



# TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

## PENFIELD TOWN BOARD MEETING AGENDA

Wednesday February 20, 2013 7:30 PM

Supervisor R. Anthony LaFountain, presiding

- 
- 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 – January 16, 2013
  - VI Petitions
  - VII Resolutions by Function

### Law and Finance

- 13T-078 Authorizing the Town Supervisor to Execute Necessary Documents to Release an Existing Sanitary Sewer Easement – 2018 & 2030 Fairport Nine Mile Point Road – Elderwood Assisted Living Facility
- 13T-079 Authorization for MRB Group, P.C. to Provide Certain Engineering Services Relating to Preparation of a Map, Plan & Engineering Report in Connection with the Proposal for Installation of Sanitary Sewers within the Parkview Drive/White Village Drive Area
- 13T-080 Approval of Issuance of a Conditional Use Permit to Allow a Frozen Yogurt Shop at 2105 Five Mile Line Road – Yotini Frozen Yogurt Bar
- 13T-081 Granting a Conditional Use Permit and Preliminary and Final Site Plan and Resubdivision Approval to allow a 6,500+/- Square Foot Jeremiah's Restaurant at 2164 Fairport Nine Mile Point Road

### Public Works -None

### Public Safety -None

### Community Services

- 13T-082 Awarding Contract for Printing Program Brochure
- 13T-083 Authorization for Supervisor to Sign Recreation Contracts

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

Councilman Moore

Law & Finance COMMITTEE

NAME Authorizing the Town Supervisor to execute necessary documents to Release an existing Sanitary Sewer Easement – 2018 & 2030 Fairport Nine Mile Point Road – Elderwood Assisted Living Facility.

WHEREAS; the Town of Penfield currently has a Right of Easement conferred under an original Sanitary Sewer easement filed at Liber 10758, Page 401, and

WHEREAS; this original easement has been replaced by a new sanitary sewer easement filed under Liber 11213, page 163, and

WHEREAS; the original easement is now obsolete and the Town of Penfield and the property owner desire to release this easement as more specifically described on Schedule A, attached hereto and made a part hereof.

THEREFORE BE IT RESOLVED, that the Town Supervisor be, and hereby is authorized to execute the necessary document(s) to release this original Sanitary Sewer Easement Filed under Liber 10758, Page 401, as is specifically described within Schedule A, attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that this resolution and appropriate documents for said easement release be filed in the office of the Monroe County Clerk.

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

## SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Penfield, County of Monroe, and State of New York, being part of Town Lot No. 26, and being more particularly bounded and described as follows:

COMMENCING at a point where the north line Town Lot 26 intersects with the east line of Fairport Nine Mile Point Road as a 66' wide road (State highway No. 574A);

Thence southerly along the east line of Fairport Nine Mile Point Road a distance of 300.00 feet to the True Point or Place of Beginning;

THENCE continuing southerly along the east line of Fairport Nine Mile Point Road a distance of 171.34 feet to a point, which point is where the east line of Fairport Nine Mile Point Road intersects with the lands appropriated by the People of the State of New York, Map No. 81 Parcel, No. 81;

THENCE continuing southeasterly forming an interior angle of  $176^{\circ}00'11''$  and along the east line of lands appropriated by the People of the State of New York a distance of 233.39 feet to a point;

THENCE continuing southeasterly forming an interior angle of  $159^{\circ}12'28''$  and along the east line of lands appropriated by the People of the State of New York Map No. 81, Parcel No. 81 and Map No. 80, Parcel No. 80 a distance of 71.52 feet to a point, which point is the southeast corner of lands appropriated by the State of New York, Map No. 80, Parcel 80;

THENCE easterly forming an interior angle of  $113^{\circ}59'54''$  and along the north line of Penbrooke Drive a distance of 729.79 feet to a point in the east line of Town Lot 26, which point is the southwesterly corner of subdivision map entitled "Penfield Green-Section I" and filed in the Monroe County Clerk's Office in Liber 212 of Maps at Page 93 and said point is also the southeasterly corner of lands conveyed to Patricia Rebis in Liber 9024 of Deeds at Page 209;

THENCE northerly forming an interior angle of  $91^{\circ}09'18''$  and along the west line of the aforementioned map and the east line of lands conveyed to Patricia Rebis in Liber 9024 of Deeds at Page 209 and in Liber 9238 of Deeds at Page 666 a distance of 757.08 feet to a point, which point is where the northwest corner of Liber 212 of Maps at Page 93 intersects with the south line of subdivision map entitled "Random Knolls Estates - Section 1B" and filed in the Monroe County Clerk's Office in Liber 228 of Maps at Page 74;

THENCE westerly forming an interior angle of  $89^{\circ}06'45''$  and along the south line of Liber 228 of Maps at Page 74 and the north line of Town Lot 26 a distance of 0.76 feet to a point;

THENCE northerly forming an exterior angle of  $89^{\circ}06'45''$  and along the westerly line of Liber 228 of Maps at Page 74 a distance of 4.94 feet to a point on the north line of Town Lot 26 and the south line of subdivision map entitled "Random Knolls Estates - Section 1B" and filed in the Monroe County Clerk's Office in Liber 228 of Maps at Page 74;

THENCE westerly forming an interior angle of  $89^{\circ}27'43''$  and along the south line of the aforementioned map and the north line of Town Lot 26 a distance of 588.31 feet to a point;

THENCE southerly forming an interior angle of  $90^{\circ}10'26''$  and along a line parallel with the east line of Fairport Nine Mile Point Road a distance of 300.00 feet to a point;

THENCE westerly forming an exterior angle of  $90^{\circ}21'26''$  and along a line parallel with the north line of Town Lot 26 a distance of 191.75 feet to a point in the east line of Fairport Nine Mile Point Road, which point is the True Point or Place of Beginning.



BY Councilman Moore

Law & Finance COMMITTEE

NAME Authorization for MRB Group, P.C. to provide certain Engineering Services relating to preparation of a Map, Plan & Engineering Report in connection with the proposal for installation of sanitary sewers within the Parkview Drive / White Village Drive Area.

WHEREAS; the Town Board through a Resident Survey process, Public Information meetings and public correspondence has been made aware of a significant level of resident support for construction of sanitary sewers within the Parkview Drive / White Village Drive area, and

WHEREAS; based on this stated level of support the Town Board has decided to move ahead with a formal Petition process to document the number of resident owners within the proposed area which are in favor of the Board moving ahead with such an initiative, and

WHEREAS; as part of the Petition process the Town Board requires to have a detailed metes and bounds description of the project area and Plan and Engineers Report, and

WHEREAS; based on a recent proposal from MRB Group, PC, dated 11/13/2012, the scope of this service described as Phase-A of their proposal, does provide the necessary engineering service necessary to move ahead with the petition process, and

WHEREAS; stated in the MRB Group engineering proposal the Phase-A portion will not to exceed \$8,000.

NOW THEREFORE BE IT RESOLVED; that MRB Group, P.C. be, and hereby is, authorized to provide the Phase-A portion of their Engineering service, as outlined in their proposal dated 11/13/2012 in an amount not to exceed \$8,000 so as to provide the necessary engineering service to move ahead with the petition process, and

BE IT FURTHER RESOLVED; that this expense shall become part of the Town General Fund until such time that a sewer district extension has been formed and this expense shall be reimbursed by the Consolidated Sanitary Sewer District, and

BE IT FURTHER RESOLVED; that this resolution is adopted subject to a 30 day Permissive Referendum period and the Town Clerk be and hereby is directed to post and publish a Notice in the manner prescribed, and

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 13T-080  
2013

DATE February 20,

BY Councilman Moore

Law & Finance Committee

NAME Approval of Issuance of a Conditional Use Permit to Allow a Frozen Yogurt

Shop at 2105 Five Mile Line Road – SBL# 139.06-1-31 – David & Jennifer Vacchetto –

Yotini Frozen Yogurt Bar

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Conditional Use Permit, pursuant to Article III-3-97 of the Code to allow a frozen yogurt shop at 2105 Five Mile Line Road, located in the Four Corners (FC) zoning district; and

WHEREAS, the Town Board of the said Town of Penfield held a public hearing at the Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on January 23, 2013, at 7:30 PM on said date, to consider the application and hear all persons interested on the question of the issuance of a Conditional Use Permit to allow a frozen yogurt shop at 2105 Five Mile Line Road, in the Four Corners (FC) zoning district and the public hearing was closed.

NOW, THEREFORE, BE IT

RESOLVED, that the applicant's request for a **CONDITIONAL USE PERMIT** to allow a frozen yogurt shop at 2105 Five Mile Line Road is hereby **GRANTED** subject to the following conditions:

1. The applicants shall obtain a **CONDITIONAL USE PERMIT** from the Town Clerk and pay the appropriate fee. The **CONDITIONAL USE PERMIT** is non-transferable.
2. The property owner shall confer with the Town Engineer to ensure that the proposed on-site parking is properly constructed and does not create an adverse impact to any adjacent property owner.
3. The applicants shall ensure that they have adequate on-site and off-site (public and or private) parking facilities to properly operate without adversely impacting other businesses that depend on those facilities. In addition, the applicant's shall ensure that their patron do not park their vehicles along Liberty Street at any time. The property owners shall be responsible for installing **NO PARKING** signs along their access drive per the Town's standards for design and placement.

4. Failure to comply with this condition of approval will result in the Board holding a public hearing to pursuant to the requirements of Article XI-11-14 of the Zoning Ordinance to review the intensity of the scope of this business and making a determination as to whether it is properly scaled to the area.
5. The applicants shall be permitted to install picnic tables only on the proposed deck, subject to the occupancy requirements of the New York State Building Code and at the direction of the Penfield Fire Marshal.
6. The applicants shall install trash receptacles and shall be responsible for ensuring that waste generated from this business is properly contained and removed from the site. The applicants shall also ensure that his employees pick up napkins and other debris both on the site and in close proximity to it, if necessary, so that they do not create a nuisance to area residents.
7. The applicants shall submit a sign package for the site which shall be reviewed and approved by the Town Board. Upon approval, the applicants shall obtain a sign permit and pay the appropriate fee.
8. The applicant shall install a bicycle rack on the site in a location to be mutually determined by the applicants and the Director of Developmental Services.
9. This operation shall comply with all Federal, State, County and Town Codes.

AND BE IT FURTHER

RESOLVED, that the applicant's proposal is classified as a Type II action pursuant to the requirements of the State Environmental Quality Review Act (SEQRA).

The Town Board, in granting the Conditional Use Permit, does so based on its following findings:

1. The property owners propose to renovate the barn on the subject property that is in need of refurbishment for the purpose of leasing it to the applicants who propose to operate a year around frozen yogurt shop.
2. The owners also propose to install additional parking facilities on the site to accommodate the proposed business. The owners also own the adjacent property at 805 Liberty Street and the Canandaigua National Bank at 1816 Penfield Road. They have permitted the applicants to use their parking facilities on those sites when those businesses are not operating to address overflow parking needs. The property owners will confer with the Town Engineer to ensure that the proposed on site parking is installed to his design specifications.

3. The applicants are aware of the Town's concern that no vehicles patronizing their business be permitted to park along Liberty Street or the access drive from Liberty Street to the Canandaigua National Bank property at any time and will ensure that this condition of approval is met and satisfied at all times. The property owners shall be responsible for installing NO PARKING signs along their access drive per the Town's standards for design and placement.
4. The applicants propose to hire 9–10 part-time employees, but will have no more than 4-5 employees on the site during the busiest times. The employees shall be required to park their vehicles in the Town public parking lot on Five Mile Line Road in order to provide adequate on-site parking for patrons.
5. The applicants have agreed to maintain their site at all times. All debris and refuse shall be managed on a daily basis. The applicants shall ensure that the neighborhood is kept free of napkins, dishes, etc. that will be generated from this site at all times.
6. This type of business has been identified by town residents as being one the most desirable in the Four Corners and has been lacking in the northwest quadrant since the closure of the Friendly's restaurant several years ago.
7. The use is consistent with the goals of the Four Corners Plan.

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 13T-081      DATE February 20, 2013

BY Councilman Moore

Law & Finance Committee

NAME Granting a Conditional Use Permit and Preliminary and Final Site Plan and

Resubdivision Approval to allow a 6,500 +/- square foot Jeremiah's Restaurant at 2164

Fairport Nine Mile Point Road -140.01-2-70.11 - The Patriot Companies

WHEREAS, an application has been received by the Penfield Town Board, under Local Law No. 2 of 2003, known as the Town of Penfield Incentive Zoning Law, to consider the application for Incentive Zoning and Preliminary and Final Site Plan and Resubdivision Approval under Articles VIII-8-2 and XI-9-2 and a Conditional Use Permit under Article X-10-4-E of the Code to allow a 6,500+/- square foot Jeremiah's restaurant with an accessory outdoor dining area on 1.4 +/- acres in the Business Non-Retail (BN-R) zoning district at 2164 Fairport-Nine Mile Point Road;

WHEREAS, the Town Board of the said Town of Penfield held a public hearing at the Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on January 23, 2013, at 7:30 PM on said date, to consider the application and hear all persons interested on the question of the issuance of a Conditional Use Permit and Preliminary and Final Site Plan and Resubdivision Approval to allow a 6,500 +/- square foot Jeremiah's restaurant with an accessory outdoor dining area at 2164 Fairport-Nine Mile Point Road, and the public hearing was closed and decision was reserved.

BE IT RESOLVED, that the Penfield Town Board acted as "lead agency" within the meaning of the State Environmental Quality Review Act (SEQRA) and did designate itself as "lead agency" pursuant to SEQRA during the Incentive Zoning approval which was granted by the Town Board at which time. The requirements for SEQRA for the overall development thresholds for the site were met and satisfied in a Findings Statement adopted in Resolution No.159 dated June 21, 2006; and

AND BE IT FURTHER RESOLVED, that the applicant's request for a CONDITIONAL USE PERMIT to allow a 6,500 +/- square foot Jeremiah's restaurant at 2164 Fairport-Nine Mile Point Road is hereby GRANTED subject to the following conditions:

1. The applicant shall obtain a CONDITIONAL USE PERMIT from the Town Clerk and pay the appropriate fee. The CONDITIONAL USE PERMIT is non-transferable. Any subsequent owner or operator shall be required to apply for and obtain a CONDITIONAL USE PERMIT from the Town Board to operate any business at this location.

2. The applicant is permitted to construct a 6,500 +/- square foot Jeremiah's restaurant with an accessory outdoor dining area within the Business Non-Retail zoning district, based on the Incentive Zoning proposal previously approved and mutually agreed upon by the Town Board and the owners of the subject property.
3. The applicant shall obtain a liquor license from the New York State Liquor Authority and comply with any/all requirements and conditions imposed by that agency.
4. The applicant proposes to operate between the hours of 11:00 a.m. and 2:00 a.m. on a daily basis. The applicant indicated that he may close earlier during the week if the lack of business warrants it. The Board approves his request as other similar businesses in the area remain open until 2:00 a.m.
5. The applicant shall comply with the overall occupancy requirements that have been established by the Penfield Fire Marshal in accordance with the New York State Building Code.
6. The applicant is responsible for ensuring that his business does not adversely impact the existing and future businesses that are or will be operating from this complex, particularly relating to parking facilities. The applicant must ensure that he has adequate parking to serve his clientele at all times without impinging on others spaces during their hours of operation. In the event that there is not adequate parking to accommodate this use, the Town will require the applicant to install additional parking on an adjacent site to address the concern until such time as the remaining portions of the complex are developed and has determined that there are adequate parking facilities for all of the existing and future businesses operating within the complex, and the owner of this site and adjacent sites within this complex shall permit the applicant to install such additional parking on an adjacent site if so required by the Town Board.
7. The applicant shall be permitted to have acoustical entertainment only in the outdoor dining area. At no time shall there be amplified entertainment to the exterior without approval by this Board. All proposed outdoor entertainment shall cease at 10:00 p.m. from Sunday to Thursday and at 11:00 p.m. on Friday and Saturday. The applicant may have music within the restaurant. In no case shall sound levels associated with music or entertainment of any type be audible from beyond the applicant's property line.
8. The applicant shall submit a sign package for the site for the Board's review and approval.
9. This operation shall comply with all Federal, State, County and Town Codes.

10. Failure to comply with the conditions set forth hereinabove may result in the revocation of this Conditional Use Permit pursuant to the requirements of Article X-10-4 of the Zoning Ordinance.

AND BE IT FURTHER RESOLVED, that the applicant's request for PRELIMINARY AND FINAL SITE PLAN APPROVAL is hereby GRANTED subject to the following conditions:

1. All site work is to be in compliance with the standards of Chapter 29 – Article V of the Code.
2. The final landscape plan shall be reviewed, approved and signed by the Town's Landscape Consultant; said landscaping shall be installed to the Town Board's satisfaction prior to the issuance of a Certificate of Occupancy. An appropriate amount of funds shall be placed in the Letter of Credit to cover the cost of the approved landscaping materials and installation. A two-year maintenance bond shall be required to insure landscaping is properly maintained. In addition, the applicant has agreed to install additional landscaping along the easterly property line of the site to embellish the existing landscaping previously installed with the Doodlebugs Child Care Center. The applicant shall work with the Director of Developmental Services and the neighbor to address the amount and type of landscaping to provide an effective visual buffer at that location.
3. The Town Engineer shall approve the final plan for exterior lighting, specifically that such plan shows lighting, which is localized and unobtrusive. Any proposed parking lot lighting shall be shielded from area residences. All wall mounted lighting shall be compatible with the adjacent residential neighborhood. Wall-pac™ type fixtures will not be permitted.
4. Compliance with or agreements reached on all of the engineering requirements that may be raised by the Town Engineer including, but not limited to those raised in his memo dated January 4, 2013, except as otherwise provided herein.
5. All dumpsters shall be enclosed and properly maintained at all times. The applicant's refuse removal company may pick up refuse from the site only between the hours of 7:00 a.m. and 7:00 p.m., which shall be set forth in the applicant's property maintenance agreement.
6. Furnishing the Town with a letter of credit, in an amount to be approved by the Town Engineer. Said letter of credit shall insure that all public improvements and such other items as may be deemed necessary are constructed in accordance with the approved plan and the standards and specifications of the Town of Penfield.
7. Any and all costs related to the relocation of utilities necessitated by this project shall be borne by the individual and/or the utility company requesting the relocation. All new utilities serving this project shall be installed underground.

8. All sanitary sewer connections are to be approved by the Town Engineer and the Monroe County Health Department. Appropriate agency signatures on the final plans shall indicate compliance with this requirement.
9. Compliance with the Town's Highway Frontage Policy which limits the number of curb cuts onto major roads in the Town; specifically that the site shall be serviced by the existing signalized curbcut onto Fairport Nine Mile Point Road.
10. Compliance with the Town of Penfield's Sidewalk Policy; specifically that any existing sidewalks along the property frontage on Fairport Nine Mile Point Road that are damaged during construction shall be replaced to the satisfaction of the Town Engineer prior to the issuance of a Certificate of Occupancy.
11. Compliance with all of the requirements of the Director of Developmental Services, specifically that the property owner submits a cross access and parking agreement for this site, in the Town's format, prior to his signature being placed on the final site plan.
12. The applicant, upon submission of plans for signatures, shall also submit a written summary of compliance with the above stated conditions to the Director of Developmental Services.
13. The applicant shall submit a Property Maintenance Agreement in recordable form, subject to review and approval of the Town Attorney, and accompanied by appropriate filing fees. The Agreement shall specifically address maintenance and care of lawn, landscaping, dumpsters, as well as common areas, roads and parking areas.
14. The approved subdivision plat must be properly filed in the Monroe County Clerk's Office prior to the issuance of a building permit.
15. Construction is to begin within one (1) year from the date of this resolution.
16. THIS RESOLUTION OF APPROVAL WITH CONDITIONS SHALL BE PRINTED IN ITS ENTIRETY ON THE FINAL SITE PLAN.

The Board bases its decision to GRANT a CONDITIONAL USE PERMIT and PRELIMINARY and FINAL SITE PLAN APPROVAL for this proposal on the following findings:

1. The applicant proposes to construct a 6,500 +/- square foot one story freestanding structure, to be utilized as a sit-down restaurant with accessory outdoor dining area known as Jeremiah's. The Board has entered into an Incentive Zoning agreement with the property owners to allow flexibility on the site to accommodate both retail and non-retail development subject to the applicant

- providing funding incentives which will be utilized to provide public works improvements in the immediate neighborhood. The applicant will also provide funding for reimbursement to the Town for the development of the Land Use and Access Management Plan (LUAMP) and the Environmental Impact Statements that were prepared to address development impacts in the LUAMP area, thereby mitigating the need for the applicant to do so as a function of the application.
2. The proposed structure is designed in such a manner that it is architecturally compatible with the surrounding commercial and residential architecture.
  3. The Business Non-Retail district permits hours of operation between 7:00 a.m. and 9:00 p.m. The applicant, as part of the Incentive Zoning proposal, has requested that his business be permitted to open at 11:00 a.m. and close at 2:00 a.m. The Board has granted this request as the proposed hours of operation are consistent with all other similar businesses fronting on Fairport Nine Mile Point Road and Penfield Road in this area.
  4. The applicant has requested the ability to have acoustical entertainment in the outdoor dining area and the Board has approved his request. Acoustical entertainment shall be permitted until 10:00 from Sunday to Thursday and until 11:00 p.m. on Friday and Saturday evenings. In no case shall entertainment be permitted beyond the approved hours. The applicant may have music within the restaurant. In no case shall sound levels associated with music or entertainment of any type be audible from beyond the applicant's property line.
  5. The Board has reviewed this application as it relates to Article X of the Penfield Town Code, Conditional Use Permits. The Board finds that the standards contained within Article X have been met to allow the issuance of a conditional use permit.
  6. The applicant has provided an acceptable storm water treatment proposal, which has been constructed on-site and will be maintained by all the property owners that benefit from it.
  7. The project will be serviced by public water and connection to a sanitary sewer.
  8. The applicant proposes to install exterior lighting that will be adequately shielded so as to minimize impacts to adjacent residential neighbors. The applicant will be required to ensure that said exterior lighting does not adversely impact said neighbors at any time.
  9. The property owner will ensure cross access and parking between his site and the remaining other subdivided properties, as well as future access to the adjacent properties to the north and south of this site at the time they are redeveloped.

10. The applicant as agreed to be responsible for the ongoing property maintenance, landscaping, lighting and signs on said property and will submit a maintenance agreement, in a form acceptable to the Town Attorney prior to the final site plan being signed by the Director of Developmental Services and the Town Supervisor.

The Board bases its findings to APPROVE this application on the following:

1. An Application Form received by the Planning Department on December 5, 2012.
2. A letter of intent received by the Planning Department on December 5, 2012.
3. A site plan and subdivision plat received by the Planning Department on December 5, 2012
4. Penfield Environmental Assessment Form received by the Planning Department on December 5, 2012.
5. Architectural details of the structure received by the Planning Department on December 5, 2012.
6. Landscape plan received by the Planning Department on December 5, 2012.
7. Stormwater Pollution Prevention Plan received by the Planning Department on December 5, 2013.
8. Monroe County Department of Planning referral #PN12-76ZS, dated January 3, 2013.
9. PRC memo dated January 17, 2013.
- 10 Planning Board memo dated January 17, 2013.
11. Engineering comments addressing the PRC's comments received by the Planning Department on January 22, 2013.
12. Surrette email dated January 22, 2013.
13. Submissions and oral testimony of the applicant and concerned citizens at the public hearing on January 23, 2013.
14. New York State Liquor Authority requirements pertaining to the sale of alcohol in proximity to day care facilities received January 29, 2013.
15. Testimony given both orally and in written form by the applicant, his representatives, and the public at the public hearing and subsequent to it.

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 13T-082 DATE February 20, 2013

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 seasonal program brochure for the 2013 calendar year including the summer, fall and winter/spring issues, to meet our specifications,

AND, WHEREAS, on Thursday, February 7, 2013 at 11:00 AM EST, proposals from the following companies were received, opened and read publicly by the Town Clerk:

Penny Lane Printing  
1471 Route 15  
Avon NY 14414

Messenger Post Media  
73 Buffalo Street  
Canandaigua, NY 14424

Webster Printing Corp.  
416 North Avenue  
Webster, NY 14580

(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 1 and 2 including alternative #1, alternative #2 and alternate #3 on each respective bid.

Net delivered price (per issue) as follows:

<u>Bid #1</u>	<u>Alternative #1</u>	<u>Alternative #2</u>	<u>Alternative #3</u>
\$4,375.00	\$106.71	\$4,571.91	\$111.56
<u>Bid #2</u>	<u>Alternative #1</u>	<u>Alternative #2</u>	<u>Alternative #3</u>
\$3,738.21	\$96.86	\$3,902.55	\$111.56

Schedule A



<b>Penny Lane Printing</b>				
		Alt. 1-	Alt 2	Alt 3 -
		additional		additional
Bid 1	\$4,375.00	\$106.71	\$4,571.91	\$111.56
Bid 2	\$3,738.21	\$96.86	\$3,902.55	\$111.56
<b>Messenger Post Media</b>				
		Alt. 1-	Alt 2	Alt 3 -
		additional		additional
Bid 1	\$4,848.00	\$135.00	\$5,090.00	\$142.00
Bid 2	\$4,267.00	\$142.00	\$4,471.00	\$149.00
<b>Webster Printing Corp</b>				
		Alt. 1-	Alt 2	Alt 3 -
		additional		additional
Bid 1	\$4,508.00	\$111.00	\$4,905.00	\$121.00
Bid 2	\$3,967.00	\$111.00	\$4,390.00	\$121.00

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

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

Vote:

Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO13T-083

DATE 2-20-13

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:

The Hit Men Brass Band, c/o David Martin, 7149 Hertfordshire Way, Victor, NY 14564, Independence Day Parade, 6/29/13, for a fee of \$850. Voucher to be submitted 6/5/13.

Gates Keystone Club Police Pipes and Drums, c/o Dave Staub, 89 Sweet Birch Lane, Rochester, NY 14615, Independence Day Parade, 6/29/13, for a fee of \$700. Voucher to be submitted 6/5/13.

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

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

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

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_