Yes.

COUNCILMAN MULLIGAN

Okay.

SUPERVISOR BREESE

Has this legally been handled properly, Mr. Town Attorney? I know your answer, but just for the Record.

DANIEL MASTRELLA, TOWN ATTORNEY

It has. I think that Mr. Roth should just verify that the cited violations haven't been corrected and continue to persist so that the Board can make a finding of the nuisance.

SUPERVISOR BREESE

You want him to come back and say that?

DANIEL MASTRELLA, TOWN ATTORNEY

I think he should.

SUPERVISOR BREESE

Mr. Roth, you have to come back and say what the Town Attorney told you to say.

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR

Both Jason and I have reviewed the property today, and as of 5:00 P.M., the violations that have been detailed in the previous notice have not been corrected.

SUPERVISOR BREESE

So, if we tell him now, Mr. Knowlton is not here, is he? He was notified, is that correct?

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir, when the original Resolution was passed.

SUPERVISOR BREESE

How was he notified?

PATRICIA SHAFFER, TOWN CLERK

I believe Mr. Christopher Roth could answer that.

SUPERVISOR BREESE

How was he notified?

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR

Return Receipt, and he did not sign for the Return Receipt.

COUNCILMAN MULLIGAN

Certified Mail.

SUPERVISOR BREESE

So, what does that mean, Mr. Town Attorney?

DANIEL MASTRELLA, TOWN ATTORNEY

So long as he's properly notified, so long as we sent it and it was delivered . . .

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR

We've sent it, and we have the receipt that it went out on the appropriate day.

SUPERVISOR BREESE

Right. So, he isn't here, we tell you to go forward, what happens next?

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR

We would seek out a contractor that would be interested in doing the work. We would award him the items to be corrected, and we would levy an invoice against his taxes.

SUPERVISOR BREESE

And we can go on his property without any further notice, is that correct?

DANIEL MASTRELLA, TOWN ATTORNEY

It is. However, just under the new Code, I have made a practice of, as a courtesy, advising the individual when they should expect a contractor to be upon their property.

SUPERVISOR BREESE

I'm sure Mr. Roth will do that.

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR

We've done that with previous properties. We let them know the items that we'll be correcting, the date that we'll be on their property, and we also are escorted by the Sheriff's Department while we're there.

COUNCILWOMAN McCABE

Good idea.

SUPERVISOR BREESE

So, if there's no objection from the Board, I guess I would direct Mr. Roth to go forward with the enforcement.

COUNCILWOMAN ZINCK

Absolutely.

SUPERVISOR BREESE

Okay.

COUNCILWOMAN McCABE

Do we need a motion?

DANIEL MASTRELLA, TOWN ATTORNEY

Just a vote that it's a public nuisance.

SUPERVISOR BREESE

What do you want? Do you want a Resolution?

DANIEL MASTRELLA, TOWN ATTORNEY

It doesn't have to be an actual Resolution. You did a Resolution.

SUPERVISOR BREESE

I just made a directive right now.

DANIEL MASTRELLA, TOWN ATTORNEY

Yes. It's a finding of public nuisance.

COUNCILMAN MULLIGAN

If you could report back to the Board, please, with what you do.

CHRISTOPHER ROTH, FIRE MARSHAL/BUILDING INSPECTOR  
I'll let each and every one know.

SUPERVISOR BREESE  
Thank you very much.

COUNCILWOMAN McCABE  
Thank you.

SUPERVISOR BREESE  
Now, would you call the roll, please for the Regular Board meeting.

*(ROLL CALL)*

*(SILENT PRAYER)*

*(PLEDGE OF ALLEGIANCE TO THE FLAG)*

SUPERVISOR BREESE  
Is there anyone who wants to speak on Agenda items other than the Public Hearings, which I'll call separately? Agenda items only at this time? *(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 the preceding meetings, the January 1, 2007 Organizational meeting and the January 1, 2007 Regular meeting.

COUNCILMAN YUDELSON  
Second.

SUPERVISOR BREESE  
Discussion? Call the roll.

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  
We have two (2) Public Hearings here tonight. Have they been property advertised, Mrs. Shaffer?

PATRICIA SHAFFER, TOWN CLERK

Yes, Sir.

SUPERVISOR BREESE

The first one is on the proposed establishment of Extension 9 to Berkshire Park to the Henrietta Lighting District. Is there somebody who would like to speak on that issue? *(Pause - no response)* If not, I'll adjourn that Public Hearing. The second Public Hearing is the proposed rezoning of land on Middle/Erie Station Roads. The Town Board has determined they wanted to have a Public Hearing on rezoning this land, and this passed, the calling for a Public Hearing was passed by a four (4) to one (1) vote, with me opposing it. But that's beside the point, isn't it. Is there anyone in the audience who would like to speak on this proposed rezoning, which would take it back to a classification which would be more restrictive in terms of density. Does anybody have any interest in that particular land? This is the land around the Belfrey Golf Course, the property owned by the Hansons and Tobeys, and it was rezoned with less density because at the time, we thought the Belfrey Golf Course was going to go forward, and unfortunately, we don't know if it is now or not. It's in a very confusing financial situation, and it may or may not become a golf course. So, this land was going to be developed with housing around the golf course, which may not exist anymore. Who knows. So, the majority of the Board, other than me, decided they wanted to put in more of a restrictive rezoning based on, apparently, the fact that the Belfrey Course may not go forward. So, that's why we're having a Public Hearing. We don't have to vote tonight. I don't think the Board wants to vote tonight. I'm not sure. Do you want to vote?

COUNCILMAN MULLIGAN

I'd like to wait a couple weeks.

COUNCILWOMAN McCABE

Yes.

SUPERVISOR BREESE

You'd like to hear what the public has to say?

COUNCILWOMAN McCABE

Yes.

SUPERVISOR BREESE

That's fair.

COUNCILMAN MULLIGAN

Just to be clear, Mr. Supervisor, this will put it back under Rural Residential.

SUPERVISOR BREESE

That's exactly what it says.

COUNCILMAN MULLIGAN

Thank you.

SUPERVISOR BREESE

That's assuming, well, I don't want to put words in mouths, but that's assuming that the golf course, that there won't be a golf course, I guess, isn't it?

COUNCILWOMAN McCABE

Well, even if it is, even if it does, if the golf course does go ahead, it is my understanding golf courses are permitted in residential areas. So, it doesn't matter what the residential zoning is. If they decide that the golf course is going to go through, then this piece of property in particular can be part of the golf course. If it's not going to go through, I think this Town Board wants to protect it from the more dense housing.

SUPERVISOR BREESE

Then what we should do is, probably before we make a decision, wait and see if it's going to go through and not vote tonight.

COUNCILWOMAN McCABE

Well, that's what we agreed. We just said that we were not going to vote tonight.

SUPERVISOR BREESE

I heard him say that.

COUNCILWOMAN McCABE

Yes.

SUPERVISOR BREESE

Is there somebody in the audience that wants to speak on this? Yes, Ma'am?

BETH WHITE, 1001 MIDDLE ROAD

I would like to suggest that if the golf course does not go in, that it does revert back to the zoning that it was previously.

SUPERVISOR BREESE

Okay. Well, you support the Resolution. That's pretty clear.

COUNCILMAN MULLIGAN

Thank you.

SUPERVISOR BREESE

Is there anybody else that would like to speak on this matter, which we're not going to vote on tonight, which we're going to wait and see how things play out with the Belfrey. Anybody else want to speak on it? *(Pause - no response)* I'll close the Public

Hearing. Thank you. May I have the first Resolution, please.  
RESOLUTION #3-44/2007

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 1/17/2007	\$ 300,769.14
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EXHIBIT B	Manual Bills Payable	\$ 185,000.00
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SUPERVISOR BREESE  
Discussion? Call the roll.

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 #3-45/2007

On Motion of  
Councilwoman McCabe

Seconded by  
Councilwoman Zinck

WHEREAS, the term of Lawrence Neill, Planning Board, has expired as of December 31, 2006, and

WHEREAS, Mr. Neill has requested reappointment, and

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

THEREFORE, BE IT RESOLVED, that Lawrence Neill, 14 Mertensia Lane, Henrietta, New York 14467 be reappointed to the Henrietta Planning Board for the remainder of a seven (7) year term effective January 18, 2007 and expiring December 31, 2013.

SUPERVISOR BREESE  
Discussion? Call the roll.

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 #3-46/2007

On Motion of  
 Councilman Yudelson

Seconded by  
 Councilman Mulligan

WHEREAS, the Seventh Judicial District, State of New York Unified Court System, has requested the temporary assignment, as the need arises, for Town of Henrietta Judges to serve in other City/Town/Village Courts during the year 2007.

THEREFORE, BE IT RESOLVED, that the Town of Henrietta Judges: John Pericak, Steven Donsky, and John Kopacki be hereby approved to serve other Town/City/Village Courts for the 2007 fiscal year on a temporary basis as the need arises, and as case load permits.

SUPERVISOR BREESE

Discussion? I noticed that we have a new supervising judge for all the Town judges on the east side and his name is Alex Renzi.

COUNCILWOMAN McCABE

Yes.

SUPERVISOR BREESE.

That's great news.

COUNCILWOMAN McCABE

Congratulate him.

COUNCILMAN MULLIGAN

And he wants to make the courts more efficient.

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 #3-47/2007

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Yudelson

WHEREAS, the term of Raymond Montanaro, Recreation Commission, has expired as of December 31, 2006, and

WHEREAS, Mr. Montanaro has requested reappointment, and

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

THEREFORE, BE IT RESOLVED, that Raymond Montanaro, 110 Reeves Road, Henrietta, New York 14467, be reappointed to the Henrietta Recreation Commission for the remainder of a seven (7) year term effective January 18, 2007 and expiring December 31, 2013.

SUPERVISOR BREESE  
Discussion? Call the roll.

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 #3-48/2007

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman McCabe

WHEREAS, it has become necessary to contract for professional real estate appraisal services for the certiorari actions filed by County of Monroe Industrial Development Agency (C.O.M.I.D.A.) c/o Celltech Technologies, for the premises located at 755 Jefferson Road in the Town of Henrietta, known as Tax Account Numbers 162.09-1-2, 162.09-1-20.1, 162.09-1-21, and 162.09-1-22, and

WHEREAS, a number of appraisers were solicited for fee quotes.

THEREFORE, BE IT RESOLVED, that Michael Gluc, MAI, of Northeastern Appraisal Associates Commercial, Inc., 5110 Main Street, Suite 210, Williamsville, New York 14221, is hereby engaged to perform real estate appraisal services, conforming to the applicable standards, for a fee of \$9,900.00, with necessary court testimony and trial preparation being billed separately at an hourly rate of \$175.00 per hour.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Michael Gluc, MAI, in an amount not to exceed \$9,900.00, with necessary court testimony and trial preparation being billed separately at an hourly rate of \$175.00 per hour, upon the submission of all proper documentation.

SUPERVISOR BREESE  
Discussion? Call the roll.

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 #3-49/2007

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Yudelson

WHEREAS, pursuant to an Order of the Town Board, a Public Hearing was held on December 20, 2006 at 8:00 P.M. at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York to hear all persons for or against the proposed Local Law No. 5 of 2006, amending Local Law No. 3-2003, Tax Exemption for Senior Citizens; and

WHEREAS, no adverse comments were received.

THEREFORE, BE IT RESOLVED, that Local Law No. 5-2006 be hereby enacted by the Town Board of the Town of Henrietta as per the attachment.

BE IT FURTHER RESOLVED, that Local Law No. 5-2006 be hereby adopted to amend Local Law No. 3 of 2003.

BE IT FURTHER RESOLVED, that Local Law No. 5 of 2006, as required by Section 27 of the Municipal Home Rule Law, become effective after filing and

acknowledgment by the Office of the Secretary of State.  
SUPERVISOR BREESE  
Discussion?

COUNCILMAN MULLIGAN  
Just for clarification, this deals with Town, County, and School taxes?

SUPERVISOR BREESE  
Mr. Gabbert, come up this way.

COUNCILMAN MULLIGAN  
Or he can nod knowingly.

SUPERVISOR BREESE  
No, I don't want him to nod knowingly. I want him to walk.

NATHAN GABBERT, TOWN ASSESSOR  
What was the question again? I was a long way back. It was a long walk.

COUNCILMAN MULLIGAN  
It refers to Town, County, and School taxes?

NATHAN GABBERT, TOWN ASSESSOR  
The County passed this last week. The School District passed it last week also. So, this would affect all three (3).

COUNCILMAN MULLIGAN  
Thank you.

SUPERVISOR BREESE  
Thank you.

COUNCILWOMAN McCABE  
He wants it on the Record.

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 #3-50/2007

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Yudelson

WHEREAS, pursuant to an Order of the Town Board, a Public Hearing was held on December 20, 2006 at 8:00 P.M. at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York to hear all persons for or against the proposed Local Law No. 6 of 2006, amending Local Law No. 2-2003, Tax Exemption for Disabled Persons; and

WHEREAS, no adverse comments were received.

THEREFORE, BE IT RESOLVED, that Local Law No. 6-2006 be hereby enacted by the Town Board of the Town of Henrietta as per the attachment.

BE IT FURTHER RESOLVED, that Local Law No. 6-2006 be hereby adopted to amend Local Law No. 2 of 2003.

BE IT FURTHER RESOLVED, that Local Law No. 6 of 2006, as required by Section 27 of the Municipal Home Rule Law, become effective after filing and acknowledgment by the Office of the Secretary of State.

SUPERVISOR BREESE  
Discussion? Call the roll.

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 #3-51/2007

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, Corneles Engineering, P.C., 3495 Winton Place, Building E, Suite 260, Rochester, New York 14623, and Lu Engineers, 2230 Penfield Road, Penfield, New York 14526, have each submitted to the Town of Henrietta a proposal for General Engineering and Planning Services, dated December 29, 2006 and January 8, 2007, respectively, copies of which are 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 proposals with Corneles Engineering, P.C. and/or Lu Engineers, for a total cost not to exceed \$23,000.00 through December 31, 2007 at the hourly billing rates set forth in said proposals.

BE IT FURTHER RESOLVED, that the Director of Finance is hereby authorized to pay Corneles Engineering, P.C. and/or Lu Engineers, for Engineering and Planning Services performed at the rates set forth in said proposals, upon satisfactory completion and acceptance of the services provided, by the Director of Engineering and Planning.

SUPERVISOR BREESE

Discussion? Looking at the hourly rates between the two (2) companies, I noticed that it appears that Lu Engineering is higher than Corneles, is that correct, Mr. Byrne? And maybe you can tell us why.

MARK BYRNE, DIRECTOR OF ENGINEERING/PLANNING

Yes, they're higher. There's been a change at Lu Engineers, too, so it's a partnership now, which I'm getting a memo for the Board on the breakdown of the structure there. This just gives me flexibility to use some of the Lu environmental people.

SUPERVISOR BREESE

Well, wouldn't Lu meet Corneles' rates?

MARK BYRNE, DIRECTOR OF ENGINEERING/PLANNING

I could check back and see, but probably not. As I said, it's a fixed rate.

SUPERVISOR BREESE

Okay. So anyway, they're more, but you're thinking they're worth more.

MARK BYRNE, DIRECTOR OF ENGINEERING/PLANNING

Yes.

COUNCILMAN MULLIGAN

Actually, on some of them, Mr. Supervisor, Lu is lower, on CAD work . . .

MARK BYRNE, DIRECTOR OF ENGINEERING/PLANNING

It's a mix, but the majority of the time I use Corneles.

COUNCILWOMAN ZINCK

You're saying they have some different expertise.  
MARK BYRNE, DIRECTOR OF ENGINEERING/PLANNING  
Yes.

SUPERVISOR BREESE  
That's very good.

COUNCILWOMAN ZINCK  
Thank you. I'm here for you.

SUPERVISOR BREESE  
Call the roll.

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 #3-52/2007

On Motion of  
Councilwoman McCabe

Seconded by  
Councilman Mulligan

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IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF AMENDED EXTENSION NO. 9 (BERKSHIRE PARK SUBDIVISION) TO THE HENRIETTA LIGHTING DISTRICT LOCATED TO THE EAST OF SCOTTSVILLE-WEST HENRIETTA ROAD/GENESEE RIVER AND WEST OF MOORE ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF AMENDED EXTENSION NO. 9 (BERKSHIRE PARK SUBDIVISION) TO THE HENRIETTA LIGHTING DISTRICT

WHEREAS, a written Petition for the establishment of an extension to Henrietta Lighting District in the Town of Henrietta, County of Monroe, State of New York, to be known as Amended Extension No. 9 (Berkshire Park Subdivision) of said Lighting District was duly presented to this Town Board, together with the necessary map and plan attached thereto, and

WHEREAS, pursuant to an Order a Public Hearing was held on the Petition, and the findings as specified on Exhibit "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Amended Extension No. 9 to the said Lighting District as proposed in the said Petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such extension shall be designated and known as Amended Extension No. 9 to the Henrietta Lighting District and shall be bounded as described in attachments annexed hereto.

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this Resolution, file Certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York.

SUPERVISOR BREESE  
Discussion? Call the roll.

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 #3-53/2007

On Motion of  
Councilwoman McCabe

Seconded by  
Councilman Yudelson

WHEREAS, the Town of Henrietta requires bids for one (1) tracked excavator and one (1) twenty (20) ton trailer to conform with specifications on file in the Town Clerk's Office, with bids to be opened at 9:30 A.M. on Friday, February 2, 2007 and received no later than 9:15 A.M. on Friday, February 2, 2007.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for one (1) tracked excavator and one (1) twenty (20) ton trailer as per cited specifications on file in the manner provided by Law.

SUPERVISOR BREESE  
Discussion?

COUNCILMAN MULLIGAN

Under discussion, I want to commend the Highway Superintendent for bringing this in. It sounds like he's leased this piece of equipment for a while, and as a result, we're getting a discounted price, which saves everybody some money.

SUPERVISOR BREESE  
Thank you. Call the roll.

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 #3-54/2007

On Motion of  
Councilman Yudelson

Seconded by  
Councilwoman McCabe

WHEREAS, the Drainage Department of the Town of Henrietta requires bids for Storm Water Way Mowing to conform with detailed specifications on file in the Town Clerk's Office with bids to be opened at 10:00 A.M. on Friday, February 2, 2007 and received no later than 9:30 A.M. on Friday, February 2, 2007.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for Storm Water Way Mowing as per cited specifications on file in the manner provided by Law.

SUPERVISOR BREESE  
Discussion? Call the roll.

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 #3-55/2007

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, the Town of Henrietta Fire Marshal/Building Inspector has recommended the attached proposed changes/additions to the application fee

schedule, and

WHEREAS, the Town Board has reviewed such recommendations and they appear to be in order.

THEREFORE, BE IT RESOLVED, that the attached changes/additions to the fee schedule be adopted, effective January 18, 2007.

SUPERVISOR BREESE  
Discussion? Call the roll.

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

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Yudelson

WHEREAS, the Director of Finance has received a quote for Audit Services from Raymond F. Wager, CPA, P.C., in the amounts of \$11,250.00 for the Regular Audit and \$1,250.00 for the Annual Updated Document, for a total amount of \$12,500.00 for the year 2006 Audit of the Town of Henrietta, and

WHEREAS, Raymond F. Wager, CPA, P.C. has performed this audit for several years for the Town of Henrietta with satisfactory results.

THEREFORE, BE IT RESOLVED, that Raymond F. Wager, CPA, P.C., be authorized to conduct the year 2006 Audit of the Town of Henrietta for an amount not to exceed \$12,500.00.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay Raymond F. Wager, CPA, P.C., 332 Jefferson Road, Rochester, New York 14623 upon receipt of all necessary documentation.

SUPERVISOR BREESE  
Discussion? Call the roll.

Duly put to a vote:

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





On Motion of  
Councilman Mulligan

Seconded by  
Councilman Yudelson

BE IT RESOLVED, that the following person be hired:

Teresa Rodgers                      Town Clerk, Part-time Clerk @ \$10.36/hr.,  
effective 1/22/2007.

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

Leann Long                      Town Clerk, Part-time Clerk @ \$10.75/hr. from  
\$9.55/hr., effective 1/22/2007.

Patricia Levine                      Town Clerk, Part-time Clerk @ \$12.25/hr. from  
\$11.32/hr., effective 1/22/2007.

2007 Salary Schedules                      As per the attachment.

SUPERVISOR BREESE  
Discussion? Call the roll.

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 Regular meeting. Before we adjourn, is there somebody who would like to speak on any other matters involving the Town of Henrietta at this time?  
*(Pause - no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Yudelson, seconded by Councilwoman McCabe at 8:28 P.M. and passed unanimously.

Respectfully submitted,

Amber N. Hutchinson  
Deputy Town Clerk