

**HENRIETTA TOWN BOARD
AGENDA
JANUARY 4, 2012**

Supervisor Yudelson
Councilman Mulligan
Councilwoman Zinck
Councilman Moore
Councilman Page

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 21, 2011
 - On Motion of: Councilwoman Zinck Seconded by: Councilman Moore
6. Miscellaneous Communications
7. Public Hearing(s):
 - Proposed Establishment of Extension No. 210 (3865 and 3875 West Henrietta Road) to Henrietta Sewer District No. 1
 - Purchase of Land - Property Currently Known as "Executive South" Family Golf and Recreation Center
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 #2-45/2012

Authorize Accounts Payable

RESOLUTION #2-46/2012

Authorizing Payment – Arnold Goldman of Goldman and Goldman - Legal Certiorari Attorney Services

RESOLUTION #2-47/2012

Authorize Proposed Establishment of Extension No. 210 (3865 and 3875 West Henrietta Road) to Henrietta Sewer District No. 1

RESOLUTION #2-48/2012

Authorize Third Party Electrical Inspection Services

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RESOLUTION #2-49/2012

Authorize Purchase of Land - Property Currently Known as "Executive South"
Family Golf and Recreation Center

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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 4th DAY OF JANUARY, 2012 AT 7:00 P.M.

MEMBERS PRESENT

Supervisor Michael B. Yudelson
Councilman William J. Mulligan, Jr.
Councilwoman Janet B. Zinck
Councilman John W. Moore
Councilman M. Rick Page
Daniel J. Mastrella, Town Attorney
Leann C. Case, Deputy Town Clerk

SUPERVISOR YUDELSON

We have a very short Agenda for our regular Board meeting. So, we'll move right into that. And, I would ask the Deputy Town Clerk to first call the roll for the regular Town Board meeting.

Councilman Mulligan	Here
Councilwoman Zinck	Here
Councilman Moore	Here
Councilman Page	Here
Supervisor Yudelson	Here

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

SUPERVISOR YUDELSON

We do have, momentarily, a couple of Public Hearings. But, before getting to those, is there anybody who wants to speak on any of the items that are on as Agenda items, the few that we have, Agenda items, at this point? *(Pause, no response)* If not, can I have the approval of the Minutes, please?

COUNCILWOMAN ZINCK

I'd like to move approval of the meeting of December 21, 2011.

COUNCILMAN MOORE

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

SUPERVISOR YUDELSON

Now, I will call the first Public Hearing, which is on the Proposed Establishment of Extension No. 210, at 3865 and 3875 West Henrietta Road, to the Henrietta Sewer District No. 1. Is there anybody who would like to speak on this Public Hearing? (*Pause, no response*) If not, I will close this Public Hearing, and at this time, I'll call the next Public Hearing, which is the purchase of land, the property currently known as Executive South Family Golf and Recreation Center, and before opening the floor to any interested speakers, I would ask Mr. Mastrella, the Town Attorney, to just briefly describe for the audience's benefit, what he described to the Board about our reason for having to have this Public Hearing, at this time.

DANIEL MASTRELLA, TOWN ATTORNEY

Yes, Mr. Supervisor, although the Town Board has previously passed a Resolution allowing you to execute documents to affect the purchase, under the General Municipal Law of the State of New York, because this is the acquisition of recreational property, or open space, it is authorized for the expenditure of public funds, but only after a Public Hearing and a Resolution by the Town Board subsequent to that Hearing.

SUPERVISOR YUDELSON

All right and we appreciate the Town Attorney guiding us through that because we do certainly want to follow the appropriate steps. At this point, is there anybody who would like to speak on that item, as part of this Public Hearing? Mr. Yost?

KEVIN YOST, 1474 MIDDLE ROAD

Kevin Yost. 1474 Middle Road. I do support us buying Executive South, I mean the Town buying Executive South. Although I am somewhat an active member of the Foundation, it is too bad the economy and that the weather had taken a toll on the province and that it would be used as a regular golf course. In fact, I have a free pass that I, myself, never used it, but I know I'll have to donate that to the Town's Historian's collections. In fact, I never played regular golf other than miniature golf and the driving range. Hopefully, the educational and disability programs that were there find some other place, such as Riverton, or the privately owned Southern Meadows in Rush, or Genesee Valley, and any other place we have. I do understand that the Foundation will continue to rent the driving range for use and there are several uses that could be used for the golf course itself. I understand there's going to be a Committee to winnow down

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the ideas of whether there could be goldfish ponds or there could be a labyrinth of a fitness trail, you know, you name it. Maybe sports fields, and I'm hoping that if it isn't so already, that the land will be screened off from the Thruway for safety sake, such as how the Town of Pittsford screens off their King's Bend Park from the railroad tracks next door. And, I know in the 2003 Master Plan that was one of the ideas on the map was to have land along the Thruway and Goodberlet Road, which is not safe. But, this would satisfy more parks would enhance the public open forum. Thank you.

SUPERVISOR YUDELSON

Thank you, Kevin.

COUNCILMAN PAGE

Thank you, Kevin.

SUPERVISOR YUDELSON

Is there anybody else who would like to speak, as part of this Public Hearing? *(Pause, no response)* If not, I'll close this Public Hearing, and ask for the first Resolution, please.

RESOLUTION #2-45/2012

On Motion of
Councilman Moore

Seconded by
Supervisor Yudelton

BE IT RESOLVED, that the Supervisor or his designee be authorized to pay the following bills payable:

EXHIBIT A	Bills Payable dated 1/4/2012	\$ 213,548.95
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COUNCILMAN MULLIGAN

Thank you.

SUPERVISOR YUDELSON

You're welcome.

COUNCILWOMAN ZINCK

He was getting there. *(Laughter)*

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye

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Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #2-46/2012

On Motion of Councilman Moore	Seconded by Councilman Page
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WHEREAS, Certiorari proceedings have been commenced by various property owners to challenge their property assessments in the Town of Henrietta, and

WHEREAS, Arnold Goldman was hired by the Town of Henrietta to act as the Special Counsel in Certiorari proceedings, per Resolution #24-244/2008, and

WHEREAS, Mr. Goldman has submitted an invoice for said services.

THEREFORE, BE IT RESOLVED, that the Supervisor or his designee be authorized to pay Arnold Goldman of the firm Goldman and Goldman, 3 Leeward Lane, Rochester, New York 14618, the sum of \$10,400.00 for services rendered.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #2-47/2012

On Motion of Councilwoman Zinck	Seconded by Councilman Mulligan
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IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 210 (3865 AND 3875 WEST HENRIETTA ROAD) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED ON WEST HENRIETTA 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. 210 (3865 AND 3875 WEST HENRIETTA ROAD) TO HENRIETTA SEWER DISTRICT NO. 1

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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. 210 (3865 and 3875 West Henrietta Road) 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. 210 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. 210 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:

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

Carried

RESOLUTION #2-48/2012

On Motion of
Councilman Page

Seconded by
Councilman Moore

WHEREAS, the current number of construction projects requiring Electrical Inspections have made independent consultant inspection services necessary, and

WHEREAS, it is in the Town's best interest to maintain quality inspection of Electrical Systems required by the current New York State Building Code, 2008 National Electrical Code, and

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

WHEREAS, the Fire Marshal/Building Inspector has been directed to secure these services in this matter, and

WHEREAS, the Fire Marshal/Building Inspector has arranged for such services

with New York Electrical Inspection Agency, 2767 Dewey Avenue, Rochester, New York 14616.

THEREFORE, BE IT RESOLVED, that the Fire Marshal/Building Inspector is hereby authorized and directed to secure the independent consultant inspection services in accordance with the above.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelton	voting	Aye

Carried

RESOLUTION #2-49/2012

On Motion of
Councilman Page

Seconded by
Councilman Moore

WHEREAS, the Henrietta Foundation, Inc. has offered to sell the property located at 3850 East Henrietta Road, Henrietta, New York, known as the Executive South Family Golf and Recreation Center, consisting of approximately 25.47 acres of land encumbered by a Conservation Easement, to the Town of Henrietta for the sum of \$122,000.00, and

WHEREAS, the Town Board recognizes the value of said property and wishes to maintain its recreational purposes in accordance with the Conservation Easement, and

WHEREAS, a Public Hearing was held on January 4, 2012 pursuant to General Municipal Law §247(a) where all persons wishing to speak upon said proposal were heard.

THEREFORE, BE IT RESOLVED, that the Town is authorized to expend said funds for said purchase and the Supervisor is authorized to execute all documents necessary to consummate the acquisition of said property.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Moore	voting	Aye

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Councilman Page	voting	Aye
Supervisor Yudelson	voting	Aye
		Carried

SUPERVISOR YUDELSON

That concludes the Agenda for the regular Town Board meeting, before we adjourn, is there anybody who wants to speak on any matter involving the Town of Henrietta? Mr. Yost?

(Kevin Yost, 1474 Middle Road, spoke in reference to some additional parks and/or greenbelts that could be purchased by the Town. – Audio File available upon request.)

(Charlie Lookup, wanted to thank the Town Board for their support of the Henrietta Foundation and for the purchase of Executive South. – Audio File available upon request.)

(Greg Briceland, 2 High Manor Drive, wanted to congratulate Councilman Page on being elected, and asked where the funding would be coming from in regards to Executive South. – Audio File available upon request.)

SUPERVISOR YUDELSON

Is there anybody else before we adjourn? *(Pause, no response)* If not, is there a motion to adjourn?

COUNCILWOMAN ZINCK

Motion to adjourn and Happy New Year.

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman Zinck, seconded by Councilman Page at 7:57 P.M. and was adjourned without objection.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk