PENFIELD TOWN BOARD AGENDA

Wednesday, December 7, 2016, 7:00 PM

Supervisor R. Anthony LaFountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Public Hearing – To Allow an Acupuncture Practice at 1742 Penfield Road, Located in the Four Corners (FC) Zoning District

III Communications and Announcements

IV Public Participation

V Additions and Deletions to Agenda

VI Approval of Minutes – October 19, 2016

VII Petitions

VIII Resolutions by Function

Law and Finance
16T-227 Authorization for Supervisor to sign a Contract with HB Solutions, LLC

16T-228 2016 Budget Amendment – Recognition of Donation to DEAR Program

16T-229 2016 Budget Transfers – Reconciliations

Public Works
16T-230 Authorization to Extend Snow and Ice Agreement with New York State Department of Transportation
16T-231 Authorization to Approve a Ten Year, All Seasons County/Municipality Intermunicipal Work Agreement

16T-232 Roadway Dedications for 2016

16T-233 Amendment to Resolution #16T-101 for the Purchase of a New 2016 or Newer (15) Passenger Van for the Recreation Department

16T-234 Advertising for Sealed Proposals for the Town of Penfield Department of Public Works Rooftop HVAC Replacement Unit

Public Safety-None

Community Services
16T-235 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, December 7, 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
               Jim Costello Director of Developmental Services

Supervisor LaFountain called the meeting to order - The Pledge of Allegiance was led by members of Boy Scout Troop 312.

Supervisor LaFountain asked for a moment of silence to recognize all of the men and women who served in the military and lost their lives during the attack on Pearl Harbor. Today marks the 75th Anniversary of the attack.

Supervisor LaFountain and Councilwoman Paula Metzler recognized Boy Scouts Paul Krenzer and Eric Hettel. The scouts donated two (2) wreaths to the Town on behalf of Troop 312. They thanked the Town Board for their support throughout the years. The Troop’s Annual Christmas Tree and Wreath sale has begun and is located at the Penfield Bill Grays restaurant, 1650 Penfield Road.

Public Hearing #1 To Allow an Acupuncture Practice at 1742 Penfield Road, Located 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 November 24, 2016 and was posted on the Town Website and Town Clerk Bulletin Board. 13 postcards were mailed. Town Attorney Horwitz confirmed that this Hearing is in order.

Julie Grogan, 1742 Penfield Road stated she is currently studying at the New York Chiropractic College in Seneca Falls and anticipates graduating from the acupuncture program in April 2017. She hopes to open her business by June 2017. She plans on offering a variety of acupuncture services. She intends to have three (3) treatment rooms, two (2) to be located on the first floor and one (1) located on the second floor. There will be a handicapped accessible bathroom on the first floor, a kitchenette area, and a waiting room. She intends to also install a handicapped accessible ramp for the entryway and to have one (1) handicapped accessible parking space in the parking lot. She would like to widen the western portions of the parking lot so as to be able to add four (4) more parking spaces equaling eight (8) spaces in all. She will park her car in the garage. The hours of operation will be by appointment only and most appointments will last 60 to 90 minutes. Ms. Grogan stated she plans to work three (3) days a week from 8:00 AM to 4:00 PM. She also plans to offer extended hours a couple of days a week as well as offer Saturday hours every other week. She stated that as a goal, she would like to treat 10 clients a week by the end of her first year. Ms. Grogan would like to have two (2) signs containing the name of her business, “Radiant Sun Acupuncture.” One (1) sign would be placed on the building and the other would be a free standing sign. All signs will conform to Town Code requirements.

Councilwoman Kohl inquired about lighting for the sign.

Ms. Grogan stated that she plans to have a lighting fixture installed at the base and add landscaping.

Councilwoman Metzler asked if Ms. Grogan will be hiring any employees.

She said no.
Councilman Quinn asked Ms. Grogan to describe the parking in front of the building.

Ms. Grogan stated that right now there are four (4) spaces for cars to park vertically on the east side of the house.

Councilman Quinn asked if there will be an expansion to the curb cut.

Ms. Grogan said, no.

Councilwoman Kohl asked what is on either side of the property.

Ms. Grogan stated they are both residential properties.

Jim Costello, Director of Developmental Services stated that the Town’s Project Review Committee (PRC) has reviewed the application and do not have any concerns.

Public Participation - None

Hearing closed.

Communications and Announcements

1. The Penfield Ecumenical Food Shelf will be collecting and distributing Christmas turkeys on Wednesday, December 21, 2016 between 7:30 AM and 9:00 AM in the parking lot of Dolomite Lodge. For more information, please go to www.penfieldecumenicalfoodshelf.org or call 234-0799.

2. The Chanukah holiday begins at sundown on Saturday, December 24, 2016 and will continue through Sunday, January 1, 2017. In celebration of Chanukah the Town’s third annual outdoor menorah lighting will take place Tuesday, December 27, 2016 at 5:30 PM at the Four Corners of Penfield in Schuffelberger Park. For more information please contact Amy Steklof, Town Clerk at 340-8629 or steklof@penfield.org.

3. As a safety reminder, please make sure fire hydrants near your home are kept clear of snow to allow easy and unrestricted access by firefighters.

4. Any residents that experience lawn damage due to Town of Penfield snowplows, The Department of Public Works will make rounds in the spring to repair and seed all damaged lawns once the winter season ends. For more information, seasonal tips and upcoming Town services by the Department of Public Works, please visit www.penfield.org.

5. The 2017 Town of Penfield community calendar is now available. Residents can pick up the calendar at Master Kims, Hong Wah, Woody Acres Farm, the Town Hall or at the Penfield Community Center. Thank you to Penfield Recreation’s Sabrina Renner and her team for putting the calendar together.


7. The Penfield Trails Committee will sponsor a free guided hike at the Nature Conservancy’s Thousand Acre Swamp on Saturday, December 10, 2016 from 10:00 AM to Noon. To pre-register or for more information please contact Penfield Recreation at 340-8655.
8. The next Flap Jack community fundraiser will be held on Saturday, December 17, 2016 from 8:00 AM to 10:00 AM at the First Baptist Church of Penfield, 1862 Penfield Road. All proceeds will go to benefit the Shepherd Home. For more information please visit www.fbpenfield.org.

9. Councilwoman Kohl’s next Community Chat will be held on Tuesday, December 20, 2016 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Penfield Road.

Public Participation – None

Additions and Deletions to Agenda – None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of October 19, 2016. Councilman Quinn seconded and all voted “Aye.”

Petitions – None

Resolutions by Function

Law and Finance

#16T-227 Authorization for Supervisor to Sign a Contract with HB Solutions, LLC by Moore

WHEREAS, the Town of Penfield is a member of the Finger Lakes Municipal Health Insurance Trust (FLMHIT) and;

WHEREAS, FLMHIT utilized and paid for services rendered by HB Solutions LLC relating to the Patient Protection and Affordable Care Act (PPACA) on behalf of the Town for the years 2015 and 2016 and;

WHEREAS, individual members of FLMHIT will now be responsible for the cost of those services starting January 2017 and;

WHEREAS, HB Solutions Inc. has agreed to extend the same group pricing to individual members of FLMHIT for those services;

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the HB Solutions LLC contract in an amount not to exceed six thousand five hundred dollars ($6,500.00) for services related to PPACA subject to Town Attorney approval.

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-228 2016 Budget Amendment – Recognition of Donation to DEAR Program by Moore

WHEREAS, in August, September, October and November of 2016, the Recreations Department received donations to the Daytime Education At Recreation (DEAR) Program, one in memory of May Leone totaling $245 as detailed:

Melinda Falkoff $  15
Melinda Falkoff $  20
Margaret Terwilliger $  50
Joan Gerber $  10
Joan Albany $ 100
Jean & Don Palese $ 50 In Memory
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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<thead>
<tr>
<th>Descriptions</th>
<th>Increase Amount</th>
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<tbody>
<tr>
<td>DEAR Program</td>
<td>$245</td>
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**General Fund Appropriations:**

<table>
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<tr>
<td>Daytime Education at Recreation</td>
<td>$245</td>
</tr>
</tbody>
</table>

Moved: Moore  
Seconded: Quinn  

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

Adopted

#16T-229  2016 Budget Transfers – Reconciliations by Moore

WHEREAS, transfers of funds are necessary for reconciliation as the year end approaches, and,

WHEREAS, the Town Board desires to have an up-to-date budget in relation to current income and expenditures,

NOW, BE IT RESOLVED that the attached budget transfers be approved.

Moved: Moore  
Seconded: Metzler  

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

Adopted

**Public Works**

#16T-230 Authorization to Extend Snow and Ice Agreement with New York State Department of Transportation by Metzler

BE IT FURTHER RESOLVED, that the Supervisor, be and hereby is authorized to execute a one (1) year extension to the 2016/2017 Snow and Ice agreement NO. D139815 between the Town of Penfield and New York State Department of Transportation for the 2018/2019 Snow and Ice Season, as reviewed and approved by the Town Attorney.

Moved: Metzler  
Seconded: Moore  

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

Adopted
#16T-231 Authorization to Approve a Ten Year, All Seasons County/Municipality Intermunicipal Work Agreement by Metzler

WHEREAS, The Town of Penfield desires to enter into an Agreement with Monroe County Department of Transportation for a Ten Year, All Season County/Municipality work agreement, and

WHEREAS, this Agreement will eliminate the need to complete annual extensions of approval for existing multi-year Agreements,

NOW, THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to sign an Agreement with the County of Monroe for the Ten Year, running from January 1, 2017 to December 31, 2026, All Seasons County/Municipality Work Agreement, subject to approval by the Town Attorney.

Moved: Metzler
Seconded: Kohl

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

Adopted

#16T-232 Roadway Dedications for 2016 by Metzler

WHEREAS, the following developers/owners have made application to the Highway Department of the Town of Penfield for the final dedication of Town highways in the Town of Penfield as noted in the following and described more fully on the subdivision plat maps listed below, which have been approved by the board of jurisdiction, and have dedicated and released the necessary lands owned by them for the proposed highways:

Nine Mile Point Associates LLC - Abbington Place Subdivision - Section 5, a portion of Miyah Drive.

Combat Construction – Windsor Ridge Subdivision – Section 1, Summit Crest Circle and a portion of Stoneledge Way.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board hereby accepts dedication of the roads or portions thereof, as described herein above, in accordance with Section 171 of the Highway Law of the State of New York.

Moved: Metzler
Seconded: Quinn

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

Adopted

#16T-233 Amendment to Resolution #16T-101 for the Purchase of a New 2016 or Newer (15) Passenger Van for the Recreation Department by Metzler

WHEREAS, Resolution 16T-101 dated April 6, 2016 authorized the purchase of a new 2016 (15) passenger van for a contract price of approximately $25,416.24, and

WHEREAS, there are no available 2016 models, and
NOW, THEREFORE BE IT RESOLVED, that said Resolution be amended to purchase a 2017 Chevrolet Express 2500 passenger van for the Recreation Department for a price of $29,031.84, which is budgeted for in the 2016 General Fund and said vehicle is on and available through Chautauqua County Bid Package #E-11-14 PFTH 2016, Group 3, Item 2, Vehicle 2, per the New York State “Piggy Back Law”, and

THEREFORE, BE IT FURTHER RESOLVED, that the Director of Public Works be and hereby is authorized to purchase the above referenced vehicle.

Moved: Metzler
Seconded: Moore

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

Adopted

#16T-234 Advertising for Sealed Proposals for the Town of Penfield
Department of Public Works Rooftop HVAC Replacement Unit
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 and install rooftop HVAC replacement unit at the Penfield Public Library,

BE IT FURTHER RESOLVED, that the "Rooftop HVAC replacement unit" 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 December 22nd, 2016 at 11:00 AM Local time and there and then are to be opened by the Town Clerk.

Moved: Metzler
Seconded: Kohl

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

Adopted

Public Safety - None

Community Services

#16T-235 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:

Emma Milligan, 329 Eaglehead Rd., East Rochester, NY 14445, Guest Director for YOHP productions beginning 9/12/16 – 12/31/17, for a fee of $350 per production. Voucher to be submitted as needed.

Emma Milligan, 329 Eaglehead Rd., East Rochester, NY 14445, Guest Facilitator of DEAR programs beginning 1/3/17 – 12/31/17 for a fee of $25 a class. Voucher to be submitted as needed.

Dick Seils, 23 Brookshire Lane, Penfield, NY 14526, Instructor for Beginning Euchre and Beginning Pickleball classes beginning 1/23/17 and ending 12/31/17, for a fee of 70% of total program revenue. Voucher to be submitted on a monthly basis as needed.
Usah Shah, 688 East Ave. Apt. 7c, Rochester, NY 14607, Instructor for Meditation classes, beginning 1/30/17 and ending on 12/31/17 for a fee of 70% of total program revenue. Vouchers to be submitted on a monthly basis as needed.

Donovan Shilling, 1765 Five Mile Line Rd., Penfield, NY 14526, Guest speaker for the Tea with D – Marvels and Myths of Rochester Series beginning 1/11/17 and ending 12/31/17, for a fee of $35 for each lecture. Vouchers to be submitted at the end of each season.

Joyce Bossard, 841 Corwin Rd., Rochester, NY 14610, Instructor for Beginning Knitting beginning 1/30/17 and ending 12/31/17 for a fee of 70% of total revenue. Voucher to be submitted as needed.

Rosemary Irwin, 10 Blossom Circle West, Rochester, NY 14610, Facilitator for DEAR programs for a fee of $25 for each class for 2017 and guest speaker for Thursday lecture series beginning 1/26/17 and ending 12/31/17, for a fee of $50 each lecture. Vouchers to be submitted as needed.

Luz Marie Herrera, 15 Cricket Hill Dr., Pittsford, NY 14534, Arthritis Exercise Instructor, for fee of $30 per class beginning 1/17/17 and ending 12/31/17. Vouchers to be submitted on a monthly basis as needed.

John Kowiak, 33 Charisma Drive, Rochester, NY 14606, Instructor for DEAR classes beginning 4/21/17 and ending 12/31/17, for a fee of $35 a class. Vouchers to be submitted as needed.

John Schmeelk, 3 Meadow View Dr., Penfield, NY 14526, Instructor for DEAR classes at $25 per class, and a fee of $50 per lecture beginning 1/20/17 and ending 12/31/17. Vouchers to be submitted on a monthly basis as needed.

Art Whitfield, Wind Works Design, 251 Drumcliff Way, Rochester, NY 14612, design, maintenance of lighting and sound equipment for 2017. Voucher will be submitted on an as needed basis with an itemized invoice.

Bob Stokes, 33 Pennicott Circle, Penfield, NY 14526. Instructor of Advance Pickleball classes and clinics beginning 1/19/17 and ending 12/31/17 for a fee of 70% of total revenue. Vouchers to be submitted as needed.

Linda Dinino, 45 Milford Rd., Penfield, NY 14526, Instructor of Beginning Mah Jongg beginning 2/13/17 and ending on 12/31/17 for a fee of 70% of total revenue. Voucher to be submitted as needed.

Rand Darrow, 972 Jordan Dr., Palmyra, NY 14522, facilitator for DEAR programs beginning 2/21/17 and ending 12/31/17 for a fee of $25 per class. Voucher to be submitted as needed.


Ready to Respond Training Services, Domenic Danesi, 1440 Long Pond Road, Rochester, NY 14625, Babysitting – 1/16/17 & 3/18/17, and Safety First for Children – 1/16/17 & 3/18/17, for a fee of 70% of the total program revenue. Vouchers to be submitted 1/18/17 and 3/15/17.

Gymnastics Training Center, 2051 Fairport Nine Mile Point Road, Penfield, NY 14526, Gymnastics Camp, Gymnastics – Beginner – 2/6/17 – 5/15/17 for a fee of 75% of the total program revenue. Vouchers to be submitted 3/1, 3/15, 4/19 and 5/17/17.
(Resolution #16T-235 – Continued)

McWherter Equestrian LLC, 1865 Salt Road, Fairport, NY 14450, Horseback Riding Intro, 4/24/17 – 5/24/17, for a fee of 70% of the total program revenue. Voucher to be submitted 5/17/17.

Eagle Vale Golf Club, 4344 Nine Mile Point Road, Fairport, NY 14450, Junior Golf, High School Golf Academy, Golf – On Course Lessons, and Beginner – Intro to Golf, 4/22/17 – 5/17/17 for a fee of 70% of the total program revenue. Voucher to be submitted 5/17/17.

Perinton Youth Hockey, PO Box 1001, Fairport, NY 14450, Intro to Ice Skating and Hockey, 1/8/17 – 2/12/17, for a fee of 70% of the total program revenue. Voucher to be submitted 1/18 and 2/15/17.

Maureen Ward, 46 Reynolds Road, Webster, NY 14580, Great Handmade Cards, 3/28/17 – 5/23/17 for a fee of 70% of the total program revenue. Vouchers to be submitted 4/5 and 5/17/17.

Martha Sweeney, 74 Redwood Drive, Penfield, NY 14526, Painting and Drawing, 1/23/17 – 5/22/17, for a fee of 70% of the total program revenue. Vouchers to be submitted 2/1, 3/1, 4/5 and 5/17/17.

Steve Link, 11 Antelope Lane, Rochester, NY 14623, Latin Ballroom Dancing for Beginners, Dancing for Weddings and West Coast Swing Dance, 1/19/17 – 5/18/17 for a fee of 70% of the total program revenue. Vouchers to be submitted 2/1, 3/15 and 5/17/17.

Kathryn Boone, KB Dog Training, 105 Highwood Road, Rochester, NY 14609, Dog Obedience Classes – Beginner and Puppy Kindergarten, 1/21/17 – 4/15/17 for a fee of 70% of the total program revenue less expenses. Vouchers to be submitted 2/1, 2/15, 3/15 and 4/19/17.

Rees & Company, Inc., 147 Morgan Road, Scottsville, NY 14546, Remodeling Your Kitchen: Getting Started, 3/2/17 and 5/4/17 for a fee of 70% of the total program revenue. Vouchers to be submitted 3/1 and 5/13/17.

Jean Oswald, 1424 Jackson Road, Penfield, NY 14526, Parenting with Presence, 1/10/17 – 2/21/17, for a fee of 70% of the total program revenue. Vouchers to be submitted 1/18 and 2/15/17.

John Kelly, 1631 Qualtrough Road, Rochester, NY 14625, Vehicle Care Made Easy, 1/18/17 and 4/5/17 for a fee of 70% of the total program revenue. Vouchers to be submitted 1/18 and 4/5/17.

Therese Bason, 172 D Serene Park, Webster, NY 14580, Barre 1/14/17 – 6/3/17, Pilates Mat with Therese 1/17/17 – 6/6/17, Vinyasa Yoga and Yoga for Beginners 1/19/17 – 6/8/17, 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 2/1, 3/15, 4/5 and 6/7/17.

Victory Fitness, 52 Depew Street, Rochester, NY 14611, Forever Fit – 1/10/17 – 6/22/17 and Zumba Gold 1/11/17 – 6/21/17, for a fee of 70% of the total program revenue. Vouchers to be submitted 1/18, 2/15, 4/5, 5/3 and 6/17/17.


Marcia Orlandini, 11 Brookside Drive, Fairport, NY 14450, Volleyball Co-ed Play, 1/12/17 – 6/8/17, for a fee of $25.00 per class. Vouchers to be submitted 2/1, 3/1, 4/19 and 6/7/17.
(Resolution #16T-235 - Continued)

Moved: Kohl
Seconded: Quinn

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<thead>
<tr>
<th>Vote</th>
<th>Kohl</th>
<th>Aye</th>
<th>LaFountain</th>
<th>Aye</th>
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<tbody>
<tr>
<td>Metzler</td>
<td>Aye</td>
<td></td>
<td>Moore</td>
<td>Aye</td>
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<tr>
<td>Quinn</td>
<td>Aye</td>
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Adopted

Old Business - None

New Business - None

Public Participation - None

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 7:34 PM.

Amy Steklof, RMC/CMC
Town Clerk