PENFIELD TOWN BOARD AGENDA

Wednesday, April 2, 2014 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 – March 5, 2014

VI Petitions

VII Resolutions by Function

Law and Finance
14T-078 Authorization to Release Portions of Storm Sewer Easements in Section 1 and Section 3 of the Windham Woods Subdivision

Public Works
14T-079 Authorization for Town Engineer to attend NY Chapter of American Public Works
14T-080 Awarding Contract for 2014 Turf and Field Mowing
Public Safety - None

Community Services
14T-081 Authorization for Supervisor to Sign Recreation Contracts

VIII Old Business

IX New Business

X Public Participation

XI Adjournment
The Regular meeting of the Penfield Town Board was held on Wednesday, April 2, 2014 at 7:30 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

Present:  R. Anthony LaFountain  Supervisor  
          Linda Kohl  Councilwoman  
          Paula Metzler  Councilwoman  
          Andrew Moore  Councilman  
          Robert Quinn  Councilman  

Also Present:  Amy Steklof  Town Clerk  
              Richard Horwitz  Town Attorney  

Supervisor LaFountain called the meeting to order - Pledge of Allegiance was led by Library Director, Bernadette “Bunny” Brinkman.


Ms. Brinkman thanked the Town Board for the Proclamation and stated that April 13-19 is also Spring Break and the Library has many activities planned for families to enjoy.

Supervisor LaFountain thanked Ms. Brinkman and her team for all they do. For information about the Penfield Library and for a complete list of library programs please go to www.penfieldlibrary.org or call the Library at (585) 340-8720.

Communications and Announcements

1. The next Passport Event will be held on Tuesday, April 22, 2014 from 5:30 PM to 7:30 PM in the Town Hall Auditorium. For more information please contact Amy Steklof at 340-8629 or visit the Town's website at www.penfield.org.

2. The Annual VFW Post 2014 Memorial Day Essay Contest information and applications are now available at www.penfieldrec.org and in person at the Recreation Office. Contest deadline is April 25th.

3. Penfield Clean-Up Day is Saturday, May 3, 2014. A pancake breakfast will be served before heading out for the clean-up. To register, or for more information, call Sabrina at 340-8651 or email srenner@penfield.org.


5. On Saturday, April 26 from 7:30 AM to 1:00 PM, the Monroe County Department of Environmental Services (DES) and the Towns of Penfield and Webster and the Village of Webster will host an appointment only Household Hazardous Waste (HHW) collection at the Penfield Highway Garage, 1607 Jackson Road. To schedule an appointment call 340-8710 or online at www.monroecounty.gov/des-hhw.php.

6. The Penfield Trails Committee will sponsor a free public hike at Channing H. Philbrick Park on Saturday, April 12, 2014 at 10:00 AM. Participants should register by calling the Penfield Recreation office at 340-8655, option 6.

7. The Third Annual Civil War Day will be held at the Penfield Community Center on April 26, 2014 from 10:00 AM to 4:00 PM and will be co-sponsored by the Penfield Public Library, the Friends of the Penfield Public Library, Penfield Town Historian, the Penfield Recreation Department and the Penfield Heritage Association. No registration required.
8. Bed rentals are filling up fast at the Penfield Community Victory Garden, 1747 Five Mile Line Road. If you are interested in more details or would like to register for a bed, go to www.penfieldrec.org and click on Penfield Community Garden.

9. Councilwoman Kohl’s next Community Chat will be held on Tuesday, April 15 from 5:30 PM to 7:00 PM at the Penfield Library.

10. Supervisor LaFountain congratulated Javier Perez, Brian Crowley and Andrew Kurzweil from Boy Scout Troop 260 and located out of St. Joseph’s Church, on achieving Eagle Scout rank.

11. The Penfield School Community Partnership will kick off a Community-wide event for Healthy Relationships Week with National Speaker, Aaron Boe in the Penfield High School Auditorium on April 3, 2014 from 7:00 PM to 8:15 PM. Mr. Boe’s topic will be, “Healthy Teen Relationships 2014: Equipping your Son or Daughter for a Safe Social Life.”

Public Participation

Tim Murphy, 48 Corral Drive thanked the Town Board for replacing the torn flag at Rothfuss Park and stated he would like to donate a flag to be flown at Rothfuss Park this summer.

Supervisor LaFountain stated the Town would be glad to fly his flag.

Mr. Murphy asked why there is so much dirt/fill at Rothfuss Park?

Supervisor LaFountain stated it is part of the Glenbrook pond maintenance program that was started a couple of years ago to fill in some of the lower areas. He stated it is part of the overall Rothfuss plan to add additional fields to the park.

Mr. Murphy asked if it would be an expense to the Town?

Supervisor LaFountain stated that it is part of the contract.

Mr. Murphy stated that although some of it is clean fill, he is concerned about the odor emissions and is wondering if it will be tested.

Supervisor LaFountain stated that the Town did go through the Department of Environmental Conservation (DEC) as part of the process to make sure that the materials were safe to spread. He believes that once they spread the fill, the odors will lessen.

Councilwoman Metzler stated that this issue was covered during the permit process and that it was one of the Town’s top priorities to assure residents that surround Rothfuss Park that they would have a better pond than they do now. It is planned to repurpose the material coming out of the pond for future use within the Town.

Mr. Murphy asked Town Clerk Steklof why there are no Town Board Minutes on the website for the month of March?

Town Clerk Steklof stated that a draft of the Town Board minutes are completed within two (2) weeks after the meeting is held, and once they are distributed to the Town Board they are then placed on the Town Board Agenda for approval. The March 5, 2014 minutes are on today’s Town Board Legislative Meeting Agenda to be voted on.

Mr. Murphy stated he had been looking at the Town’s goal process and wonders why there are no goals listed for the Town Board?

Supervisor LaFountain stated that a number of goals set by departments are driven by the Town Board and therefore Town Board goals are reflected in Department goals. He went on to say that the Town Board
goals are driven by the residents of the Town, and that some of the Town Board goals include managing costs and delivering a cost conscious budget.

Mr. Murphy reminded the Town Board that he and Jeff Burns had given the Town Board a list of 38 items that were suggested by Town residents and hopes the Town Board will address those items in the near future. He is happy to see that the Town Board Work Sessions are now televised.

Supervisor LaFountain stated that he would be happy to chat about any of the items on the list, at a Town Board meeting, Work Session or one on one.

Mr. Murphy stated that he had invited Dr. Grimm and his leadership team from the Penfield School District to tour his company’s facility. He hopes to have the school district shape its curriculum to help train students so they will become interested in working at companies like his. He hopes the Town Board will help with this initiative.

Mr. Murphy questioned the Town Board about the Resolution that is on the agenda, 14T-080 Awarding Contract for 2014 Turf and Field Mowing. He stated he would have liked to have seen the full package with Request for Proposal (RFP) and the compilation of the numbers. He stated he would like to know how the Town Board got to this point in awarding the contract?

Supervisor LaFountain stated that the Town Board broke down the job into three (3) components; weekly mowing, bi-weekly mowing and seasonal mowing. As a first step in trying to reduce costs it was decided to hire contractors for the bi-weekly and seasonal component. Because of recent retirements and transfers they would have had to hire additional full time employees which would have been more costly. Using a combination of seasonal employees and contractors seems to be the most logical decision.

Councilwoman Metzler stated that the Town has talented staff that would be better utilized by taking on other tasks such as landscaping, beautifying and maintaining Town properties. Councilwoman Metzler went on to say municipalities are forced to comply with the Affordable Care Act and the potential for more seasonal workers to qualify for full benefits has increased and is a consideration from a monetary standpoint.

Mr. Murphy asked what the total value of the contract is?

Supervisor LaFountain stated that it depends on the number of trips. For bi-weekly, which is set up for a 10 trip schedule and two (2) pass per season for “wander” mowing, the total trip cost is $15,400. A quote was also given for a 15 trip schedule of $21,850.

Mr. Murphy asked what percentage of green space will be covered by the mowing contract?

Supervisor LaFountain stated that the lawn mowing/field mowing would be approximately 60%, and 40% would be for ponds, general areas and parks that require attention two (2) times per year. He added that Rothfuss Park is considered part of the lawn contract which will be done by the employees with assistance from seasonal workers.

Mr. Murphy asked Supervisor LaFountain to project the savings to the Town by using contractors.

Supervisor LaFountain stated it will save the cost of two (2) full time employees plus benefits and reminded Mr. Murphy that this is only a one (1) year contract.
(Public Participation – Continued)

Councilwoman Metzler suggested that Mr. Murphy review the Work Session and noted that this is a “pilot” program.

Michael and Rose Hanscom, 145 Anytrell Drive shared news that their son is one (1) of 20 High School seniors across the nation selected for early admission for a doctorate program at Upstate Medical University.

The Hanscoms brought up four (4) concerns pertaining to the redevelopment of Baytowne Plaza. (The detailed letter can be found in the Planning File)

1. The new Super Walmart will be the largest in Monroe County at 186,000 square feet. An issue particularly given its close proximity to residential properties.
2. The concrete wall, to be located at the top of the berm, has no noise reduction components.
3. The applicant has not obtained an easement from the owner of the Sovran Properties to construct an access road to Baytowne Plaza.
4. They are concerned that the agreed times for beginning work hours will not be enforced. To protect the neighbors from noise they recommend work hours to be restricted to 7:00 AM to 10:00 PM Monday through Friday, and 8:00 AM to 10:00 PM Saturday and Sunday and that the time restrictions will be included in the Property Maintenance Agreements. Ms. Hanscom stated she is pleased that, at this time, the time conditions have been upheld.

Supervisor LaFountain asked the Hanscoms if the Planning Board was aware of their concerns?

Ms. Hanscom stated that some of their concerns have been sent to the Planning Board.

Supervisor LaFountain stated that PCTV can clip this portion of the meeting and send a copy to the Planning Department to be added to the file.

Monroe County Legislator, representing the 15th District, Dan Quatro, 488 Plank Road, Webster, NY, stated that the New York State budget was passed on time and because of this it will be easier for the County to complete their budget planning process. He also stated that there was nothing in the budget pertaining to mandate relief which is a big concern to County and Town governments. He pledges to work diligently to keep the tax payer in mind and to maintain quality of life in Penfield.

Legislator Quatro stated that they have completed a successful partnership in the Greater Rochester Off Road Cyclists (GROC) to upgrade and maintain multiuse trails in two (2) of the east side public parks, and that this pilot project is a perfect example of public and private partnership at no cost to the taxpayers.

Legislator Quatro mentioned that there recently was a green drinks event in Penfield and asked the Town Board for details about the event.

Councilwoman Metzler stated the event was well attended at the Harris Whalen Park Lodge which was an appropriate venue being that the Town had recently installed solar panels to the roof of the lodge. At the event Councilwoman Metzler talked to residents pertaining to efforts within the Town of Penfield for sustainability. Planning Board member Bob Kanauer was there to talk about the solar energy panels. Mark Valentine made a presentation on mixed use development initiatives. Residents that attended the event stated they are pleased with the process the Town is using by having residents sit on committees and subcommittees to provide input for Town initiatives. Councilwoman Metzler also stated that this event was a great networking event as well.
Supervisor LaFountain stated that the Green Drinks event has been around approximately four (4) years and this is the second time the Town of Penfield has hosted this event. He also stated that the Town of Penfield is the only municipality in Monroe County to have hosted this event.

Supervisor LaFountain stated he is encouraging other towns to take a turn in hosting this event.

Supervisor LaFountain stated that some of the accomplishments that have occurred pertaining to energy and environmental sustainability include the installation of the first electric car charging station in Monroe County, a solar power pump station that offsets the cost of the electric car charging station, and solar panels on Harris Whalen Park Lodge. He also stated that the Town is installing two (2) solar powered crosswalk indicators at Scribner Road School and Plank Road School.

Legislator Quatro commended the Town Board for their cooperation, collaboration and transparency.

Joseph Brennan, 1935 Penfield Road stated that Ed Lindskoog of the Conservation Board and Trails Committee is quite ill and to please keep him in our prayers.

Mr. Brennan stated that he is concerned about the accessibility to the bird habitat once the Irondequoit Bay project is completed. He stated he is also concerned about the access to Abraham Lincoln Park. He feels that the developer is not following through on some of the promises he made in terms of this accessibility. Also, he suggested that a connection down to Empire Boulevard would be a significant addition. At this time there is no way to get out at the southern entrance and therefore it is necessary to walk back. He suggests that a soft surface trail going along the waterway in that area would be an improvement.

Supervisor LaFountain stated that there has been some misinformation being spread by a non-resident that Developmental Services Director, Jim Costello has corrected for accuracy regarding the birding component. He went on to say that the Town Board has been very specific about connectability and the fact that there is so much park land in the area that the Town Board is looking at every possibility to connect those areas.

Councilwoman Metzler asked when the next Trails Committee meeting will be held?

Mr. Brennan stated the meetings are held the first Tuesday of every month. The next meeting will be held on May 6th.

Councilwoman Metzler asked if the Trails Committee would like an official response before the next meeting is held, that Mr. Costello can spearhead, to help clarify the actual status of what has been agreed upon and where the project is at this time?

Mr. Brennan stated they would welcome the information.

Tim Murphy approached the podium for a second time, and stated that he was a member of the Parks and Recreation Advisory Board for over 12 years, and he has taken a look at the departmental goals for the Recreation Department. In doing so he saw no reference to reconstitute a board. He stated that when he looked over the Master Plan, the plan mentioned a focus group. He would like to know why the Town does not have some type of citizen organization, beyond the Trails Committee which had been a subset of the Parks and Recreation Advisory Board, to help with the process.
Supervisor LaFountain stated the Recreation Director Chris Bilow said that as the need arises for different focus groups they would bring those groups together. The Town has had a focus group for the update of the Master Plan and a focus group came together to discuss the 501C3 for providing input to the Town Attorneys. He stated that as the need arises, more focus groups will be brought together.

Mr. Murphy stated he feels it is unacceptable to not have a Parks and Recreation Advisory Board and feels community input is very important in this area. He feels it should be a priority.

**Additions and Deletions to Agenda - None**

**Approval of Minutes**

Councilwoman Kohl moved to approve the Minutes of March 5, 2014 Councilman Quinn seconded and all voted “Aye.”

**Petitions - None**

**Resolutions by Function**

**Law and Finance**

#14T-078 Authorization to Release Portions of Storm Sewer Easements in
Section 1 and Section 3 of the Windham Woods Subdivision
by Moore

WHEREAS, upon approval of Sections 1 and 3 of the Windham Woods Subdivision, the Town of Penfield required storm sewer easements to convey water through a piped system and recorded storm water easements in Liber 341 of Maps page 85 in Section 1, and Liber 343 of Maps and page 21 in Section 3 respectively; and

WHEREAS, upon construction of the project, due to grading modifications, it was determined that there was no longer the need for storm water to be conveyed through a piped system in the areas identified in portions of said easements and said storm water could be conveyed through swales which can be maintained by property owners rather than the Town, no longer necessitating the need for portions of the storm water easements; and

WHEREAS, portions of the storm water easements recorded in the Monroe County Clerk’s Office on plat maps in Liber 341 of Maps, page 85 (Section 1) and in Liber 343 of Maps, page 21 (Section 3) respectively, are no longer a required on the Town’s part;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a Release of Easement to permit the release of portions of existing storm sewer easements in Section 1 and Section 3 as shown on maps entitled “Windham Woods Subdivision Section 1 – Portion of Easement to be Abandoned” “Windham Woods Subdivision Section 3 – Abandonment of Easement” prepared by Costich Engineering, dated January 21, 2014 and July 25, 2012 respectively attached hereto as Exhibit “1” and Exhibit “2” and legal descriptions attach hereto as Schedule “A” and Schedule “B”; 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: Moore
Seconded: Kohl

<table>
<thead>
<tr>
<th>Vote</th>
<th>Kohl</th>
<th>Aye</th>
<th>LaFountain</th>
<th>Aye</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Metzler</td>
<td>Aye</td>
<td>Moore</td>
<td>Aye</td>
</tr>
<tr>
<td></td>
<td>Quinn</td>
<td>Aye</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Penfield Town Board, April 2, 2014

(Resolution #14T-078 – Continued)

Adopted

See Attachment at end of Minutes

Public Works

#14T-079 Authorization for Town Engineer to attend NY Chapter of American Public Works by Metzler

WHEREAS, the New York Chapter of the American Public Works Association is holding a training conference in Syracuse, NY; and

WHEREAS, the Town Board supports continued education of staff to stay current with technology and constantly changing regulations; and

WHEREAS, the NY Chapter provides an excellent training agenda that covers many areas of interest for the Town of Penfield; and

WHEREAS, NYS Education Law requires the continued training of professional engineers; and

WHEREAS, the cost of this program and travel costs shall not exceed $320 and it will be paid for from the Engineering Department’s training budget.

NOW, THEREFORE, BE IT RESOLVED that Geoff Benway is hereby authorized to attend the NY Chapter of the American Public Works Association’s Annual Conference, to be held April 3 and 4, 2014 for a cost not to exceed $320. The cost will be allocated from the Engineering Department’s conference budget line.

Moved: Metzler
Seconded: Moore

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Aye
      Quinn Aye

Adopted

#14T-080 Awarding Contract for 2014 Turf and Field Mowing by Metzler

WHEREAS, sealed bids were sought and requested in a manner prescribed by Law to furnish the Department of Public Works with a service contract that would provide the Town of Penfield with Turf and Field Mowing for the 2014 season; and

WHEREAS, on November 26, 2013 at 11:00 AM local time the following sealed bids were received opened and read publicly from the following list of suppliers; and

Ted Hosmer Enterprises Inc.
Garden Grove
Boon and Son
R.M. Landscape Inc.
Rochester Lawn Care Inc.
Curb Solutions Inc.
Cardinal lawn and Landscape Inc.

WHEREAS, upon review the quotes received, which are attached to this Resolution, for weekly, bi-weekly and field mowing it was determined that the weekly mowings for facilities and athletic fields would continue to be maintained in-house and the mowing for bi-weekly and field mowing for parks and open space would be contracted out; and
WHEREAS, the lowest responsible bid for bi-weekly and field mowing meeting or exceeding all specifications was received from Rochester Lawn Care Inc., 1592 Qualtrough Road for the following services; bi-weekly mowing at $1,290.00 per pass and field mowing $1,250.00 per pass;

NOW, THEREFORE BE IT RESOLVED, that a contract be and hereby is awarded to Rochester Lawn Care Inc., 1592 Qualtrough Road, Penfield, New York for all the bi-weekly and field mowing per the Town specifications and that the Supervisor be hereby authorized to sign said contract upon review by the Town Attorney; and

BE IT FURTHER RESOLVED, that the Town rejects all of the bids submitted for the weekly mowing of facilities and athletic fields that was contained as part of the original bid package.

Moved: Metzler
Seconded: Kohl

Vote:  
Kohl  Aye  LaFountain  Aye
Metzler  Aye  Moore  Aye
Quinn  Aye

Adopted

Public Safety - None

Community Services

#14T-081 Authorization for Supervisor to Sign Recreation Contracts
By Kohl

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following Recreation Contracts:

Downbeat Percussion, Dan English, 120 Sylvan Street, Elbridge, NY 13060, Independence Day Parade, 7/4/14, for a fee of $1,000.00. Voucher to be submitted 6/4/14.

Moved: Kohl
Seconded: Quinn

Vote:  
Kohl  Aye  LaFountain  Aye
Metzler  Aye  Moore  Aye
Quinn  Aye

Adopted

Old Business - None

New Business - None

Public Participation - None

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 9:21 PM.

Amy Steklof, RMC
Town Clerk
WINDHAM WOODS SUBDIVISION - SECTION 1
DESCRIPTION OF A PORTION OF EXISTING EASEMENT
TO BE ABANDONED

All that tract or parcel of land situated in the Town of Penfield, County of Monroe, State of New York, all as shown on a map entitled "Windham Woods Subdivision Section 1, Portion of Easement to be Abandoned" prepared by Costich Engineering, P.C., having Drawing No. 4730 UE-260, dated 01/24/2014, being more particularly bounded and described as follows:

1. From the point of beginning, S89°55'27"W, along the south property line of lot R105, a distance of 10.00 feet to a point; thence
2. N00°16'13"W, along the existing 20' wide access and utility easement line, a distance of 16.18 feet to a point; said point being the true point of beginning; thence
3. S89°55'27"W, continuing along the existing 20' wide access and utility easement line, a distance of 139.85 feet to a point; thence
4. N11°48'32"W, a distance of 20.43 feet to a point; thence
5. N89°58'27"E, along the existing 20' wide access and utility easement line, a distance of 143.93 feet to a point; thence
6. N00°16'13"W, continuing along the existing 20' wide access and utility easement line, a distance of 598.07 feet to a point on the south right of way line of Kings Mill Court; thence
7. N89°43'03"E, along the aforesaid right of way line, a distance of 20.00 feet to a; thence
8. S00°16'13"E, along the existing 20' wide access and utility easement line, a distance of 598.32 feet to a point; thence
9. S89°55'27"W, along the south property line of lot R105, a distance of 10.00 feet to the point of beginning
WINDHAM WOODS SUBDIVISION - SECTION 3
DESCRIPTION OF EXISTING STORM SEWER EASEMENT
TO BE ABANDONED

All that tract or parcel of land situated in the Town of Penfield, County of Monroe, State of New York, all as shown on a map entitled "Windham Woods Plat Map Section 3, Portion of Easement to be Abandoned", prepared by Costich Engineering, P.C., having Drawing No. 4730 NE-Rob, dated 01/21/03/14, being more particularly bounded and described as follows:

Beginning at a point on the westerly bounds of Willow Bridge Trail (60° R.O.W.), said point being on the common line between Lot Nos. 304 and 305, thence

1. Southerly along said westerly bounds of Willow Bridge Trail and along a curve to the left, having a delta angle of 04°27'18", a radius of 130.00 feet, and an arc length of 10.11 feet, and a chord of 60°3'34'45"E 10.11 feet to a point; thence

2. S89°43'03"W, a distance of 142.24 feet to a point; thence

3. N00°16'13"W, a distance of 20.00 feet to a point; thence

4. N89°43'03"E, a distance of 140.11 feet to a point on the westerly bounds of Willow Bridge Trail; thence

5. Southerly along said westerly bounds of Willow Bridge Trail and along a non-tangent curve, said curve to the left having a delta angle of 04°25'07", a radius of 130.00 feet, and an arc length of 10.03 feet, said curve also having a chord of 50°4'38'38"E 10.02 feet, to the point and place of beginning.
WINDHAM WOODS SUBDIVISION - SECTION 3
ABANDONMENT OF EASEMENT

THE TOWN OF PENFIELD
FOR
STORM SEWER PURPOSES

PREPARED BY
COSTICH ENGINEERING, P.C.
217 LANE MEADOW
Rochester, N.Y. 14621