



# TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

## PENFIELD TOWN BOARD MEETING AGENDA

Wednesday, September 19, 2012

Supervisor R. Anthony LaFountain, presiding

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- I Call to Order – Pledge of Allegiance – Roll Call
- II Communications and Announcements
- III Public Participation
- IV Additions and Deletions to Agenda
- V Approval of Minutes – August 15, 2012
- VI Petitions
- VII Resolutions by Function

### Law and Finance

12T-200 Town of Penfield Vehicle/Equipment Use Policy

12T-201 2012 Budget Amendment – 2012 Drainage Projects

12T-202 Authorizing Supervisor to enter into an Agreement with Barton & Loguidice, PC to conduct an Operational Analysis of the Sherwood Forest Sewer Pump Station

12T-203 Setting a Public Hearing for the Establishment of the Sparrow Pointe Subdivision – Special Improvement District

12T-204 Setting a Public Hearing for the matter of Establishment of Sparrow Pointe Subdivision sidewalk District (#17)

12T-205 Establishment of the Ashlyn Rise Sidewalk District (#16)

12T-206 Authorization to attend Congress for the New Urbanism Retreat in Chautauqua, NY

12T-207 Setting a Public Hearing for a Special Permit to Allow a Sit-down Restaurant with Outdoor Dining at 2124-2126 Five Mile Line Road

Public Works - None

Public Safety – None

### Community Services

12T-208 Advertising for Sealed Bids for Remote Video Camera System

- VIII Old Business
- IX New Business
- X Public Participation
- XI Adjournment

PENFIELD TOWN BOARD RESOLUTION NO.\_\_\_\_ DATE: September 19, 2012

BY: Councilman Moore LAW AND FINANCE COMMITTEE

NAME: Town of Penfield Vehicle/Equipment Use Policy

WHEREAS, on September 17, 2008 the Penfield Town Board approved a Vehicle/Equipment Use Policy regarding the use of Town-owned vehicles and equipment that are driven or operated by employees while conducting town business; and

WHEREAS, the Penfield Town Board has recently reviewed and evaluated the Town of Penfield Vehicle/Equipment Use Policy and determined it required updating to be consistent with current practices.

NOW, THEREFORE, BE IT RESOLVED, that the Penfield Town Board hereby approves revisions to said policy dated September 19, 2012 and for inclusion in the Town's Policy Book,

BE IT FURTHER RESOLVED, that the Town Clerk be and she hereby is, authorized to give necessary notice of said adopted revisions of the Vehicle/Equipment Use Policy to Town of Penfield employees.

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. \_\_\_\_\_ DATE September 19, 2012

BY Councilman Moore

Law & Finance Committee

NAME Setting a Public Hearing for a Special Permit to Allow Sit-down Restaurant With  
Outdoor Dining at 2124-2126 Five Mile Line Road – 139.06-4-1 – Angus House and  
Lounge LLC

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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 a sit-down restaurant with outdoor dining at 2124-2126 Five Mile Line 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) thus does hereby designate itself as “lead agency” pursuant to SEQRA and has classified this proposal as a Type II action; 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 October 17, 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 a sit-down restaurant outdoor dining at 2124-2126 Five Mile Line 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 \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION No. \_\_\_\_\_

DATE September 19, 2012

BY : Councilman Moore

Law & Finance COMMITTEE

NAME: Setting a Public Hearing for the matter of Establishment of Sparrow Pointe Subdivision Sidewalk District (#17).

WHEREAS; a written Petition has been presented to the Penfield Town Board, duly dated and verified to contain the required signatures and having been filed with the Town Clerk of the Town of Penfield, Monroe County, New York, for the Establishment of Sparrow Pointe Subdivision Sidewalk District (#17), and

WHEREAS; the boundaries of said Sidewalk District are described in Schedule A, attached hereto and made a part hereof and as shown on Exhibit 1, incorporated herein by reference, and

WHEREAS; the proposed improvements consist of concrete sidewalks in compliance with the approved subdivision plans and/or conditions of approval and installed in compliance with construction specifications of the Town of Penfield, and

WHEREAS; the entire cost of the sidewalk improvements to be constructed within said Sidewalk District shall be borne by the developer of the Sparrow Pointe Subdivision, and

NOW, THEREFORE, BE IT RESOLVED; that the Town Board of the Town of Penfield shall hold a Public Hearing at the Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on the 17<sup>th</sup>, day of October 2012 at 7:30 p.m. on said date, to consider the said Petition and to hear all persons interested in the subject thereof and concerning the same, and for such other action on the part of the Town Board with relation to said Petition as may be required by Law, 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 of the aforesaid Public Hearing, and that a copy of this resolution shall be posted on the official sign board of the Town as prescribed by Law.

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION No. \_\_\_\_\_

DATE September 19, 2012

BY : Councilman Moore

Law & Finance COMMITTEE

NAME: Setting a Public Hearing for the establishment of the Sparrow Pointe Subdivision – Special Improvement District.

WHEREAS; a written Petition has been presented to the Penfield Town Board, duly dated and verified to contain the required signatures and having been filed with the Town Clerk of the Town of Penfield, Monroe County, New York, for the establishment of the Sparrow Pointe Subdivision – Special Improvement District, and

WHEREAS; the boundaries of said Special Improvement District are described in Schedule A attached hereto and made a part hereof and are as shown on Exhibit-1 located within the aforementioned petition and is incorporated herein by reference, and

WHEREAS; the proposed improvements consist of maintenance storm water management facilities, decorative signs identifying the subdivision and other improvements deemed necessary, as well as any administrative charges associated thereto, and

WHEREAS; the entire cost of the improvements to be constructed within said Special Improvement District shall be borne by the petitioner(s) and/or developer of the Sparrow Pointe Subdivision, and

NOW, THEREFORE, BE IT RESOLVED; that the Town Board of the Town of Penfield shall hold a Public Hearing at the Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on the 17<sup>th</sup>, day of October, 2012 at 7:30 p.m. on said date, to consider the said Petition and to hear all persons interested in the subject thereof and concerning the same, and for such other action on the part of the Town Board with relation to said Petition as may be required by Law, 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 of the aforesaid Public Hearing, and that a copy of this resolution shall be posted on the official sign board of the Town as prescribed by Law.

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

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

DATE September 19, 2012

BY Councilman Moore

Law & Finance COMMITTEE

NAME: Establishment of the Ashlyn Rise Sidewalk District #16.

WHEREAS, a public hearing was held at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York, on September 5, 2012 at 7:30 P.M., to consider the Petition and to hear all persons interested in the establishment of the Ashlyn Rise Sidewalk District #16, and

WHEREAS, the Town Board received no negative and or substantive input regarding this matter, and

WHEREAS, all improvements to said district extension shall be borne solely by the developer.

NOW, THEREFORE BE IT RESOLVED, that the annexed Order be executed by the Supervisor and the members of the Town Board to establish Ashlyn Rise Sidewalk District #16.

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

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

DATE: September 19, 2012

BY: Councilperson Moore

Law and Finance COMMITTEE

NAME: Authorization to attend Congress for the New Urbanism Retreat in Chautauqua, NY

WHEREAS, the 2012 Planning Department budget includes funding intended to allow one representative to attend the Congress for the New Urbanism Retreat; and

WHEREAS, it is in the town's best interest to have staff members attend training workshops to gain knowledge pertaining to current practices in zoning, preservation, environmental protection, redevelopment, and case law; and

WHEREAS, the town's 2010 Comprehensive Plan recommends the formation of mixed use zoning districts and the retreat focuses on topics such as public participation, successful streets, parking policies, formed based zoning, and developing successful mixed use projects; and

WHEREAS, the Congress for the New Urbanism is not-for-profit national educational organization that provides leadership in the development of vital communities; and

NOW, THEREFORE, BE IT RESOLVED that Town Planner is hereby authorized to attend the Congress for New Urbanism Retreat, to be held from October 12 to 14, 2012 in Chautauqua, NY for a cost not to exceed \$400.00. This cost will be allocated from the 2012 departmental conference budget line.

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_



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

DATE September 19, 2012

BY Councilwoman Metzler

Public Works COMMITTEE

NAME Authorizing Supervisor to enter into an Agreement with Barton & Loguidice, PC to conduct an operational analysis of the Sherwood Forest Sewer Pump Station.

WHEREAS; the Town of Penfield has requested proposals from various engineering firms to conduct an operational analysis of the Sherwood Forest Pump Station, and

WHEREAS; of the four engineering firms considered two of this declined due to current work load, and two which submitted proposals as follows:

- Barton & Loguidice - \$3,900
- MRB Group - \$4,980
- BME Associates – No proposal based on current work load and timing.
- O'Brien & Gere – No proposal based on current work load and timing, and

WHEREAS; the proposal submitted by Barton & Loguidice, PC was the lowest proposal received, and

WHEREAS; Barton & Loguidice has extensive work experience with sanitary sewer capacity studies and pump station operational analysis, which they have capably demonstrated in prior work with the Town of Penfield.

NOW THEREFORE BE IT RESOLVED; that Town Board acting as Commissioners of the Penfield Consolidated Sanitary Sewer District wish to evaluate the current operational condition of the Sherwood Forest Pump Station and identify alternatives to improving the capacity of this facility, and

BE IT FURTHER RESOLVED; that Town Supervisor be and hereby is authorized to enter into an Agreement with Barton & Loguidice, PC to provide this operational analysis in an amount not to exceed \$3,900, as was identified in their proposal.

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

BY: Andy Moore \_\_\_\_\_ Law and Finance \_\_\_\_\_ COMMITTEE

NAME: 2012 Budget Amendment- 2012 Drainage Projects

WHEREAS, during 2012, the Town Board authorized the Director of Public Works to complete various drainage projects, and

WHEREAS, the Town Board desires to have an up to date budget in relation to current income and expenditures,

NOW BE IT RESOLVED, that the following 2012 Budget Amendment be approved for the Drainage Funds as follows:

**General Fund Revenue:**

Descriptions	Amount	Revised Amount
Appropriated Surplus	\$100,000	\$100,000
06-1000-6000-0000		
<b>Total</b>	<b>\$100,000</b>	<b>\$100,000</b>

**General Fund Appropriations:**

Descriptions	Amount	Revised Amount
Town Drainage Projects	\$100,000	\$450,425
06-8540-0004-4004		
<b>Total</b>	<b>\$100,000</b>	<b>\$450,425</b>

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

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

DATE September 19, 2012

BY Linda Kohl

COMMUNITY SERVICES COMMITTEE

NAME Advertising for Sealed Bids for Remote Video Camera System

WHEREAS; the Cable TV Department has identified necessary equipment upgrades for studio and board room production, and

WHEREAS; these upgrades are budgeted within the Cable TV Department 2012 Capital Equipment Budget, and

NOW THEREFORE BE IT RESOLVED, that the Cable Coordinator be, and hereby is, authorized to advertise, in the manner prescribed by law, for sealed proposals to provide necessary replacement equipment for studio and board room production.

BE IT FURTHER RESOLVED, that said equipment shall conform to the specifications and services which are available at the Town Clerk Office until 11:00 AM, EST, Wednesday, October 10, 2012, at which point said bids will be received at the Town Clerks Office to be opened and publicly read.

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

NEW BUSINESS

PENFIELD TOWN BOARD RESOLUTION NO. \_\_\_\_\_ DATE 9/19/2012

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:

Allen Hopkins, 111 Newcastle Road, Rochester, NY 14610, Halloween Entertainer, 10/19/12, for a total fee of \$100.00. Voucher to be submitted 10/17/12.

Virginia Fairfax-Zuzero, 42 Waterford Way, Fairport, NY 14450, Instructor for Couples Dance, 09/20/12 – 11/29/12 for a fee of 75% of program revenues. Voucher to be submitted 11/21/12.

Dave Coin, 280 Liberty Ave, Rochester, NY 14622, Director of Youth Flag Football program, 09/08/12 - 10/20/12 for the fee of \$60.00 per session. Voucher to be submitted 9/19/12.

SORA, c/o Garry Godden, 3 Edmar Court, Henrietta NY 14467, Umpire Services for Adult Penfield Softball leagues, 05/12/12 - 08/16/12 for the fee of \$26.00 per double game umpired and \$37.00 for single games. Voucher to be submitted monthly.

Jerry Taylor 1342 Harwood Lane, Macedon, NY 14502, Senior Presentation on 9/11/12 for a fee of \$40. Voucher to be submitted on 10/3/12.

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

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

Vote:

Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_