

**HENRIETTA TOWN BOARD
AGENDA
APRIL 17, 2013**

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):
 - March 20, 2013
 - On Motion of: Councilman Moore Seconded by: Councilman Page
 - April 3, 2013
 - On Motion of: Councilwoman Zinck Seconded by: Councilman Moore
6. Miscellaneous Communications
7. Public Hearings:
 - Proposed Establishment of Extension No. 18 (Goose Landing II) to the Henrietta Drainage District
 - Proposed Establishment of Extension No. 211 (Goose Landing II) to Henrietta Sewer District No. 1
 - Proposed Establishment of Extension No. 158 (Goose Landing II) to Henrietta Water 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 #9-89/2013

Authorize Accounts Payable

RESOLUTION #9-90/2013

Call for Public Hearing – Morgan Acquisitions, LLC – Proposed Rezoning of Land Located at the Northeast Corner of East Henrietta Road and Goodburlet Road from Residential R-1-15 to Residential R-2-15 and Proposed Special Use Permit

RESOLUTION #9-91/2013

Authorize SEQRA Declaration, Rezone from Residential R-1-15 to Industrial, and Approve Special Permit No. 2013-004 – Campus Crest Development (The Grove at Rochester)

RESOLUTION #9-92/2013

Authorize Proposed Establishment of Extension No. 18 (Goose Landing II) to the Henrietta Drainage District

RESOLUTION #9-93/2013

Authorize Proposed Establishment of Extension No. 211 (Goose Landing II) to Henrietta Sewer District No. 1

RESOLUTION #9-94/2013

Authorize Proposed Establishment of Extension No. 158 (Goose Landing II) to Henrietta Water District No. 1

RESOLUTION #9-95/2013

Declare Items Surplus Materials – Library/Public Works

RESOLUTION #9-96/2013

Authorize Agricultural Lease – Miller Farms, Property on Martin Road

RESOLUTION #9-97/2013

Award General and Public Officials Liability Insurance

RESOLUTION #9-98/2013

Authorize Supervisor to Sign Proposal for Codification Services – General Code

RESOLUTION #9-99/2013

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 17TH DAY OF APRIL, 2013 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 Case, Town Clerk

SUPERVISOR YUDELSON

Thank you everybody for your patience and good evening. Would the Clerk call the roll for the regular Town Board meeting, please?

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

SUPERVISOR YUDELSON

Can I ask you to join us for a silent prayer, followed by the Pledge. And as we do the silent prayer tonight, we'll ask you to remember the victims of Monday's attack at the Boston Marathon, as well as the memory of Dave Pillittere, former member of the Henrietta Town Board, who passed away within the past few days.

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

SUPERVISOR YUDELSON

I know that many of you are here tonight because of your interest in one of the Resolutions that's on the Agenda for tonight regarding Campus Crest Development and I just want to offer this for the Record. At 4:53 p.m. today we received a three (3) page letter via email from an Attorney named Francis Gorman, III offering the opinion that our SEQRA process was done incorrectly. He questioned the need for the project based on information supplied by R.I.T. and cited information on the environmental assessment form that he felt may have been answered incorrectly. Mr. Gorman did not identify in the letter his client, but I can only assume that he represents a business competitor of the Applicant and is motivated thereby to delay or discourage Board action. Because of some of the points that were raised in his letter, on the advice of our

Attorney, we will have to delay any action on that, but because there are so many people here who are interested in this Application, we will give you the opportunity right now to speak about it. I just do want to say that there was a Public Hearing held on this on April 3rd during the Town Board Meeting. The Resolution calling for that Public Hearing was passed March 6th, it's been available on our Town website since then. There was about twenty (20) people in attendance at the Public Hearing. Only a few took the option to speak, but I know there's several people here tonight who were not able to be there. So before giving the chance to ask some questions or to offer some comments, we did want to ask John Caruso, who's here representing the Applicant and anyone else you might want to ask to assist you, to not repeat the whole presentation made at the Public Hearing. But if you wouldn't mind coming up and giving just a brief overview of the project for the benefit of the people who couldn't be at the Public Hearing. And we'll let you get set up and do that and seeing as the Town Board certainly has seen the project, feel free to orient it mostly towards the audience.

(From audience, John Caruso, Passero Associates, "Thank you. I've been practicing my brief presentation all day.")

COUNCILMAN MOORE

Yeah, right.

COUNCILMAN MULLIGAN

Keep it brief, John.

SUPERVISOR YUDELSON

I'll just note while he sets up that, as I mentioned, there was the Public Hearing on April 3rd.

(From audience, John Malach, 130 Cape Henry Trail, "[inaudible] Mr. Caruso give his title and...")

SUPERVISOR YUDELSON

He will. Mr. Malach, please don't yell out from the audience, because then we don't get it on the Record. We will, he will do that in a minute, we have a microphone that he'll be able to use so that you can hear and so that his comments are recorded. The comment that I wanted to make was that we, at the Public Hearing on the 3rd, at the end of it, the Hearing was not closed, it was continued, so this is a continuation of that Public Hearing. At this point, we'll let Mr. Caruso take the portable microphone, start by identifying himself, but then as I said, ask him to give you a brief overview of the project.

JOHN CARUSO, PASSERO ASSOCIATES

Okay, thank you. Hi, I'm John Caruso from Passero Associates. We represent Campus Crest. I'd like to give you a little informative overview of our project. Our proposal is to

rezone a seventy-two (72) acre parcel from R-1-15 to R-2-15, or I'm sorry, to light Industrial. This is the Town's current zoning map, and as you can see, our proposal would be to rezone this parcel right here. I'm accompanied tonight by Alex Eyssen and Herm Tomer from Campus Crest, so if there are any questions that the Board would like to have, regarding operations, they're here. I know that we did that last time, so we're not going to ask them to speak unless you would like to hear an answer from them. Our proposed development includes developing on a parcel about one half mile south of, it's about one mile south of the campus. If anybody wants to really see these well, there's seats available up here.

(From audience, John Malach, 130 Cape Henry Trail, "Will you be sharing these on the website for the Town?")

JOHN CARUSO, PASSERO ASSOCIATES

They are available for the Town. I cannot put them on their website, but if the Town wishes to do so...

SUPERVISOR YUDELSON

And there are copies, and have been for quite a while, here at the office. They're available for you to come and inspect or obtain copies of. We don't put...

(From audience, John Malach, 130 Cape Henry Trail, "[Inaudible]")

SUPERVISOR YUDELSON

Excuse me, what's that? First of all, Mr. Malach, you cannot yell out from the audience, it just doesn't work. And this is not the public participation part of the meeting yet, but we can't put all the applications that we receive on the website. There's too many, our website doesn't support it, but they are definitely available for you to obtain or to come and inspect.

JOHN CARUSO, PASSERO ASSOCIATES

So if I could go through a short presentation, then we'll answer questions thereafter? Would that be better? So this is the Campus Crest layout. It consists of several buildings. It's circled by an access road and parking. There's a community building, pool, there's on-site project amenities for students. This is a controlled access, gated community. It's located just across from Linhome Drive and it's further to the north of Linhome Drive. Included in our site plan is active and passive recreation, so there's trails and sidewalk systems throughout, including parking and stormwater management to support the project. In our request to rezone the parcel, we consider several things: adjacency to existing uses and adjacency to existing zoning. And so, I know it may be difficult for you all to see, but the parcel as we showed you, this is a bigger plan, but you can see that of the seventy-two (72) acres, we only plan to use about twenty-two (22) acres of it. The reason we have the balance of the land, because that's all that was available for sale. It was not for sale for a smaller portion. So we wound up having to

buy the entire parcel. We do not have any plans to extend this project into this area. It seemed to be for the respect of the zoning that we're requesting, which is, again, a light Industrial development. This area here in yellow is the light Industrial zoning. The current zoning that is in white here, we would then transition this into the light Industrial and you can see because we'll only be using about one third (1/3) of the parcel, that the balance of the parcel would be better served to be light Industrial for any future use that would develop from the east moving west.

(From audience, "Who owns the property now?")

JOHN CARUSO, PASSERO ASSOCIATES

We're going to answer questions after. With respect to the conditions that we looked at, we look at on a rezoning, it's adjacency for zoning, which I just talked about. The other component is adjacency for land use. And so by proposing a multifamily use here, we want to look around to see if there's other similar uses. Across the street is a multifamily residential development. South of us is also a multifamily residential for student housing. Other components that we look for is the Comprehensive Plan. In the Town's Comprehensive Plan, it talks about supporting student housing in the community. It specifically looks at property south of Bailey Road to support future student housing. This parcel is the first parcel south of Bailey Road. Just so you know, that then therefore fits within the Town's Comprehensive Plan. And as I was alluding to earlier, it's about half a mile south of Bailey Road. The other impact issues that we looked at with respect to SEQRA, as we try to define what SEQRA issues are, there is no wetland or flood plains on this parcel. We look at drainage, which we will, of course, mitigate through our storm water management facilities. And so the last issue that came up, really, with respect to SEQRA, was traffic, so we conducted a traffic study. We looked at the traffic along East River Road. East River Road has capacity to support this project. We are looking at possibly doing some turn lane improvements in the future. We have a traffic study and our design has been before Monroe County Traffic Engineering. They have commented on our work, made minor suggestions to permitting improvements, but nothing that was negative against allowing access. And the reason why is that we're further north than Linhome Drive, and so we're further away from the hill, we really don't have any impairment issues. Finally, some of the things that we try to look for under SEQRA is sustainability. This is a green build initiative type project, it has LEED design elements. It has green infrastructure built into the project, from lighting to materials to green space. And so that's our quick overview of the parcel.

SUPERVISOR YUDELSON

And would you mind speaking just a little bit about, as far as the development, the apartments and kind of an overview of the buildings, and as it relates to the Special Use Permit, the number of buildings and how many students might be housed there, etcetera.

JOHN CARUSO, PASSERO ASSOCIATES

Yes, there's two hundred and twenty-five (225) units. The units house students in different configurations. There would be six hundred (600) beds supported in this development and that would include some of the people that oversee the students while they're there. There's a whole operation that we could talk about, but there is on site oversight from the students.

SUPERVISOR YUDELSON

Is it, how many buildings? About twelve (12)?

JOHN CARUSO, PASSERO ASSOCIATES

I think there was ten (10) buildings. Oh here it is, plus the clubhouse.

SUPERVISOR YUDELSON

And last question I had is, just again for the people who weren't at the Public Hearing, the total property is roughly seventy (70) acres?

JOHN CARUSO, PASSERO ASSOCIATES

Seventy-two (72) acres.

SUPERVISOR YUDELSON

Seventy-two (72) acres.

JOHN CARUSO, PASSERO ASSOCIATES

Yes.

SUPERVISOR YUDELSON

How much of that acreage would be used for this project?

JOHN CARUSO, PASSERO ASSOCIATES

Twenty-two (22) acres.

SUPERVISOR YUDELSON

Twenty-two (22) acres. Okay.

JOHN CARUSO, PASSERO ASSOCIATES

That was my, when I said about a third (1/3).

COUNCILWOMAN ZINCK

Yes.

JOHN CARUSO, PASSERO ASSOCIATES

About a third (1/3) of the parcel's developed and this big overview, again, I'll put it up, it shows you the land uses around it, how we used the zoning to support the project.

(Inaudible) But this is the whole parcel right here and you can see that the development is clustered up near the road. Now one thing I'd like to point out, if you know the property, that the development sits, a few of the clubhouse sits at the top of the hill, but the rest of the development is down into the valley on the lower part of the hill. It'd be hard to see from the road, other than the clubhouse, the majority of the parcel. The property is entirely fenced. It's entirely secured by a gated access. And because of that, the tenants and the residents there would be expected to be about sixty percent (60%) women, and that's the level of security that this type of facility supports.

SUPERVISOR YUDELSON

Thank you, are there any questions from the Board?

COUNCILMAN MOORE

Through you, Mr. Supervisor, the intended future use of the remaining lands will be?

JOHN CARUSO, PASSERO ASSOCIATES

We have no future use.

COUNCILMAN MOORE

It's going to remain vacant forever?

JOHN CARUSO, PASSERO ASSOCIATES

It might. We don't have any use for it, because we had to buy the whole parcel.

(From audience, Alex Eyssen, Director of Development, Campus Crest Development, "I can speak to that more directly if you want.")

COUNCILMAN MOORE

Please.

COUNCILWOMAN ZINCK

If you would.

COUNCILMAN MOORE

Because I think that's a real issue here.

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

My name's Alex Eyssen, we met last time. I'm the Director of Development for Campus Crest. In the past four (4) hours, I've heard all sorts of rumors and so I want to dispel a lot of those, because I think there's a lot of myths and inconsistencies and things floating around. Because we've looked at this market for several years, we wanted to find the ideal site. We found the site, but because of the family's wishes, we had to buy the entire site, which is not entirely uncommon. It was not offered to us to subdivide.

This is not unlike the project I did near my home in Saint Angelo, Texas, where I bought seventy (70) acres, developed on it, and we have not done anything with the additional acreage. I have no plans. I don't have to sell this land to make my project work. I don't have to actively market it. If somebody comes to us with a proposal, we would consider it, but we also have the luxury and freedom to be very selective of who we choose to be neighbors with because we plan to build and operate and hold this property, and so I have the luxury of being exclusive, if you will. So I don't have any agreements with any other party. Nobody's even asked me about it. So yes, it could sit there for many, many years and you can go look at a lot of our other properties where I bought excess land and it sits there. It's something we, I mean we have land that we actually have hay on, because we just don't have a need to develop it. So I don't have a plan for a phase two (2). I don't have a plan to come in and build Section Eight (8) housing or senior housing. It's just, we just happen to be faced with a situation where that's the land and so we pushed all of our property up. I think if a developer was truly interested in master planning that entire site, they wouldn't have done this, because of the way we've structured the buildings. So I think anybody that suggests that there's another plan is just ill-informed.

COUNCILMAN MULLIGAN

Through you, Mr. Supervisor, just for the Record again, how many apartments are under your management? How many have you sold over the years? And how many states are you in?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Under Campus Crest Grove, which, this is a Grove, we have thirty-nine (39) operating properties, which is approximately twenty-four thousand (24,000) beds. Since we filed this application, at the time, if you look back in our February letter, at the time we were the fifth (5th) largest, or fourth (4th) largest. We've since acquired Copper Beach Townhomes. We are now the second (2nd) largest student housing group in the United States. We manage approximately forty-three thousand (43,000) beds, everywhere from Orono, Maine to Cheney, Washington, all the way down the south, we have projects with those two (2) entities, eighty-eight (88) properties. I'm not in every state yet, but I will be soon. We are good at managing. I think the term I used last time is a synergy. And I know there are residents here tonight who might have horror stories about other third party operators and how they choose to manage their properties or poorly manage their properties, but we don't sell them. We have never sold one. All the thirty-nine (39) that we've developed, we still own. So all the beds we manage and we understand there are concerns, we want to be good neighbors. We want to be good stewards. This will become a part of the community and this will become a community to those residents that live in it. We hope that it will draw residents from neighborhoods that should be traditionally single family that aren't now, that are being used as student housing, but they weren't designed that way, they weren't built that way. We think our residents, what should happen, what does happen when we build is those neighborhoods revert to single family and this becomes multifamily, which, fortunately

there's lots of multifamily in the area. So I will let you know that since the last meeting there were two (2) residents that came and spoke. I gave them all my cell phone number, I gave them the entire full packet that you have. I've talked to one (1) of them since, she lives close to the cemetery. Nobody else, whether it be a lawyer, a competitor, has ever reached out to me. I've not seen this letter from Wilmorite's Attorney, so we're an open book, we're transparent, this is not something that I've tried to slip under anybody's nose.

COUNCILMAN MULLIGAN

The property will be fully taxable? You're not looking for any abatements?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

No, we're not seeking any TIPS or otherwise, so this will be a significant boom to the County and to the Township and to the School District, so...

COUNCILMAN MULLIGAN

Thank you.

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Thank you.

COUNCILWOMAN ZINCK

I just want to ask one more question on the history here and the thirty-nine (39) properties. How long have you been in business?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

2004 is when we started. Early 2000s is when you saw really the lease per bedroom concept taking off and since that time, we've grown, which I think is a testament to our model versus others, that didn't survive in 2008. We have lending partners throughout the United States and we, so that's to answer your question.

COUNCILWOMAN ZINCK

Thank you.

COUNCILMAN MOORE

I have one additional question. At the former presentation, you talked about your marketing study.

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Yes.

COUNCILMAN MOORE

Could you explain what facts you found in that, please?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Yes, we do a thorough market study because this is what we do. This is all I do. I don't go build retail on the weekends. I don't build anything else. We just do student housing, so we're very good at looking at the market, looking at trends, looking at properties, age of properties, what's coming on line. And everything has reinforced what we believe, is that there is demand here. You can call the competitors and ask them and they'll say "No, there's plenty," and they've done that and I'm not surprised by that. But we've looked at some entities in Town are public, so they have to publicly file reports, others don't. We look into all types of properties, not just here, but where we believe residents might be living now or choose to live. And everything we've done reinforces that this is a solid market, that there is additional demand, and that there's capacity to absorb the bedrooms that we're proposing without some sort of collapse of the student housing, or the other things that I've heard this afternoon.

COUNCILMAN MOORE

One other thing we talked about, we talked about traffic last time and you talked about being part of a bus system?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Yes. We have two (2) proposals right now. We haven't finalized an agreement, but it is an amenity and something we want to offer. We just, that's something that comes later on at operation teams finalizes and enters into an agreement and so we're discussing all of our options. I can't really disclose anymore, but we're looking at all the options, because we want to have that ability for not only shuttle service, but also encouraging the other means to travel. And so we did a traffic study, we did our traffic count, we looked at it. We know from our other properties what traffic is coming in and out. This property, like I said, I have over thirty-nine (39) of these and in addition to the townhomes where we have a whole other group and so we know what our traffic flows are, and so when that's compared with actual traffic counts, real time, engineers look at that and they can put the numbers together. And so we do want to encourage alternative means of transportation and we are actively pursuing the shuttle bus options.

SUPERVISOR YUDELSON

Following up with that, you mentioned some of the misinformation that's out there, so I just wanted to clarify a couple things. First of all, your project is entirely separate from R.I.T. You're not in any way affiliated...

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

No, we...

SUPERVISOR YUDELSON

I know that that's your market, but you're, just for the Record, you have no affiliation with R.I.T.

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

No, we have no affiliation with R.I.T.

SUPERVISOR YUDELSON

And as far as bus service, some of the misinformation that's out there, from, I believe generated, at least partially, from one of your competitors is that you represented before Boards of the Town that you had an agreement somewhat in place or pending with R.I.T. for that. I reviewed the Minutes of the meeting of the Town Board, you didn't represent that and at the Planning Board Meeting, there were several people on our staff, obviously, who were there and they also said that. And any other venue, you haven't represented that there's an agreement in place, is that correct?

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

No, there hasn't. And that's news to me, and I'm the one that's done all the presentations. We did, the statements that were made is that we let them know. We reached out to them on several different levels, just to let them know this is what we're proposing, but we have no affiliation with them, we have no agreement with them. I don't know whether they have a position on it. But I don't believe I've ever even remotely tried to insinuate, and I would love to look back at those Records, because it would've been me that would've said it, and I did not say it.

SUPERVISOR YUDELSON

Like I said, the Meeting Records do not indicate that you did. The other question I had, if you could just explain for the people in attendance, this is kind of a different concept than we've had presented to us before for student housing or actually any other apartments, where it's a, I don't know what the right term is, but a gated community and if you could just explain a little bit about that.

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Yes, thank you. Security is very important to us and for our residents. And so having a gated community serves several purposes. One, it allows us to monitor traffic in and out of our property. So surrounding, almost not around the green if I may approach...
(Inaudible, away from mic)

SUPERVISOR YUDELSON

Can you take, excuse me one second, if you can take that microphone from Mr. Caruso, just so we get your comments on Record.

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

I don't want to get yelled at. There's a fence called out along the property and this is what we do on all of our properties and it has a controlled, gated access. You can actually drive into the clubhouse, if you were a prospective tenant or a guest, where you'd, guests have to actually come in and check in as part of our operations. But there's also a secured entrance here, so typically during the daylight hours it's open, and

the evenings it's closed, and you have to have a key code to get in. And so that limits traffic in and out and it, again, it provides a level of security that we think is important to our residents, what we know is important to our residents. That, we know, it's important to our residents.

SUPERVISOR YUDELSON

Thank you.

COUNCILWOMAN ZINCK

One other clarification, I know another concern obviously is the increased traffic, and I know at our last meeting you kind of talked about the patterns of intensity times for in and out and how they're a little different than if this were not student housing, can you just speak to that?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Sure. Student housing is different and unique from even traditional multifamily housing, because student housing traffic is throughout the day. It's not like a single family neighborhood, where you may have the majority of the residents leaving at a certain time, from say 7:30 a.m. to 8:30 a.m. in the morning, headed to work, to drop off kids at school, and then also, later in the evening at that same timeframe. Student housing traffic is throughout all, because students have various hours, afterschool events, class schedules, you don't see the peaks that you would. So even if you had this exact concept, and this was going to be a traditional multifamily, the traffic would be different. And there are nationally published studies, not just my studies, but studies that we're able to rely upon that confirm that, that a student housing property generates between thirty-three percent (33%) to fifty percent (50%) less traffic than if this was even a traditional multifamily. So for those people, in their eyes who are most concerned about traffic, what you really want to be built by you is student housing, because when you incorporate shuttle and other means of transportation, and the various comings and goings, you don't have the peak demands. And so although, the numbers don't lie. When you look at the numbers, you look at the other properties, and we actually have studied our other properties, because this is a common question we get, where somebody throws traffic and wants to use that to hang their hat on and try to stop our project and so we do look at it. Civil engineers look at it. Other studies have supported it. So we just generally don't create traffic situations like you'd see if I developed that seventy (70) acres into single family, which it could be now. Then you'd have a traffic discussion that is going to be more intense than our use now.

COUNCILWOMAN ZINCK

Thank you.

SUPERVISOR YUDELSON

Thank you very much. I think what we're going to do now, thank you, is open, this is actually only on the Agenda, the part where people are allowed to comment on Agenda

items, and so I'm going to open that up. But what I'll ask, as I call on people, number one, if you would be kind enough to, when you come to the microphone, identify yourself for the Record and remain at the podium so we can get your comments on the Record, and as I anticipate there may be a number of people who want to speak, if you could keep your comments as concise as possible and also address your questions and comments to the Board. If you have some questions that really have to be answered by the representatives here, in some cases we might let a few speakers go, collect the questions, then ask them to answer at once, or I might call them right back up to the microphone. So having said that, Mr. Nichols, would you like to lead off, I see your hand up.

JOHN NICHOLS, 530 SHORE DRIVE

Hi there, I'm John Nichols, I live at 530 Shore Drive, which is a neighborhood very close to the proposed development. I've lived there since 1987, proud resident of Henrietta for almost thirty (30) years. I'm not, I have a confession to make, I had no idea about this project until about four (4) days ago, and I think that's, it sounds like that's my fault, because the project was properly posted and I guess the notices went out to people that live within seven hundred and fifty feet (750') of this property. So I totally missed it, and I usually know a good deal about what's going on and so I have that confession to make. I'm not here to speak against the project. The reason I'm not speaking against it is because I don't know anything about it beyond what I just learned tonight. I'm just asking for an opportunity for my neighbors and myself to be able to learn more, those that really weren't aware of this project until very recently, give us a chance to interact with the developer and fully understand the project so that we can forge an opinion about it. I'm certainly not going to speak against something that I have no idea about. So that's what I'm up here to just simply ask is for more time. Thank you very much.

(From the audience, Carol Malach, 130 Cape Henry Trail, "Are you calling people up? Or are we just to come up?")

SUPERVISOR YUDELSON

Yes, I'm going to call people up, but come, you're on the way, Carol, come on up.

CAROL MALACH, 130 CAPE HENRY TRAIL

I would like to echo what John just said to this Board.

(From the audience, "Who are you?")

CAROL MALACH, 130 CAPE HENRY TRAIL

Carol Malach, 130 Cape Henry Trail. The sense of frustration and anger I have with this Board right now is almost palpable, that there was no shared information. One member of this Board lives on our street, no information shared. Another Board member here I spoke with prior, right before Easter and I asked about this project and I was not

apprised that there was a Public Hearing. When Agendas come out at 3:00 p.m. the day of a meeting, if people are working, it was Spring Break week, people were out of Town on vacation, to expect public participation in that situation is very unreasonable. And there seems to be no sensitivity to the fact that people want to be involved, as John said, we need to hear information about this, but to hear about it at the eleventh hour is extremely frustrating. My notes were prepared before the presentation tonight. I'm just going to share them, because they're concerns I have and they're concerns a lot of people have. I understand what was shared about the traffic study, and it's not going to be a problem. East River Road is a problem right now. Anyone who travels regularly on East River Road sits in traffic, has a hard time getting out on the side roads, so I understand he's saying a study was done. You, as a Board, I'm sure, have reviewed it and accepted it, but people who live there have a hard time getting in and out right now and I can't believe that the six hundred (600) additional cars plus is not going to have an impact on that. Why is this being rushed through? If I understood correctly, this letter was sent to the Board in February. We're now mid-April and this is being pushed through to be approved. We have a lot of questions and we were left out of the process. Our neighborhood feels like we just finished going through a three (3) year, four (4) year, five (5) year process, dealing with the three (3) family issue, that still has not been communicated to us how that's going to be rolled out. And now to be dealing with this, we feel like we're left reeling and need to understand what's going on. I also had a question about the validity of a market study being done. I realize we live on a free market society, and I'm sure this developer has indicated there's a huge demand for this complex. I sit on a task force with the Town and R.I.T. and our neighborhood and I have heard repeatedly in that task force meeting, that R.I.T. has a surplus of student housing, Park Point has a student surplus housing, and the Providence has a surplus student housing, why is another large student complex necessary? And is there clear evidence in his market research plan that students will move out of neighborhoods into a complex like this? The students I have talked to in our neighborhood picked that neighborhood because they are houses. They can have pets, they can have barbecues, they're not monitored by people who are going to be in this gated community. They want to live in a house, so I don't see this as a solution at all to pulling people out. I'm going to assume that the developer is going to pay a hundred percent (100%) of the tax burden and not seek any tax abatements, so in your eyes, that's acceptable. I'm a tax payer. A tax payer should be involved in this process and not just developers. In the end, this to me, seems like it's about taxes. And the end justifies the means, and here's a newsflash: the quality of life is not driven by the low tax rate in Henrietta. There's other things to consider. We rely on you to keep us informed, and it's pulling teeth to get information. It's pulling teeth to get responses. We should've been apprised about this. I understand there's certain feet limitations about who you have to notify. Living by the letter of the law is not always treating your neighbors with respect and I feel many of us in this room were disrespected in this process. We were not involved, we were not communicated with in a timely manner, and here we are tonight. And I feel very sad that this is how we've been treated. A lack of information across the board.

(From the audience, "I agree with you.")

(Applause)

SUPERVISOR YUDELSON

Thank you. Is there somebody else who'd like to speak next? Ma'am?

MARTHA WINDREM, 570 SHORE DRIVE

Martha Windrem, 570 Shore Drive. I'd just like to say that it's unfortunate you've picked the precise neighborhood you have, because our neighborhood that's featured as the little bump on the river there, we've just been through a brutal, devastating fight with a really malicious developer. And our experiences, six hundred (600) beds equals six hundred (600) cars, and that in fact, the students drive far more than any family would, in out, in out, in out, and speeding all the time. So at least this isn't right in our neighborhood, but as a group, I believe we are extremely aggrieved and angry and frustrated and just exhausted and even if you would change the driveway and have it go out onto Bailey Road, it would be some kind of relief to us. We just don't want any more of this.

SUPERVISOR YUDELSON

Thank you.

(Applause)

SUPERVISOR YUDELSON

Someone else who would like to speak. Yes, sir.

JOHN DeBARGE, 110 CHESAPEAKE LANDING

My name is John DeBarge. We just recently moved into the Henrietta area and into this development about two (2) years ago.

SUPERVISOR YUDELSON

Your address, sir? Just for the Record.

JOHN DeBARGE, 110 CHESAPEAKE LANDING

110 Chesapeake Landing.

SUPERVISOR YUDELSON

Thank you. Go ahead.

JOHN DeBARGE, 110 CHESAPEAKE LANDING

I guess some of our concerns are to make sure the due diligence is done to assure that this is the proper property to have this occur on and that the traffic studies are done and that road improvements are made to accommodate the traffic and that the tax base

increase will provide for additional local authority and other improvements and infrastructure, police surveillance, things like this, safety for the students, safety for the community. I suppose we all know that college students can get a little amiss from time to time and cause disruption to areas and I guess our concern is even if it's a gated community, I mean the building structures themselves sound wonderful. The gated community sounds wonderful, and that's just for the building elements alone, that's not for the people that are going to reside in them and how they behave and how they behave when they go out in the rest of the community. They do frequently leave buildings like this and transport themselves to other areas in the community, to the shopping areas, to the roads, to the nearby communities, and the concern is the security of the area and the support for the infrastructure. And, like I said, safety for the students, I mean I've got a few things that we put together here, we just got notified, just apparently like everybody else, we found a flyer rolled up on our door. It's the first that we've heard of it, but another concern is the students at R.I.T., there's been several reports lately about people falling out of buildings, people jumping onto hoods of cars and riding on the car that their friend is driving and having an accident with somebody seriously hurt. And I guess we're afraid that this type of behavior will extend out to our community, and our streets and our neighborhoods. And to make sure that this is the proper property to have this occur in, so close to a residential neighborhood, as opposed to maybe an area that might be more suited, closer to the school itself. Just to make sure that all the properties in the area have been looked at. I guess one of the other things that we want to make sure of is our property values, and make sure that this doesn't have a detrimental effect on those. I just want to make sure that due diligence is done by the developer and make sure that they look at every possible aspect and make sure it's covered, and not just said on paper or said that they've done the studies and that traffic studies have done, but if they've been done properly. And we just want to make sure if they move forward with it, that they take everything into account.

SUPERVISOR YUDELSON

Thank you. Mr. Malach.

JOHN MALACH, 130 CAPE HENRY TRAIL

John Malach, 130 Cape Henry Trail, West Henrietta, New York 14586. Honestly, wonderful comments by John and others reflecting, I think, some of the sentiments. But I would actually point a question specifically to the Board. Which is, what due diligence has the Town Board and the Planning Board done in regards to Campus Crest? What they have done? How they've done it? Where they've done it? And what the potential other LLCs that tie to some of their principals, tie to other things? That was the first question. You may take that as you see fit. Secondly, I'm sure as astute business people that you are, you understand a real estate investment trust, you understand how it makes money, and also you understand that by zoning from a R-1-15 to a total Industrial perspective, unless there is a commitment in writing from Campus, the Campus group, that they will not develop those other acres, then they have the ultimate rights to potentially develop those without regulations and approvals from the Town

Board, the County Board, as well as other regulatory agencies. Are you aware of that?

SUPERVISOR YUDELSON

That's not entirely correct, but go ahead and finish your comment.

JOHN MALACH, 130 CAPE HENRY TRAIL

I think it would be important for you and the Board...

SUPERVISOR YUDELSON

I will certainly address that.

JOHN MALACH, 130 CAPE HENRY TRAIL

...to the community, to address that and explain that.

SUPERVISOR YUDELSON

Okay.

JOHN MALACH, 130 CAPE HENRY TRAIL

And that's all I have and thank you for your time.

SUPERVISOR YUDELSON

Thank you, John. I will address that right now, if I could call upon Chris Martin though, our Town Engineer, if you could come up for a second. I'm just going to put you on the spot for a quick calculation. The property, Mr. Caruso mentioned, is approximately seventy-two (72) acres...

CHRIS MARTIN, DIRECTOR OF ENGINEERING AND PLANNING, TOWN OF HENRIETTA

That's correct.

SUPERVISOR YUDELSON

And it's currently zoned R-1-15. The current owner, not Campus Crest, but the current owner, if they wanted to under that current zoning, could come in and build residential homes without Town Board approval. And under the current Code, can you approximate for us how many homes they'd be able to fit on seventy-two (72) acres?

CHRIS MARTIN, DIRECTOR OF ENGINEERING AND PLANNING, TOWN OF HENRIETTA

Yes, right now it's zoned R-1-15. The minimum lot size is a third (1/3) of an acre, so if it was seventy-three (73) homes.

COUNCILMAN PAGE

Acres.

CHRIS MARTIN, DIRECTOR OF ENGINEERING AND PLANNING, TOWN OF HENRIETTA

Seventy-three (73) acres, I'm sorry, you'd probably get about, approximately with your

storm water management facilities and such, I would say probably in the eighty (80) to ninety (90) residential type homes.

SUPERVISOR YUDELSON

Okay, with seventy-two (72) acres?

CHRIS MARTIN, DIRECTOR OF ENGINEERING AND PLANNING, TOWN OF HENRIETTA
Right.

SUPERVISOR YUDELSON

That's about what it would yield?

CHRIS MARTIN, DIRECTOR OF ENGINEERING AND PLANNING, TOWN OF HENRIETTA
Right...

SUPERVISOR YUDELSON

Okay.

CHRIS MARTIN, DIRECTOR OF ENGINEERING AND PLANNING, TOWN OF HENRIETTA
...because you'd allow for the roadway, the right-of-way, storm water management facilities, and if you go with the minimum size of a third (1/3) an acre, you know, approximately.

SUPERVISOR YUDELSON

Yes, thank you, I appreciate that. I just wanted to mention that as a starting point that John asked about review and approvals necessary from various Boards and with the current zoning, the Applicant could come in and do that without any approval from the Town Board, because that is the current zoning. As far as the zoning to Industrial, we thought that was an appropriate request if it ultimately was to be approved, as compared to some of the other zoning that would allow that, because a Special Permit then would be required in Industrial for the apartments, and that would give us the control, if they wanted to come back later and add additional units, where we would have to approve that, once again it would come back before the Town Board. And also so as to not have spot zoning, because it is, next to it is currently Industrial. And if there was a use compatible with the things over at Lucius Gordon Drive, the high tech type businesses, that that might be a good match, if there was anything done on that property, which, as the developer said, is not determined at this time. As far as the regulation that you talked about for that Industrial portion, if it's zoned Industrial, they can come in and do anything that's permitted in Industrial, but not without regulation. They would still have to go through the Planning Board, through the whole SEQRA process, yes, they would have, I know you're shaking your head, but, well, let me defer to the Town Attorney. I think I know the answer to that, but just to be sure, I'm going to defer to the Town Attorney, that if somebody was to come and want to construct a facility in the Industrial District, that met with that use, would they not, indeed, have to

go through Planning Board review and the SEQRA process?

DANIEL MASTRELLA, TOWN ATTORNEY

They would have to go through the SEQRA process for any type of development and any site for any Industrial development on the parcel would be subject to site plan review per New York State Law and would have to go before the Planning Board and meet all the criteria set for that type of development.

SUPERVISOR YUDELSON

Right, and I think you answered it probably more directly, I think the distinction you're making is the Planning Board wouldn't have the authority to say, "Yes," or "No, you can have that use," but they would have to submit all elements of the site plan design to the Planning Board.

DANIEL MASTRELLA

That is correct.

SUPERVISOR YUDELSON

Okay. Alright, so it's not without review and they would have to go through the SEQRA process, which is the State Environmental Quality Review Act, which is a pretty lengthy thing, which this project has gone through as well.

COUNCILMAN MULLIGAN

Through you, Mr. Supervisor, trying to answer Mr. Malach's question, as well as concerns of the residents, and addressing this to Mr. Caruso, as well as the Principals of Campus Crest. If we did the rezoning for the twenty-two (22) acres, allowing the student housing, but left the other fifty (50) acres R-1-15, as single family homes, does the project still work at this point?

(From audience, Alex Eyssen, Director of Development, Campus Crest Development, "I can answer that.")

SUPERVISOR YUDELSON

If you'd come up to the microphone for us, thank you.

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

This is Alex Eyssen, and yes, the project would still work. Again, when we originally got together and discussed how to do a rezone, we thought rather than do a spot zone, like is essentially what that would kind of become, we thought it would just make more global sense, especially looking at maybe future development, or just what fits in that area. But if it was this council's direction to limit our approval to this area, I would be fine with that, so long as I didn't have to go back and start the process over, because the timing, time's against me. But if that was a condition, subject to approval, you chose to make, I wouldn't object to that, because, again, it's what I'm showing here that

I'm most concerned with and the rest would stay single family. And if somebody came in and then they could come in and if they wanted to do patio homes or single family, they could do that by right. Or if somebody wanted to buy it and try to do Industrial, then they could come back and start the process over. But again, it doesn't, that's what I'm most interested in. We just thought at the time, we just need to make the whole application.

JOHN CARUSO, PASSERO ASSOCIATES

I just want to add to that. When we were trying to decide whether we were going to go and request R-2-15 or light Industrial, the reason we chose light Industrial, because it was more compatible with what is going on there. And because they didn't have a phase two (2) plan, and they don't have future plans, we felt that any growth on the balance of this partial would come from the east. And that way it was already zoned. So we thought it was a benefit to do that all at once. It wasn't a benefit to us. It was just easier. I would also like to share with you a rule of thumb that we use when we look at a parcel and we try to predict a yield on it. When you asked Mr. Martin to come up, what we use is, as Mr. Martin had addressed, it's about a one third (1/3) of an acre and there is three (3) parcels in an acre then, at fifteen thousand square feet (15,000 s.f.). That would be three (3) times seventy-two (72), which is two hundred and ten (210) units. And then we take a twenty percent (20%) credit for roads, right-of-way, and storm water management. So if you do that, the number that we use on our rule of thumb is more like a hundred and ninety (190) units on seventy-two (72) acres.

COUNCILWOMAN ZINCK

You're talking single family homes?

JOHN CARUSO, PASSERO ASSOCIATES

Single family homes. Just a, we have a rule of thumb that we use. A third (1/3) of an acre, there's three (3) units in an acre, seventy-two (72) acres.

COUNCILWOMAN ZINCK

So to clarify, the way the land stands right now, you could come in with a project for a hundred and ninety (190) homes and you really wouldn't need any kind of Special Permit or...

JOHN CARUSO, PASSERO ASSOCIATES

That's correct, and single family homes do produce traffic that happens during the commuter peak hours, which is really where you would see impact on traffic along that roadway.

SUPERVISOR YUDELSON

Okay, thank you.

JOHN CARUSO, PASSERO ASSOCIATES

And then the other component that you talked about was the type of approvals. Don't forget subdivision approval is a subject to Town Planning Board review, and so any sale of the parcel for something other than what they propose, if they were to sell it, it couldn't be part of their parcel anymore, you have to subdivide it, that it would also be part of, there'd be a site plan approval and a subdivision approval at the Planning Board.

COUNCILWOMAN ZINCK

While you're up here, can I just ask a question totally probably unrelated to where we're at, but have you actually had a meeting with the neighbors?

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

No, and I would've, I just didn't know that there was so much interest.

(Laughter)

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

I mean, to be honest with you, the two (2) people that spoke last time have my cell phone numbers. How else would I know? I don't live here.

(Inaudible yelling from audience)

COUNCILWOMAN ZINCK

Well, regardless, going forward...

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

I didn't even get the flyers.

COUNCILWOMAN ZINCK

...it is something we could rectify.

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Yes, and I would even, since it seems like all the key parties are here, I'd stay tonight, after you're done with your business and go through my entire presentation. That may not be their interest, because again, there's a timing component and people know that the longer they delay my project, the harder it becomes, the more expensive, and so, I have to, having done this a lot, I want to be, I don't want to have some sort of carrot dangled in front of us that may not actually come to fruition. If there are, but yes, I will be happy to meet. I have, we're a very transparent company. We're very transparent about this, and so I will, regardless of whether people choose to stay or not, I will stay tonight until the last person has talked to me.

COUNCILWOMAN ZINCK

Thank you.

SUPERVISOR YUDELSON

Thank you.

COUNCILMAN MULLIGAN

Through you, Mr. Supervisor, Mr. Malach's other concern about the health of the company, Campus Crest, they are a strong real estate investment trust, number two (2) in the country. I don't know the details as to whether or not there's any litigation. I'm sure with having tens of thousands of units, those things happen, having put a couple kids through college. But strictly from a financial standpoint, they have the wherewithal as much as anybody on the planet to make the project work.

SUPERVISOR YUDELSON

And the short answer to your question about, "Did we do some due diligence? Did we check on the company?" The answer is definitely, "Yes." The fact that was cited during the presentation that the company holds onto all their projects, has not sold them, was very important to us, because as you know, if you've read the papers, there was another project close to R.I.T. that has turned over three (3) times and has been just flush with problems, so that was important to us. So we've done quite a bit of checking on the company and before entertaining anybody else who wanted to speak, before we move on, I just also wanted to mention, I'm glad that people are here today. I think we realize now that the standard notification that we do for Special Use Permits, and we do several of them all through the year, we have the standard radius, it's generated by the computer. We don't go through and review the list and say, "Is there anybody we missed, we left off?" And it really didn't capture much of the neighborhood. Having said that though, I do have to say, I know many of the people mention about Town Board Agendas and Resolutions and Minutes being on the website and wanting to be able to access them and we actually called the Public Hearing that was held on April 3rd, was called for at the March 6th meeting, so it's been six (6) weeks that this has been on the Town website and available to people and if people must... six weeks, yes, it's in the Minutes of the meeting. And the other thing is that we did have about twenty (20) people here at the last Hearing. Most of them didn't choose to speak, but we had about twenty (20) people here, so obviously the word was out to some people. But again, I'm glad that you're here. I appreciate that Campus Crest was willing to come and repeat a portion of their presentation and be willing to meet with you further, as the gentleman just offered. So, having said that, is there anybody else who wanted to speak on this Agenda item before we move onto the actual meeting itself?

(From audience, John DeBarge, 110 Chesapeake Landing, "I just have one more comment or a question to find out, is this strictly...")

COUNCILWOMAN ZINCK

Oh, come on up.

SUPERVISOR YUDELSON

Yes, come on up to the microphone.

JOHN DeBARGE, 110 CHESAPEAKE LANDING

Again, my name is John DeBarge, from 110 Chesapeake Landing, and I had one more question to find out that I was curious of. The proximity of this development is near R.I.T., is this strictly for R.I.T. students or is this going to be other colleges in the local area that are going to have access to this property that may not share the interests of the community that R.I.T. does?

SUPERVISOR YUDELSON

That's a good question, do you mind answering that?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Our property is available to anybody. Anyone who wants to come and lease it. Now, because it is a lease per bedroom and because it is fully furnished, it is marketed to college age residents and that's the majority of the residents. But our properties have other residents, and they can come from anywhere, whether it be a community college, R.I.T., and when maybe they're taking a semester off to work. So we have a diverse younger student population, but it's not exclusive. That's just not our business model, it's not what we would do here.

(From the audience, Carol Malach, 130 Cape Henry Trail, "Can I ask you [inaudible] what your price points are [inaudible] be so appealing to people?")

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

I got that question last week, and I didn't have an answer. We have a range.

SUPERVISOR YUDELSON

Do you mind, I'm sorry...

COUNCILMAN PAGE

Can you repeat her question?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

The question was, "What is the price point?" I take it, "What is the monthly rent going to be?" And my response last time is still the same, is we have a range. We haven't actually set it yet or published it. It'll be comparable to the other properties that we see as competition and offer similar amenities. I can't price myself so far out that I then don't have an occupancy. That's a horrible business model. Will it be slightly higher than the older properties with less amenities? Sure. But it's a fluid amount. I don't have to hit a certain number to make it work. I have some room and because I have a much larger portfolio, I have a lot more flexibility than someone that might just own one (1) property and have all their eggs in one basket. So it'll be comparable, but I just

don't, I don't have that number to publish.

(From the audience, Carol Malach, 130 Cape Henry Trail, "I guess I find it hard to believe you don't have a range.")

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT
No, I have a range, I'm just not going to tell you tonight.

(Laughter)

(From the audience, Carol Malach, 130 Cape Henry Trail, "[Inaudible] you share.")

(From the audience, John Malach, 130 Cape Henry Trail, "He's being honest. Nice.")

SUPERVISOR YUDELSON

Is there anyone who hasn't spoken yet that still wanted to speak before us? Sir, in the rear.

FRANCIS L. GORMAN, III, ATTORNEY FOR WILJEFF, LLC

Good evening, Mr. Supervisor, my name's Francis Gorman. I am the attorney for Wiljeff, LLC and one of the questions I have is, will you be keeping the Hearing open after tonight?

SUPERVISOR YUDELSON

Yes, we will.

FRANCIS L. GORMAN, III, ATTORNEY FOR WILJEFF, LLC

Okay. Will you be re-noticing a Public Hearing?

SUPERVISOR YUDELSON

Based on the advice of our attorney, Dan, what would be our procedure for that?

DANIEL MASTRELLA, TOWN ATTORNEY

You can. You don't have to. It's a continuation of a previously advertised meeting, so that would be up to you. If you keep it open, probably advisable to do it, but not necessary.

SUPERVISOR YUDELSON

We'll keep it open, it would be on our Agenda and you're welcome to contact us so you can have the information. Nice to know who your client is.

FRANCIS L. GORMAN, III, ATTORNEY FOR WILJEFF, LLC

Alright, thank you very much.

COUNCILMAN PAGE

You're welcome.

SUPERVISOR YUDELSON

Ma'am?

MARTHA WINDREM, 570 SHORE DRIVE

Martha Windrem, 570 Shore Drive. I'd just like to say, again, that our neighborhood really feels traumatized. The particular developer who just came into our neighborhood, he lied to the Town. He lied, he violated the rules at R.I.T. and we feel that the Town did not protect us. He probably lied to the Zoning Board, so I don't know what you would've said if he came before you and said, "I'm building single family houses," and you said, "Okay, fine." And then he promptly went up to R.I.T. and sold them as rentals. I also was personally physically threatened by this man. I filed a police report.

SUPERVISOR YUDELSON

Martha, just, if I can interrupt. Not that these things aren't important, but we asked you to speak just on the topic of this project.

MARTHA WINDREM, 570 SHORE DRIVE

Okay, but what I'm saying is, I have zero trust. So the developers have to be aware that I think all the people from my neighborhood who are in this room are, as you say developer, we have a certain image in our mind and it's as negative as possible. We also have had the experience that the Town maybe isn't so swift in thinking of all the things that could go wrong. So we're not going to just lean back and assume you take care of us. So I'm sorry, maybe you're wonderful guys, but you're walking into an intensely hostile environment.

SUPERVISOR YUDELSON

We can agree to disagree, but obviously you don't speak for the whole neighborhood. There's people that share your sentiments, but I wouldn't want anybody to get the wrong impression of your neighborhood. Is there anybody else before we move on? Ma'am?

LORETTA NEAL, 44 ELK RIVER ROAD

Hi, my name is Loretta Neal. I live at 44 Elk River Road. I just found out about this yesterday. And on my street we have so many college kids, about twenty-six (26) homes that house college kids. I have to call 911 because of kids. Now you're saying that you want to put six hundred (600) beds. Yes, I am against it. Because in my neighborhood, we have parties, a lot of noise, running, yelling, just too much in our neighborhood. And yes, that's why I'm against it, because in our neighborhood it's just too much going on. Other than that, I wouldn't have a problem, but just the problem that we're having now in our neighborhood, it's just too much. Thank you.

COUNCILMAN PAGE

You're welcome.

SUPERVISOR YUDELSON

Thank you. Okay, Carol?

CAROL BURRITT, 620 SHORE DRIVE

Carol Burritt, 620 Shore Drive. I just want to reiterate what's been said about the idea that okay, maybe you've done supposedly some traffic studies and you find that students traveled at different times and won't pose problems during peak times of travel or everything's going to be fine because it's a gated community and you're going to keep an eye on everything. But they're going to leave the gates. And as someone who lives across from five (5) large houses full of students, I mark my calendar for when there's things going on at R.I.T., especially on Friday and Saturday nights, because that's when I know I have to kind of maybe stay up a little later and make sure when the bars close, my neighborhood doesn't fill up with parties. Or if I'm out, get home before all of them are out on the road going back and forth. What are we going to do? Are you going to pay Sheriffs to kind of just sit along East River Road on Friday and Saturday nights while they're all out partying or coming home from partying? Because I think that's something that would probably be a good safety measure. You can say all these wonderful things about, "We're going to take care of this," but you don't live among them as I have for the last four (4) years. And you don't travel back and forth trying to make sure that the texting and the cell phone talking and everything while we're driving and then trying to get through the red lights, to racing each other, isn't going on. And that's what we face here. So the idea of six hundred (600) more beds that actually haven't been really called for. No one's said, "Gee, we need six hundred (600) more beds, because there's not enough places for these students to be." It's a little disconcerting in the fact that yes, it was, there was an advertised meeting and it seems to me that there should've been a little more advertising to let people know that this was going on and to give us details about what the impact might really be. Especially after all we've been through for the last four (4) years. And as it has been said, we're still waiting to hear what's going to go on with our last crisis and how that's going to be resolved. And now we've got to start facing this. Thank you very much.

SUPERVISOR YUDELSON

Thank you, Carol.

(Applause)

SUPERVISOR YUDELSON

Sir?

HERMAN TOMER, CAMPUS CREST DEVELOPMENT

Good evening, my name is Herman Tomer and I'm with the Campus Crest group and my

purpose is to talk about two (2) quick items. The second item will be the operational procedures, safety, and security. And the first one is the commitment to the area. Campus Crest is a corporate citizen in every community they attend. They provide scholarships to students. They work closely with the community and the University. They provide programs to help the community whether it's blood drives, Toys for Tots, turkeys at Christmas, or excuse me, turkeys at Thanksgiving, bikes at Christmas, etc. There literally are a different program every week to support the community and the college. Campus Crest is planning to open up, the nearest communities that we'll be working with will be State College in Pennsylvania, as well as Indiana University of Pennsylvania. This year we hope to start construction, if possible, in Buffalo and Rochester and we also have plans to begin very soon in the other schools along the I-90 corridor. That's just a little bit of talk about the community, but I think most important to this discussion is the safety and security methods that are in place. It doesn't matter, it's good to have a gated community, because you can control who comes in and out, but more importantly, we have on site staff. We have a full time manager who lives on site. We have a full time sales assistant manager who lives on site. We have maintenance on site. Every building has a resident assistant, is what we call them on campus, but on our communities we have a community assistant. So every building has a paid community assistant who's in charge of that building. We have quiet hours from 10:00 at night until 10:00 in the morning during the week. And on the weekends quiet hours are from midnight until 10:00 a.m. The office is staffed during the regular hours and during the evenings we will hire, typically at most sites we will hire an off duty police staff to man the property, to make sure everything is kept safe. If the local community, in this case Monroe County, cannot provide enough off duty that we hire and we pay for, we will hire private security to maintain and manage, so that security is maintained in the evenings and quiet hours are kept. Our lease is very thick and very tight. We have a very limited tolerance for any infractions, whether it, if there's a no alcohol policy for anyone under age, any drug infraction is immediately taken to eviction. There's a no smoking policy. This is a very well managed, very secure community with safety and operations and, pardon me, our physical safety as well. As we said, there is a key fob to get into the gates into the evening, for example. And there's also electronic connections to get into the clubhouse. You have to have that to get into your own building. You also have to have that to get into your own apartment, and even to your own bedroom. So we take security, the physical aspect, very seriously, as well as the fact that we have the on site management by adults and by off duty policeman. I want to stress that because, again, I want to reinforce what Alex had said. We only do student housing. We don't do anything else. We've done it at forty (40) other sites across the country. We're going to open up six (6) more this summer and we hope to start eight (8) more this year. We want to take every experience that we have had and become a better company because of that. And the way we do that is we work directly with the community. We work directly with the school. And going back to the off duty policeman, if there is an infraction that evening, it's reported the next morning to the student, pardon me, the student. It goes to the guarantor of the lease, such as the parent. If it's an infraction that involves the University, it gets reported to the

University. If it is something that is against the law, it gets reported to the police. We don't let anything slide. As soon as something happens, especially at the beginning of the year, we set the tone. It's not a police state, but I'll say, I had six (6), five (5) daughters and one (1) son who went through school and I know that if you set the tone in the beginning, you can have a well managed property, and that's what we intend to do. Thank you.

SUPERVISOR YUDELSON

I just have one question for you. Did you say five (5) daughters?

HERMAN TOMER, CAMPUS CREST DEVELOPMENT

(Laughter) Five (5) daughters, right, you understand.

COUNCILWOMAN ZINCK

You got me beat by one (1), God bless you.

SUPERVISOR YUDELSON

Alright, thank you very much.

COUNCILWOMAN ZINCK

God bless you.

SUPERVISOR YUDELSON

Thank you. We're going to move on with, I'm going to take a lot of heat from the rest of the Town Board as a meeting Mrs. Zinck ran in my absence only lasted about ten (10) minutes and we haven't even approved the Minutes yet, but I just wanted to thank everybody who's come out tonight, the representatives of Campus Crest, as well as all the residents. We really appreciate when people are able to get up and present their information in a meaningful dialogue. We obviously have a lot to take in. As I mentioned at the beginning of the meeting, this was on the Agenda for tonight, to take some action, and that was really just because we had moved through the process and it was the time when we normally would take action. All the other components had been completed, but with us receiving the letter just a few minutes before closing from an attorney for, now we understand, identified, a competitor of this, that we understand what the motivation might be, but nonetheless take the points that were raised in his letter very seriously and need to have our attorney go through those with our Planning Board Chairman and Town Engineer and review those for us, as well as with the Applicant. So when we come to that point in the Agenda, we're going to Table this Resolution and not act on it tonight. We will make sure that everybody involved has ample notice about what our next steps will be. As I said, we have the rest of our Agenda to do, but we're going to take just like a two (2) minute in place recess, so anybody who doesn't want to stay through the rest of the meeting can make their way out, and thank you very much.

(Brief intermission at 8:22 P.M.)

(Meeting re-opened at 8:33 P.M.)

SUPERVISOR YUDELSON

So, moving right along, this takes us to number five (5), may I have the approval of the Minutes?

COUNCILMAN MOORE

Mr. Supervisor, I would like to move the Minutes of March 20, 2013.

COUNCILMAN PAGE

And I would like to second it.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

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

Carried

COUNCILWOMAN ZINCK

Mr. Supervisor, I'd love to move, I'd love to move approval of the April 3, 2013 Minutes.

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 | Abstain |

Carried

SUPERVISOR YUDELSON

Now that we took care of that, we have, this will be anticlimactic, but we have three (3)

Public Hearings, all regarding the Goose Landing development. The first one is the establishment of Extension No. 18 to the Henrietta Drainage District. Is there anybody who would like to speak on that? *(Pause, no response)* If not, I'll close that Public Hearing. The next one is the establishment of Extension No. 211 to the Henrietta Sewer District No. 1. Is there anybody who would like to speak on that? *(Pause, no response)* If not, I'll close that Public Hearing. And the last one is the proposed establishment of Extension No. 158 to Henrietta Water District No. 1. Anybody who wants to speak on that one? *(Pause, no response)* No? I'll close that Public Hearing. And may I have the first Resolution, please?

RESOLUTION #9-89/2013

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 04/17/2013 | \$ 129,972.90 |
|-----------|--------------------------------|---------------|

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 #9-90/2013

On Motion of
Councilwoman Zinck

Seconded by
Councilman Moore

WHEREAS, the Town Board received a written request from Morgan Acquisitions, LLC for rezoning of approximately 32.69 acres of land, identified as Tax Account Numbers 176.18-1-1, 176.17-1-8, and 176.17-1-17, located at the northeast corner of East Henrietta Road and Goodburlet Road from Residential R-1-15 to Residential R-2-15, along with an Application for a Special Use Permit to construct two hundred twenty-eight (228) unit apartment buildings, and

WHEREAS, the Henrietta Town Board declares its intent to be the Lead Agency for the Environmental Quality Review under the New York State Environmental Quality

Review Act (SEQRA).

THEREFORE, BE IT RESOLVED, that a Public Hearing on the rezoning request will be held simultaneously with the scheduled Special Use Permit Hearing on June 5, 2013 at 7:00 p.m. at the Henrietta Town Hall, Main Meeting Room, 475 Calkins Road, Henrietta, New York, to consider rezoning said property from Residential R-1-15 to Residential R-2-15, along with a Special Use Permit.

SUPERVISOR YUDELSON

Under discussion, this is just a call for the Public Hearing on this request. We will be sending a notice to everybody in the entire world. (Laughter)

COUNCILWOMAN ZINCK

I was just going to ask you, won't you kind of expand that a little bit?

SUPERVISOR YUDELSON

All affected or potentially affected property owners will be notified. And also, I just wanted to say for the Record, we know that the developer has already had a, voluntarily had a neighborhood meeting on Monday night and that was just an informal meeting. It does not take the place, as some people were under the impression, of the Public Hearing hereby scheduled for June 5th.

COUNCILWOMAN ZINCK

Could we also perhaps put up a sign like we did over on Lehigh Station for people that are driving on East Henrietta Road?

COUNCILMAN PAGE

That's a great idea.

SUPERVISOR YUDELSON

That's a good idea.

COUNCILWOMAN ZINCK

Thank you, I have one once in a while.

COUNCILMAN PAGE

That's a great idea.

SUPERVISOR YUDELSON

Duly noted. Any further discussion? Call the roll, please.

Duly put to a vote:

| | | |
|---------------------|--------|-----|
| Councilman Mulligan | voting | Aye |
| Councilwoman Zinck | voting | Aye |
| Councilman Moore | voting | Aye |

Industrial, as per the attached legal description and further subject to any easements of Record and any necessary approvals of the Henrietta Planning Board.

(A Motion was made to Table the Resolution.)

On Motion of
Councilman Mulligan

Seconded by
Councilman Page

SUPERVISOR YUDELSON
Call the roll, please.

MOTION TO TABLE

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 #9-92/2013

On Motion of
Councilman Moore

Seconded by
Councilwoman Zinck

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 18 (GOOSE LANDING II) TO THE HENRIETTA DRAINAGE DISTRICT LOCATED AT 4795 and 4885 EAST RIVER 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. 18 (GOOSE LANDING II) 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. 18 (Goose Landing II) 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 "A" were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 18 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. 18 to the Henrietta Drainage 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 YUDELSON

Discussion?

COUNCILWOMAN ZINCK

Aren't you supposed to read Exhibit A, Jack? No?

COUNCILMAN MOORE

Tomorrow.

COUNCILWOMAN ZINCK

Tomorrow? Okay.

SUPERVISOR YUDELSON

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 #9-93/2013

On Motion of
Councilman Page

Seconded by
Supervisor Yudelson

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 211 (GOOSE LANDING II) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED AT 4795 and 4885 EAST RIVER 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. 211 (GOOSE LANDING II) 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. 211 (Goose Landing II) 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. 211 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. 211 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 #9-94/2013

On Motion of
Councilwoman Zinck

Seconded by
Councilman Moore

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 158 (GOOSE LANDING II) TO HENRIETTA WATER DISTRICT NO. 1 LOCATED AT 4795 and 4885 EAST RIVER 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. 158 (GOOSE LANDING II) TO HENRIETTA WATER DISTRICT NO. 1

WHEREAS, a written Petition for the establishment of an extension to Henrietta Water District No. 1 in the Town of Henrietta, County of Monroe, State of New York, to

be known as Extension No. 158 (Goose Landing II) to Henrietta Water District No. 1 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. 158 to the said Water 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. 158 to Henrietta Water 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?

COUNCILMAN MOORE

Mrs. Zinck, what about Exhibit A?

COUNCILWOMAN ZINCK

Tomorrow. I'll do it along with you.

SUPERVISOR YUDELSON

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 #9-95/2013

On Motion of
Councilman Mulligan

Seconded by
Councilman Page

WHEREAS, the Henrietta Public Library and the Commissioner of Public Works have requested that the attachments be declared surplus materials.

THEREFORE, BE IT RESOLVED, that the attached items from the Commissioner of Public Works be consigned to the Teitsworth Municipal Auction to be held on May 11,

2013.

BE IT FURTHER RESOLVED, that the attached items from the Henrietta Public Library be declared surplus materials and be sent to the Parks and Facilities Department for disposal.

BE IT FURTHER RESOLVED, that all said items be removed from the Town's inventory list.

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 #9-96/2013

On Motion of
Councilman Moore

Seconded by
Councilwoman Zinck

WHEREAS, the Town of Henrietta has previously leased a portion of land located at 1345 Martin Road, known as Martin Road Park, to Miller Farms for farming purposes, and

WHEREAS, the Town Board of the Town of Henrietta desires to continue to keep the land in use as farm land, and

WHEREAS, George Paul Miller of Miller Farms, 2309 Pinnacle Road, Rush, New York 14543, has previously farmed the land and desires to renew the Lease Agreement with the Town for a period of one (1) year, from May 18, 2013 through May 18, 2014, for thirty (30) acres of tillable land at \$45.00 per acre, amounting to an annual rent of \$1,350.00, and

WHEREAS, the Town Attorney has reviewed the Lease Agreement and found it to be in proper form.

THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Henrietta is hereby authorized to sign the Lease Agreement on behalf of the Town of Henrietta.

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 #9-97/2013

| | |
|-----------------|---------------------|
| On Motion of | Seconded by |
| Councilman Page | Councilman Mulligan |

WHEREAS, a quote for the Town's General Insurance and Public Officials Liability Insurance was received by the Supervisor of the Town of Henrietta, and

WHEREAS, First Niagara, Risk Management, 777 Canal View Boulevard, Suite 100, Rochester, New York 14623, currently provides the Town's General Insurance and Public Officials Liability Insurance and their quote has been recommended for approval by the Town's insurance consultant.

THEREFORE, BE IT RESOLVED, that First Niagara, Risk Management, is hereby awarded the Town's General Insurance and Public Officials Liability Insurance effective April 1, 2013 and expiring on March 31, 2014, through US Specialty Insurance Company, in the amount of \$147,126.40.

BE IT FURTHER RESOLVED, that the Supervisor or his designee be authorized to pay First Niagara, in an amount not to exceed \$147,126.40, upon receipt of proper documentation.

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 #9-98/2013

| | |
|-----------------|------------------|
| On Motion of | Seconded by |
| Councilman Page | Councilman Moore |

WHEREAS, the Town Code Committee has performed a comprehensive review of the Town Code and recommended several revisions, and

WHEREAS, General Code Publishers has assisted in the process and has considerable experience and expertise in compiling and publishing said revisions, and

WHEREAS, General Code Publishers has submitted a "Proposal for Codification Service" in the sum of \$18,288.00, which has been reviewed by the Town Attorney and found acceptable as to form.

THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to sign and deliver all documents necessary to effectuate said agreement and to pay said sum upon satisfactory completion of said services.

SUPERVISOR YUDELSON

Under discussion, I just want to recognize the efforts of so many people to get us to this point in the review of our Codes. Took a little bit longer than we anticipated. For us, that's kind of how we hooked Councilman Page and Mr. Minotti into it, so I really want to thank them. This was a very important task they've done, put in just hundreds of hours of work on it. I also have to thank and credit our Town Attorney, Mr. Mastrella, as well as department heads who have been involved in the process. It was a real team effort and we soon will be ready to have some Public Hearings on these and to finish up the process, so thank you to everyone involved.

COUNCILWOMAN ZINCK

I mean endless, endless hours. Thank you much.

COUNCILMAN MULLIGAN

I knew originally Rick and Pete wanted to get out of the house, but after four (4) years, this was really ridiculous.

COUNCILMAN PAGE

Three (3).

SUPERVISOR YUDELSON

Three (3) years, let's not exaggerate. *(Laughter)*

COUNCILWOMAN ZINCK

It was huge.

SUPERVISOR YUDELSON

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 #9-99/2013

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

BE IT RESOLVED, that the following people be hired as Part-Time Recreation Assistants, for the Recreation Department, effective April 14, 2013:

| | |
|------------------|---|
| Benjamin Lewis | Afterschool Program, at \$7.50/hr. |
| John Wolskij | Adult Softball, at \$7.50/hr. |
| Charles Woolaver | Golden Comets Swim Program, at \$8.50/hr. |
| Joseph Schutt | Swim Instruction Program, at \$8.50/hr. |
| Ian Jackson | Swim Instruction Program, at \$8.50/hr. |

BE IT FURTHER RESOLVED, that the following people be hired as Part-Time Laborers (Summer Seasonal), for the Parks Department and the Highway Department, effective April 14, 2013:

Parks Department:

Earl Blighton @ \$11.00/hr.
Marc Favro @ \$9.00/hr.
Joe Freeze @ \$8.50/hr.
Kyle Kelly @ \$8.50/hr.
Mitchell Wright @ \$8.50/hr.
Evan Youngman @ \$9.00/hr.

Highway Department:

Marcus Haefner @ \$8.75/hr.
John Riley Murphy @ \$9.50/hr.

BE IT FURTHER RESOLVED, that Scott Sullivan be hired as an Independent Consultant for Inspection Services for the Engineering Department, per Town Board Resolution #3-45/2013 at the rate of \$21.00 per hour, effective April 18, 2013.

SUPERVISOR YUDELSON

Thank you. Under discussion, I just wanted to mention to the Board, the last addition, Scott Sullivan as an Independent Consultant for the Engineering Department, I did not have that at Monday's Workshop and I apologize for that. The Town Engineer had given that to me and just forgot to bring it in, but that is at the rate that was approved earlier by the Board. It's just to give Chris some more resources. Further 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

That's the end of the regular Agenda. I appreciate everybody's patience. Before we adjourn, is there anybody who wanted to speak on any item involving the Town? Mr. Schmitt?

(John Schmitt, 139 Campfire Road North, spoke in reference to the availability of the Town Board Agenda on the Town website – Audio File available upon request.)

(Laura and Anthony Fischetti, 233 Cape Cod Way, spoke about backyard hens – Audio File available upon request.)

SUPERVISOR YUDELSON

Is there anybody else? You can tell we're getting punchy. Is there anybody else who wants to speak on anything involving the Town of Henrietta? *(Pause, no response)* Leann, anything? Is there a motion to adjourn?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Mulligan, seconded by Councilwoman Zinck at 9:03 P.M. and was adjourned without objection.

Respectfully submitted,

Rebecca B. Wiesner
Deputy Town Clerk