PENFIELD TOWN BOARD AGENDA

Wednesday, August 19, 2015 7:00 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 – July 15, 2015
VI Petitions
VII Resolutions by Function

Law and Finance
15T-145 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Portion of a Driveway within a Drainage Easement at 91 Triple Diamond Way
15T-146 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Fence within a Drainage Easement and a Utility Easement at 9 Shadow Vale Drive
15T-147 Approval of Out of District User Status for the Property Located at 1445 Jackson Road
15T-148 Authorizing Supervisor to Sign Utility Easement to the Rochester Gas & Electric Corporation to allow a Utilities to be Installed Across a Portion of Schaufelberger Park at 1820 Penfield Road to Provide Utility Service to 2107/2111 Five Mile Line Road
15T-149 Authorization to Maintain Properties and Assess the Charges to the 2016 Property Tax Bills
15T-150 Appointment of Town Comptroller
15T-151 Authorization for Supervisor to Sign Service Agreement for Pre-Employment Screening
15T-152 Naming of Labor Relations Consultant to the Town of Penfield

Public Works-None
Public Safety-None

Community Services
15T-153 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, August 19, 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  
Andrew Moore  Councilman (Arrived at 7:25 PM)  
Robert Quinn  Councilman  

Also Present:  
Amy Steklof  Town Clerk  
Richard Horwitz  Town Attorney  

Supervisor LaFountain called the meeting to order – The Pledge of Allegiance was led by Boy Scout Raajan Jonnala from Troop 9.

Communications and Announcements

1. Penfield Recreation Department and wellness partner Wegmans have completed the installation of a QR Fit Trail System in Rothfuss Park. For more information please visit www.qrfitrail.com.

2. Monroe County Sheriff’s deputies are warning residents about a scam pertaining to a letter that appears to be from Publisher’s Clearing House. If you receive such a letter please contact the Sheriff’s Department at 585-753-4178.

3. A free public hike at Channing Philbrick Park will take place on Saturday, September 12, 2015 from 9:00 AM to 11:00 AM. Town Historian, Kathy Kanauer and the Penfield Trails Committee will be there talking about the life and accomplishments of our Town Founder. Participants are encouraged to pre-register by contacting the Penfield Recreation Department at 340-8655.

4. Penfield Recreation is holding a new cycling event call “Tour de Farm.” The event will take place on Saturday, August 22, 2015. Registration fee is $15 per rider. Children with a parent are free. For more information and to register, visit www.penfieldrec.org.

5. Ellison Park will host a food truck rodeo, “Rolling Thunder – The Food Truck Wonder” on Saturday, August 22, 2015 from 11:30 AM to 6:00 PM. For more information please visit www.rollingthunderfestival.com.


7. Registration is now open for the Family 1st 5K which will be held on September 27, 2015. For more information, please contact the Recreation Department at 340-8655.

8. The Town of Penfield’s Annual “Tastin’ the Blues” event will be held on Saturday, September 19, 2015 from 12:00 PM to 4:00 PM at the Penfield Amphitheater. For more information please visit www.penfield.org.

9. The 2015 Fall Penfield Recreation brochure is now available online and the hard copy edition was recently mailed to our residents. Registration begins September 8, 2015. You may sign up online at www.penfieldrec.org.

10. The Penfield Public Library’s 39th annual Penfield Used Book Sale will be held from September 15 through September 19, 2015 at the Penfield Community Center, 1985 Baird Road. For more information please visit www.penfieldlibrary.org.
11. Councilwoman Kohl’s next Community Chat will be held on Tuesday, September 15, 2015 from 5:30 to 7:00 PM at the Penfield Library.

Public Participation

Ed Lindskoog, 40 Willow Pond Way, stated he is promoting fitness at the Legacy at Willow Pond and is concerned about several areas there in which sidewalks are not continuous. He is worried for the public’s safety when a sidewalk ends and the public then has to walk on grass or road before a sidewalk starts up again.

Mr. Lindskoog stated he recently spoke with Mark Valentine, Director of Planning and Zach Nersinger, Town Planner and spoke with Town Clerk Steklof this evening, prior to the Town Board meeting, about the issues. He is waiting to hear back from Mr. Valentine.

Supervisor LaFountain inquired where the area in question is.

Mr. Lindskoog stated that it is in three (3) areas on Willow Pond Way. One is on the north/south road and two are on the east/west road. They all run from the facility.

Mr. Lindskoog went on to say that there are no designated crosswalks on Willow Pond Way which is also an issue.

Supervisor LaFountain stated that the Town Board discussed sidewalks at the last Work Session and at that meeting Mark Valentine presented plans for new sidewalks and plans for maintenance and repair. The Town Board will look into the issue Mr. Lindskoog presented.

Additions and Deletions to Agenda

Councilman Quinn moved to add Resolutions #15T-154 and 15T-155.

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of July 15, 2015 Councilwoman Metzler seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#15T-145 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Portion of a Driveway within a Drainage Easement at 91 Triple Diamond Way by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a License and Hold Harmless Agreement with Scott Rice, the owner of the property at 91 Triple Diamond Way, to permit a portion of a driveway expansion to encroach into a drainage easement to the Town of Penfield located at 91 Triple Diamond Way in a form and substance acceptable to the Town Attorney.

Moved: Quinn
Seconded: Metzler

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

Adopted
#15T-146 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Fence within a Drainage Easement and a Utility Easement at 9 Shadow Vale Drive by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a License and Hold Harmless Agreement with David Mace, the owner of the property at 9 Shadow Vale Drive, to permit a portion of a fence to encroach into a drainage and utility easement to the Town of Penfield located at 9 Shadow Vale Drive in a form and substance acceptable to the Town Attorney.

Moved: Quinn  
Seconded: Kohl

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

Adopted

#15T-147 Approval of Out of District User Status for the Property Located at 1445 Jackson Road by Moore

WHEREAS, Michelle Gibbs, owner of property located at #1445 Jackson Road in the Town of Penfield, have requested Out of District user status for sanitary sewer service, in a letter dated August 7, 2015; and

WHEREAS, this parcel is not presently within a sanitary sewer district or extension thereof;

NOW, THEREFORE, BE IT RESOLVED, that an Agreement, as provided in the Town Board’s Resolution No. 83 of 1982 be executed between said property owners and the Town Board of the Town of Penfield providing for Out of District User status for the property located at #1445 Jackson Road.

Moved: Quinn  
Seconded: Metzler

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

Adopted

#15T-148 Authorizing Supervisor to Sign Utility Easement to the Rochester Gas & Electric Corporation to allow Utilities to be Installed Across a Portion of Schaufelberger Park at 1820 Penfield Road to Provide Utility Service to 2107/2111 Five Mile Line Road by Moore

WHEREAS, the Rochester Gas & Electric Corporation has requested that the Town Board grant it a utility easement across a portion of the Schaufelberger Park property to provide utilities to the new Mark’s Pizzeria currently under construction; and

WHEREAS, the town staff has reviewed the proposed easement location and has determined that is will have no adverse impact to Schaufelberger Park or its use; and

WHEREAS, the town staff has recommended to the Town Board the granting of the proposed utility easement; 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 be it further
RESOLVED, that the subject action is determined to be a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) and the Town Board has determined that the granting of the utility easement is a ministerial act and will not create an adverse impact to the environment;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to sign a Utility Easement to the Rochester Gas & Electric Corporation to provide proper utility service to the property at 2107/2111 Five Mile Line Road, subject to all requirements as prescribed by the Town Attorney.

Moved: Quinn
Seconded: Kohl

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

Adopted

#15T-149 Authorization to Maintain Properties and Assess the Charges to the 2016 Property Tax Bills by Moore

WHEREAS, on October 2, 1996, the Town Board of the Town of Penfield adopted Article IV-4-28 of the Penfield Zoning Ordinance entitled “Property Maintenance”; and

WHEREAS, the purpose of Article IV-4-28 of the Penfield Zoning Ordinance is to prevent the gradual encroachment of blight, deterioration, unsightliness and property devaluation and to assure that all premises within the Town of Penfield are maintained in a manner that will assure the health, safety and welfare of the general public; and

WHEREAS, the property owners of 124 Beacon Hills Drive South, SBL #109.05-2-48, 2211 Carter Road, SBL #140.02-1-25.3, 472 Embury Road, SBL #108.12-1-46, 130 Jewellberry Drive, SBL #093.02-3-19, 12 Pewter Rock, SBL #094.01-3-86 and 1360 Plank Road, SBL #095.03-1-17 have failed to maintain the exterior areas at the subject properties which continues to be a concern for the health, safety and welfare of the surrounding neighbors; and

WHEREAS, the town staff has continually requested the property owners to maintain at these location with no result:

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Fire Marshal & Building/Zoning & Code Compliance Supervisor to have the properties appropriately maintained; and

BE IT FURTHER RESOLVED, that the Town Board further authorizes that the cost of said maintenance and any necessary subsequent maintenance during the 2015 season also be charged to the 2016 property tax bill for the subject properties.

Moved: Quinn
Seconded: Metzler

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

Adopted
Penfield Town Board, August 19, 2015

#15T-150 Appointment of Town Comptroller by Moore

BE IT RESOLVED, that Barbara E. Chirdo, MPA, 47 Northbridge Drive, Rochester, NY 14626 be appointed Town Comptroller for a term ending on December 31, 2015 at an annual salary as established by the Town Board.

Moved: Quinn
Seconded: Kohl

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

 Adopted

#15T-151 Authorization for Supervisor to Sign Service Agreement for Pre-Employment Screening by Moore

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign a service agreement for pre-employment screening with METRODATA Services, Inc. through December 31, 2015; and

BE IT FURTHER RESOLVED, said contract is to be reviewed and approved by the Town Attorney.

Moved: Quinn
Seconded: Metzler

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

 Adopted

#15T-152 Naming of Labor Relations Consultant to the Town of Penfield by Moore

BE IT RESOLVED, that Harris Beach PLLC, Attorneys at Law, 99 Garnsey Road, Pittsford, NY 14534, be named Labor Relations Consultant for the Town of Penfield, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with Harris Beach, PLLC, for the Town of Penfield for an agreed upon fee depending on the nature of services rendered through December 31, 2015, and agreements relating to litigation including, but not limited to, Town of Penfield vs CSEA.

Moved: Quinn
Seconded: Kohl

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

 Adopted

 Public Works - None

 Public Safety - None

 Community Services

#15T-153 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 Boys Lacrosse Camp Instructors, 7/27 – 7/30/15, for the fee of $22.00 per day: Voucher to be submitted 8/19/15.

- Connor Russell, 436 Parkside Trail, Macedon, NY 14502
- John Baxter, 59 Oxford Street, Rochester, NY 14607
- John Sforza, 1900 Gloria Drive, Fairport, NY 14450
- Nate Karatas, 15 Parham Dr., Penfield, NY 14526
- Jacob Sproule, 5 Terrace Hill Dr., Penfield, NY 14526
- Adam Witscheber, 2 Melissa Ln., Penfield, NY 14526
- James Stoler, 8 McKenna Tr., Penfield, NY 14526
- Dan Taddeo, 68 Holley Brook Dr., Penfield, NY 14526
- Brady DHont 101 Fieldstone Ter., Rochester, NY 14610
- Cody Calvert, 92 Farm Brook Dr., Rochester, NY 14625
- Jerry Dawes, 1860 Jackson Rd., Penfield, NY 14526
- Jeremy Woodworth, 30 Alta Vista Dr., Rochester, NY 14625
- Joey Barboza, 362 Highfield Dr., Macedon, NY 14502
- Jack Cassidy, 27 Rockbridge Ln., Penfield, NY 14526
- Jack Joyce, 3713 Deer Meadow Run, Macedon, NY 14502
- Cole Guest, 2 Creekstone Run, Penfield, NY 14526
- JJ Schembri, 12 Hidden Meadow, Penfield, NY 14526, Director of Boys Lacrosse Camp, 7/27 - 7/30/15 for a fee of $300.00 plus $1.00 per participant ($2.00 per participant for camps with enrollment exceeding 59 participants). Voucher to be submitted on 8/19/15.

Penfield Sport and Fitness, 667 Panorama Trail W, Rochester, NY 14625, Pre-Natal Yoga/Aqua Fusion, Water Yoga, Swim Lessons – 6 months – Age 3, Boot Camp with Phil, Muscle and Flow, and Personal Training Package, 9/20 – 12/7/15, for a fee of 70% of the total program revenue. Vouchers to be submitted on 10/7, 11/4 and 12/2/15.

Ready to Respond Training Services, Domenic Danesi, 1440 Long Pond Road, Rochester, NY 14626, Babysitting - 9/26/15 and Safety First for Children - 10/24/15, for a fee of 70% of the total program revenue. Vouchers to be submitted 10/7 and 10/21/15.

Rose Santos, 25 Saybrooke Drive, Penfield, NY 14526, Learn Spanish, 9/28 - 11/23/15, for a fee of 70% of the total program revenue. Vouchers to be submitted 10/7 and 11/18/15.

Danielle Staversky, 196 Lynx Court, Fairport, NY 14450, Jazzy Dance (December Break Week) and Jazzy Dance Clinics, 10/12 – 12/30/15, for the fee of $55.00 per day for Jazzy Dance (December Break Week) and for the fee of $140 per Jazzy Dance Clinic. Vouchers to be submitted 10/7, 11/18 and 12/16/15.

TrueNorth Equestrian Center, 3476 Atlantic Avenue, Penfield, NY 14526, Horseback Riding Intro, 10/26 - 11/25/15, for a fee of 70% of the total program revenue. Voucher to be submitted 11/18/15.

Perinton Youth Hockey, 80 Lyndon Road, Fairport, NY 14450, Intro to Ice Skating and Hockey, 10/25 - 12/13/15, for a fee of 70% of the total program revenue. Voucher to be submitted 11/18 and 12/16/15.

Gymnastics Training Center, 2051 Fairport Nine Mile Point Road, Penfield, NY 14526, Gymnastics – Beginner and Gymnastics for Tiny Tumblers – 9/21 - 11/2/15 for a fee of 75% of the total program revenue. Voucher to be submitted 11/4/15.

Geneseo Conservation League, 1570 Old Penfield Road, Rochester, NY 14625, Youth Basic Air-Pistol & Rifle Instruction, 9/19 - 11/21/15 for a fee of 70% of the total program revenue. Vouchers to be submitted 10/7 and 11/18/15.
Maureen Ward, 46 Reynolds Road, Webster, NY 14580, Handmade Holiday Cards – 9/22, 10/20 and 11/17/15 and Handmade Fall Cards – 10/6/15, for a fee of 70% of the total program revenue. Vouchers to be submitted 10/7 and 11/18/15.

Melissa Salatino, 194 La Solis Drive, Rochester, NY 14626, Wine Glass and Bottle Painting, 10/7 and 12/10/15, for a fee of 70% of the total program revenue less expenses. Vouchers to be submitted 10/7 and 12/16/15.

Jodi Marcello, 20 Falcon Trail, Pittsford, NY 14534, Beginning Ballroom Dance, 9/22 – 11/17/15 for a fee of 80% of program revenues. Vouchers to be submitted 10/7 and 11/18/15.

Kathryn Boone, KB Dog Training, 105 Highwood Road, Rochester, NY 14609, Dog Obedience, 9/12 – 10/31/15 for a fee of 70% of the total program revenue less expenses. Vouchers to be submitted 9/16 and 11/4/15.

Rees & Company, Inc., 147 Morgan Road, Scottsville, NY 14546, Remodeling Your Kitchen: Getting Started, 10/15/15 for a fee of 70% of the total program revenue. Voucher to be submitted 10/21/15.


Alana Cahoon, 15 Summit Drive, Rochester, NY 14620, Getting the Body I Want, 9/16 – 11/11/15, for a fee of 70% of the total program revenue. Vouchers to be submitted 10/7 and 11/4/15.

Rhonda Flint, 560 Helendale Road, Rochester, NY 14609, Pilates Mat Class, Vinyasa Yoga, and Yoga for Beginners, 9/14 – 12/15/15 for a fee of 75% of the total program revenue per class for 10 or less registrants or a fee of 70% of the total program revenue per class for over 10 registrants. Vouchers to be submitted 10/7, 11/4 and 12/2/15.

Sandra Sanzotta, 911 Lothario Circle, Webster, NY 14580, Low Impact Aerobics, 9/19 – 12/12/15 for a fee of 70% of the total program revenue. Vouchers to be submitted 10/7, 11/4 and 12/2/15.

Marcia Orlandini, 11 Brookside Drive, Fairport, NY 14450, Volleyball Co-ed Play, 9/17 – 12/17/15, for a fee of $25.00 per class. Vouchers to be submitted 10/7 and 12/2/15.

Dianne Schaumberg, 3 Robert Road, Penfield, NY 14526, Director, Penfield Players Fall Production, performance dates – October 30, November 1, 6, 7, 13, and 14, 2015 for a total fee of $200.00. Voucher to be submitted 10/7/15.

Jeff Moon, 110 Calhoun Avenue, Rochester, NY 14606, Producer, Penfield Players Fall Production, performance dates – October 30, November 1, 6, 7, 13, and 14, 2015 for a total fee of $100.00. Voucher to be submitted 10/7/15.

Amend resolution 15T-137 submitted as Mary Barjur to Mary Bayer.

Moved: Kohl
Seconded: Quinn

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

Adopted
Old Business - None

At 7:30 PM Supervisor LaFountain called for a short recess to have a brief discussion with Town Attorney Richard Horwitz and Town Clerk Amy Steklof pertaining to a New Business Resolution.

The meeting resumed and Supervisor LaFountain requested that Resolution #15T-154 be withdrawn and placed on hold while the Town Board makes sure that all material presented match the Resolution.

New Business

#15T-154 Setting Public Hearing to Consider Revisions to the Penfield Town Code by Moore - WITHDRAWN

#15T-155 Authorization for Supervisor to Sign the Affordable Care Act Compliance Agreement with HB Solutions, LLC by Moore

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the Affordable Care Act (ACA) “compliance agreement” with HB Solutions, LLC to provide onboarding, tracking and reporting data for calendar year 2015 services, which includes the corresponding IRS reporting which occurs in Q1 of 2016 for compliance with the ACA that was negotiated by and will be paid for by the Finger Lakes Municipal Health Insurance Trust (FLMHIT) consortium; and

BE IT FURTHER RESOLVED, that HB Solutions, LLC will contract with the individual FLMHIT members within the consortium to continue services into 2016 and beyond at a cost of $2.75 per employee per month unless the municipality elects to cancel the service.

Moved: Quinn
Seconded: Metzler

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

Adopted

Public Participation - None

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 7:36 PM.