

**HENRIETTA TOWN BOARD
AGENDA
FEBRUARY 5, 2014
7:00 P.M.**

Supervisor Moore
Councilman Mulligan
Councilwoman Zinck
Councilman Page
Councilman Breese

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):
January 15, 2014
On Motion of: Councilwoman Zinck Seconded by: Councilman Page
6. Miscellaneous Communications
7. Introduction of and Action Upon Local Laws, Ordinances, Resolutions
8. Reports of Standing Committees and Actions Thereon
9. Reports of Special Committees
10. Public Comment
11. Adjournment

RESOLUTION #4-57/2014
Authorize Accounts Payable

RESOLUTION #4-58/2014
Authorize Payment – Arnold Goldman of Goldman & Goldman – Legal Certiorari
Attorney Services

RESOLUTION #4-59/2014
Accept Dedication of Roadways and Storm Sewers – Chesapeake Subdivision,
Section 5

RESOLUTION #4-60/2014
Accept Dedication of Roadways and Storm Sewers – The Preserve Subdivision,
Section 6

RESOLUTION #4-61/2014
Accept Dedication of Roadways and Storm Sewers – Berkshire Park Subdivision,
Section 5

RESOLUTION #4-62/2014

Accept Dedication of Sanitary Sewers – Goose Landing Senior Housing

RESOLUTION #4-63/2014

Authorize Purchase of Chautauqua County Award Package Vehicle – ¾ Ton Cargo Van – Animal Control Department

RESOLUTION #4-64/2014

Declare Items Surplus Materials – Safety Department / Library

RESOLUTION #4-65/2014

Call for Public Hearing – 50 Faircrest Road – Property Cleanup

RESOLUTION #4-66/2014

Authorize Dedication of the Henrietta Portion of New York State Route 15A as a Veterans Memorial Highway

RESOLUTION #4-67/2014

Award Quote and Authorize 2013 Auditing Services – Raymond F. Wager, CPA, P.C.

RESOLUTION #4-68/2014

Authorizing Renaming of Executive South Family Golf and Recreation Center as Lookup Park – 3850 East Henrietta Road

RESOLUTION #4-69/2014

Acknowledge Filing of the “Report of Examination” as Prepared by the Office of the State Comptroller in the Office of the Henrietta Town Clerk

RESOLUTION #4-70/2014

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 5TH DAY OF FEBRUARY, 2014 AT 7:00 P.M.

MEMBERS PRESENT

Supervisor Jack W. Moore
Councilman William J. Mulligan, Jr.
Councilwoman Janet B. Zinck
Councilman M. Rick Page
Councilman Kenneth Breese
Daniel J. Mastrella, Town Attorney
Jennifer N. Lee, Deputy Town Clerk/Receiver of Taxes

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

SUPERVISOR MOORE

Is there anybody in the audience that would like to speak on any Agenda items?
(Pause, no response) Seeing nobody coming forward, could I please have the approval of the Minutes?

COUNCILWOMAN ZINCK

I'd like to approve the Minutes of the January 15, 2014 Meeting.

COUNCILMAN PAGE

Second.

SUPERVISOR MOORE

Will the Clerk please call the roll?

Duly put to a vote:

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

Carried

SUPERVISOR MOORE

May I please have the first Resolution?

RESOLUTION #4-57/2014

On Motion of
Councilman Breese

Seconded by
Councilman Page

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

Exhibit A	Bills Payable dated 02/05/2014	\$ 398,224.72
Exhibit B	Manual Bills Payable dated 01/24/2014	\$ 400.00
Exhibit C	Manual Bills Payable dated 01/28/2014	\$ 3,023.79

SUPERVISOR MOORE

Any discussion? Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #4-58/2014

On Motion of
Councilman Breese

Seconded by
Councilman Page

WHEREAS, Certiorari proceedings have been commenced by various property owners to challenge their property assessments in the Town of Henrietta, and

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

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

THEREFORE, BE IT RESOLVED, that the Director of Finance be authorized to pay Arnold Goldman of the firm Goldman & Goldman, 3 Leeward Lane, Rochester, New York 14618, the sum of \$10,040.50 for services rendered.

SUPERVISOR MOORE

Any discussion?

COUNCILMAN MULLIGAN

Under discussion, one thing that's always bothered me about Certioraris is where they

gain a COMIDA deal and get a tax break for five (5) or ten (10) years and then they turn around and on top of that, sue the Town for a lower assessment. And it was my understanding that the Town of Brighton was trying to get some language into the COMIDA law where there'd be a period of time after they gained the tax advantage they're unable to pursue a legal decision based on the Certiorari. So maybe if you could check with the Supervisor over there and see if there's any merit doing that.

SUPERVISOR MOORE

Does our Assessor have any knowledge? That's why you guys need to sit to sit closer to the microphone when there's nobody else here.

NATHAN GABBERT, TOWN ASSESSOR

I'm not aware of any arrangement such as that in the Town of Brighton or anywhere, but I can look into it, see if it's an option. I don't believe it's something they can do.

SUPERVISOR MOORE

Maybe it would be a hot topic for the Assessors to discuss and help us implement it.

NATHAN GABBERT, TOWN ASSESSOR

It affects us far more than other towns, but I can, yes, we could bring it up.

SUPERVISOR MOORE

Okay.

COUNCILMAN MULLIGAN

Thank you.

SUPERVISOR MOORE

Thank you.

COUNCILWOMAN ZINCK

Thanks, Nate.

SUPERVISOR MOORE

Would the Clerk please call the roll?

Duly put to a vote:

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

Carried

RESOLUTION #4-59/2014

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

WHEREAS, BRW of Greece, LLC, the Developer of Chesapeake Subdivision, Section 5, located on Oak Mills Crossing and Reids Grove, has constructed roads and installed storm sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said roads and the afore described improvements to the Town and for this purpose has delivered to the Town a Deed for tracts or parcels of land conveying said roadways to the Town, and filing instruments granting easements to the Town for said improvements, and

WHEREAS, the Town Attorney has examined this Deed and easements and has found it to be in good order, and

WHEREAS, the Commissioner of Public Works and the Director of Engineering and Planning have determined that the said roads and said improvements were built in accordance with Town requirements and have recommended that they be accepted by the Town, and

WHEREAS, the standard required two (2) year period of time within which a Maintenance Bond would be required to be posted has elapsed, and

WHEREAS, the Director of Engineering and Planning and the Commissioner of Public Works have re-inspected the improvements and recommend that they be accepted without requiring posting of said Bond.

THEREFORE, BE IT RESOLVED, that the said roadways and said improvements for the described subdivision section be and they hereby are accepted and that said Deed and easements be recorded in the Monroe County Clerk's Office.

SUPERVISOR MOORE

Any discussion?

COUNCILMAN MULLIGAN

Under discussion, we saw that the top was put on this in 2006, eight (8) years ago and I think either Chris or Craig was going to check as to whether or not the road was still in good condition and worthy of being dedicated. Is that the case? It was in good condition?

(From audience, Craig Eckert, Commissioner of Public Works, "Yes, we slurry sealed it so it's...")

SUPERVISOR MOORE

That's why you guys have to sit closer.

CRAIG ECKERT, COMMISSIONER OF PUBLIC WORKS

I figured you see enough of me. Craig Eckert, Commissioner of Public Works. We slurry sealed it last year, so it is in good condition.

COUNCILMAN MULLIGAN

Thank you.

CRAIG ECKERT, COMMISSIONER OF PUBLIC WORKS

It should last.

COUNCILWOMAN ZINCK

Thanks, Craig.

CRAIG ECKERT, COMMISSIONER OF PUBLIC WORKS

Thank you.

SUPERVISOR MOORE

Will the Clerk please call the roll?

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Page	voting	Aye
Councilman Breese	voting	Aye
Supervisor Moore	voting	Aye
	Carried	

RESOLUTION #4-60/2014

On Motion of
Councilman Mulligan

Seconded by
Councilman Page

WHEREAS, BRW of Greece, LLC, the Developer of The Preserve Subdivision, Section 6, located on Chesapeake Landing and York Bay Trail, has constructed roads and installed storm sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said roads and the afore described improvements to the Town and for this purpose has delivered to the Town a Deed for tracts or parcels of land conveying said roadways to the Town, and filing instruments granting easements to the Town for said improvements, and

WHEREAS, the Town Attorney has examined this Deed and easements and has found it to be in good order, and

WHEREAS, the Commissioner of Public Works and the Director of Engineering and Planning have determined that the said roads and said improvements were built in

accordance with Town requirements and have recommended that they be accepted by the Town, and

WHEREAS, the standard required two (2) year period of time within which a Maintenance Bond would be required to be posted has elapsed, and

WHEREAS, the Director of Engineering and Planning and the Commissioner of Public Works have re-inspected the improvements and recommend that they be accepted without requiring posting of said Bond.

THEREFORE, BE IT RESOLVED, that the said roadways and said improvements for the described subdivision section be and they hereby are accepted and that said Deed and easements be recorded in the Monroe County Clerk's Office.

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #4-61/2014

On Motion of
Councilman Page

Seconded by
Councilman Breese

WHEREAS, Forest Creek Equity Development Corporation, the Developer of Berkshire Park Subdivision, Section Five (5), located on Blaydon Loop, Haywards Heath, Longton Place, and Sedgley Park has constructed roads and installed storm sewers in said subdivision section, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the said roads and the aforescribed improvements to the Town and for this purpose has delivered to the Town a deed for tracts or parcels of land conveying said roadways to the Town, and

WHEREAS, the Town Attorney has examined these deeds and has found them to be in good order, and

WHEREAS, the Commissioner of Public Works and the Director of Engineering and Planning have determined that the roads and said improvements were built in accordance with Town requirements and have recommended that they be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said roadways and said improvements for the described subdivision section be and they hereby are accepted and that said deeds be recorded in the Monroe County Clerk's Office.

BE IT FURTHER RESOLVED, that a Maintenance Bond in the sum of Eighty-Six Thousand, Five Hundred Dollars (\$86,500.00) has been secured with the Town of Henrietta for a period of two (2) years, beginning January 13, 2014.

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #4-62/2014

On Motion of
Councilman Breese

Seconded by
Councilwoman Zinck

WHEREAS, East River Road Housing Development Fund Co., Inc., the Developer of Goose Landing Senior Housing, located at 4885 East River Road, has installed sanitary sewers in said parcel, and

WHEREAS, the Developer has offered to dedicate and relinquish ownership of the stated utility to the Town of Henrietta and for this purpose has delivered to the Town of Henrietta filing instruments granting easements to the Town for said sanitary sewer system, and

WHEREAS, the Town Attorney has examined these easements and has found them to be in good order, and

WHEREAS, the Superintendent of Drainage, Sewer and Sidewalks and the Director of Engineering and Planning have determined that the said sanitary sewer system was installed in accordance with Town requirements and have recommended that they be accepted by the Town.

THEREFORE, BE IT RESOLVED, that the said sanitary sewer system for the described parcel be and they hereby are accepted and that easements be recorded in the Monroe County Clerk's Office.

BE IT FURTHER RESOLVED, that such acceptance is made subject to the Developer, securing with the Town of Henrietta a properly executed Maintenance Bond in the sum of Three Thousand, Seven Hundred Dollars (\$3,700.00) for a period of two (2) years.

SUPERVISOR MOORE

Discussion? Please call the roll.

THEREFORE, BE IT RESOLVED, that the attached items from the Safety Department be consigned Cardiac Life Products for proper disposal as recycled electronics.

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 MOORE

Any discussion?

COUNCILWOMAN ZINCK

Chuck, just a question for you, have we replaced those four (4), I realize they're old and you can't get parts anymore, but have we replaced them?

CHUCK MARSHALL, SAFETY OFFICER

We replaced the four (4) that were bought back in 2004, replaced those with new up to date ones and then the four (4) are being scrapped for, as recycleables.

COUNCILWOMAN ZINCK

They're recycleable, okay, thank you.

CHUCK MARSHALL, SAFETY OFFICER

Yes.

SUPERVISOR MOORE

Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #4-65/2014

On Motion of
Councilwoman Zinck

Seconded by
Councilman Breese

WHEREAS, the Town Board of the Town of Henrietta, New York (the "Town"), is aware of several violations of the Code of the Town of Henrietta (the "Code") and the

New York State Property Maintenance Code (the "PMC") by the Owner or Occupant, or both (the "Owner/Occupant") of the premises known as 50 Faircrest Road in the Town of Henrietta, and

WHEREAS, said violations are known to be part and parcel of a series of continuous violations of the Code and the PMC, and

WHEREAS, the Town has authority pursuant to Section §209-10 of the Code to adopt a Resolution requiring the owner or occupant, or both, as the case may be, to remedy such violation, specifying the nature of the work to be done and the time within which it shall be completed, and

WHEREAS, if after a notice of the adoption of such Resolution has been served upon such owner or occupant, or both, and such owner or occupant shall neglect or fail to comply with the requirements of such notice within the time provided therein, then the Town shall authorize the work to be done and pay the cost thereof out of General Town Funds to be appropriated by the Town for such purposes, and

WHEREAS, the Town shall be reimbursed for the cost of the work performed or services rendered, by direction of the Town pursuant to Section §209-10 of the Code, by assessment and levy upon the lots or parcels of land wherein such work was performed or such services rendered, and

WHEREAS, the expenses so assessed shall constitute a lien and charge on the real property on which they are levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges.

COUNCILMAN BREESE

Second.

COUNCILWOMAN ZINCK

There's more, isn't there?

SUPERVISOR MOORE

There's a whole other page.

COUNCILWOMAN ZINCK

Oh, I am so not done. Therefore... this is serious, I'm telling you. *(Laughter)*

THEREFORE, BE IT RESOLVED, that the Owner/Occupant has until 5:00 p.m. on March 5, 2014 to remedy the attached Code violations at 50 Faircrest Road.

BE IT FURTHER RESOLVED, that upon the neglect or failure of the Owner/Occupant to comply with the requirements stated herein above, the Town Board shall have a Hearing at the Town Hall of the Town of Henrietta at 475 Calkins Road, Henrietta, New York, at 7:00 PM on the 5th day of March, 2014, to determine whether the conditions on the property constitute a public nuisance and why the Town of Henrietta, New York, acting through its duly authorized agents, servants, officers and employees, should not enter upon said property and perform said work. Upon a finding of a public nuisance after said Hearing:

- 1) The Town shall authorize the aforesaid work to be done and the services to be provided and shall pay the costs out of General Town Funds; and
- 2) The Town shall be reimbursed for the cost of the aforesaid work performed or services rendered, by assessment and levy upon the lots or parcels of land known as 50 Faircrest Road; and
- 3) The expenses so assessed shall constitute a lien and charge on the real property on which they are levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the time as other Town charges; and
- 4) Notice of this Resolution as well as Alternate Notice pursuant to Town Code Section §209-10 shall be served on the Owner/Occupant of 50 Faircrest Road by Registered or Certified mail.

SUPERVISOR MOORE

Any discussion?

COUNCILMAN MULLIGAN

Thank you for bringing this to our attention.

COUNCILWOMAN ZINCK

And staying on top of it.

SUPERVISOR MOORE

Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #4-66/2014

On Motion of
Councilman Mulligan

Seconded by
Councilwoman Zinck

WHEREAS, the Town of Henrietta wishes to recognize the Veterans who served our Country, and

WHEREAS, the Henrietta Town Board supports dedication of the Henrietta portion of New York State Route 15A as a Veterans Memorial Highway as a fitting tribute to their service.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board supports the dedication of the Henrietta portion of New York State Route 15A as a Veterans Memorial Highway and authorizes the Supervisor of the Town of Henrietta to communicate this support to the appropriate parties.

SUPERVISOR MOORE

Discussion? Under discussion I'd also like to thank Wendell Schillinger for bringing this to our attention and he's a two (2) Purple Heart award recipient from the Korean War.

COUNCILWOMAN ZINCK

And it will be, there will be signage to...

SUPERVISOR MOORE

Yes.

COUNCILMAN PAGE

State of New York places the signs.

SUPERVISOR MOORE

It will start at the Brighton line and go into Livingston County. Would you please call the roll?

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Page	voting	Aye
Councilman Breese	voting	Aye
Supervisor Moore	voting	Aye
		Carried

RESOLUTION #4-67/2014

On Motion of
Councilman Page

Seconded by
Councilwoman Zinck

WHEREAS, the Town Supervisor has received a quote for Audit Services from Raymond F. Wager, CPA, P.C., in the amounts of \$12,875.00 for the Regular Audit, and \$1,000.00 for the Annual Updated Document, for a total amount of \$13,875.00 for the year 2013 Audit of the Town of Henrietta, and

WHEREAS, Raymond F. Wager, CPA, P.C. has performed this audit for several years for the Town of Henrietta with satisfactory results.

THEREFORE, BE IT RESOLVED, that Raymond F. Wager, CPA, P.C., be authorized to conduct the year 2013 Audit of the Town of Henrietta for an amount not to exceed \$13,875.00.

BE IT FURTHER RESOLVED, that the Director of Finance be authorized to pay Raymond F. Wager, CPA, P.C., 1020 Lehigh Station Road, Henrietta, New York 14467, upon receipt of all necessary documentation.

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Page	voting	Aye
Councilman Breese	voting	Aye
Supervisor Moore	voting	Aye
	Carried	

SUPERVISOR MOORE

Resolution #4-68...

(From audience, William Wu, 125 Scottsville-West Henrietta Road, "Can I talk?")

SUPERVISOR MOORE

No, not yet, you can at the end of the meeting, please. That's the time to speak. Okay?

RESOLUTION #4-68/2014

On Motion of
Supervisor Moore

Seconded by
Councilman Mulligan

WHEREAS, the Town of Henrietta acquired the facility located at 3850 East Henrietta Road known as the Executive South Recreation and Health Facility from the Henrietta Foundation, Inc. in March 2012, and

WHEREAS, said facility was originally founded, owned and operated by Charles W. Lookup, who continued to manage said facility for the Henrietta Foundation, Inc. without compensation for the years the facility was owned by the Henrietta Foundation, Inc., and

WHEREAS, the Town Board wishes to recognize Charles W. Lookup's many contributions to the community including his dedication to land conservation, supervision of recreational and educational opportunities, and his mission to enhance the game of golf as well as teach life skills to people of all walks of life.

THEREFORE, BE IT RESOLVED, that the property recently acquired by the Town of Henrietta at 3850 East Henrietta Road heretofore known as Executive South Family

Golf and Recreation Center be hereby named and known as Lookup Park in honor and recognition of Charles W. Lookup's contributions to our community.

SUPERVISOR MOORE

Any discussion?

COUNCILWOMAN ZINCK

No, I just want to say that it was nice that the State of the Town, Jack, Supervisor, was announced that it would be named Lookup Park and Charlie was definitely very touched and he's given a lot to the community, so very nice.

SUPERVISOR MOORE

Yes, he stopped in the day after and wanted to thank all of us for the honor of that, the name.

COUNCILMAN MULLIGAN

Well deserved.

COUNCILMAN PAGE

Well deserved.

SUPERVISOR MOORE

Thank you. Would you please call the roll?

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Page	voting	Aye
Councilman Breese	voting	Aye
Supervisor Moore	voting	Aye
		Carried

RESOLUTION #4-69/2014

On Motion of
Councilwoman Zinck

Seconded by
Councilman Mulligan

WHEREAS, the "Report of Examination" as prepared by the Office of the State Comptroller has been filed in the office of the Henrietta Town Clerk.

THEREFORE, BE IT RESOLVED, that pursuant to General Municipal Law Section 35, the Town Board authorizes the preparation of a written response to this Report and will file such response, when completed, not later than April 24, 2014.

SUPERVISOR MOORE

Any discussion? Please call the roll.

Duly put to a vote:

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

Carried

RESOLUTION #4-70/2014

On Motion of
Councilman Page

Seconded by
Councilman Breese

BE IT RESOLVED, that the following employee changes be made:

Ryan Vickers Recreation Department, Recreation Attendant @
\$8.50/hr., from \$8.00/hr., effective February 10, 2014.

Andrew J. Rickets Recreation Department, Recreation Attendant @
\$8.75/hr., from \$8.00/hr., effective February 10, 2014.

Caitlin Bunce Recreation Department, Recreation Attendant @
\$10.00/hr., from \$9.50/hr., effective February 10, 2014.

BE IT FURTHER RESOLVED, that the following people be hired:

Josh Duncan Highway Department, Maintenance Mechanic I @
\$19.92/hr., effective January 27, 2014.

BE IT FURTHER RESOLVED, that the bonus pay for six months of using no Sick Leave (July to December 2013) be paid to the following employees:

Larry De Noto	Kristen Kreiser	Tim Pratt
Craig Eckert	Ronald LaRocca	Ryan Schmidt
Terry Ekwel	Marie Leonardi	Rebecca Wiesner
Nathan Gabbert	Chuck Marshall, Jr.	Kevin Wilson
Larry Harper	Christopher Martin	
Linda Kelley	Roland Osterwinter	

SUPERVISOR MOORE

Discussion? Please call the roll.

Duly put to a vote:

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

Carried

SUPERVISOR MOORE

That concludes the Resolution part of our meeting, is there anybody that would like to speak on anything that you would like to bring before the Town Board? Mr. Wu? Please state your name and address, please.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD

My name is William Wu. I live at Riverton, I live at 125 Scottsville-West Henrietta Road. I'd like to make a comment on Resolution #4-67/2014. Now you are awarding a person to do auditing, what is the scope of the audit? You don't say. I mean, does he have, he can do anything he wants or he does nothing?

SUPERVISOR MOORE

They're going to do a complete audit of our books. In fact, instead of me answering that, hang on, could our Director of Finance please come on up and answer the question, please?

BARBARA CHIRDO, DIRECTOR OF FINANCE

Barbara Chirido, Director of Finance. He will be coming in to review the 2013 financials, that would be all our expenditures, our revenues, our fund balance, all the pertinence of what happened in 2013.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD

That's going to be the scope that he's going to do?

BARBARA CHIRDO, DIRECTOR OF FINANCE

That's the scope of his services.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD

Okay.

BARBARA CHIRDO, DIRECTOR OF FINANCE

Okay?

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD

Good enough, thank you.

BARBARA CHIRDO, DIRECTOR OF FINANCE

You're welcome.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD

The other thing I wanted to speak about, since you acknowledged the filing of the Report of Examination as prepared by the Office of the State Comptroller, has members of the Town Board read that audit?

SUPERVISOR MOORE

Yes sir, many times.

COUNCILWOMAN ZINCK

Yes.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD

Okay.

SUPERVISOR MOORE

We've had it in our hands since the second day of December.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD

Do you realize that in that audit that the Town, if somebody wanted to do it, could have IRS come here to audit the Town? It's right there in the report.

SUPERVISOR MOORE

That's why we're trying to address it and that's why we have a, the Director of Finance will be answering the ninety (90) day period.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD

Okay.

BARBARA CHIRDO, DIRECTOR OF FINANCE

As stated, there'll be a corrective action plan filed within ninety (90) days addressing every recommendation of the audit, the implementation plan that will come from that recommendation, who will, the date it will be implemented, and who will be the person responsible for implementation.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD

Okay, because the thing that you're exposed to from IRS...

BARBARA CHIRDO, DIRECTOR OF FINANCE

Taxation.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD
...is payroll.

BARBARA CHIRDO, DIRECTOR OF FINANCE
Correct.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD
So you're going to address that?

BARBARA CHIRDO, DIRECTOR OF FINANCE
Yes, that would be, the issue with independent contractors and what defines an independent contractor, I will actually be working with the Attorney, Dan Mastrella, to tighten that, get proper contracts in place and people who should be treated as employees will be treated as employees so we pay all our due taxes.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD
So for those people that are going to be treated as employees, are you going to make them statutory employees or straight employees?

BARBARA CHIRDO, DIRECTOR OF FINANCE
Again, I will be working with the Attorney as we determine which categorization they fall into.

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD
Okay.

BARBARA CHIRDO, DIRECTOR OF FINANCE
Okay?

WILLIAM WU, 125 SCOTTSVILLE-WEST HENRIETTA ROAD
I have no questions, I should have been speaking to her. *(Laughter)*

SUPERVISOR MOORE
No, any question is a good one, Mr. Wu, so we can get your questions answered. As long as we're talking a little bit about the audit from the Comptroller's office, it should be duly noted that there was no mismanagement of funds. It was a purchasing and management audit and all funds were to be there, they were collateralized and all that was correct. It's just that we had some financial housekeeping that wasn't adhered to and we are going to address that. Now we went without a Finance Director for almost four (4) years and we won't be going without one as long as I'm here. Is there anybody else that would like to speak?

COUNCILMAN MULLIGAN
Why is the gentleman here with kids?

SUPERVISOR MOORE

Yes, sir. Do you have something to say?

COUNCILWOMAN ZINCK

No, I think you were just mentioning...

SUPERVISOR MOORE

Oh.

COUNCILWOMAN ZINCK

...are you here for a school project? Well, thanks for coming out in the snow and if you have any questions come on up afterwards.

SUPERVISOR MOORE

Yes.

COUNCILMAN PAGE

If you need any signatures or documentation to take back to your class, we always do that if you'd like it.

(Unidentified, from audience, "Thank you.")

COUNCILMAN PAGE

You're welcome.

COUNCILWOMAN ZINCK

Alright.

SUPERVISOR MOORE

Yes, can I have a motion for adjournment?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman Zinck, seconded by Councilman Mulligan at 7:28 P.M. and was adjourned without objection.

Respectfully submitted,

Rebecca B. Wiesner
Deputy Town Clerk