I Call to Order - Pledge of Allegiance - Roll Call

II Public Hearing #1 – To Consider adopting proposed Local Law No. 1 of 2016 Which Would put into Effect a Moratorium and Prohibition Within the Town of Penfield of Public Golf Course Redevelopment on Real Property Located Within the Town of Penfield

III Communications and Announcements

IV Public Participation

V Additions and Deletions to Agenda

VI Approval of Minutes – January 20, 2016

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VIII Resolutions by Function

Law and Finance
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16T-075 2016 Budget Amendment-Recognition of Donation to Parks

16T-076 Approval of Issuance of a Conditional Use Permit to Allow a Catalogue Company at 1807 Penfield Road

16T-077 Approval of Issuance of a Conditional Use Permit to Allow an Art Supply Shop, Gallery and Classrooms at 1822 Penfield Road

16T-078 Authorization to Lease Land to 1080 Penfield Road LLC for Agricultural Purposes
Public Works
16T-079 Advertising for Bids for Department of Public Works Storm Sewer Catch Basin Repair and Replacement
16T-080 Purchase 2017 Ford Escape SE 4WD for Engineering Department

Public Safety - None

Community Services
16T-081 Awarding Contract for Printing Program Brochure
16T-082 Authorization to Attend NYSRPS Annual Conference
16T-083 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, March 2, 2016 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  
           Robert Quinn  Councilman  

Also  

Present:  Amy Steklof  Town Clerk  
          Richard Horwitz  Town Attorney  

Supervisor LaFountain called the meeting to order  – Pledge of Allegiance

Public Hearing #1  To Consider Adopting Proposed Local Law No. 1 of 2016 which would put into Effect a Moratorium and Prohibition within the Town of Penfield of Public Golf Course Redevelopment on Real Property Located Within the Town of Penfield

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on February 17, 2016 and was posted on the Town Website and Town Clerk Bulletin Board. Although this is a town wide effort 445 postcards were mailed. Town Attorney Horwitz confirmed that this meeting is in order.

Councilman Moore stated that at last week’s Town Board Work Session, the Town Board discussed extending the Moratorium from six (6) months to twelve (12) months and the Town Board unanimously moved to extend the Moratorium to 12 months.

Councilman Moore thanked everyone for attending tonight’s meeting in support of the Moratorium on both Shadow Lake and Shadow Pines properties. Councilman Moore stated he supports the Town Board moving forward on the 12 month Moratorium. He went on to point out that there are some town residents not in favor of the Moratorium and have stated that he is overstepping his authority. However, he believes this is the right thing to do and is not in support of the advertised 290 home residential development.

Councilwoman Metzler thanked everyone for attending tonight’s meeting. She stated that this is a bold step for the Town Board to take. She went on to say that it is risky, but that it is the right step to take for the community.

Councilwoman Kohl stated she supports the Moratorium. She feels it is important to have a 12 month Moratorium so that a citizen’s committee can be created and research can be done to see what opportunities there are for those properties. It is a large parcel that needs to be addressed and all possibilities for the parcel should be considered.

Councilman Quinn agreed with the other Town Board members and supports a 12 month Moratorium.

Supervisor LaFountain stated that those watching the Public Hearing on PCTV have the ability to go on the Town’s website and vote online in favor or not in favor of the Moratorium.

PCTV displayed a map that indicates where 215 votes were sent in pertaining to the Moratorium. Votes were recorded all the way to the County line to the east, as well as to the Brighton line to the west, and up to Plank Road on the north, and all the way down to the southern tip. Besides the votes that support the Moratorium eight (8) votes came in that were not in support of the Moratorium. One (1) neutral vote was recorded.
Supervisor LaFountain added that there is also a form online that residents can send with their recommendations for the area. Those comments will be placed in an electronic file and made available to the citizen’s committee.

Town Attorney, Dick Horwitz stated that the intent and purpose of a Moratorium Zoning Law is to allow a community to put a stop on redevelopment and to have the appropriate amount of time to see that the right regulations are in place and to come up with recommendations in order for the Town to continue to be the type of Town we want it to be. No specific regulations will come out of the Moratorium. Mr. Horwitz went on to say that it will be up to the Town Board, in its legislative function, to determine what regulations should be in place to implement what has been studied.

Public Participation

The following residents spoke in favor of a 12 month Moratorium:

1. Michael Vessa, 32 Pennicott Circle
2. Tom Ashby, 21 Lone Oak Circle
3. Robin Fajarek, 18 Huntington Meadow
4. Samuel Ogle, 1924 Clark Road
5. Carol Samuel, 27 Huntington Meadow
6. Carol Southby, 115 Huntington Meadow
7. Claudia Thomas, 1911 Clark Road
8. Richard Young, 6 Old Farm Circle, Pittsford, NY
9. Jeff Burns, 39 Scarborough Park
10. Mike Ruff, 35 Pond Valley Circle
11. Robert Peterson, 1931 Clark Road
12. Shalom, Wertsberger, 35 Huntington Meadow
13. Mary Ann Begland, 1839 Baird Road
14. Jan and John Kelly, 1631 Qualtrough Road
15. Luanne Reinis, 1428 Shoecraft Road
16. Mike Jamison, 1850 Clark Road
17. Mark Domagala, 92 Harwood Circle
18. Karen Martz, 132 Harwood Circle (did not speak but is in favor of the Moratorium)
19. Julianna Martz, 132 Harwood Circle (daughter of Karen Martz)
20. Michael Ciavarri, 23 Colonial Drive
21. Russ and Nancy Phelps, 24 Stone Island Lane
22. Lori Rayner, grew up at 1915 Clark Road and currently takes care of her parents at that address
23. Don Papeck, 22 Shadow Pines Drive (did not speak but is in favor of the Moratorium)
24. Sean and Amy Louise Donnelly, 3 Creekstone Run, (did not speak, but are in favor of the Moratorium

Three (3) website submissions came in all in favor of a 12 month Moratorium:

1. Lourdes Nicosia, 12 Seton Court
2. Ellen Huggins, 2263 Penfield Road
3. Todd Pschierer, 25 Woodlyn Way

Ned Benson, 108 Harwood Circle inquired whether the Town has information on the purchase of any of the golf course properties.

Supervisor LaFountain stated that a letter, sent in by John Odenbach, Jr. can be found on the Town’s website at www.penfield.org. The letter indicated that the Odenbach’s did make an offer for all three (3) golf courses. The offer for the Shadow Pines property was for $1.1 million. They would like to turn the property into a development. The Town Board has heard that a number of different groups are looking to purchase the Shadow Lake property.
Supervisor LaFountain went over the next steps of the process. He stated that anyone who is interested in joining the Advisory Committee to please submit their interest to him at supervisor@penfield.org by Friday, March 4, 2016 at 5:00 PM. You can find information pertaining to this subject on the Town’s website at www.penfield.org.

A resident stood up in the audience and stated he had read the Town Board’s letter that was sent to Dolomite. He stated it was an “excellent letter” and thanked the Town Board for reaching out to Dolomite.

Robin Pajarek spoke again stating that Huntington Meadow has a number of speed bumps to cut down on traffic. She feels that if a housing development goes in on the Shadow Pines Golf Course parcel, the Town will have to consider the expense of adding sidewalks to Huntington Meadow.

Joe Callan, 1410 Harris Road, stated that he hopes that the people chosen for the Advisory Committee includes creative people to help come up with alternatives to make the project work.

Rosann Lill, 5 Shadow Pines Drive asked if it is possible for the Town to change the zoning on the property.

Town Attorney Horwitz stated yes, it is a possibility.

Supervisor LaFountain reminded everyone to please follow the Town’s website at www.penfield.org for information.

Hearing closed.

Communications and Announcements

1. Councilwoman Kohl’s next Community Chat will be held on Tuesday, March 15, 2016 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Baird Road.

2. Just a reminder that tomorrow evening in the Town Hall Auditorium, Thursday, March 3, 2016 at 7:00 PM there will be a Public Information meeting hosted by the Department of Environmental Conservation (DEC) as it relates to the proposed update to the air permit for Baker Commodities.

Public Participation

Mel Callan, 1410 Harris Road read a statement of concern that pertained to two (2) topics: the reduction of services of the Town’s Public Television station and reduction of Planning Board members from seven (7) to five (5) members. (See Attachment at end of Minutes)

Kevin Gallagher, 1973 Dublin Road read a prepared statement pertaining to issues he is concerned about. (See Attachment at end of Minutes)

Additions and Deletions to Agenda

Councilman Moore moved to add Resolution #16T-084 to tonight’s agenda, Councilwoman Kohl seconded.

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of January 20, 2016 Councilman Quinn seconded and all voted “Aye.”

Petitions – None
Resolutions by Function

Law and Finance

#16T-074  Appointment to the Planning Board by Moore

BE IT RESOLVED, that Jim Burton, 235 Watson Road, Penfield be appointed to the Penfield Planning Board, for a term expiring December 31, 2018 at an annual salary as established by the Town Board.

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-075  2016 Budget Amendment Recognition of Donation to Parks by Moore

WHEREAS, in February 2016, the Parks Department received a donation in the amount of $320 from the Penfield Rotary and,
WHEREAS, said donation was designated for the purchase of a sign to be placed at the new bocce courts and,
WHEREAS, the Town Board desires to have an up to date budget in relation to current income and expenditures,
BE IT RESOLVED, that the following 2016 Budget Amendment be approved as follows:

**General Fund Revenue:**

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<th>Amount</th>
<th>Revised Amount</th>
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</thead>
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**General Fund Appropriations:**

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<th>Revised Amount</th>
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Moved: Moore
Seconded: Quinn

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

Adopted

#16T-076  Approval of Issuance of a Conditional Use Permit to Allow a Catalogue Company at 1807 Penfield Road by Moore

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Conditional Use Permit, pursuant to §250-5.10. D (17) of the Code to allow a catalogue company at 1807 Penfield 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 February 17, 2016 at 7:00 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 catalogue company at 1807 Penfield 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 catalogue company at 1807 Penfield 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 a business at this location.

2. The applicant shall comply with the occupancy requirements that have been established by the Penfield Fire Marshal in accordance with the New York State Building Code and obtain any/all necessary permits.

3. Adequate parking shall be available at all times to accommodate the proposed businesses, as well as the existing businesses that operate from this site.

4. Prior to occupancy, the owner of the site shall enclose the existing dumpster in a location satisfactory to the Fire Marshal.

5. The applicant will submit a sign package for the Board’s review and approval prior to the issuance of a sign permit for the business.

6. This operation shall comply with all Federal, State, County and Town Codes.

7. Failure to comply with the conditions set forth hereinabove may result in the revocation of this Conditional Use Permit pursuant to the requirements of the Zoning Ordinance.

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) and no additional environmental review of this application is required.

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

1. The applicant proposes to operate a catalogue company in the one story structure at 1807 Penfield Road with one additional employee. The business will include the on-site sale of vintage gasoline pump parts and the glass globes that identify various businesses. The parts will be stored on the site and the main function of the business will be to ship said parts via FedEx or UPS to its clients.

2. The applicant is leasing approximately 936 square feet of space at the subject location. There is more than adequate parking on the site and in the adjacent public parking lot to accommodate the proposed businesses, as well as the other businesses that currently operate at this location.

3. This use will provide a unique service to the residents of Penfield and is a use consistent with the goals of the Four Corners Plan.

Moved: Moore
Seconded: Metzler

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

Adopted
WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Conditional Use Permit, pursuant to §250-5.10. D (17) of the Code to allow an art supply shop, gallery and classrooms at 1822 Penfield 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 February 17, 2016, at 7:00 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 an arts supply shop, gallery and classroom at 1822 Penfield Road, in the Four Corners (FC) zoning district and the Public Hearing was closed.

NOW, THEREFORE, BE IT RESOLVED, that the applicants’ request for a CONDITIONAL USE PERMIT to allow an arts supply shop, gallery and classrooms at 1822 Penfield 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 a business at this location.

2. The applicant shall comply with the occupancy requirements that have been established by the Penfield Fire Marshal in accordance with the New York State Building Code and obtain any/all necessary permits.

3. The applicant shall ensure that it has the ability to utilize both on-street and public parking facilities in close proximity to the site, without adversely impacting the other surrounding businesses that depend on those facilities. Neither the applicant nor its patrons shall be permitted to utilize any private parking facilities in the area without expressed written consent of the property owner(s) allowing them to do so. Said consent shall be submitted to the Town Board for its approval to ensure that those private facilities can continue to accommodate the businesses they are intended to serve without adversely impacting them.

4. The applicant shall be required to adequately screen any dumpsters or refuse totes servicing the business if they are proposed to be stored to the exterior of the building. The appropriate screening shall be reviewed and approved by the Director of Developmental Services.

5. The applicant shall be responsible for installing and continuously maintaining landscaping in the garden beds in front of its business on both Penfield Road and Five Mile Line Road.

6. The applicant shall comply with the signage requirements for this site set forth in the Penfield Zoning Ordinance. Further, the Town Board and Historic Preservation Board shall review and approve the applicants’ proposed signage prior to its installation.

7. This operation shall comply with all Federal, State, County and Town Codes.

8. Failure to comply with the conditions set forth hereinabove may result in the revocation of this Conditional Use Permit pursuant to the requirements of the Zoning Ordinance.
Penfield Town Board, March 2, 2016

(Resolution #16T-077 - Continued)

AND BE IT FURTHER RESOLVED, that the applicants’ proposal is classified as a Type II action pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and the Penfield Environmental Quality Review Law (PEQR).

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

1. The applicant proposes to purchase the former Masonic Lodge which was constructed in 1905 and has been used by the Masons on a continual basis since its construction.

2. The applicant proposes to utilize the majority of the first floor as an arts supply shop with classroom area. Her intent is to reserve the easterly portion of the first floor to rent it to a tenant at a future date. In addition, she proposes to utilize the second floor for art classes and other events such as birthday parties, team building programs, etc.

3. The applicant proposes to employ two part-time employees with the intent of hiring other employees in the future, if needed.

4. The site has 13 on-street parking spaces along its property frontage on Penfield Road to accommodate this business. The applicant also intends to utilize the 26 space public parking lot located north of the site which the Board believes will adequately support this and the other businesses operating from the site, as well as other area businesses that depend on those off-site parking facilities.

5. The applicant proposes to improve the exterior of the building in phases over a period of time.

6. This use is properly scaled to accommodate the site with respect to use and parking needs. It will provide a needed service to the residents of Penfield and is a use consistent with the goals of the Four Corners Plan.

Moved: Moore
Seconded: Kohl
Vote: Kohl Aye LaFountain Aye Metzler Aye Moore Aye Quinn Aye
Adopted

#16T-078 Authorization to Lease Land to 1080 Penfield Road LLC for Agricultural Purposes by Moore

WHEREAS, 1080 Penfield Road LLC is purchasing property at 1080 Penfield Road (aka Gentle Farm Market), and wishes to lease a parcel of land from the Town of Penfield adjacent to it for agricultural purposes, and

WHEREAS, it is in the best interests of the Town of Penfield to enter into said lease, and

NOW, THEREFORE, be it hereby

RESOLVED, that the Town Board leases to 1080 Penfield Road LLC, a parcel of land located at 1070 Penfield Road for a period of five (5) years for agricultural purposes subject to an Agreement to be prepared by the Town Attorney.

This Resolution is adopted subject to a Permissive Referendum and the Town Clerk be and she is hereby directed to post and publish a Notice in the manner prescribed by Law.
Penfield Town Board, March 2, 2016

(Resolution #16T-078 – Continued)

Moved: Moore
Seconded: Quinn

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

Adopted

Public Works

#16T-079 Advertising for Bids for Department of Public Works Storm Sewer Catch Basin Repair and Replacement by Metzler

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

Storm Sewer Catch Basin Repair and Replacement

BE IT FURTHER RESOLVED, that the Storm Sewer Catch Basins covered by such proposals shall be in accordance with specifications prepared by the Director of Public Works. Sealed proposals are to be received in the office of the Town Clerk until March 24th, 2016 at 11:00 AM Local time and there and then are to be opened by the Town Clerk.

Moved: Metzler
Seconded: Moore

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

Adopted

#16T-080 Purchase 2017 Ford Escape SE 4WD for Engineering Department by Metzler

WHEREAS, the Director of Public Works desires to purchase one 2017 Ford Escape SE 4WD with a 1.5 Liter Eco Boost engine from Chautauqua, Bid # E-11-14 PFTH 2016, Group #4, Item #1, Vehicle #1, Quote #21118 from Van Bortel Ford, 71 Marsh Road, East Rochester, NY, for a total cost of approximately $23,372.28 and,

WHEREAS, the total funds of approximately $23,372.28 for said purchase are budgeted in the 2016 Engineering Department budget (A00-1440-0002-2100) and,

NOW, THEREFORE BE IT RESOLVED the Director of Public Works be and hereby is authorized to purchase said vehicle.

Moved: Metzler
Seconded: Kohl

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

Adopted

Public Safety - None
Community Services

#16T-081 Awarding Contract for Printing Program Brochure by Kohl

WHEREAS, sealed proposals were sought and requested to furnish the Town of Penfield Recreation Department with printing the seasonal program brochure for the 2016 calendar year including the summer, fall and winter/spring issues, to meet our specifications; and

WHEREAS, on Thursday, February 11, 2016, proposals from the following companies were received, opened and read publicly by the Town Clerk:

Webster Printing Corp.
46 North Avenue
Webster, NY 14580

Penny Lane Printing
1471 Route 15
PO Box 340
Avon, NY 14414

Kenyon Press Inc.
1 Kenyon Press Drive
PO Box 710
Sherburne, NY 13460

Drew & Rogers
30 Plymouth Street
Fairfield, NJ 07004

Messenger Post Media
73 Buffalo Street
Canandaigua, NY 14424

(see attached "Schedule A" for bid data)

NOW, THEREFORE BE IT RESOLVED, that the contract be awarded to Webster Printing Corp., low bidder overall for Bid 1 including alternative #1, alternative #2, alternative #3, alternative #4 and alternate #5 on each respective bid.

Net delivered price (per issue) as follows:

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<thead>
<tr>
<th>Bid 1</th>
<th>Alternative #1</th>
<th>Alternative #2</th>
<th>Alternative #3</th>
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<td>$4,066.00</td>
<td>$86.70</td>
<td>$4,285.00</td>
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Schedule A

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<tr>
<th>Bid 1</th>
<th>Webster Printing Corp.</th>
<th>Penny Lane Printing</th>
<th>Kenyon Press</th>
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Bid disqualified - did not bid on specifications as written.
Penfield Town Board, March 2, 2016

(Resolution #16T-081 – Continued)

Moved: Kohl
Seconded: Quinn

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

Adopted

#16T-082 Authorization to Attend NYSRPS Annual Conference by Kohl

WHEREAS, the Recreation Department staff are members of the New York State Recreation and Park Society, and

WHEREAS, the annual conference will provide professional training and C.E.U. credits that will benefit the Town of Penfield,

NOW, BE IT RESOLVED, THAT the following recreation staff be hereby authorized to attend the 76th annual New York State Recreation and Park Society Conference and Business Expo from 4/17/16 - 4/19/16 in Hauppauge, N.Y.:

Linanne Conroy

Funds are provided in the 2016 budget. Expenses include registration fees, meals, lodging, transportation (gas, tolls, parking), and related expenses.

Moved: Kohl
Seconded: Metzler

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

Adopted

#16T-083 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 Hit Men Brass Band, c/o David Martin, 7149 Hertfordshire Way, Victor, NY 14564, Independence Day Parade, 7/2/16, for a fee of $900.00 to perform in parade (if inclement weather and parade is cancelled for a fee of $125). Voucher to be submitted 6/1/16.

Mark Cassara, 51 Stablegate Drive, Webster, NY 14580, to provide entertainment “Mark Cassara Group”, Tuesday, 8/2/16 for “Cool Jazz” 7:00 PM – 9:00 PM for a fee of $750.00. Voucher to be submitted on 7/6/16.

Bill Tiberio, 9 Falcon Lane W., Fairport, NY 14450, to provide entertainment “Bill Tiberio Band” Tuesday, 7/26/16 for “Cool Jazz” 7:00 PM – 9:00 PM for a fee of $750.00. Voucher to be submitted on 7/6/16.

James Warlick, 33 Freedom Pond Lane, North Chili, NY 14514, to provide Dog House music entertainment for Penfield Independence Holiday Celebration Saturday, 7/2/16, for a fee of $1200.00. Voucher to be submitted on 6/1/16.

Prime Time Funk, c/o David Cohen, 150 Midvale Drive, Fairport, NY 14450 to provide entertainment "Prime Time Funk" Tuesday, 7/12/16 for "Cool Jazz" 7:00 PM – 9:00 PM for a fee of $2,000. Voucher to be submitted on 6/15/16.
Penfield Town Board, March 2, 2016

(Resolution #16T-083 – Continued)

Lifespan of Greater Rochester Inc., 1900 S. Clinton Ave., Rochester, NY 14618, c/o Ann Marie Cook, provide Eldersource Care Management for Town of Penfield residents in the 2016 calendar year for a fee of $700.00. Voucher to be submitted on 3/16/2016.

Ed Porto, 97 Keyel Dr., Rochester, NY 14625, Instructor for Instructional Baseball, 9/9/16 – 10/24/16, for a fee of 70% of total revenue. Voucher to be submitted on 3/16/16.

Moved: Kohl  
Seconded: Moore

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

Adopted

Old Business - None

New Business

#16T-084  Appointment to Library Board by Kohl

BE IT RESOLVED, that Melissa Bowie, 1679 Harris Road, Penfield, NY be appointed to the Penfield Library Board for a term expiring December 31, 2016.

Moved: Kohl  
Seconded: Quinn

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

Adopted

Public Participation

Ed Lindskoog, 40 Willow Pond Way inquired whether the dumpsters at the Four Corners will be enclosed.

Councilman Moore said yes.

Mr. Lindskoog asked if the poles in the Four Corners that are missing lights will be fixed.

Supervisor LaFountain stated the Town has received a permit from the State to hang lights on the poles in question.

Jim Kreckman, Foreman Building Maintenance, Cleaner, Security has placed this item in his 2016 budget and will be addressed prior to the end of this year.

Mr. Lindskoog brought attention to the ponding on the west access road that impacts the residents at The Legacy. He would like the Town to give support on this topic so that it may get addressed soon. He also mentioned the access road was not plowed during the recent snow storm. He hopes that will also be addressed in the future.

McKenzie Zerniak, 2170 Baird Road inquired about the Town’s rules and regulations that pertain to chickens so she can house them in her yard.

Supervisor LaFountain stated that currently the only areas within the Town that allow chickens must have 5+ acres.

Ms. Zerniak asked Supervisor LaFountain to explain the rule.
Supervisor LaFountain stated that it is part of the Town’s Ordinance. He went on to say that the Town Board has revisited the Live Stock Ordinance in the last couple of years, however, at the time there wasn’t enough interest by way of resident requests for the Town Board to consider a change to the Ordinance.

Supervisor LaFountain stated that if Ms. Zerniak would like the Town Board to reconsider, she will need to send them a letter to request the change and why. Then, the Town Board will add it to a Work Session agenda to review.

Mel Callan stated, in reference to the Advisory Committee membership for the golf courses, she knows that Supervisor LaFountain has met with Maureen Dugan, Executive Director of the Community Design Center and has had subsequent conversations with her. Ms. Callan stated she feels Ms. Dugan would be an asset to the Advisory Committee by way of bringing her expertise and experience to the committee. Ms. Dugan has told Ms. Callan she would be happy to be part of the committee.

Supervisor LaFountain stated that Ms. Dugan has sent a follow up email to him and they have had an ongoing dialog.

Kevin Gallagher inquired about representation for the 2002 Easement Contract and what the time frame is for a response.

Supervisor LaFountain stated it is currently being reviewed by the Town Attorney and will follow up with him based on the letter he submitted and the question he has asked.

Joe Callan asked what is going on with the gas station at the intersection of NYS RTE 250 and Atlantic Avenue.

Supervisor LaFountain stated that the current owner, Mr. Gray and the new owner are in negotiations. They have discovered additional contamination under the building. The attorney for Mr. Gray and he have been told they are working out a plan with Exxon Mobile, however, the potential new owner and current owner are in an argument on who will pay for the removal of the contamination. The building will need to come down at the same time the contamination is removed. They are working with DEC and a number of other agencies to take care of the situation.

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 8:54 PM.

Amy Steklof, RMC/CMC
Town Clerk
3/2/16

PCTV
Ch 15 - I understand A NASA satellite feed has been utilized to keep TW from reclaiming the channel which they have the legal right to do and have done so in other areas of the state if a town is not providing community programming. Without new local programming, the town is disenfranchising local groups, organizations and constituencies.

We have a number of hot topics in the town like Save the Shadow Pines. Our community does not have the opportunity to learn more about issues that are of interest much less importance to them.

This creates a lack of transparency.

Ch 12:
Only Town board, planning board and zoning boards are live.

I know the school district has raised many concerns of their own about not having their meetings and programs available as they have been in the past.

Re: having the availability on computers or apps on phones is really cherry picking demographics who meet the requirements to view on line; many folks are on fixed budgets and don’t have the finances and skills to allow for computer or cell phone viewing. In learning more about this technology from friends in other towns, these devices are costly as well as the data fee and the internet connection.

We pay TW for the service and the monthly basic cable has been reduced to about $6/month or $72/yr. This is much less than the devices and related costs to be able to view outside of the family television and there are times that the quality of these devices is poor.

The town receives >$500,000 in franchise fees and I understand the cost to minimally upgrade the necessary equipment for Penfield Cable television is $65,000.
We are all interested in utilizing our tax revenue and of course the franchise fees TW subscribers pay, most judiciously. But having our PCTV be void of the usual programming and rebroadcasts that we have enjoyed for years since September, is not an efficient use of tax payers and franchise fee payers. The question remains - what are we getting from the town that is receiving our franchise fees?

I understand there have been discussions about sharing services with other towns. However, in talking with folks in Irondequoit and Webster, this does not seem to be a viable solution. I don’t understand the technical details but establishing the necessary data connection points and the equipment/technology to make those connections could be costly, certainly close to if not more than $65,000. Additionally, it seems that there would need to be a franchise agreement renewal needed and that could be very costly and open a whole new can of worms.

The town used to pride itself on transparency but without easy access to information that had been provided on PCTV, the transparency has been diminished.

At the work session last week, the town is now considering updating the telecommunications system. No doubt this is necessary and more costly than $65,000. Updating the equipment for our PCTV is also necessary.

Tonight’s public hearing about the moratorium is an example of allowing residents to voice their concerns about an issue. Can we have a public hearing about the reduction of services with our PCTV?

Would it be helpful to the board if we gathered signatures on a petition to support the allocation of $65,000 for updated equipment?
Planning board

Reduced to 5 members
Perinton, Brighton, Irondequoit, Webster, Pittsford all have 7 Number of yrs on board

Years on planning board for current members (and the fifth member to be appointed tonight has served previously on the planning board):

14 yrs + 19 yrs +
2 yrs + 7 yrs +

Please consider going back to 7 members and having some diversity in gender and in backgrounds; not all 7 need to be engineers; also there certainly are capable Penfield residents to serve that could provide a fresh perspective.

Mary "Mel" Callan
March 2, 2016

With all the bad news in the world, with all the work during the day or during the week, we have our homes, our shelters here so we can recharge to fight another day. Issues such as Shadow Pines and Shadow Lake hit us where we live. I believe this is an opportunity, a reminder, to strengthen or create neighborhood groups for issues such as these.

I'm a veteran, my father is a veteran, all my uncles are veterans, my mother is a charter member of Penfield Volunteer Ambulance, and my grandmother helped create part of the community quilt on the wall, right there. We care about community, big and small. My point is, seen or unseen, we all contribute to community; we all care about this community. That is why we're here. I am in support of the moratorium and if Old Castle lived here I think they would feel the same.

There is another issue, that I believe is just as important but might be overshadowed. There is a fast moving proposal for a cidery on the hilltop near the intersection of Dublin and Sweets corners Roads. I'm calling this Dublin hill. While there are differences between these issues, there are similarities, especially the character of community and quality of life. In 2002, the community of Penfield invested about $10 million to purchase development rights, to protect this and other properties within the town. This is an immediate test to see if Penfield can protect its rights and character.

I invite you to visit Dublin hill, identified as one of most important parcels in the whole town. See firsthand, the scenic views, the agricultural and natural character of the space to understand why we believe it is important to continue to protect. You'll be able to see the hills to the south heading towards Victor, to the west, the distant skyline of the city of Rochester over trees, over the Shadows, farm fields and forest to the north, to the east is the top of the hill where rolling farmland cradles the sky. That is exactly where they propose to put their building with parking, smack dab in the center. It seems like a company putting their logo right on Mona Lisa's face. Their plan does not protect or preserve... It does more than simply degrade, it destroys.

I am distressed by the Planning board’s response to this proposal. I heard each board member say something like “It sounds like a nice idea.” The concerns expressed just minutes before by neighbors during the public participation segment, seem to have been completely forgotten or ignored. As it turns out, many of the concerns we mentioned are specifically described by the 2002 easement contract, scenic vistas, view sheds, natural qualities etc., are detailed and supposed to be protected. Also, it seems like some or all the Planning board members have not been to the site, right here, in the town of Penfield. This leads us to believe this was a done deal before we ever heard about it. We don’t feel we are being fairly represented on this issue.
I’m not alone in this feeling, but this seems worse than a bad business plan, or a hobby, this feels like a playhouse, a clubhouse, a frat house, but even worse, this feels like a tax shelter, trying to leverage Ag law, to hide some money from the IRS.

From a commercial business, craft or hobby perspective, this site does not make good sense. There are so many types of limitations at this site, local ordinances, Agriculture laws, pesticide regulation, licensing, and the location is remote from a possible clientele. It is a hurdle after hurdle, which is only great for lawyers. Once they commit to this they will be tied to it like a ball and chain, every year, every harvest. If you want to dabble in cider, brewing, wine making and distilling, it would make better sense to have all those options open to you in a commercial space. It would make better sense to pick a location that is accessible to possible customers, closer to the city or a suburban center. This seems like a bad business plan, doomed to fail, at our detriment. 2, 5, 10 years down the line is too late to realize this is a huge mistake. I suggest that a new site be chosen without so many limitations, without constraints, that has the flexibility to easily accommodate varied processes and interests, that can support business growth and personal growth. This is a chance to rethink goals and intentions.

As I stated earlier this week, I believe an agent or representative, must be retained to vigorously protect the rights of the Town of Penfield and community in relation to the 2002 conservation easement agreement, and protect Dublin hill. It is a justified maintenance of a $10 million investment.

The planning board meeting is next Thursday March 10th in this very room. It is listed as preliminary and final approval at the same time. I’m trying to create a petition, and I’ll try to make some flyers. We feel the entire weight of the Dublin hill issue on our shoulders. We would appreciate some help.

With that in mind, the Penfield Town Board is feeling the weight the Shadows issue. It is supportive and reassuring to them for the members of this community to show appreciation.

I’ve created some public Facebook pages. Public means you don’t need to belong to Facebook to access them on-line. Pages include Dublin Rd, Whalen Rd. east end, Pond Valley, Protect Dublin Hill. And don’t forget Save the Heart of Penfield.

So, show up at meetings, write letters, sign petitions, participate in these activities, and spread the word. This meeting is a great example of productive conversation and options.

I’m asking residents to pull together as a community, as neighbors and neighborhoods, for the good of our community, on both these current issues and for the future. We can do this.

Thank you

Kevin Gallagher