

**HENRIETTA TOWN BOARD  
AGENDA  
JANUARY 7, 2009**

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 17, 2008
6. Miscellaneous Communications
7. Public Hearing:
  - Proposed Establishment of Extension No. 17 (Southern View Estates) to the Henrietta Drainage District
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 #2-39/2009  
Authorize Accounts Payable

RESOLUTION #2-40/2009  
Authorize Proposed Establishment of Extension No. 17 (Southern View Estates) to the Henrietta Drainage District

RESOLUTION #2-41/2009  
Authorize General Engineering and Planning Services - Corneles Engineering, P.C. and Lu Engineers

RESOLUTION #2-42/2009  
Authorize Independent Construction and Plan Review Services

RESOLUTION #2-43/2009  
Authorize Purchase of State Contract Vehicles – Two (2) SUV's - Building/Fire Prevention Department

RESOLUTION #2-44/2009  
Authorize Supervisor to Sign Monroe County All Seasons County/Town Work Agreement

RESOLUTION #2-45/2009

Authorize Supervisor to Sign Amendatory Agreement to the Monroe County  
Snow and Ice Removal Agreement

RESOLUTION #2-46/2009

Authorize Budget Transfers and Encumbrances

RESOLUTION #2-47/2009

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 7<sup>th</sup> DAY OF JANUARY, 2009 AT 8:00 P.M.

**PRESENT**

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

**SUPERVISOR YUDELSON**

We've already had our prayer and Pledge of Allegiance, so at this point, I would ask if anybody would like to speak on any items that are on the Agenda for tonight's meeting, separate from the Public Hearing? *(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 17, 2008.

**COUNCILMAN MOORE**

Second.

**SUPERVISOR YUDELSON**

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

**SUPERVISOR YUDELSON**

We have one (1) Public Hearing tonight on the proposed establishment of Extension No. 17, Southern View Estates, to the Henrietta Drainage District. Is there anybody who would like to speak on that Public Hearing? *(Pause, no response)* If not, I'll close this Public Hearing and ask for the first Resolution.

**RESOLUTION #2-39/2009**

On Motion of  
Councilwoman McCabe

Seconded by  
Councilwoman Zinck

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

EXHIBIT A	Bills Payable dated 1/7/2009	\$ 317,818.60
EXHIBIT B	Manual Bills Payable	\$ 400.72

SUPERVISOR YUDELSON  
Discussion?

COUNCILMAN MULLIGAN

Under discussion, the last few weeks have been tough on the Highway Department, and I've noticed that we spent almost eighty grand (\$80,000) on salt, and if Mr. Liess is prepared, I'd just like to know is that in line with what we budgeted, or? *(Pause)* Mr. Liess is not here.

COUNCILWOMAN ZINCK  
He just stepped out.

COUNCILMAN MULLIGAN  
Have you talked about it with him at all?

COUNCILWOMAN ZINCK  
He's stepping in.

SUPERVISOR YUDELSON  
Mr. Liess, could you answer a question for Councilman Mulligan about salt expenditures? Do you want to repeat the question?

COUNCILMAN MULLIGAN  
With the sixty inches (60") of snow we've already gotten in the months of November and December, and early January, I noticed we've purchased about eighty thousand dollars (\$80,000) worth of salt, is that close to where we should be on Budget, or do you see a deficit problem in that area?

PAUL LIESS, DIRECTOR OF FINANCE/PERSONNEL  
I don't know off the top of my head, I would have to get back to you on that answer. I do know that we purchased, because the rate had gone up drastically, so we did purchase to try to save money, and fill the barn, but I can't give you an exact answer until I get back and look those numbers up.

COUNCILMAN MULLIGAN

Thank you.

SUPERVISOR YUDELSON

Anything further? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Abstain
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye
Carried		

RESOLUTION #2-40/2009

On Motion of  
Councilman Moore

Seconded by  
Councilwoman McCabe

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IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 17 (SOUTHERN VIEW ESTATES) TO THE HENRIETTA DRAINAGE DISTRICT LOCATED ON THE NORTH SIDE OF RUSH-HENRIETTA TOWN LINE ROAD AND BETWEEN I-390 AND MIDDLE 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 EXTENSION NO. 17 (SOUTHERN VIEW ESTATES) TO THE HENRIETTA DRAINAGE DISTRICT

WHEREAS, a written Petition for the establishment of an extension to the Henrietta Drainage District in the Town of Henrietta, County of Monroe, State of New York, to be known as Extension No. 17 (Southern View Estates) of said Drainage 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 AA@ were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 17 to the said Drainage 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. 17 to the Henrietta Drainage District and shall be bounded as described in attachments annexed hereto.

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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	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye
	Carried	

RESOLUTION #2-41/2009

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 December 19, 2008 and December 29, 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, 2009, 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
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Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye
	Carried	

RESOLUTION #2-42/2009

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Moore

WHEREAS, the current number of construction projects from time to time, have made Independent Consultation Plan Review Services necessary, and

WHEREAS, it is in the Town's best interest to maintain quality construction and plan review services, and

WHEREAS, it is necessary for developers to absorb the costs incurred by the Town for such services, and

WHEREAS, Independent Plan Review Services billing, including all consultants costs, will be at a hourly rate, and

WHEREAS, the Director of Building & Fire Prevention has arranged for such Construction and Plan Review Services with Daniel Kress, 345 Sterns Road, Churchville, New York 14428, at the rate of Sixty Dollars (\$60.00) per hour, and

WHEREAS, the Director of Building & Fire Prevention has arranged for Special Construction and Plan Review Services with FRA Engineering, 530 Summit Point Drive, Henrietta, New York 14467, at the rate of One Hundred Twenty Five Dollars (\$125.00) per hour.

THEREFORE, BE IT RESOLVED, that the Director of Building & Fire Prevention is hereby authorized and directed to secure the Independent Construction and Plan Review Services in accordance with the above, subject to the approval of the Director of Finance & Personnel and/or the Town Supervisor, as per the Town's Procurement Policy.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay said consultants upon receipt of all proper documentation.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #2-43/2009

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman McCabe

WHEREAS, the 2009 Building & Fire Prevention Budget provides funds for the purchase of two (2) new SUV's to replace Truck #20 and Car #10, and

WHEREAS, replacement SUV's, meeting specifications, are available through New York State Contract #20958 from Fairport Ford, LLC, at a total cost not to exceed \$29,500.00.

THEREFORE, BE IT RESOLVED, that Fairport Ford, LLC, 71 Marsh Road, East Rochester, New York 14445, be hereby awarded the purchase of two (2) new 2009 Ford Escapes XLS, per specifications.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay Fairport Ford, LLC in an amount not to exceed \$29,500.00, upon delivery and receipt of all proper documentation, and acceptance by the Director of Building and Fire Prevention.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #2-44/2009

On Motion of  
Councilman Moore

Seconded by  
Councilwoman Zinck

WHEREAS, Resolution #22-265/2006 authorized the Supervisor to sign the All Seasons County/Town Agreement for the provision of Town labor and equipment to perform various work for Monroe County for an initial period commencing on January 1, 2007 and ending on December 31, 2007, with the option of nine (9) one-year extensions, and

WHEREAS, the County of Monroe has submitted an Amendatory Agreement for 2009 containing updated labor reimbursement rates, and

WHEREAS, the Town of Henrietta desires to continue this Work Agreement with

the County for the benefit of Henrietta residents.

THEREFORE, BE IT RESOLVED, that the Supervisor be hereby authorized to sign, on behalf of the Town, this Amendatory Agreement with Monroe County allowing the Town to continue to perform various work for Monroe County for the period commencing on January 1, 2009 and ending on 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	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #2-45/2009

On Motion of  
Councilwoman McCabe

Seconded by  
Councilman Mulligan

WHEREAS, Resolution #20-229/2003 authorized the Supervisor to sign the Intermunicipal Agreement for Snow Removal and Ice Control Services on County highways within the Town of Henrietta under a lump sum reimbursement formula for an initial term of ten (10) years, expiring on September 30, 2013, and

WHEREAS, the County of Monroe has submitted an Amendatory Agreement for the 2008/2009 winter season showing a total estimated payment of \$331,674.48 for this season, and

WHEREAS, the Town of Henrietta desires to continue this Work Agreement with the County for the benefit of Henrietta residents.

THEREFORE, BE IT RESOLVED, that the Supervisor be hereby authorized to sign, on behalf of the Town, this Amendatory Agreement with the County to allow the Town to continue performing snow and ice control services on County highways within the Town of Henrietta.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye



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SUPERVISOR YUDELSON

That's the end of the Regular Agenda, is there anybody who would like to speak on any matter involving the Town of Henrietta? *(Pause, no response)*

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman McCabe, seconded by Councilwoman Zinck at 8:52 P.M. and was adjourned without objection.

Respectfully submitted,

Leann C. Case  
Deputy Town Clerk