



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

PENFIELD TOWN BOARD AGENDA
Wednesday, May 15, 2013, 7:30 PM
Supervisor R. Anthony LaFountain, presiding

- I Call to Order - Pledge of Allegiance - Roll Call
- II Public Hearing #1 - To Allow the Construction of an Outdoor Dining Area at 1785 Penfield Road, in the Four Corners (FC) Zoning District

Public Hearing #2 - To Allow a Dog Grooming Business at 1850 Penfield Road, in the Four Corners (FC) Zoning District

Public Hearing #3 – To consider Request for reduction of a Conservation Easement at 32, 36, 40, 44, 48, 64 and 68 Willow Bridge Trail in Phase III of Windham Woods Subdivision
- III Communications and Announcements
- IV Public Participation
- V Additions and Deletions to Agenda
- VI Approval of Minutes – April 17, 2013
- VII Petitions
- VIII Resolutions by Function
 - Law and Finance
 - 13T-121 Authorization for MRB Group, P.C. to provide Final Design & Engineering Service relating to Installation of Sanitary Sewers within the Parkview Drive/White Village Drive Area
 - 13T-122 Authorization for Release of a Portion of a Drainage Easement at 6 Bainbridge Lane
 - 13T-123 Authorized Bond Council and Financial Consultant to Finance the Parkview/White Village Area Sewer Construction Project
 - 13T-124 Setting a Joint Public Information Meeting for the Consideration of the Development of 33 Single Family Attached Homes and Two Apartment Buildings with a total of 36 Units on 32.67 +/- acres pursuant to NYS Town Law 278 at 1185 Empire Blvd., 1121 Empire Blvd., and 41 Woodhaven Drive.

Public Works – None

Public Safety

13T-125 Authorization for Town Supervisor to Sign Contracts for Town Rabies
Clinic on June 1, 2013

Community Services

13T-126 Authorization for Supervisor to Sign Recreation Contracts
13T-127 Authorization to Adopt Update to the Town of Penfield Recreation
Department Master Plan

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

BY Councilman Moore

Law & Finance COMMITTEE

NAME Authorization for MRB Group, P.C. to provide Final Design & Engineering Service relating to installation of sanitary sewers within the Parkview Drive / White Village Drive Area.

WHEREAS; the Town Board through an informal resident survey, public information meeting(s) and correspondence is aware of a significant level of resident support for the construction of sanitary sewers within the Parkview Drive / White Village Drive area, and

WHEREAS; the Town Board based on this indication of support did decide to initiate a formal Petition process to accurately document this level of support for such a project and comply with NYS Town Law, and

WHEREAS; the Petition contains a detailed description of the project area and incorporates by reference a Map, Plan and Engineers Report that is on file in the Town Clerks office, and

WHEREAS; of the date of this resolution the number of resident owners that have duly signed this Petition, affirming that they are in favor of the Town Board moving ahead with this project, currently stands at approximately 62%, and continues to rise, and

WHEREAS; the Town Board having this Petition containing signatures of resident owners in excess of the minimum 51% required, and also representing more than 51% of the total assessed value of the proposed extension; and seeing that number continue to grow is now prepared to move ahead with final engineering & design service for this project, and

WHEREAS; provided in a proposal dated 11/13/2012, from MRB Group, PC, the total professional engineering services for this project is proposed to be \$189,000, including Planning, District Formation, Survey & Mapping, Design, Bidding & Construction Admin., and

WHEREAS; Town Board Resolution 13T-079 previously authorized MRB Group to undertake the first phase of this work, in an amount not to exceed \$8,000, to prepare a Map, Plan and Engineers Report to support the Petition Process,.

WHEREAS; based on the original engineering proposal less previous authorization the remaining amount of professional engineering service to complete this project is an amount not to exceed \$181,000.

NOW THEREFORE BE IT RESOLVED; that based on the demonstrated level of support and desire to continue to support this process through required engineering & design service the Town Board hereby authorizes MRB Group, P.C. to provide the remaining professional engineering service, as based in their proposal dated 11/13/2012, less the previously authorized first phase, in an amount not to exceed \$181,000, and

BE IT FURTHER RESOLVED; that this expense shall be advanced through the Towns General Fund until such time when the sewer district extension has been formed and this expense shall be reimbursed through project funding.

Moved: _____

Seconded: _____

Vote: Kohl _____

LaFountain _____

Metzler _____

Moore _____

Quinn _____

PENFIELD TOWN BOARD RESOLUTION NO. 13T-122

DATE May 15, 2013

BY Councilman Moore

Law & Finance COMMITTEE

NAME Authorization for Release of a Portion of a Drainage Easement at 6 Bainbridge

Lane - SBL # 095.01-2-47

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a Release of Easement to permit a release of a portion of an existing drainage inspection easement at 6 Bainbridge Lane, as shown on an instrument survey map prepared by James R. Zerkel, P.L.S. dated August 26, 2010 as the applicant would like to construct a pool shed adjacent to said easement and a portion of a proposed pool house will encroach into said easement in an area that does not effect the Town's ability to inspect the private Stormwater control facility situated on it; and

BE IT FURTHER RESOLVED, that the Release of Easement shall be in the Town's format and shall be recorded at the Monroe County Clerk's Office with a certified copy of this Resolution.

Moved: _____

Seconded: _____

Vote: Kohl _____

LaFountain _____

Metzler _____

Moore _____

Quinn _____

BY: Andy Moore _____ Law and Finance _____ COMMITTEE

NAME: Authorized Bond Council and Financial Consultant to Finance the Parkview/White Village Area Sewer Construction Project

WHEREAS, the Town of Penfield is in need of financial consulting services and assistance from bond counsel in conjunction with the proposed borrowing up to \$2,440,000 for the Parkview/White Village Area Sewer Construction Project in the Consolidated Sewer District, and

BE IT RESOLVED, that the Town Board accept the proposal from Bernard P. Donegan as of May 8th 2013 for an amount not to exceed \$35,000, and

BE IT RESOLVED, that the Town Board accept the proposal from Timothy R. McGill, attorney at Law, as of May 8th 2013 for an amount not to exceed \$25,000, and

BE IT FURTHER RESOLVED, that the Supervisor be authorized to enter into a contract for these services, subject to legal review by the Town Attorney. Funding for these services will be reimbursed by the proposed borrowing of these funds during 2013 and 2014.

Moved: _____

Seconded: _____

Vote: Kohl _____

LaFountain _____

Metzler _____

Moore _____

Quinn _____

PENFIELD TOWN BOARD RESOLUTION NO. 13T-124

DATE May 15, 2013

BY Councilman Moore

Law & Finance COMMITTEE

NAME Setting a Joint Public Information Meeting for the Consideration of the Development of 33
Single Family Attached Homes and Two Apartment Buildings with a total of 36 Units on 32.67 +/-
acres pursuant to NYS Town Law 278 at 1185 Empire Blvd., 1211 Empire Blvd. and 41 Woodhaven
Drive. The Property is owned by Howitt-Bayview LLC and is Zoned LLD and R-1-20 – SBL#'s
108.05-2- 8.5, 108.05-2-8.33, and 108.10-1-1.111

WHEREAS, Robert K. Winans P.E., 40 Cedarfield Commons, Rochester, New York 14612 on behalf of Midlakes Development and Construction, LTD, requests an informal discussion with the Town Board and the Planning Board regarding the possible construction of 33 single family attached homes and two apartment buildings with a total of 36 units on 32.67+/- acres. The parcels are located 1185 Empire Blvd., 1211 Empire Blvd., and 41 Woodhaven Drive. The property is owned by Howitt-Bayview, LLC, and is zoned LLD and R-1-20. Appl # 12P-0017. SBL# 108.05-2-8.5, 108.05-2-8.33, and 108.10-1-1.111

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board and the Planning Board of the said Town of Penfield shall hold a joint Public Informational Meeting at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on June 5, 2013, at 7:30 PM on said date, to consider the said conceptual plan and to hear all persons interested on the question of the possible construction of 33 single family attached homes and two apartment buildings with a total of 36 apartment units on 32.67+/- acres located at 1185 Empire Blvd., 1211 Empire Blvd., and 41 Woodhaven Drive; 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 _____

BY Cm Quinn

Public Safety COMMITTEE

NAME Authorization for Town Supervisor to sign contracts for Town Rabies Clinic on June 01, 2013

Be It Resolved, That the Town Board authorizes the Town Supervisor to sign the following contracts for the Penfield Rabies Clinic on Saturday June 01, 2013, 10:00 AM - 12:00 PM:

Denise Kurtz, DVM, 117 N. Main Street, Fairport, NY 14450
for veterinarian services for a fee of \$150.00.

Stacy Crippen, LVT, 117 N. Main Street, Fairport, NY 14450,
for Veterinarian Technician services for a fee of \$75.00

Moved: _____

Seconded: _____

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

PENFIELD TOWN BOARD RESOLUTION NO. 13T-126

DATE 5-15-13

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:

Donovan Shilling, 1765 Five Mile Line Rd., Penfield, NY 14526, Instructor for the Marvels and Myths of Rochester Series 6/26/13, 7/31/13, 8/28/13 for a total of 70% of total revenue. Vouchers to be submitted on 8/7/13 and 9/04/13.

April Roods, 1093 Wickerton Lane, Webster NY 14580, lecture facilitator for summer reading series Emerson and Thoreau 7/11/13 – 8/15/13 for a total fee of \$180. Voucher to be submitted on 8/7/13.

Joyce Bossard, 841 Corwin Rd. Rochester NY 14610, Instructor for Beginning Knitting 5/13 -6/24 for a fee of \$7.00 per registered student. Voucher to be submitted on 6/19/13.

Kathy Marsh, 205 Forest Hills Rochester NY 14625, instructor for Writing Enrichment classes 8/12/13-8/16/13 for a fee of 70% of total revenue. Voucher to be submitted on 8/21/13.

David Puls, 271 Westfield St. Rochester, NY 14610, Basic Animation Instructor for three classes 8/12, 8/13, 8/16 for a fee of \$35 for each registered participant. Voucher to be submitted 8/21/13.

Kelly Bilow, 738 Gasberry Lane Webster New York 14580, instructor for Girls Instructional Softball program 5/07/13 -06/04/13 for a fee of 70% of total revenue. Voucher to be submitted on 06/05/13.

Moved: _____

Seconded: _____

Vote: Kohl _____

LaFountain _____

Metzler _____

Moore _____

Quinn _____

PENFIELD TOWN BOARD RESOLUTION NO. 13T-127

DATE MAY 15, 2013

BY LINDA KOHL

COMMUNITY SERVICES COMMITTEE

NAME AUTHORIZATION TO ADOPT UPDATE TO THE TOWN OF PENFIELD RECREATION DEPARTMENT MASTER PLAN.

WHEREAS, the Penfield Town Board Resolution on May 2, 2012 authorized the 2007 Parks and Recreation Comprehensive Master plan Five Year Update,

AND, WHEREAS, the Master Plan Update Committee, and the Recreation Director have reviewed and now recommended the final draft be approved by the Town Board as submitted by the committee,

NOW, THEREFORE BE IT RESOLVED, the Penfield Town Board adopts the final Parks and Recreation Comprehensive Master plan Five Year Update.

Moved:

Seconded:

Vote:

Kohl _____

LaFountain _____

Metzler _____

Moore _____

Quinn _____

