

**HENRIETTA TOWN BOARD  
AGENDA  
NOVEMBER 21, 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):
  - November 7, 2012
  - On Motion of: Councilwoman Zinck      Seconded by: Councilman Mulligan
6. Miscellaneous Communications
7. Public Hearing:
  - Fiscal Year 2013 Preliminary Budget for the Town of Henrietta; Proposed salaries for Elected Town Officers are Supervisor, \$95,641; Councilpersons, \$18,316; and Town Judges, \$28,342
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 #21-182/2012**  
Authorize Accounts Payable

**RESOLUTION #21-183/2012**  
Authorize Tax Certiorari Settlement – 4545 East River Road – Tower Investments, Inc.

**RESOLUTION #21-184/2012**  
Authorize Supervisor to Sign Amendatory Agreement – County of Monroe All Seasons County/Town Work Agreement

**RESOLUTION #21-185/2012**  
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 21<sup>ST</sup> DAY OF NOVEMBER, 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, Town Clerk

*(SILENT PRAYER)*

*(PLEDGE OF ALLEGIANCE TO THE FLAG)*

**SUPERVISOR YUDELSON**

Is there anybody who would like to speak on any of the items that are on the Agenda for tonight other than the Public Hearing on the Budget? *(Pause, no response)* If not, may I have the approval of the Minutes, please?

**COUNCILWOMAN ZINCK**

I move approval of the Minutes of the November 7, 2012 Meeting.

**COUNCILMAN MULLIGAN**

Second.

**SUPERVISOR YUDELSON**

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

**SUPERVISOR YUDELSON**

Now we have the Public Hearing for the 2013 Preliminary Budget for the Town of Henrietta. I'll open this Public Hearing and ask you, just to keep order, if you could just line up at the podium. *(Laughter)* Is there anybody who would like to speak on the 2013 Preliminary Budget, which we will not vote on tonight.

COUNCILWOMAN ZINCK

Going once...

SUPERVISOR YUDELSON

It will be in two (2) weeks and we appreciate the help of everybody, who contributed to the efforts and the Town Board for their review and the changes they suggested, which are incorporated, changing the Tentative Budget to Preliminary Budget. I think they were all good changes. So we're eighth (8<sup>th</sup>) straight year without a tax increase, spending's up less than one percent (1%), but we're not really cutting services, which is the important thing. So, having said that, and not seeing anybody...

COUNCILMAN MOORE

I'd just like to thank the Supervisor for doing such a good job preparing the Budget and that he was real good in getting it to us before the Budget Hearings.

SUPERVISOR YUDELSON

Thank you. With that, I will close this Public Hearing and ask if I can have the first Resolution, please.

RESOLUTION #21-182/2012

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Moore

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

Exhibit A	Bills Payable dated 11/21/2012	\$ 202,047.09
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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 #21-183/2012

On Motion of  
Councilman Moore

Seconded by  
Councilman Page

WHEREAS, Tower Investments, Inc., heretofore commenced proceedings against the Assessor, the Board of Assessment Review, and other respondents for a review of the assessments for the year 2010 for premises located at 4545 East River Road in the Town of Henrietta, being identified as Tax Account Number 174.03-2-1.1, 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, a 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 Tower Investments, Inc., for the year 2010 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:

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

Carried

RESOLUTION #21-184/2012

On Motion of  
Councilman Mulligan

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 2013 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, 2013 and ending on December 31, 2013.

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 #21-185/2012

On Motion of  
Councilman Page

Seconded by  
Councilman Mulligan

BE IT RESOLVED, that the following people be hired:

Robert Heitz	Highway Department, Seasonal Dispatcher @ \$9.25/hr., effective 11/11/2012.
Penny Gascoyne	Highway Department, Seasonal Dispatcher @ \$9.25/hr., effective 11/11/2012.

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Mary Kernahan

Town Clerk's Office, Part-time Clerk @  
\$12.00/hr., effective 11/28/2012.

BE IT FURTHER RESOLVED, that the following rate changes be made effective 11/18/2012:

Thomas Clark

Highway Department, Seasonal Dispatcher @  
\$9.50/hr., from \$9.25/hr.

Steven Hoock

Highway Department, Seasonal Dispatcher @  
\$9.25/hr., from \$9.50/hr.

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

SUPERVISOR YUDELSON

That's the end of the regular Agenda. Before we adjourn, I just want to wish everybody a Happy Thanksgiving.

SUPERVISOR YUDELSON

Is there a motion to...

COUNCILWOMAN ZINCK

Ditto from us, Happy Thanksgiving, everybody enjoy your long weekend.

SUPERVISOR YUDELSON

Is there a motion to adjourn?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman Zinck, seconded by Councilman Mulligan at 7:15 P.M. and was adjourned without objection.

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Respectfully submitted,

Rebecca B. Wiesner  
Deputy Town Clerk