



# TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

**PENFIELD TOWN BOARD AGENDA**  
**Wednesday, March 7, 2012, 7:30 PM**  
**Supervisor R. Anthony LaFountain, presiding**

- I Call to Order - Pledge of Allegiance - Roll Call**
- II Public Hearing - To Consider Ordinance changes to Article V, Environmental Permits and Article VI, Topsoil and Mining Permits**
- III Communications and Announcements**
- IV Public Participation**
- V Additions and Deletions to Agenda**
- VI Approval of Minutes – February 1, 2012**
- VII Petitions**
- VIII Resolutions by Function**

**Law and Finance**

- # 12T-077 Approval of Waiver from Design Specifications for Caroline Court Subdivision**
- # 12T-078 Authorization for Supervisor to Sign Contract with Barton & Loguidice P.C. for Professional Engineering Services related to Allen's Creek Restoration Project**
- # 12T-079 Setting a Public Hearing for a Special Permit to Allow an All State Insurance Agency at 1822 Penfield Road**
- # 12T-080 Setting an Informal Discussion Meeting for an Incentive Zoning Proposal at 2305 Penfield Road**
- # 12T-081 Authorization to Maintain Properties and Assess the Charges to the 2013 Property Tax Bills**

**Public Works**

- # 12T-082 Authorization to Purchase Vehicle for Office of Town Assessor**

**Public Safety - None**

**Community Services**

- # 12T-083 Authorization to Attend NYSRPS Annual Conference**
- # 12T-084 Awarding Contract for Printing Program Brochures**
- # 12T-085 Authorization for Supervisor to Sign Recreation Contracts**

- IX Old Business**
- X New Business**
- XI Public Participation**
- XII Adjournment**

PENFIELD TOWN BOARD RESOLUTION NO. \_\_\_\_

DATE March 7, 2012

BY Councilman Moore

Law & Finance COMMITTEE

NAME: Authorization for the Supervisor to Sign Contract with Barton & Loguidice P.C. for Professional Engineering Services related to Allen's Creek Restoration Project.

Whereas, the property owners along Allen's Creek experience substantial property loss during heavy rains, and

Whereas, Allen's Creek is experiencing higher peak runoffs that have led to excessive erosion, and

Whereas, a preliminary geomorphic assessment was completed that reviewed the erosion problems along Allen's Creek and provided recommendations for six repair projects, and

Whereas, Barton & Loguidice, P.C. has submitted a proposal to complete the design plans and obtain permits for the creek restoration projects, and

Whereas, the NYSDEC has noted that Irondequoit Creek and its tributaries are listed as impaired waterways for sediment and phosphorus, and

Whereas, the Town Board desires to protect the water quality within the sensitive ecosystem of Irondequoit Creek and Irondequoit Bay, as required under the the Phase II stormwater regulations.

Now, Therefore, Be it Resolved, that Supervisor R. Anthony LaFountain, is hereby authorized to sign a contract with Barton & Loguidice, P.C. to provide engineering services for the Allen's Creek Restoration Project for a cost not exceed \$65,000. The cost of the engineering services shall be paid from the Townwide Drainage Levy.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote: Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. \_\_\_\_

DATE March 7, 2012

BY Councilman Moore

Law & Finance COMMITTEE

NAME: Approval of Waiver from Design Specifications for Caroline Court Subdivision

Whereas, the developer for Caroline Court Subdivision has requested a waiver form the Design Specifications to comply with the Green Infrastructure requirements under the NYS Stormwater Design Manual, and

Whereas, the NYSDEC requires compliance efforts with the Design Manual to achieve water quality improvements under the Clean Water Act, and

Whereas, the Engineering Department has reviewed the plans and supports a waiver from the Town requirements to allow the disconnection of downspouts to the storm sewer system based upon the site design and existing soils, and

Whereas, the reduction in flow to the storm sewer will allow the reduction in size of the house laterals to 4".

Now, Therefore, Be it Resolved, that the Town Board hereby grants the waiver from section 8.2 of the Town of Penfield Design Specifications for Caroline Court Subdivision.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote:	Kohl	_____
	LaFountain	_____
	Metzler	_____
	Moore	_____
	Quinn	_____

PENFIELD TOWN BOARD RESOLUTION NO. \_\_\_\_\_ DATE: March 7, 2012

BY: Councilman Moore \_\_\_\_\_ Public Works COMMITTEE

NAME: Authorization to purchase vehicle for office of Town Assessor.

WHEREAS, The adopted 2012 budget for the Assessor Department provides for the purchase of equipment from New York State Contract for the following vehicle: Item 2A Ford Fusion SE (POH) for a contractual price of approximately \$16,155.33.

WHEREAS, The Assessor Automobile Department expenditures are to be funded from the General Equipment Reserve Fund which is subject to Permissive Referendum and,

Now, Therefore Be It Resolved the Director of Public Works be, and hereby are, authorized to purchase said equipment from the New York State Contract and,

Now, Therefore Be It Further Resolved, that the adoption of that portion of this resolution with respect to the expenditure from General Equipment Reserve Fund is subject to a permissive referendum and the Town Clerk be, and hereby is, directed to publish and post a notice in the manner prescribed by law.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote: Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. \_\_\_\_\_ DATE March 7, 2012

BY LINDA KOHL COMMUNITY SERVICES COMMITTEE

NAME AUTHORIZATION TO ATTEND NYSRPS ANNUAL CONFERENCE

WHEREAS, the Recreation Department staff are members of the New York State Recreation and Park Society, and

WHEREAS, the annual conference will provide professional training and C.E.U. credits that will benefit the Town of Penfield,

WHEREAS, by resolution # 12T-067 of February 1, 2012 the following recreation staff were authorized to attend the 72nd annual New York State Recreation and Park Society Conference and Business Expo from 3/25 - 3/27/12 in Saratoga Springs, N.Y.

Linanne Conroy                  Pamela Mount                  Ashley Vent

BE IT RESOLVED, Chris Bilow is hereby authorized to attend this conference in place Pamela Mount who is unable to attend,

NOW, THEREFORE, BE IT RESOLVED that funds are provided in the 2012 budget. Expenses include registration fees, meals, lodging, transportation (gas, tolls, parking), and related expenses.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote:

Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. \_\_\_\_\_ DATE March 7, 2012

BY LINDA KOHL \_\_\_\_\_ COMMUNITY SERVICES COMMITTEE

NAME AWARDING CONTRACT FOR PRINTING PROGRAM BROCHURES

WHEREAS, sealed proposals were sought and requested to furnish the Town of Penfield Recreation Department with printing the program brochure for the 2012 calendar year including the summer, fall and winter/spring issues, to meet our specifications,

AND, WHEREAS, on Thursday, January 19, 2012 at 11:00 AM EST, proposals from the following companies were received, opened and read publicly by the Town Clerk:

Messenger Post Media  
73 Buffalo Street  
Canandaigua, NY 14424

Webster Printing Corp.  
2010 Empire Boulevard  
Webster, NY 14580

Penny Lane Printing  
1471 Route 15  
Avon NY 14414

(see attached Schedule "A" for bid data)

NOW, THEREFORE, BE IT RESOLVED, THAT the contract be awarded to Penny Lane Printing, low bidder overall for Bid 5, 6, 7, and 8 including alternative #1, alternative #2 and alternate #3 on each respective bid.

Net delivered price (per issue) as follows:

<u>Bid #5</u>	<u>Alternative #1</u>	<u>Alternative #2</u>	<u>Alternative #3</u>
\$4,422.61	\$107.67	\$4,871.94	\$118.09
<u>Bid #6</u>	<u>Alternative #1</u>	<u>Alternative #2</u>	<u>Alternative #3</u>
\$1,754.08	\$98.32	\$1,932.28	\$108.75
<u>Bid #7</u>	<u>Alternative #1</u>	<u>Alternative #2</u>	<u>Alternative #3</u>
\$2,749.16	\$98.32	\$3,019.76	\$108.75
<u>Bid #8</u>	<u>Alternative #1</u>	<u>Alternative #2</u>	<u>Alternative #3</u>
\$3,776.59	\$107.67	\$4,163.35	\$118.09

Schedule A

Penny Lane Printing				
		Alt. 1 – additional	Alt 2	Alt 3 – additional
Bid 1	\$5,774.74	\$58.92	\$6,316.46	\$151.52
Bid 2	\$2,574.00	\$115.90	\$2,752.20	\$135.56
Bid 3	\$3,713.16	\$118.54	\$4,088.04	\$128.96
Bid 4	\$4,773.78	\$128.94	\$5,235.12	\$138.91
Bid 5	\$4,422.61	\$107.67	\$4,871.94	\$118.09
Bid 6	\$1,754.08	\$98.32	\$1,932.28	\$108.75
Bid 7	\$2,749.16	\$98.32	\$3,019.76	\$108.75
Bid 8	\$3,776.59	\$107.67	\$4,163.35	\$118.09
Messenger Post Media		Alt. 1 – additional	Alt 2	Alt 3 – additional
Bid 1	\$5,440.00	\$151.00	\$5,205.00	\$145.00
Bid 2	\$1,990.00	\$199.00	\$2,070.00	\$207.00
Bid 3	\$3,165.00	\$158.00	\$3,303.00	\$165.00
Bid 4	\$4,348.00	\$290.00	\$4,545.00	\$150.00
Bid 5	\$5,026.00	\$279.00	\$5,260.00	\$290.00
Bid 6	\$1,938.00	\$380.00	\$2,018.00	\$400.00
Bid 7	\$3,070.00	\$150.00	\$3,210.00	\$160.00
Bid 8	\$4,215.00	\$140.00	\$4,412.00	\$150.00
Webster Printing Corporation		Alt.1 – additional	Alt. 2	Alt. 3 – additional
Bid 1	\$4,896.65	\$112.30	\$5,167.00	\$123.80
Bid 2	\$2,392.00	\$196.40	\$2,466.00	\$201.30
Bid 3	\$3,710.00	\$168.20	\$3,915.00	\$171.30
Bid 4	\$4,422.00	\$127.60	\$4,651.00	\$133.45
Bid 5	\$4,710.35	\$107.10	\$4,980.70	\$118.60
Bid 6	\$2,340.25	\$191.20	\$3,863.25	\$196.10
Bid 7	\$3,606.50	\$163.00	\$3,811.50	\$166.10
Bid 8	\$4,266.75	\$122.40	\$4,495.75	\$128.25

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote:

Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_



PENFIELD TOWN BOARD RESOLUTION NO. \_\_\_\_\_ DATE 3-7-12

BY LINDA KOHL COMMUNITY SERVICES COMMITTEE

NAME AUTHORIZATION FOR SUPERVISOR TO SIGN RECREATION CONTRACTS

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following recreation contracts:

Ghost Riders Drum & Bugle Corps, 216 Wycliff Drive, Webster, NY 14580, Independence Day Parade, 6/30/12, for a fee of \$700. Voucher to be submitted 6/6/12.

John Kowiak, 33 Charisma Drive, Rochester, NY 14606, guest speaker for Thursday lecture series "The 1942 Raid Doolittle Raid over Tokyo on 3/22/12 for a fee of \$35. Voucher to be submitted on 3/21/12.

Bart Dentino, 4269 Drake St. Rd. Elba, NY 14058 to provide Bart and Kevin music entertainment for Kids Fest, 7/19/2012 for a fee of \$550.00. Voucher to be submitted on 6/20/12.

Amend Resolution #12T-076 F  
For: Jamie Cosco, Should read Gary Calabrese

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote:  
Kohl \_\_\_\_\_  
LaFountain \_\_\_\_\_  
Metzler \_\_\_\_\_  
Moore \_\_\_\_\_  
Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. \_\_\_\_

DATE March 7, 2012

BY Councilman Moore

Law & Finance COMMITTEE

NAME Setting an Informal Discussion Meeting for an Incentive Zoning Proposal at 2305 Penfield Road – SBL# 140.01-01-75.2

WHEREAS, Roy Garfinkel, L.S. Costich Engineering, requests an informal discussion with the Town Board regarding the possible construction of 12 Town house units and other associated improvements on 2.48+/- at 2305 Penfield Road. This property is owned by John Gabriele and is zoned R-1-20, SBL# 140.01-01-75.2; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield will hold a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York 14526 on April 4, 2012 at 7:30 PM on said date, to consider said application and to hear all persons on the question of consideration of said application; and be it further

BE IT FURTHER RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the Town, the first publication thereof not to be less than ten (10) nor more than twenty (20) days before the date set for said Hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by law.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote: Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

**PENFIELD TOWN BOARD RESOLUTION NO. \_\_\_\_\_**

**DATE March 7, 2012**

**BY Councilman Moore**

**Law and Finance Committee**

**NAME Authorization to Maintain Properties and Assess the Charges to the 2013 Property Tax Bills**

**WHEREAS**, on October 2, 1996, the Town Board of the Town of Penfield adopted Article IV-4-28 of the Penfield Zoning Ordinance entitled “Property Maintenance”; and

**WHEREAS**, the purpose of Article IV-4-28 of the Penfield Zoning Ordinance is to prevent the gradual encroachment of blight, deterioration, unsightliness and property devaluation and to assure that all premises within the Town of Penfield are maintained in a manner that will assure the health, safety and welfare of the general public; and

**WHEREAS**, the property owner of 2476 Penfield Road, SBL #140.02-1-6 has failed to maintain the exterior areas and secure the vacant residence and garage at the subject property which continues to be a concern for the health, safety and welfare of the surrounding neighbors; and

**WHEREAS**, the town staff has continually requested the property owner to maintain at this location with no result:

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Penfield hereby authorizes the Building and Zoning Administrator to have the property appropriately maintained; and

**BE IT FURTHER RESOLVED**, that the Town Board further authorizes that the cost of said maintenance and any necessary subsequent maintenance during the 2012 season also be charged to the 2013 property tax bill for the subject property.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote: Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. \_\_\_\_\_

DATE March 7, 2012

BY Councilman Moore

Law & Finance COMMITTEE

NAME Setting a Public Hearing for a Special Permit to Allow an All State Insurance Agency at 1822

Penfield Road - SBL# 139.06-2-53 – Bradley Quataert App.# 12T-001

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WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Special Permit pursuant to Article III-3-97 of the Code to allow an All State insurance agency at 1822 Penfield Road, located in the Four Corners (FC) zoning district”;

NOW, THEREFORE, BE IT

RESOLVED, that the Penfield Town Board is best suited to act as “lead agency” within the meaning of the State Environmental Quality Review Act (SEQRA) and thus does hereby designate itself as “lead agency” and determined the proposal to be a Type II action pursuant to SEQRA; and be it further

RESOLVED, that the Town Board of the said Town of Penfield shall hold a public hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on March 28, 2012, at 7:30 PM on said date, to consider the said application and to hear all persons interested on the question of the issuance of a Special Permit to allow an All State insurance agency at 1822 Penfield Road, in the Four Corners (FC) zoning district; and be it further

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the Town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the date set for said hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote: Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_