

**HENRIETTA TOWN BOARD
AGENDA
AUGUST 21, 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):
July 17, 2013
On Motion of: Councilwoman Zinck Seconded by: Councilman Page
6. Miscellaneous Communications
7. Public Hearings:
 - Proposed Establishment of Extension No. 212 (John Street Subdivision) to Henrietta Sewer District No. 1
 - Proposed Establishment of Extension No. 159 (John Street Subdivision) 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 #15-136/2013
Authorize Accounts Payable

RESOLUTION #15-137/2013
Reappoint Board of Assessment Review Member

RESOLUTION #15-138/2013
Authorize Proposed Establishment of Extension No. 212 (John Street Subdivision) to Henrietta Sewer District No. 1

RESOLUTION #15-139/2013
Authorize Proposed Establishment of Extension No. 159 (John Street Subdivision) to Henrietta Water District No. 1

RESOLUTION #15-140/2013
Authorize Special Use Permit Amendment – Application No. 2012-040, West Henrietta Road at Methodist Hill Road, DePaul Properties, Inc. – To Increase the Number of Apartments from 60 to 61 Units

RESOLUTION #15-141/2013

Authorize Standard Work Days for Elected and Appointed Officials

RESOLUTION #15-142/2013

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 21ST DAY OF AUGUST, 2013 AT 7:00 P.M.

MEMBERS PRESENT

Councilman William J. Mulligan, Jr.
Councilwoman Janet B. Zinck
Councilman M. Rick Page
Daniel J. Mastrella, Town Attorney
Leann C. Case, Town Clerk

MEMBERS ABSENT

Supervisor Michael B. Yudelson
Councilman John W. Moore

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

DEPUTY SUPERVISOR MULLIGAN

Okay, we first of all need the approval of the Minutes.

COUNCILWOMAN ZINCK

I'd like to move approval of the Minutes of the July 17, 2013 meeting.

COUNCILMAN PAGE

Second.

DEPUTY SUPERVISOR MULLIGAN

Any discussion? Leann, if you'd call the roll, please.

Duly put to a vote:

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

Carried

DEPUTY SUPERVISOR MULLIGAN

We have two (2) Public Hearings. The first one is the proposed establishment of Extension No. 212 (John Street Subdivision) to the Henrietta Sewer District No. 1 and this has been appropriately advertised, Leann?

LEANN CASE, TOWN CLERK
Yes.

DEPUTY SUPERVISOR MULLIGAN
Is there anyone that would like to talk about it in the audience? *(Pause, no response)*
If not, we'll close this Public Hearing. Secondly, we have a proposed establishment of Extension No. 159 (John Street Subdivision) to the Henrietta Water District No. 1. Has it been advertised?

LEANN CASE, TOWN CLERK
Yes, sir.

DEPUTY SUPERVISOR MULLIGAN
Anyone that would like to discuss the proposed water district extension? *(Pause, no response)* We'll close this Public Hearing. At this time, is there anyone that would like to comment on any of the Resolutions? There will be an opportunity to ask any questions that relate to Henrietta or anything else, but strictly on the Resolutions that we have tonight, if you have some comments, please come up and identify yourself. *(Pause, no response)* Without any comment, we'll go to the first Resolution.

COUNCILWOMAN ZINCK
So what do I call you? Mr. Acting Supervisor?

COUNCILMAN PAGE
Deputy Supervisor.

COUNCILWOMAN ZINCK
Deputy Supervisor.

RESOLUTION #15-136/2013

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

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

Exhibit A	Bills Payable dated 08/21/2013	\$ 761,119.82
Exhibit B	Manual Bills Payable dated 07/31/2013	\$ 82,198.36
Exhibit C	Manual Bills Payable dated 08/01/2013	\$ 103.92
Exhibit D	Manual Bills Payable dated 08/09/2013	\$ 45,002.24

Exhibit E Manual Bills Payable dated 08/19/2013 \$ 2,367.87

DEPUTY SUPERVISOR MULLIGAN

Any discussion? Leann, if you can call the roll, please.

Duly put to a vote:

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

RESOLUTION #15-137/2013

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

WHEREAS, the term of John Schmitt, Board of Assessment Review, expires as of September 30, 2013, and

WHEREAS, Mr. Schmitt has requested reappointment, and

WHEREAS, the Henrietta Town Board wishes to maintain the Boards at their authorized strength for maximum input.

THEREFORE, BE IT RESOLVED, that John Schmitt, 139 Campfire Road North, Henrietta, New York 14467, be reappointed to the Board of Assessment Review for a five (5) year term effective October 1, 2013 and expiring September 30, 2018.

DEPUTY SUPERVISOR MULLIGAN

Any discussion?

COUNCILWOMAN ZINCK

I would just like to recognize John and thank you very much for doing this again, we appreciate it.

DEPUTY SUPERVISOR MULLIGAN

Leann, if you can call the roll, please.

Duly put to a vote:

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

Carried

RESOLUTION #15-138/2013

On Motion of
Councilman Page

Seconded by
Councilman Mulligan

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 212 (JOHN STREET SUBDIVISION) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED AT JOHN STREET 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. 212 (JOHN STREET SUBDIVISION) 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. 212 (John Street Subdivision) 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. 212 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. 212 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.

DEPUTY SUPERVISOR MULLIGAN

Any discussion? Leann, please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #15-139/2013

On Motion of
Councilwoman Zinck

Seconded by
Councilman Page

IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 159 (JOHN STREET SUBDIVISION) TO HENRIETTA WATER DISTRICT NO. 1 LOCATED AT JOHN STREET 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. 159 (JOHN STREET SUBDIVISION) 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. 159 (John Street Subdivision) 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. 159 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. 159 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.

DEPUTY SUPERVISOR MULLIGAN

Any discussion? Leann, please call the roll.

Duly put to a vote:

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

RESOLUTION #15-140/2013

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

WHEREAS, the Henrietta Town Board approved Special Use Permit No. 2012-040 on August 15, 2012 for DePaul Properties, Inc. to construct a 60 unit, two-story apartment building on West Henrietta Road at Methodist Hill Road, and

WHEREAS, the Applicant has requested an amendment of said Special Use Permit to change the number of units from 60 to 61, and

WHEREAS, the Town Board is authorized to grant an amendment to Special Use Permit No. 2012-040.

THEREFORE, BE IT RESOLVED, that the aforesaid Special Use Permit be amended to allow for the construction of 61 units instead of 60 units.

DEPUTY SUPERVISOR MULLIGAN

Any discussion? Clerk, please call the roll.

Duly put to a vote:

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

RESOLUTION #15-141/2013

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

BE IT RESOLVED, that the Town of Henrietta, Location Code 30209 hereby establishes the following as standard work days for elected and appointed officials and will report the days worked to the New York State and Local Employee's Retirement System based on the time keeping system record of activities maintained and submitted by these Officials to the Clerk of this body.

Elected Officials

Councilwoman Janet Zinck	6 hours
Councilman John Moore	6 hours
Councilman William Mulligan, Jr.	6 hours

Appointed Officials

Town Attorney Daniel Mastrella	6 hours
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Town Justice John Pericak	6 hours
Town Justice Steve Donsky	6 hours

Town Positions

Junior Accountant	7 hours
Commissioner of Public Works	7 hours
Asst. Fire Marshall	7 hours
Safety Coordinator	7 hours
Recreation Attendant	6 hours
Library Clerk Sub.	7.5 hours
School Traffic Guard	6 hours

DEPUTY SUPERVISOR MULLIGAN

Just for the public's edification, this was an effort on the part of Albany to try to identify the number of hours that elected and appointed officials work at different towns, villages, counties, and municipalities. What the six (6) hours would mean is that if someone like myself that let's say averages eight (8) hours a week, that would be a percentage of the six (6) hours in terms of the credit you would gain towards your retirement. So instead of, where in the past, each year was viewed as a whole year of service to the State Retirement System, now it might be something closer to twenty percent (20%), which in the end will save the system a lot of money and hopefully keep it solvent. I know there's about a hundred and fifty billion (\$150,000,000,000.00) in it, but in today's world, they could probably go through that in a heartbeat. If you can call the roll, please, Leann.

Duly put to a vote:

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

RESOLUTION #15-142/2013

On Motion of
Councilman Page

Seconded by
Councilwoman Zinck

BE IT RESOLVED, that the following person be hired:

Patrick Aiken Parks Department, Seasonal Laborer @ \$8.25/hr., effective July 31, 2013.

BE IT FURTHER RESOLVED, that the following changes in pay rates be made effective January 1, 2013 (did not receive annual increase with other part-timers):

Jay Jeffries	Building Department	from \$15.00/hr. to \$15.30/hr.
Mark Smith	Building Department	from \$11.56/hr. to \$12.24/hr.
Paul Bousman	Parks Department	from \$8.76/hr. to \$8.94/hr.
Matthew Connell	Court	from \$12.00/hr. to \$12.24/hr.

BE IT FURTHER RESOLVED, that the following change in pay rate be made effective June 24, 2013.

Charles Woolaver	Recreation Department	from \$8.50/hr. to \$10.00/hr.
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BE IT FURTHER RESOLVED, that the following changes be made:

Ronald LaRocca	From Auto Mechanic @ \$23.45/hr. to Fleet Maintenance Supervisor @ \$25.88/hr. (attained 1600 out-of-title hours), effective August 12, 2013.
Nate Pogal	From Laborer A @ \$14.52/hr. to Motor Equipment Operator @ \$17.61/hr. (attained 1600 out-of-title hours), effective August 12, 2013.
Joseph Losavio	From Laborer A @ \$15.87/hr. to Dispatcher @ \$18.41/hr. effective August 12, 2013 (provisional appointment pending successful completion of Civil Service test).
Colton Tinsmon	From Laborer B @ \$11.78/hr. to Laborer A @ \$14.52/hr., effective August 12, 2013.

DEPUTY SUPERVISOR MULLIGAN

Under discussion, I talked to Supervisor Yudelson today on the Losavio promotion. This was part of the Union negotiation where he had been gaining a lot of overtime for taking the mail up to Town Hall or coming in early to open, to turn on lights in the Public Works building. The Supervisor's assured me that the overtime has been minimized, working with Commissioner Craig Eckert and hopefully that'll be brought down to zero (0). It's a big promotion, it's about six thousand dollars (\$6,000.00) a year, and hopefully this will eliminate that overtime. Any other comments?

COUNCILWOMAN ZINCK

No, thank you.

DEPUTY SUPERVISOR MULLIGAN

Leann.

Duly put to a vote:

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

DEPUTY SUPERVISOR MULLIGAN

I believe that concludes the regular scheduled Meeting, is there anyone that would like to comment on something going on in Henrietta? Yes, sir. If you can please give us your name and address at the microphone.

(Mark Marcus, 68 Covered Wagon Trail, spoke in reference to the number of vehicles parked at his neighbor's property. – Audio File available upon request.)

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Page, seconded by Councilwoman Zinck at 7:30 P.M. and was adjourned without objection.

Respectfully submitted,

Rebecca B. Wiesner
Deputy Town Clerk