PENFIELD TOWN BOARD AGENDA
Wednesday, June 1, 2016, 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Public Hearing #1 – To Allow a Jewelry Shop at 1759 Penfield Road in the Four Corners (FC) Zoning District

   Public Hearing #2 – To Allow a 4,500 square foot Mixed Use Commercial and Apartment Building at 1861 Penfield Road in the Four Corners (FC) Zoning District

   Public Hearing #3 – To Allow a 7,200 square foot Retail Building at 2140 and 2146 Fairport Nine Mile Point Road

III Communications and Announcements

IV Public Participation

V Additions and Deletions to Agenda

VI Approval of Minutes – April 20, 2016

VII Petitions

VIII Resolutions by Function

   Law and Finance
   16T-135 2016 Budget Amendment – Recognition of Donation to DEAR Program

   16T-136 Authorize the Town Supervisor to Sign the Insurance Consultant Agreement with Municipal Insurance Consultants Incorporated

   16T-137 Granting Preliminary and Final Site Plan Approval to Allow a 600 Square Foot Addition to Joey’s Pasta House at 1789 Penfield Road
16T-138 Granting Preliminary and Final Site Plan Approval to Allow a 700+/- Square Foot Two Story Press Box and Athletic Field Improvements at 2074 Five mile Line Road – Charles Finney School

16T-139 Setting a Public Hearing for a Conditional Use Permit to Consider Approval of Apartments at 2106 Five Mile Line Road

16T-140 Authorization for Supervisor to Sign a License and Hold Harmless Agreement for a Fence in an Existing Sanitary Sewer Easement at 4 Pond Valley Circle

Public Works
16T-141 Awarding Contract for Town Wide Street Lighting Repairs

16T-142 Authorization to Advertise for Sealed Proposals for the New Sidewalk Construction

Public Safety
16T-143 Authorization to Place Traffic Control Device on Monroe County Highway

16T-144 Authorization to Post Temporary NO PARKING Signs

Community Services - None

IX Old Business

X New Business

XI Public Participation

XII Adjournment
The Regular meeting of the Penfield Town Board was held on Wednesday, June 1, 2016 at 7:00 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

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

Also Present:  Amy Steklof  Town Clerk  
Richard Horwitz  Town Attorney  
Jim Costello  Director of Developmental Services

Absent:  Linda Kohl  Councilwoman

Supervisor LaFountain called the meeting to order - Pledge of Allegiance

Supervisor LaFountain introduced John Hanratty, past President of the Penfield-Perinton Kiwanis Club and the Town Of Penfield’s Director of Developmental Services, Jim Costello. John Hanratty announced that the 24th Annual Charity Golf Tournament, hosted by the Kiwanis Club of Penfield-Perinton Foundation and the Town of Penfield, will be held on Monday, June 20, 2016 at Shadow Lake Golf and Racquet Club located at 1850 Five Mile Road. This year’s honorary Chairman is Supervisor Tony LaFountain. All proceeds will be given to a number of local organizations that provide valuable services to families. Mr. Hanratty stated that the Kiwanis Club’s partnership with the Town Of Penfield is instrumental in making the tournament a success. He thanked Mr. Costello for all his help in organizing the tournament. For more information, please contact John Hanratty at 671-4314 or Jim Costello at 340-8642.

Public Hearing #1 To Allow a Jewelry Shop at 1759 Penfield Road in the Four Corners (FC) Zoning District

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on May 19, 2016 and was posted on the Town Website and Town Clerk Bulletin Board. 15 postcards were mailed.

Town Attorney Horwitz confirmed that this meeting is in order.

Malcolm Mark Nulton, 1759 Penfield Road would like to open and operate a jewelry store on the first floor of his home. He will live on the second floor of the building. The building is located across from St. Joseph’s Cemetery. The hours of operation will be Tuesday through Saturday, from 10:00 AM to 7:00 PM or by appointment. There will be five (5) parking spots for customers and one (1) parking spot in the garage for himself. He does not plan to have any employees at this time. He would like to place a sign on the east side of the house near the porch. He is currently working with someone for designing a sign. His plan is to design high quality jewelry made with precious metals, diamonds and gemstones. He will also repair jewelry. He plans to work one-on-one with the customer and therefore there should not be much traffic flow. He would like to post the hours of operation on the front of the building.

Public Participation

Maryann Platania, 1754 Penfield Road stated she lives across the street from Mark and feels he has done a terrific job in restoring the building.

Councilwoman Metzler stated that the building was once an old convent and that Mark should get in contact with Kathy Kanauer, Town Historian to see if she can find old photos of the building that he can decorate the inside walls of the jewelry shop with.

Hearing closed.
Penfield Town Board, June 1, 2016

Public Hearing #2
To Allow a 4,500 square foot Mixed Use Commercial and Apartment Building at 1861 Penfield Road in the Four Corners (FC) Zoning District

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on May 19, 2016 and was posted on the Town Website and Town Clerk Bulletin Board. 50 postcards were mailed. Town Attorney Horwitz confirmed that this meeting is in order.

Applicant Terry Williams gave an overview of the project in which he stated that he would like to have a 4,500 sq. ft. building constructed that would house his vacuum sales and service business and two (2) apartments. He also stated that the building will be designed to complement the other buildings within the Four Corners. The hours of operation will be from 9:00 AM to 6:00 PM on the weekdays and 9:00 to 3:00 PM on Saturdays. Mr. Williams stated that currently he has three (3) employees working at the store.

Councilman Moore asked what is the square footage of the apartments?

Joe Adonte, Architect for the project said the two (2) bedroom apartments will be 800-900 square feet.

Mr. Williams stated there will be eleven parking spots with overflow parking from the businesses in the area. The businesses also share a dumpster. Signage will be similar to businesses in the area. Mr. Williams would like to start the project as soon as possible.

Councilman Quinn asked Jim Costello, Director of Developmental Services, what construction hours are allowed by Town Code?

Mr. Costello stated the hours allowed are between 7:00 AM and 7:00 PM.

Public Participation - None

Hearing closed.

Public Hearing #3
To Allow a 7,200 square foot Retail Building at 2140 and 2146 Fairport Nine Mile Point Road

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on May 19, 2016 and was posted on the Town Website and Town Clerk Bulletin Board. 34 postcards were mailed. Town Attorney Horwitz confirmed that this meeting is in order.

Dr. Bob Fallone, owner of 2146 Fairport Nine Mile Point Road, would like to extend his 4,000 sq. ft. building to become a 7,200 sq. ft. building. He stated he has submitted renderings of what the building will look like. Right now they have a mattress store as a tenant which takes up half of the square footage. The building will be the twin to the building at 2150 Fairport Nine Mile Point Road. That building has Moe’s, AT & T and Hair Zoo as its tenants.

Dr. Fallone is proposing 49 parking spaces. He also stated that landscaping will be similar to the landscaping done at the building to the south as well as the signage. Dr. Fallone stated they will extend the service road behind the existing gas station through the Trau property.

Councilman Quinn inquired about the curb cut at the car wash and whether there has been any consideration made to eliminate the access point north of the car wash off of Route 250.

Dr. Fallone stated yes.

Supervisor LaFountain inquired about the impact to neighbors to the east in reference to waste hauler noise and lighting.

Dr. Fallone stated the trees that are currently there will help buffer any noise and lighting.
Penfield Town Board, June 1, 2016

(Public Hearing #3 – Continued)

Mr. Costello stated that Dr. Fallone’s responsibilities for the buffering have been completed, but there is still a pile of topsoil that needs to be removed. Once the topsoil is removed that area will be regraded and reseeded.

Councilwoman Metzler, in regards to noise, will there be any speakers on the building or any other mechanisms that could create noise?

Dr. Fallone said, “No.”

Public Participation

Michael Young, 46 Braunston Drive, stated his property is east of the proposal. He requested that there be no backlit signs facing the neighborhood. He also inquired about the landscaping around the parking area. He hopes landscaping can be added so that cars facing the east won’t have their lights shining into their homes.

Mr. Costello suggested that some of the topsoil be left to help create a buffer to block some of the lights coming off of the parking lot.

Hearing closed.

Communications and Announcements

1. The Town of Penfield’s Annual Free Rabies Vaccination Clinic will be held this Saturday, June 4, 2016 from 10:00 AM to Noon at the Public Works complex, 1607 Jackson Road. For more information please contact Town Clerk Amy Steklof at 585-340-8629.

2. Dayton’s Corners School/Museum, located at the corner of Creek Street and Plank Road, will hold its annual Pie Social on Sunday, June 5, 2016 from 2:00 PM to 4:00 PM. For more information please call 385-1491.

3. The Department of Public Works (DPW) started the annual oil and stone surface treatment last week, which will continue throughout the summer. The Town treats 10 to 12 percent of its 136 miles of town-owned roads every year to preserve the asphalt surface and extend the life of roads. DPW street sweepers will follow the process over the next several weeks to clean up loose stone. Please reduce your speed on these roads during and after the application process.

4. Supervisor LaFountain hosted 83 second graders from Cobbles School last week, which he has been doing for 28 years. Local history and local government is discussed. Supervisor LaFountain stated the he looks forward to hosting the second graders for years to come.

5. The Town has received a number of phone calls and e-mails regarding cutting the grass around the Clark House at Shadow Pines. The grass was cut today. Please contact Supervisor LaFountain at 340-8630, or 340-8631 with questions.

6. The Penfield Trails Committee will sponsor a Free Public Hike at Wild Iris Trail and Veteran’s Memorial Park on Saturday, June 11, 2016 from 9:00 AM to 11:00 AM. The hike will start at the west end of Brougham Drive. Participants are encouraged to pre-register by contacting the Penfield Recreation Department at 340-8655.

7. Penfield Recreation will host the Rothfuss Park Farm Walk. You may pick up a farm map at the red box near the playground at Rothfuss Park on Five Mile Line Road. For more information about this program, please visit www.penfieldrec.org.
Public Participation - None

Additions and Deletions to Agenda

Councilman Moore moved to add Resolution #16T-145, Councilman Quinn seconded and all voted Aye. Resolution #16T-139 was withdrawn.

Approval of Minutes

Councilman Quinn moved to approve the Minutes of April 20, 2016 Councilwoman Metzler seconded and all voted "Aye."

Petitions - None

Resolutions by Function

Law and Finance

#16T-135 2016 Budget Amendment - Recognition of Donation to DEAR Program by Moore

WHEREAS, in April and May of 2016, the Recreation Department received donations to the Daytime Education At Recreation (DEAR) Program, several in memory of May Leone, totaling $262 as detailed:

- Melinda Falkoff $12
- Ann Ziki $75 In Memory
- Pam & Brian Mount $50 In Memory
- John & Anne Meteyer $25 In Memory
- John & Beverly Brincka $100 In Memory

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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**General Fund Appropriations:**

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Moved: Moore  
Seconded: Quinn  
Vote:  
  - Kohl Absent  
  - Metzler Aye  
  - LaFountain Aye  
  - Moore Aye  
  - Quinn Aye

Adopted

#16T-136 Authorize the Town Supervisor to Sign the Insurance Consultant Agreement with Municipal Insurance Consultants Incorporated by Moore

WHEREAS, every year, the Town of Penfield seeks insurance quotes for the General Liability insurance, and

WHEREAS, the Town engages the consulting services of Municipal Insurance Consultants Incorporated to review and evaluate the various quotes submitted by the carriers and then provide recommendation for award,

NOW BE IT RESOLVED, that the Town Supervisor is authorized to sign an updated agreement with Municipal Insurance Consultants Incorporated effective June 1, 2016 to be automatically renewed annually unless terminated with 30 days notice by the Town.
Penfield Town Board, June 1, 2016

(Resolution #16T-136 – Continued)

Moved: Moore  
Seconded: Metzler

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

Adopted

#16T-137 Granting Preliminary and Final Site Plan Approval to Allow a 600 Square Foot Addition to Joey’s Pasta House at 1789 Penfield Road by Moore

WHEREAS, an application has been received by the Penfield Town Board for preliminary and final site plan approval pursuant to §250-12.2 of the Code to allow the construction of a 600 square foot addition to the restaurant at 1789 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 May 18, 2016 at 7:00 PM on said date, to consider the application and hear all persons interested on the question of approval of a 600 square foot addition to the restaurant at 1789 Penfield Road, in the Four Corners (FC) zoning district and the Public Hearing was closed and decision was reserved.

NOW, THEREFORE, BE IT

RESOLVED, that the applicant’s request for PRELIMINARY AND FINAL SITE PLAN APPROVAL to allow a 600 square foot addition to the restaurant at 1789 Penfield Road is hereby GRANTED subject to the following conditions:

1. All site work is to be in compliance with the standards of the Penfield Town Code.

2. The Town Engineer shall approve the final plan for exterior lighting, specifically that such plan shows lighting, which is localized and unobtrusive.

3. All dumpsters shall be enclosed and properly maintained at all times. The applicant’s refuse removal company may pick up refuse from the site only between the hours of 7:00 AM and 7:00 PM.

4. The applicant shall furnish the Town with a Letter of Credit, in an amount to be approved by the Town Engineer. Said Letter of Credit shall insure that all public improvements and such other items as may be deemed necessary are constructed in accordance with the approved plan and the standards and specifications of the Town of Penfield.

5. Any and all costs related to the relocation of utilities necessitated by this project shall be borne by the individual and/or the utility company requesting the relocation.

6. Compliance with the Town’s Highway Frontage Policy which limits the number of curb cuts onto major roads in the Town; in this case, the site is currently serviced by two curbcuts onto Penfield Road. The applicant shall be permitted to retain both curbcuts to serve both 1789 and 1793 Penfield Road until such time as those properties are redeveloped as one entity. At that time, one of the curbcuts serving those sites shall be eliminated subject to the requirements of the Town’s Highway Frontage Policy and the New York State Department of Transportation.
7. Compliance with the Town of Penfield’s Sidewalk Policy; specifically that any existing sidewalks along the property frontage on Penfield Road that are damaged during construction shall be replaced to the satisfaction of the Town Engineer prior to the issuance of a Certificate of Occupancy.

8. Construction is to begin within one (1) year from the date of this resolution.

9. This resolution of approval with conditions shall be printed in its entirety on the final site plan.

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 regarding this proposal is necessary.

AND BE IT FURTHER

RESOLVED, that The Board bases its decision to GRANT PRELIMINARY AND FINAL SITE PLAN APPROVAL for this proposal on the following findings:

1. The applicant has successfully operated a sit-down restaurant from this site for approximately six years and is requesting approval of a 600 square foot expansion to enlarge its kitchen area, provide 12 additional seats in a new waiting area for patrons and widen the main access area on the first floor to provide greater accessibility for its wait staff. The applicant’s intent is not to expand seating area, but to provide additional space to make the restaurant more comfortable and accessible for patrons and staff.

2. The applicant also proposes to relocate the existing driveway which is located over the property lines of 1789 and 1793 Penfield Road to the east to accommodate the new addition on the east side of the restaurant. The Board will permit the relocation rather than the elimination of the driveway so that it may be used as an exit only point of egress. The applicant satisfactorily demonstrated that the exit only driveway provides a safer and more efficient left turn rather than requiring patrons to use Motts Lane to the intersection of Five Mile Line Road, particularly during afternoon peak traffic periods. Access onto Five Mile Line Road to turn north (left) would create an unsafe condition for patrons and others approaching the intersection of Five Mile Line Road and Penfield Road. It would also unnecessarily create additional traffic to the intersection for those patrons wishing to make a left turn when they can do so on the subject property away from the intersection.

3. The restaurant seating proposal shall be subject to the review and approval of the Penfield Fire Marshal subject to the requirements of the New York State Building Code.

4. The applicant has maintained compliance with all applicable codes and regulations pertaining to the operation of a sit-down restaurant and sale of alcohol in the Town of Penfield since its opening.

5. The applicant’s proposal is consistent with and furthers the goals and objectives of the Four Corners zoning district in that it offers patrons a more enjoyable dining experience in the Four Corners and further its efforts to enhance the building.

The Board bases its findings to APPROVE this application on the following:
Penfield Town Board, June 1, 2016

(Resolution #16T-137 – Continued)

5. A rendering of the proposed addition of the restaurant dated March 24, 2016.
7. Submissions and oral testimony of the applicant at the Public Hearing on May 18, 2016.

Moved: Moore
Seconded: Quinn

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

Adopted

#16T-138 Granting Preliminary and Final Site Plan Approval to Allow a 700 +/- Square Foot Two Story Press Box and Athletic Field Improvements at 2074 Five Mile Line Road - Charles Finney School by Moore

WHEREAS, an application has been received by the Penfield Town Board for preliminary and final site plan approval pursuant to §250-12.2 of the Code to allow the construction of a 700 +/- square foot two story press box and athletic field improvements at 2074 Five Mile Line Road, located in the Four Corners (FC) zoning district; and

WHEREAS, the Town Board of the said Town of Penfield held a Work Session at the Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on May 25, 2016 at 7:00 PM on said date, to consider the application and hear all persons interested on the question of approval of a 700 +/- square foot two story press box and athletic field improvements at 2074 Five Mile Line Road in the Four Corners (FC) zoning district and no resident attended the Work Session to speak in favor or opposed to the proposal.

NOW, THEREFORE, BE IT

RESOLVED, that the applicant’s request for PRELIMINARY AND FINAL SITE PLAN APPROVAL to allow a 700 +/- square foot two story press box and athletic field improvements at 2074 Five Mile Line Road is hereby GRANTED subject to the following conditions:

1. The applicant shall obtain a building permit for the construction of the press box subject to the approval of the Building Department.
2. All site work is to be in compliance with the standards of the Penfield Town Code.
3. The Town Engineer shall approve the final grading plan and the applicant shall ensure compliance with all SPDES requirements during and post grading of the athletic field.
4. The applicant shall submit a plan to the Town Engineer for exterior lighting, specifically that such plan shows lighting, which is localized and unobtrusive.
5. Any and all costs related to the relocation of utilities necessitated by this project shall be borne by the individual and/or the utility company requesting the relocation.

6. The proposed public address system in the press box and the new scoreboard shall not be a nuisance to area property owners at any time.

7. Construction is to begin within one (1) year from the date of this resolution.

8. This resolution of approval with conditions shall be printed in its entirety on the final site plan.

AND BE IT FURTHER

RESOLVED, that the applicant’s proposal is classified as a Type I action pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and the Town Board, acting as Lead Agency, has determined that this proposal will not create an adverse effect to the environment and has prepared a negative declaration. No additional environmental review will be necessary for this action.

AND BE IT FURTHER

RESOLVED, that the Board bases its decision to GRANT PRELIMINARY AND FINAL SITE PLAN APPROVAL and issue a negative declaration for this proposal on the following findings:

1 The applicant proposes to construct a 16’ x 22’ two story press box adjacent to the center of the west side of the athletic field. The press box will be constructed in the first phase of a two phased project. The second phase will be the regrading of the athletic field which, according to the applicant, is seven feet higher at one end than at the other. The intent is to even the grade of the field and make it safer for play. The second phase will take place within the year, subject to the applicant obtaining a SPDES Permit from the New York State Department of Environmental Conservation.

8. The Town Board reviewed this application at its May 25, 2016 work session rather than conducting a Public Hearing as the applicant would not have been able to secure a Public Hearing date until mid-summer, thus preventing it from constructing the press box prior to the beginning of the 2016-2017 school year and prior to the fall sports season. The Board directed the staff to notify all area residents who may have concerns for the proposal. The staff notified 48 area residents of the meeting, of which one resident responded by phone in favor of the proposal and no resident attended the meeting.

9. The proposal is a Type I action pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) because the First Baptist Church which abuts the subject property is a New York State designated landmark. The Town Board, acting as lead agency, has determined that the proposed action will not have a significant effect to the church and therefore has prepared a negative declaration for the action. The Board based its decision on the following:

   a. The total size of the press box will be no more than 704 square feet and will be constructed of the same type of brick as the Finney School. The structure will be architecturally compatible with both the Finney School and the brick façade of the First Baptist Church addition which remotely faces the press box.
b. The press box will be approximately 455 feet from the church structure and will be separated by 50% of the athletic field and two asphalt parking lots that serve the Finney School and the Church.

c. The proposed improvement to the athletic field does not increase its size or scope of use, but rather the regrading will result in an even, safe playing field. No increase in scope or use will be created as a result of this action.

d. The improvements will be conducted during normal work hours to ensure that no adverse noise impacts are created to area property owners.

10. The applicant also proposes to replace the existing scoreboard. The applicant shall confer with the Building Inspector to obtain a sign permit if it is determined to be required for the new scoreboard.

11. The applicant has demonstrated that it will obtain a SPDES Permit and comply with all State and Federal storm water management requirements relating to the regrading of the athletic field.

The Board bases its findings to APPROVE this application on the following:


Monroe County Planning Department Development Review Committee Referral (PN16-15Z) dated June 1, 2016.

6. Submissions and oral testimony of the applicant at the Town Board work session on May 25, 2016.

Amendment: Moved: Moore  
Seconded: Quinn

Moved: Moore  
Seconded: Metzler

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

Adopted

#16T-139 Setting a Public Hearing for a Conditional Use Permit to Consider Approval of Apartments at 2108 Five Mile Line Road by Moore – WITHDRAWN
Penfield Town Board, June 1, 2016

#16T-140  Authorization for Supervisor to Sign a License and Hold Harmless Agreement for a Fence in an Existing Sanitary Sewer Easement at 4 Pond Valley Circle by Moore

WHEREAS, Eric and Vera Tannous have requested that the Town Board grant permission for the installation of a fence within an existing sanitary easement located on their property, and

WHEREAS, as the easement contains a sanitary sewer pipe a safe distance from the proposed fence location, and

WHEREAS, said improvements will not diminish the integrity or purpose of the sewer easement and will not inhibit the inspection and maintenance of the sanitary sewer; and

WHEREAS, the owners have agreed to sign a License and Hold Harmless Agreement to indemnify the Town of Penfield from any damages that may result from said improvements being constructed in the Town of Penfield’s easement.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the easement requested by Eric and Vera Tannous to permit the installation of a fence within the sanitary sewer easement.

Moved: Moore
Seconded: Quinn

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

Adopted

Public Works

#16T-141  Awarding Contract for Town Wide Street Lighting Repairs by Metzler

WHEREAS, sealed proposals were sought and requested in the manner prescribed by law to furnish the Department of Public Works with quotes to Repair Street Lighting in the Town of Penfield per bid specifications and,

WHEREAS, On Thursday May 6th, 2016 at 11:00 AM local time the following sealed proposals were received, opened and read publicly;

Bid results: “To Repair Town Wide Street Lighting per Bid Specifications”

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<td>MURCH ELECTRIC</td>
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<tr>
<td>LL&amp;P POWER AND CONSTRUCTION</td>
<td>$19,961.09</td>
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<tr>
<td>ML CACCAMISE</td>
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WHEREAS, the bid proposal received from MURCH ELECTRIC was the lowest proposal received which meets the Town’s needs or exceeds all the Town’s bid specification and,

WHEREAS, the funds for these services are available in the 2016 Street lighting budget and,

NOW, THEREFORE BE IT FURTHER RESOLVED, that a contract be and hereby is awarded to: Murch Electric, 400 West Avenue, Rochester, NY 14611 per bid specifications and the Town’s specifications this resolution and the bid submitted by company name shall constitute the contract. This agreement to be reviewed and approved by the Town Attorney.
Penfield Town Board, June 1, 2016

(Resolution #16T-141 – Continued)

Moved: Metzler
Seconded: Moore

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

Adopted

#16T-142 Authorization to Advertise for Sealed Proposals for the New Sidewalk Construction by Metzler

WHEREAS, the Town of Penfield desires to construct sidewalks within the Town in accordance with the Town Sidewalk Policy, and

WHEREAS, the Town of Penfield is committed to providing safe pedestrian access for its residents, and

WHEREAS, the Town Board has provided $78,300 to the 2016 Sidewalk Fund for various sidewalk projects.

BE IT RESOLVED, that the Town Engineer be, and hereby is, authorized to advertise, in the manner prescribed by law, for sealed proposals for sidewalk installation, replacement of existing asphalt sidewalks and damaged concrete sidewalks where needed.

BE IT FURTHER RESOLVED that installation methods and materials covered by such sealed proposals shall be in accordance with plans and specifications which have been prepared by the Town of Penfield Engineering Department and are to be advertised on June 9, 2016. The bids shall be received at the Office of the Town Clerk until 11:00 AM, EST, Friday, July 1, 2016, at which point they are to be opened and publicly read.

Moved: Metzler
Seconded: Quinn

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

Adopted

Public Safety

#16T-143 Authorization to Place Traffic Control Device on Monroe County Highway by Quinn

BE IT RESOLVED, that the Town Board hereby authorizes the installation of a STOP sign, on Waybridge Court @ Jackson Road Eastbound as requested and recommended by the Monroe County Department of Transportation in a letter dated May 19, 2016 and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to sign and return said letter dated May 19, 2016 with a copy of this resolution to the Monroe County Department of Transportation.

Moved: Quinn
Seconded: Metzler

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

Adopted
#16T-144  Authorization to Post Temporary NO PARKING Signs by Quinn

WHEREAS, it is the Town of Penfield’s responsibility to promote and maintain public safety on roads within the Town of Penfield and

WHEREAS, pursuant to New York State Vehicle & Traffic Law, Section 1660, the Town Board is granted the authority to authorize the establishment of traffic control devices on Town highways within the Town of Penfield and,

WHEREAS, the Town of Penfield wishes to keep the neighborhoods around the Town’s Independence Day Celebration, parade route and festivities at Harris Whalen Park accessible to emergency vehicles.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes and establishes that “No Parking” will be established along both and/or one side of all and/or parts of the following streets, for the duration of the Town’s Independence Day Celebration, parade and festivities at Harris Whalen Park; Baird Road (north of Penfield Road), Peachtree Road, Hotchkiss Circle, Wheelock Road, Kenmont Drive, Henderson Drive, Avonmore Way, Hidden Meadow, Hillrise Drive, Lazy Trail, Valley Green Drive, Valley Green Circle, Maple Hill Farm Road, Maple Leaf Circle, Timber Glen Trail, and,

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Director of Public Works to post said temporary “NO PARKING” signs along both and/or one side of said streets.

Moved: Quinn
Seconded: Moore

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

Adopted

Community Services - None

Old Business - None

New Business

#16T-145  Authorization for Insurance Coverage 2016-2017 by Moore

WHEREAS, the Town Board requested that insurance quotes be obtained so that selection could be made for June 1st 2016 to May 31st 2017 insurance year, and

WHEREAS, the Municipal Insurance Consultants. Inc., acting as consultant to the Town has evaluated proposals for our insurance coverage’s for the 2016-2017 insurance year on our Penfield Property and Liability insurance renewal June 1, 2016, and

NOW, BE IT RESOLVED that the total insurance quote of $137,816.80 from the First Niagara Risk Management Company for coverage with U.S Specialty is approved as they met all the specifications for the Town of Penfield’s insurance needs for the 2016-2017 insurance year as follows:

<table>
<thead>
<tr>
<th>INSURANCE TYPE</th>
<th>INSURANCE CARRIER</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property</td>
<td>U.S. Specialty</td>
<td>$32,250.00</td>
</tr>
<tr>
<td>General Liability</td>
<td>U.S. Specialty</td>
<td>$23,251.00</td>
</tr>
<tr>
<td>Employment Practices</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liability</td>
<td>U.S. Specialty</td>
<td>$8,600.00</td>
</tr>
<tr>
<td>Law Enforcement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liability</td>
<td>U.S. Specialty</td>
<td>$1,027.00</td>
</tr>
<tr>
<td>Automobile</td>
<td>U.S. Specialty</td>
<td>$38,102.00</td>
</tr>
</tbody>
</table>
Penfield Town Board, June 1, 2016

(Resolution #16T-145 - Continued)

Inland Marine U.S. Specialty $12,059.00
Boiler U.S. Specialty (Included in the Property)
Public Officials U.S. Specialty $8,840.00
Umbrella U.S. Specialty $11,887.00
Owners Contractor
Protective U.S. Specialty $1,000.00
Other Fees NYS Motor Vehicle Fee $610.00
NYS Fire Fees $190.80

Total: $137,816.80

Moved: Moore
Seconded: Quinn

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

Adopted

Public Participation

Ed Lindskoog, 40 Willow Pond Way stated he had attended a Planning Board meeting recently and found that a number of agenda items were discussed that had not been on the website’s published agenda. He wanted to know if this is a violation of the law.

Supervisor LaFountain stated that typically when an agenda is published, and if an item is not on the agenda, then it does not get discussed. He will have a conversation with Mark Valentine, Director of Planning and Engineering to find out why unpublished topics are being discussed.

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 8:11 PM.

Amy Steklof, RMC/CMC
Town Clerk