

HENRIETTA TOWN BOARD

AGENDA

JANUARY 16, 2008

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):
 - S January 2, 2008 Organizational Meeting
 - S January 2, 2008 Regular Meeting
8. Miscellaneous Communications
9. Public Hearing:
 - S Proposed Establishment of Extension No. 200 (Faith United Methodist Church) to Henrietta Sewer District No. 1
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 #3-49/2008

Authorize Accounts Payable

RESOLUTION #3-50/2008

Appoint Member to Conservation Board

RESOLUTION #3-51/2008

Appoint Member to Zoning Board

RESOLUTION #3-52/2008

Authorize Tax Certiorari Settlement - 925 John Street

RESOLUTION #3-53/2008

Authorize Proposed Establishment of Extension No. 200 (Faith United Methodist Church) to Henrietta Sewer District No. 1

RESOLUTION #3-54/2008

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

RESOLUTION #3-55/2008

Authorize Attendance of NYS Fire Academy Conference

RESOLUTION #3-56/2008

Authorize Budget Transfers

RESOLUTION #3-57/2008

Authorize 2007 Budget Amendments - Highway Department

RESOLUTION #3-58/2008

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 16th DAY OF JANUARY, 2008 AT 8:00 P.M.

PRESENT

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

ABSENT

Councilman John W. Moore

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

SUPERVISOR YUDELSON

Is there anyone who would like to speak on any items that are on the Agenda, that's separate from the Public Hearing, which we'll call for separately. Any Agenda items? *(Pause, no response)* If not, could I have the Approval of the Minutes?

COUNCILWOMAN McCABE

Mr. Supervisor, I move we Approve the Minutes of the January 2, 2008 Organizational Meeting, and the January 2, 2008 Regular Meeting.

COUNCILWOMAN ZINCK

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Absent
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

SUPERVISOR YUDELSON

We have one (1) Public Hearing tonight, that is the Proposed Establishment of Extension No. 200 (Faith United Methodist Church) to Henrietta Sewer District No. 1. Is there anyone representing the Church who would like to speak on this? *(Pause, no response)* Or, anyone else who would like to speak on this Public Hearing?

COUNCILMAN MULLIGAN
This is just the sewer portion?

SUPERVISOR YUDELSON
Just the sewer portion, yes. If not, I'll close this Public Hearing, and may I have the first Resolution, please.

RESOLUTION #3-49/2008

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

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

EXHIBIT A	Bills Payable dated 01/16/2008	\$ 293,578.88
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SUPERVISOR YUDELSON
Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Absent
Councilwoman Zinck	voting	Aye
Supervisor Yudelton	voting	Aye

Carried

RESOLUTION #3-50/2008

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, there is a vacancy on the Henrietta Conservation Board, and
WHEREAS, six (6) applications have been received and reviewed from qualified residents of the Town of Henrietta for a position on this Board, and

WHEREAS, the Town Board wishes to keep the various Boards of the Town at their authorized strength for maximum input.

THEREFORE, BE IT RESOLVED, that Carol M. Pennington, 19 Friel Road, Rochester, New York 14623 be hereby appointed to the Henrietta Conservation Board for a two (2) year term to be effective immediately and expiring December 31, 2009.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Absent
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #3-51/2008

On Motion of
Supervisor Yudelson

Seconded by
Councilman Mulligan

WHEREAS, there is a vacancy on the Henrietta Zoning Board, and
WHEREAS, five (5) applications have been received and reviewed from qualified residents of the Town of Henrietta for a position on this Board, and
WHEREAS, the Town Board wishes to keep the various Boards of the Town at their authorized strength for maximum input.

THEREFORE, BE IT RESOLVED, that Beth M. White, 128 Eagle Pine Way, Rochester, New York 14623 be hereby appointed to the Henrietta Zoning Board for a five (5) year term to be effective immediately and expiring December 31, 2012.

SUPERVISOR YUDELSON

Discussion?

COUNCILMAN MULLIGAN

Beth is here.

COUNCILWOMAN McCABE

Congratulations.

(Beth White from audience, "Thank you.")

COUNCILWOMAN ZINCK

Yes.

COUNCILWOMAN McCABE

We're happy to have you aboard.

SUPERVISOR YUDELSON

Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Absent
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #3-52/2008

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

WHEREAS, the Dan A. Taussig Trust heretofore commenced proceedings against the Assessor, the Board of Assessment Review, and other respondents for a review of the assessments for the years 2005, 2006, and 2007 on premises located at 925 John Street in the Town of Henrietta, being Tax Account Number 175.01-1-11.1, and

WHEREAS, negotiations have been had between the Attorney for the Town and the Attorneys for the Petitioner in an attempt to settle and compromise Petitioner's claim, and

WHEREAS, after such negotiations, tentative agreement has been reached between all parties on the terms of a proposed settlement subject to the approval of the Town Board and to the approval of the Supreme Court of the State of New York, which terms of settlement are set forth in the stipulations on file in the Office of the Town Assessor, and

WHEREAS, upon due consideration of all facts and circumstances, the Town Board finds that the proposed compromise and settlement is fair and reasonable and should be approved.

THEREFORE, BE IT RESOLVED, that the proposed settlement of the Tax Certiorari proceedings brought by the Dan A. Taussig Trust for the years 2005, 2006, and 2007 be and hereby are approved.

BE IT FURTHER RESOLVED, that the Attorney representing the Town be and hereby is directed to make application to the Supreme Court of the State of New York for approval of such settlement and that upon obtaining such approval, the Assessor of the Town of Henrietta be and he hereby is directed to make the necessary adjustments in the Assessment Rolls for the Town of Henrietta to reflect the terms of such settlement.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Absent
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #3-53/2008

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 200 (FAITH UNITED METHODIST CHURCH) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED AT 174 AND 200 PINNACLE ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 200 (FAITH UNITED METHODIST CHURCH) TO HENRIETTA SEWER DISTRICT NO. 1

WHEREAS, a written Petition for the establishment of an extension to Henrietta Sewer District No. 1 in the Town of Henrietta, County of Monroe, State of New York, to be known as Extension No. 200 (Faith United Methodist Church) of said Sewer 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 Extension No. 200 to the said Sewer 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 Extension No. 200 to Henrietta Sewer District No. 1 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 YUDELSON
Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Absent
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #3-54/2008

On Motion of
Councilwoman McCabe

Seconded by
Councilman Mulligan

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 January 2, 2008 and January 4, 2008, 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, 2008 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 YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Absent
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #3-55/2008

On Motion of
Councilman Mulligan

Seconded by
Councilwoman McCabe

WHEREAS, the Fire Marshal has requested authorization for Casey Jackson, Assistant Building Inspector, and Richard Tracy, Part-time Fire Marshal, to attend the New York State Academy of Fire Science at Montour Falls, New York for the annual Fire Marshals and Inspectors Conference, and

WHEREAS, funds are available in the year 2008 Budget, and

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

THEREFORE, BE IT RESOLVED, that Casey Jackson, and Richard Tracy, be hereby authorized to attend the conference at Montour Falls on May 10, 2008 and concluding on May 11, 2008, at a cost not to exceed \$300.00, to include registration, meals, and the use of a Town vehicle.

BE IT FURTHER RESOLVED, that Casey Jackson be hereby authorized to attend the New York State Academy of Fire Science at Montour Falls, New York on May 31, 2008 and concluding on June 1, 2008, at a cost not to exceed \$150.00, to include registration, meals, and the use of a Town vehicle.

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

SUPERVISOR YUDELSON
Discussion?

COUNCILMAN MULLIGAN
Under discussion, I'm not complaining Jeff, but this seems very inexpensive.

JEFFRIE WILKINSON, FIRE MARSHAL
(From audience, Inaudible)

COUNCILWOMAN ZINCK
It's Montour Falls.

JEFFRIE WILKINSON, FIRE MARSHAL
(From audience, Inaudible)

COUNCILMAN MULLIGAN
Is it subsidized?

JEFFRIE WILKINSON, FIRE MARSHAL
(From audience, Inaudible)
SUPERVISOR YUDELSON

Jeff, can you come on up.

COUNCILMAN MULLIGAN
Does the State subsidize it?

JEFFRIE WILKINSON, FIRE MARSHAL
I believe they do. I'm not sure, I've never really got involved with the financial aspects of it, but I just know it's pretty cheap to get the training that is required by the State.

COUNCILMAN MULLIGAN
They give you a room, too?

JEFFRIE WILKINSON, FIRE MARSHAL
Yes, lodging and meals.

COUNCILMAN MULLIGAN
That's good. Keep up the good work!

JEFFRIE WILKINSON, FIRE MARSHAL
Thank you.

SUPERVISOR YUDELSON
Further discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Absent
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #3-56/2008

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

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

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Absent
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #3-57/2008

On Motion of
Councilwoman McCabe

Seconded by
Councilwoman Zinck

WHEREAS, the Director of Finance of the Town of Henrietta has requested the following year 2007 Budget Amendment to the Highway Department's 2007 Budget:

2.5130.430	GSG Charge backs	\$ 70,000.00
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THEREFORE, BE IT RESOLVED, that the Director of Finance be hereby authorized to make said Budget amendment.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Absent
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #3-58/2008

On Motion of
Councilwoman Zinck

Seconded by
Councilwoman McCabe

BE IT RESOLVED, that the following person be hired:

Cheryl Howland	Assessor, Part-time Seasonal Clerk @ \$9.00/hr., effective 1/22/2008.
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Yeah, I'd like to. Although that didn't happen for today, just because of some other things. One of the things in trying to get communication, information, out to the Town Board, and the Public earlier, one of the things I've instituted is changing our Staff Meetings, which traditionally were on Monday mornings. At that Meeting we formed the Agenda usually the Monday before Town Board, which would be the same day as the Workshop. Those have now been changed to the Friday mornings before. So the goal of the week, we had to work out how we were doing that because this was the first time, is that on Friday morning we'll set up the Agenda, have it finalized by the afternoon, and be able to post, at least the tentative Agenda, on the website, and also distribute it to the Town Board members on Friday so people have a little bit more time.

COUNCILWOMAN McCABE

Yes, I appreciate that, yes.

SUPERVISOR YUDELSON

Mr. Schmidt, I know you made a suggestion on your blog online, and I appreciate that, too. Anyone else? *(Pause, no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman McCabe, seconded by Councilwoman Zinck at 8:20 P.M. and passed unanimously.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk