PENFIELD TOWN BOARD AGENDA
Wednesday, August 5, 2015, 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call
II Informal Discussion – Regarding Incentive Zoning Proposal at 1213 Fairport Nine Mile Point Rd.
III Communications and Announcements
IV Public Participation
V Additions and Deletions to Agenda
VI Approval of Minutes – July 1, 2015
VII Petitions
VIII Resolutions by Function
  Law and Finance
  15T-138 Appointment of School Tax Collector for the 2015-2016 School Year for Wayne Central School District
  15T-139 Setting a Public Hearing for a Conditional Use Permit to Allow a Restaurant with Outdoor Dining and Entertainment at 1400 Empire Blvd
  15T-140 Setting a Public Hearing for Final Subdivision and Site Plan Approval to Allow 10 Residences in Phase IV of the Abbington Place Subdivision on 3.06 Acres at 1229 Fairport Nine Mile Point Road
  15T-141 2015 Budget Amendment- Salter Rack Storage System

  Public Works
  15T-142 Roof Replacement for DPW Highway Garage/Mechanic Shop
  15T-143 Town owned Parking Lot-Snow and Winter Ice Removal for 2015/2016 Season

  Public Safety – None
  Community Services
  15T-144 Authorization for Supervisor to Sign Recreation Contracts
IX Old Business
X New Business
XI Public Participation
XII Adjournment
The Regular meeting of the Penfield Town Board was held on Wednesday, August 5, 2015 at 7:00 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

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

Also Present:  Amy Steklof  Town Clerk
Richard Horwitz  Town Attorney

Absent:  Andrew Moore  Councilman

Supervisor LaFountain called the meeting to order - Pledge of Allegiance

Supervisor LaFountain recognized Dan Gray, owner of Bill Gray’s Family Restaurant and staff member Kim Hinkson.

Councilman Quinn presented a Certificate of Recognition to Bill Gray’s in celebration of its 35th Anniversary. Councilman Quinn stated that the Town of Penfield has declared Tuesday, August 11, 2015 as Bill Gray’s Day.

Dan Gray, on behalf of Bill Gray’s staff, stated they are honored to receive recognition from the Town Of Penfield. Mr. Gray went on to say that the success of the restaurant would not be possible without the dedication of the managers and staff at the Penfield store. Mr. Gray gave special recognition to Ms. Hinkson for all of her hard work and dedication to the store.

Supervisor LaFountain recognized Robert Quinn, Senior as the “moving force” in making sure the Town appropriately recognized Bill Gray’s Penfield store.

Informal Discussion  Regarding Incentive Zoning Proposal at 1213 Fairport Nine Mile Point Road

The Town Clerk read the title of the above Informal Discussion; said Notice was published in the Penfield Post on July 23, 2015 and was posted on the Town Website and Town Clerk Bulletin Board. 64 Postcards were mailed. Town Attorney Horwitz confirmed that this meeting is in order.

Rudy Neufeld, of Crosstown Construction introduced Rebecca a representative for BME Associates who handed out maps of the project for the Town Board to review.

Mr. Neufeld gave a brief overview and power point presentation pertaining to the submitted application that proposes incentive zoning for Barclay Park, a 12 duplex, 24 unit, residential subdivision proposed for 6.7 +/- acres of land, located at 1213 Fairport Nine Mile Point Road just north of the Marchner Road intersection.

The project will be served by a private road with direct access to NYS RTE 250. Barclay Park will be owned and maintained by a Homeowners Association which will be established by the developer. All units will be served by public sewer and water. Each unit will have its own lot.

The proposal includes landscaping to the south, west and north to buffer existing single family neighborhoods. Existing vegetation along the north and south property lines will be preserved. The existing vegetation will be supplemented with new plantings. Additional plantings will be added along the west property line.
Penfield Town Board, August 5, 2015

Public Participation

Robert Cookingham, 12 Colten Court, who’s property backs up to the south border of the property, and Paul Chafield, 74 Whitespire Lane, in the Cranberry Cove Subdivision, both support the proposed project. Four (4) emails were received supporting the project as well. (see attached)

Informal Discussion closed.

Communications and Announcements

1. The Penfield Recreation and Wegmans recently completed the installation of a QR F.I.T. Trail system along the paved trail in Rothfuss Park on Five Mile Line Road. To learn more about the QR F.I.T. Trail, please visit www.qrfittrail.com.

2. Penfield Recreation will hold a “Tour de Farm” cycling event on Saturday, August 22, 2015 with a rain date of August 23, 2015. The routes will consist of a Family Ride of 6 miles, a Leisurely Cruise of 15 miles, and Cycling Express of 20 miles. For more information visit www.penfieldrec.org.

3. The Penfield Trails Committee will sponsor a Free Public Hike at Ellison Park on Saturday, August 8, 2015 from 9:00 AM to 11:00 AM. You may pre-register by contacting Penfield Recreation Department at 340-8655.

4. Autism UP presents their 3rd Annual Kite Flight Parade, Festival and Expo on August 15, 2015 from 10:00 AM to 2:00 PM at Rothfuss Park. The parade march will begin promptly at 11:00 AM. For more information, please visit the Autism Up website at www.autismup.org.

5. The Penfield Players will hold auditions for its fall production of “Private Lives” on Tuesday, August 18 and Wednesday, August 19, 2015 from 7:00 PM to 8:30 PM at the Penfield Community Center. For more information, please visit www.penfieldplayers.org.

6. The last “Kids Fest” Amphitheater concert will be held on Thursday, August 6, 2015 featuring the “Dady Brothers” at 7:00 PM. On September 19, 2015 Penfield’s Annual “Tastin’ the Blues” will be held wrapping up Penfield Recreation’s Amphitheater series. For more upcoming activities and events, visit www.penfieldrec.org.

7. Councilwoman Kohl’s next Community Chat will be held on Tuesday, August 18, 2015 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Baird Road.

Public Participation - None

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of July 1, 2015 Councilman Quinn seconded and all voted “Aye.”

Petitions - None
Resolutions by Function

Law and Finance

#15T-138 Appointment of School Tax Collector for the 2015-2016 School Year for Wayne Central School District by Moore

WHEREAS, Section 37 of the Town Law of New York State provides that collection of school taxes in first class towns is the duty of the Town’s Receiver of Taxes & Assessments unless a Resolution is adopted by the Town Board to convey this responsibility to the tax collector appointed by the Board of Education, and

WHEREAS, Penfield is one of six first-class townships within the boundaries of Wayne Central School District, and

WHEREAS, the tax receiver as appointed by the Wayne Central School District as the school tax collector for the Wayne Central School District portion of the Town of Penfield for the 2015-2016 school year,

NOW, THEREFORE, BE IT RESOLVED, that the Penfield Town Board hereby approves the appointment of Mrs. Cathy Herzog as School Tax Collector for the Wayne Central School District portion of properties in the Town of Penfield.

Moved: Quinn
Seconded: Metzler

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

Adopted

#15T-139 Setting a Public Hearing for a Conditional Use Permit to Allow a Restaurant with Outdoor Dining and Entertainment at 1400 Empire Boulevard by Moore

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Conditional Use Permit pursuant to Article III-3-94 of the Code to allow a restaurant with outdoor dining and entertainment at 1400 Empire Blvd., located in the LaSalle’s Landing Development (LLD) zoning district; and

WHEREAS, 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" pursuant to SEQRA; and

WHEREAS, the subject application is determined to be an Unlisted Action pursuant to Section 617.4 of the State Environmental Quality Review Act (SEQRA);

NOW, THEREFORE, BE IT 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 September 2, 2015, at 7:00 PM on said date, to consider said application and to hear all persons interested on the question of the issuance of a Conditional Use Permit pursuant to Article III-3-94 of the Code to allow a restaurant with outdoor dining and entertainment at 1400 Empire Blvd., in the LaSalle’s Landing Development (LLD) 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.
Penfield Town Board, August 5, 2015

(Resolution #15T-139 – Continued)

Moved: Quinn
Seconded: Kohl

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

Adopted

#15T-140 Setting a Public Hearing for Final Subdivision and Site Plan Approval to Allow 10 Residences in Phase IV of the Abbington Place Subdivision on 3.06 Acres at 1229 Fairport Nine Mile Point Road by Moore

WHEREAS, pursuant to Local Law No. 2 of 2003, known as the Town of Penfield Incentive Zoning Law, on May 4, 2011, the Town Board granted preliminary overall approval of 99 single family residences and final approval for 28 residences in Phase 1 of the Abbington Place Subdivision; and

WHEREAS, the Town Board has subsequently granted final subdivision and site plan approval for Phases II and III of the subdivision since that date; and

WHEREAS, the Town Board has received an application for final subdivision and site plan approval for the development of 10 residences in Phase IV of the Abbington Place Subdivision under Articles VIII-8-2 and XI-9-2 of the Code on 3.06 +/- acres in the Rural Residential 1 (RR-1) zoning district at 1229 Fairport Nine Mile Point Road; 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 September 2, 2015 at 7:00 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

RESOLVED, that the requirements of the State Environmental Quality Review Act (SEQRA) that this proposal was classified as an Unlisted Action and a Negative Declaration was prepared and adopted by the Town Board; 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 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: Quinn
Seconded: Metzler

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

Adopted

#15T-141 2015 Budget Amendment – Salter Rack Storage System by Moore

WHEREAS, resolution #15T-133 authorizes the purchase of a salter rack storage system at a cost of $116,790; and

WHEREAS, these funds are available in the Highway Capital Reserve fund during 2015; and

BE IT RESOLVED, that the following budget amendment be approved as follows:
Penfield Town Board, August 5, 2015

(Resolution #15T-141 – Continued)

From: Highway Capital Reserve
DA0-1000-6000-0001 $116,790 $602,790
To: Highway Fund Appropriations
DA0-5130-0002-2529 $116,790 $116,790
Salter Rack System

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the adoption of the this resolution with respect to the expenditure from the Highway Capital Reserve Fund is subject to Permissive Referendum and the Town Clerk be, and hereby is, directed to publish and post notice in the manner prescribed by Law.

Moved: Quinn
Seconded: Kohl

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

Adopted

Public Works

#15T-142 Roof Replacement for DPW High3way Garage/Mechanic Shop by Metzler

BE IT RESOLVED, that the Town of Penfield Department of Public Works be authorized to advertise in the manner prescribed by Law for sealed proposals to furnish the Town of Penfield with the following:

Bid to perform the replacement of Flat Roof on the west roof of the mechanic shop at the DPW Highway Garage located at 1607 Jackson Road, Penfield, NY.

BE IT FURTHER RESOLVED, that the 2015 roof replacement services covered by such sealed proposals are in accordance with the specifications prepared by the Department of Public Works, and on file with the Town Clerk. The sealed proposals are to be submitted to the office of the Town Clerk until 11:00 AM local time on Friday, August 21, 2015 and then and there be opened and read publically.

Amended to change time from 1:00 PM to 11:00 AM, and date from August 28 to August 21.

Moved: Metzler
Seconded: Kohl

Vote: Kohl Aye LaFountain Aye
      As Metzler Aye Moore Absent
      Amended Quinn Aye

Adopted

#15T-143 Town Owned Parking Lot Snow and Winter Ice Removal for 2015/2016 Season by Metzler

BE IT RESOLVED, that the Town of Penfield Department of Public Works be authorized to advertise in the manner prescribed by Law for sealed proposals to furnish the Town of Penfield with the following:

Bid to perform Snow and Ice Removal services for all Town owned Parking Lots.
Penfield Town Board, August 5, 2015

(Resolution #15T-143 – Continued)

BE IT FURTHER RESOLVED, that the 2015/2016 Snow and Ice Removal services covered by such sealed proposals are in accordance with the specifications prepared by the Department of Public Works, and on file with the Town Clerk. The sealed proposals are to be submitted to the office of the Town Clerk until 11:15 AM local time on Friday, August 21, 2015 and then and there be opened and read publically.

Amended to change time from 11:00 AM to 11:15 AM, and date from August 28 to August 21.

Moved: Metzler
Seconded: Quinn

Vote: Kohl Aye LaFountain Aye
     As Metzler Aye Moore Absent
     Amended Quinn Aye

Adopted

Public Safety - None

Community Services

#15T-144 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:

The following persons to provide service as Cheerleading Camp Instructors, 7/27 - 7/30/15, for the fee of $23.50 per day: Voucher to be submitted 8/5/15.

Emily Matzan, 187 Pembroke Drive, Penfield, NY 14526
Angelique Cosme, 8 Oakbrier Court, Apt 13, Penfield, NY 14526
Maddie Eckman, 1126 Whalen Road, Penfield, NY 14526

The following persons to provide service as Jazzy Dance Camp Instructors, 8/17 - 8/20/15, for the fee of $23.50 per day: Voucher to be submitted 8/19/15.

Alyssa Bileschi, 7 Rutherfield Lane, Rochester, NY 14625
Amanda Bileschi, 7 Rutherfield Lane, Rochester, NY 14625
Kylie Platania, 218 Willow Pond Way, Penfield, NY 14526
Erin Way, 36 Seton Court, Penfield, NY 14526

The following persons to provide service as Girls Combo Camp Instructors, 7/20/15 - 7/27/15, for the fee of $21.00 per day: Voucher to be submitted 8/5/15.

Megan Motkowski, 15 Millford Crossing, Penfield, NY 14526
Jenna Russell, 3 Saybrooke Dr., Penfield, NY 14526
Margaret Bassney, 681 Penfield Rd., Rochester, NY 14625
Olivia Colombo, 66 Rolling Meadow Way, Penfield, NY 14526
Ali Fitzgerald, 2 Fairpoint Dr., Fairport, NY 14450
Johanna Gregory, 24 Dundas Dr., Penfield, NY 14526
Emma Guy, 1 St Margaret Way, Rochester, NY 14625
Chelsea Hamilton, 37 Pond Valley Circle, Penfield, NY 14526
Isabella Delisauti, 1580 Sweet Corners Road, Fairport, NY 14450
Emily Goebel, 390 Everwild Lane, Macedon, NY 14502
Alyssa Sproule, 5 Terrace Hill Drive, Penfield, NY 14526
Alanna Fallone, 70 Terrace Hill Drive, Penfield, NY 14526
Sophie Loewenguth, 30 Random Knolls Drive, Penfield, NY 14526
Hannah Spann, 20 Split Rail Run, Penfield, NY 14526
(Resolution #15T-144 – Continued)

Wayne Smith, 80 Wheelock Road, Penfield, NY 14526, Co-Director of Combo Sports Camp, 7/20/15 - 7/24/15, for the fee of $850.00. Voucher to be submitted 8/5/15.

Mark Vogt, 3217 Pine View Drive, Walworth, NY 14568, Co-Director of Combo Sports Camp, 7/20/15 - 7/24/15, for the fee of $850.00. Voucher to be submitted on 8/5/15

Mark Vogt, 3217 Pine View Dr., Walworth, NY 14568, Co-Instructor for Sports ABCs for Tots, 8/3 – 8/7, for a fee of 35% of total revenue. Voucher to be submitted on 8/5/15.

Ed Porto, 97 Keyel Dr., Rochester, NY 14625, Co-Instructor for Sports ABCs for Tots, 8/3 – 8/7, for a fee of 35% of total revenue. Voucher to be submitted on 8/5/15.


Adam Bendlin, 307 Rawlinson Rd., Rochester, NY 14617, Assistant Director of Boys Basketball Camp, 7/27/15 - 7/31/15, for the fee of $220.00. Voucher to be submitted on 8/5/15.

The following persons to provide service as Girls Soccer Camp Instructors, 7/27/15 - 7/31/15, for the fee of $21.00 per day. Voucher to be submitted 8/5/15.

Lindsie Farrance, 36 Fairpoint Dr., Fairport, NY 14450
Lexi Bailey, 4612 Daniel Dr., Marion, NY 14505
Dennis Radanovich, 1713 Qualtrough Road, Penfield, NY 14525
Erin Licheirdeel, 150 Lazy Trail, Penfield, NY 14526
Meghan Carroll, 69 Heather Dr., Penfield, NY 14625

Moved: Kohl
Seconded: Quinn

<table>
<thead>
<tr>
<th>Vote:</th>
<th>Kohl</th>
<th>Aye</th>
<th>Aye</th>
<th>Aye</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Metzler</td>
<td>Abstain</td>
<td>Moore</td>
<td>LaFountain</td>
<td>Quinn</td>
<td></td>
</tr>
<tr>
<td>Quinn</td>
<td>Aye</td>
<td>Moore</td>
<td>Absent</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Adopted

Old Business - None

New Business - None

Public Participation - None
Adjournment

Supervisor LaFountain moved to adjourn the meeting at 7:58 PM.

Amy Steklof, RMC/CMC
Town Clerk
Rudy Neufield

From: Paul Chatfield <Paul.Chatfield@ChatfieldEngineers.com>
Sent: Wednesday, August 05, 2015 10:09 AM
To: Rudy Neufield; Construction Coordinator
Cc: Nicklas, Susan
Subject: Barkley Park Townhome Development

Dear Rudy,

Thank you for including Sue and I in the informational meeting to discuss the proposed Barkley Park Townhome Project. Your intention for development of this property appears to be in keeping with the high quality developments that you have built in Cranberry Cove, Cranberry Woods and Abington Place.

As a Licensed Professional Engineer, serving as Town and Village Engineer for over 50 communities, I have come to appreciate well planned development within communities and to appreciate the difference between developers that are just out looking to make a quick buck and move on and developers such as yourself who clearly are looking out for the long-term interest of the community.

Your continued success of developing two distinctly different types of developments with Cranberry Cove (being geared towards young and growing families) and Abington Place (being geared towards middle aged and seniors) demonstrates the need for different types of development within the Town of Penfield. Your proposal for developing a townhome community will help to fill the need of additional folks that may be considering a move that allows them to either stay within Penfield or move to Penfield.

As we walk around the neighborhood and talk to the residents, one question that always gets asked is "where did you move from?" and almost always the follow-up discussion includes "why they chose the development". Perhaps a smaller home, or a smaller yard, or the freedom to devote their time and energies to other things. Residents that may be interested in staying in the Town (or relocating to Penfield) will now have another option in their selection of a high quality development geared towards their individual situations.

Living on Whitespire Lane in the Cranberry Cove Sub-Division, we were aware that the walking path between Cranberry Cove and Abington Place existed to connect the two neighborhoods together, which makes the two developments feel like one community. We also were aware that patio homes would be located in Abington Place behind our home, and we do not believe that creates any sort of negative impact to our quality of living. After visiting your townhome development off Five Mile Line Road, development of Barkley Park should also not have an impact on the quality of life or negative impacts to the residents in the adjacent subdivisions. Retaining the buffer of trees and vegetation between each side of the development is an added benefit for the adjacent properties, and goes to show your concern for the neighbors.

We are glad that we relocated to the Town of Penfield and built our home with you. We fully support your intention to develop this property and wish you well in progressing this project to completion.

Regards

Paul Chatfield, P.E.

P.S. You are welcome to forward this email to the Town of Penfield Town Board and Town Staff
Rudy Neufeld

From: Cathy Wiedemer <cwiedem@rochester.rr.com>
Sent: Thursday, July 30, 2015 9:17 PM
To: Rudy Neufeld
Cc: Mike and Jean Fredericks
Subject: Barkley Square

Dear Rudy,

First of all, thank you for hosting an informational meeting for the residents of Abbington Court to explain Crosstown’s exciting new project; Barkley Park. Cathy and I have followed closely this project and appreciate all the input you and Rob have provided to the residents. We both are very supportive of the project and especially like the fact that you have maintained the 30 foot buffer on the north side of our residents of Abbington. We encourage the Town Board to consider granting Crosstown an additional one or two units in place of the existing home on 250. Again we are very supportive of this project and hope the Town Board will look favorably on merits of Barkley Park.

George and Cathy Wiedemer
36 Calten Court
Webster, New York 14580

RECEIVED
AUG 05 2015
Planning Department
Construction Coordinator

From: mikejeanfredericks@frontiernet.net
Sent: Thursday, July 30, 2015 5:49 PM
To: coordinator@crosetownconstruction.com
Cc: Wildemer George
Subject: Barklay Park development

To whom it may concern,
Our property is on the South side, immediately adjacent to the Barklay Park development. We have no issues with the current proposal. A critical key to this understanding and agreement is that there will be a 30 ft. natural barrier bordering our property line consisting of the current bushes and trees. In addition, Rudy has stated that, during the excavation process, he will attempt to maintain as many of the trees (in particular the blue spruces) that are now growing just outside this 25ft. barrier.

Sincerely,
Mike and Jean Fredericks
20 Colten Court

RECEIVED
AUG 05 2015
Planning Department
Rudy Neufield

From: bguche@rochester.rr.com
Sent: Tuesday, August 04, 2015 4:28 PM
To: rneufeld@crosstownconstruction.com
Subject: letter to Penfield Town Board

To: Penfield Town Board

To Whom it May Concern:

We built our house as part of the Abbington Place development off Rt. 250 in Penfield in the summer of 2012. Rudy, Rob and Eric were very accommodating with my husband’s mobility issues in the building of our patio home.

Crosstown’s plan and development of the site on Rt. 250 with handicap accessible features would be excellent for the Penfield community.

We are enjoying the neighborhood that Crosstown has created at Abbington Place. We are sure that Crosstown Builders will develop this new neighborhood to accommodate handicapped homeowners’ needs with the same attention to detail as they gave to my husband and his needs in the building of our home. It was a great experience building in the Town of Penfield, and we are happy to be residing here.

Yours truly,

Beth and Dick Guche
33 Colten Court