

AS ACTED UPON DURING A DULY NOTICED OPEN MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, HELD AT THE HENRIETTA TOWN HALL AT 475 CALKINS ROAD, HENRIETTA, NEW YORK ON JANUARY 2, 2024 AT 5:30 P.M.

RESOLUTION #1-39/2024 To adopt the attached Town of Henrietta Property Access Policy.

On Motion of
Councilmember Barley

Seconded by
Supervisor Schultz

WHEREAS, the Town Board of the Town of Henrietta has reviewed the attached Property Access Policy.

THEREFORE, BE IT RESOLVED, that the Board adopts the aforesaid Town of Henrietta Property Access Policy and that it shall be reviewed annually at its Organizational Meeting.

Duly put to a vote:
Councilmember Page Aye
Councilmember Bellanca Aye
Councilmember Barley Aye
Councilmember Stafford Aye
Supervisor Schultz Aye

RESOLUTION ADOPTED

Town of Henrietta Property Access Policy

The Town of Henrietta (the "Town") is committed to protecting the rights of and serving its citizens while also protecting the health, safety, welfare, and personal privacy of the Town's employees and the general public who do business with or use the services of the Town. This policy ("Policy") is intended to address the delineation of those portions of the Town Property (i.e., any real property owned or controlled by the Town) that are accessible to the general public from those portions of Town Property that are not or are otherwise accessible on a limited basis.

A "Limited Access Area" means a designated area of Town Property that is not open to general public access and occupancy. However, it may include areas that may be open to or occupied by certain members of the public on a limited, as-needed, by-invitation basis. A "Public Access Area" means an area of Town Property that is generally open to general public access and occupancy that is not otherwise designated as a Limited Access Area. As a general matter, Public Access Areas within the buildings that comprise Town Property (such as the lobby at Town Hall) are generally intended for the purpose of conducting business with / obtaining services from the Town during business hours (e.g., obtaining licenses, obtaining permits, paying taxes, etc.).

Limited Access Areas may be designated by doors, signage, physical barriers, building design features, reception desks or stations, stanchions, ropes, fencing, bollards, or other visible indications. The lack of visible indications shall not necessarily prevent the Town from delineating an area as a Limited Access Area, and Town does retain the right to verbally instruct third parties that an area is a Limited Access Area, but the Town will strive to ensure Limited Access Areas are clearly delineated.

Without limiting the generality of the foregoing, Limited Access Areas generally include but are not necessarily limited to the following: Employees' private offices, employee designated workspaces (including, e.g., copy rooms, mailrooms, break areas, and kitchens), maintenance areas/facilities, storage and warehousing areas/facilities, and other facilities that are intended only for employees such as public works and public safety buildings and utility facilities intended for employee use/access only (except designated waiting or reception areas therein or otherwise used/designated as a Public Access Area).

Limited Access Areas shall not be and are not open and accessible to the general public. Instead, Limited Access Areas shall be generally accessible only to employees or officials of the Town. Those that are neither Town employees nor Town officials may access Limited Access Areas only upon invitation by an authorized Town employee or Town official, only for the purpose of conducting specified business with the Town, and only for the time(s) and purposes associated with such invitation.

Access to any Town Property shall only be permitted in accordance with those laws, rules, regulations and/or policies that apply to the same.

(New York State Penal Law Section 140.05. Trespass. Penal (PEN) CHAPTER 40, Part 3, Title I, Article 140: A person is guilty of trespass when he knowingly enters or remains unlawfully in or upon premises. Trespass is a violation.)