TOWN OF PENFIELD
3100 Atlantic Avenue, Penfield, NY 14526-9798

TOWN BOARD LEGISLATIVE AGENDA
Wednesday, March 22, 2017, 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order - Pledge of Allegiance - Roll Call
II. Communications and Announcements
III. Public Participation
IV. Additions and Deletions to Agenda
V. Approval of Minutes – February 15, 2017
VI. Petitions
VII. Resolutions by Function

Law and Finance
17T-079 Appointment of Stephen Ferrara to the Board of Assessment Review
17T-080 Appointment of Temporary Members to the Board of Assessment Review
17T-081 Adoption of Local Law No. 1 of 2017, to be Known as "A Local Law Extending the Moratorium and Prohibition Within the Town of Penfield of Public Golf Course Redevelopment"

Public Works
17T-082 Appointment to Conservation Board
17T-083 Appointment to Watershed Management Committee
17T-084 Authorization for the Supervisor to Sign Access Agreement for 49 Woodfield Drive

Public Safety – None

Community Services
17T-085 Awarding Contract For Printing Program Brochure

VIII. Old Business
IX. New Business
X. Public participation
XI. Executive Session
XII. Next Meeting: (April 5, 2017)
XIII. Adjournment

This meeting will be video recorded and broadcast live via the town’s website www.penfield.org and the Town’s Government Access Cable channel 12, digital 5.12. Question regarding video coverage contact Penfield TV at (585) 340-8661.
The Regular meeting of the Penfield Town Board was held on Wednesday, March 22, 2017 at 7:00 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

Present: Linda Kohl Councilwoman
         Paula Metzler Councilwoman
         Andrew Moore Councilman
         Robert Quinn Councilman

Also Present: Lisa Grosser Deputy Town Clerk
             Chris Bilow Recreation Director
             Jim Costello Director of Developmental Services

Absent: R. Anthony LaFountain Supervisor
        Richard Horwitz Town Attorney

Councilwoman Kohl called the meeting to order – Pledge of Allegiance

Communications and Announcements

1. Passport Night will be held Thursday, April 6, 2017 from 5:30 PM to 7:30 PM at the Penfield Town Hall, 3100 Atlantic Avenue. Registration is not required; to sign up in advance please contact the Town Clerk’s office at 340-8627. For application requirements please visit www.monroecounty.gov/clerk-passports.php.

2. The recent wind and snow storms in Penfield have many of us facing clean-up efforts. It is important to remind residents to be wary of possible service “scams” in the area. Many contractors go door-to-door to offer tree removal, roofing and siding repairs, or even insurance. Some of these individuals may not have your best interest in mind. Please work with your current insurance company or known contractor regarding damage to your home. Ask your Insurance agent for recommendations in finding a reliable tree removal or housing repair service. Secondly, anyone in the process of cleaning up their yard should keep in mind the following safety tips: Please leave the cutting and pruning of trees that are near down, or hanging power lines, to the professionals. Never attempt to remove tree limbs or branches that may be entangled in power lines. Using power equipment can pose a safety hazard, be sure to understand and follow the safety guidelines of the equipment. Finally be sure to avoid planting new trees underneath utility lines to reduce any future issues.

3. Winter parking rules remain in effect through Saturday, April 1, 2017, which means no parking is allowed on all roadways in Penfield during the overnight hours of 2:00 AM to 7:00 AM. For more safety tips and information, please visit www.penfield.org.

4. The Young, Open and Honest players will be performing J.R.R. Tolkien’s “The Hobbit” on Friday, March 31, 2017 and Saturday, April 1, 2017 beginning at 7:00 PM. Performances will be held at the Penfield Community Center, 1985 Baird Road. Tickets are $10 for adults and $5 for students. For more information, please call 340-8655, or visit www.penfieldrec.org.

5. The Town of Penfield will provide residents with a Town-wide, roadside pick-up for fallen limbs, branches, and brush. DPW crews will begin a one-time pick-up starting the week of March 27, 2017, and the process is expected to take two (2) to three (3) weeks. Residents can go to www.penfield.org for dates, details and instructions. Remember public safety is a priority and dates may be interrupted for snow removal. Extended hours for brush drop off from 8:00 AM to 5:00 PM, seven days a week, will continue until March 27, 2017. Starting March 27, 2017 DPW will return to normal brush drop-off hours, Monday through Friday, 7:30 AM to 3:00 PM. For additional information, please visit www.penfield.org or contact the Department of Public Works at 340-8710.
6. Councilwoman Kohl’s next Community Chat will be held on Tuesday, April 18, 2017 from 5:30 PM to 7:00 PM in the New Book Area at the Penfield Library, 1985 Baird Road.

7. Councilman Moore will partner with Monroe County Sheriff’s Office to host an Operation Safe Child ID Card Clinic on Saturday, April 22, 2017 at the Penfield Town Hall Auditorium from 10:00 AM to 1:00 PM. Operation Safe Child is an opportunity for Penfield residents to get an up-to-date Safe Child Identification Card with biographical information on it. Participants will be helped on a first come, first served basis. For additional information please visit www.penfield.org and click on the Town Calendar, or contact Councilman Moore at moore@penfield.org.

Public Participation - None

Additions and Deletions to Agenda

Councilwoman Metzler moved to add Resolution #17T-086 to the agenda, Councilman Moore seconded and all voted “Aye.”

Approval of Minutes

Councilwoman Quinn moved to approve the Minutes of February 15, 2017 Councilwoman Metzler seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#17T-079 Appointment of Stephen Ferrara to the Board of Assessment Review by Moore

WHEREAS, Stephen Ferrara, 12 Panorama Trail, Rochester, NY 14625 has expressed his interest in serving on the Board of Assessment Review, and

NOW, THEREFORE, BE IT RESOLVED THAT, the Town Board of the Town of Penfield appoints Stephen Ferrara to a five (5) year term on the Board of Assessment Review of the Town of Penfield, such term to expire on September 30, 2021.

Moved: Moore Seconded: Quinn

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

Adopted

#17T-080 Appointment of Temporary Members to the Board of Assessment Review by Moore

WHEREAS, Article 5, Section 523-a of the New York State Real Property Tax Law allows the legislative body of any local government, in any year deemed necessary, to appoint temporary members to the Board of Assessment Review to serve as administrative hearing panel members as provided,

NOW, BE IT THEREFORE RESOLVED, that the Town Board of Penfield appoints the following Penfield residents to serve a one (1) year term as temporary members of the Board of Assessment Review as provided in Section 523-a of the New York State Real Property Tax Law. The term shall commence on September 30, 2016, and shall end on September 30, 2017.

Moved: Moore Seconded: Quinn

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

Adopted
Penfield Town Board, March 22, 2017

(Resolution #17T-080 - Continued)

Craig Schubmehl, 2042 Five Mile Line Road, Penfield, NY 14526

Eugene T. Oliver, 90 City View Dr., Rochester, NY 14625

Moved: Moore
Seconded: Metzler

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

Adopted

#17T-081 Adoption of Local Law No. 1 of 2017, to be Known as “A Local Law Extending the Moratorium and Prohibition Within the Town of Penfield of Public Golf Course Redevelopment” by Moore

WHEREAS, the Town Board of the Town of Penfield wishes to adopt proposed Local Law No. 1 of 2017 which would extend a moratorium and prohibition within the Town of Penfield of redevelopment of public golf courses for a period of approximately one (1) year; and

WHEREAS, the Penfield Town Board has designated itself as “lead agency” within the meaning of the State Environmental Quality Review Act (SEQRA) and has designated itself as “lead agency” pursuant to SEQRA; and

WHEREAS, the subject application has been determined to be a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), and no additional environmental review of this action is deemed necessary; and

WHEREAS, the Town Board of the said Town of Penfield held a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on March 1, 2017, at 7:00 PM on said date, to consider the said proposal and to hear all persons interested on the question of the adoption of Local Law No. 1 of 2017, and the Public Hearing was closed and decision was reserved;

NOW, THEREFORE, BE IT

RESOLVED, AND HEREBY IS ENACTED BY THE TOWN BOARD OF THE TOWN OF PENFIELD AS FOLLOWS: Local Law No. 1 of 2017, hereinafter set forth:

TOWN OF PENFIELD
LOCAL LAW NO. 1 OF 2017

A LOCAL LAW
EXTENDING
THE MORATORIUM ON AND PROHIBITION OF
PUBLIC GOLF COURSE REDEVELOPMENT
WITHIN THE TOWN OF PENFIELD

Be it enacted by the Town Board of the Town of Penfield as follows:

Section 1. The Local Law to effect a Moratorium on and Prohibition of Redevelopment of Public Golf Courses in the Town of Penfield, originally enacted as Local Law No. 1 of 2016, is hereby extended until March 31, 2018, or until a duly enacted repeal of said Local Law No. 1 of 2016 as so extended, whichever shall first occur.
(Resolution #17T-081 – Continued)

Section 2. If any word, phrase, sentence, part, section, subsection, or other portion of this Local Law, or the application thereof to any person or to any circumstance, is adjudged or declared invalid or unenforceable by a court or other tribunal of competent jurisdiction, then, and in such event, such judgment or declaration shall be confined in its interpretation and operation only to the provision of this Local Law that is directly involved in the controversy in which such judgment or declaration is rendered, and such judgment or declaration of invalidity or unenforceability shall not affect or impair the validity or enforceability of the remainder of this Local Law or the application hereof to any other persons or circumstances. If necessary as to such person or circumstances, such invalid or unenforceable provision shall be and be deemed severed herefrom, and the Town Board of the Town hereby declares that it would have enacted this Local Law, or the remainder thereof, even if, as to particular provisions and persons or circumstances, a portion hereof is severed or declared invalid or unenforceable.

Section 3. This Local Law shall take effect immediately.

Moved: Moore
Seconded: Quinn

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

Adopted

Public Works

#17T-082 Appointment to Conservation Board by Metzler

BE IT RESOLVED, that Paul Sugnet, 68 Foxbourne Road, Penfield, NY be appointed to the Conservation Board for a term expiring December 31, 2017 at annual salary as established by the Town Board.

Moved: Metzler
Seconded: Moore

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

Adopted

#17T-083 Appointment to Watershed Management Committee by Metzler

BE IT RESOLVED, that Harold Mellars, 49 Woodfield Drive, Penfield, NY be appointed to the Watershed Management Committee for a term expiring December 31, 2017.

Moved: Metzler
Seconded: Quinn

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

Adopted
Penfield Town Board, March 22, 2017

#17T-084 Authorization for the Supervisor to Sign Access Agreement for 49 Woodfield Drive by Metzler

BE IT RESOLVED, that the Supervisor is hereby authorized to sign a Site Access Agreement with Howard Mellars, 49 Woodfield Drive, Penfield, NY that authorizes the Town of Penfield to enter the property located at Woodfield Drive, north of the intersection of Woodfield Drive and Sampson Drive, Penfield, NY, to place AWAY WITH GEESE equipment units on said property for the purpose of getting rid of nuisance geese. Said Agreement is to be acceptable to Town Attorney.

Amended to Harold Mellars

Moved: Metzler
Seconded: Moore

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

Adopted

Public Safety - None

Community Services

#17T-085 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 2017 calendar year including the summer, fall and winter/spring issues, to meet our specifications; and

WHEREAS, on Thursday, February 10, 2017, proposals from the following companies were received, opened and read publicly by the Town Clerk:

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

Webster Printing Corp.
46 North Avenue
Webster, NY 14580

Indiana Printing & Publishing Company Inc.
899 Water Street
PO Box 10
Indiana, PA 15701

(see attached “Schedule A” for bid data)

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

Net delivered price (per issue) as follows:

<table>
<thead>
<tr>
<th>Bid #2</th>
<th>Alternative #1</th>
<th>Alternative #2</th>
<th>Alternative #3</th>
</tr>
</thead>
<tbody>
<tr>
<td>$4,586.17</td>
<td>$95.79</td>
<td>$4,863.18</td>
<td>$84.50</td>
</tr>
<tr>
<td>Alternative #4</td>
<td>Alternative #5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$5,136.22</td>
<td>$107.41</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(Resolution #17T-085 – Continued)

### Schedule A

#### Recreation Brochure Bids

<table>
<thead>
<tr>
<th>Penny Lane Printing</th>
<th>Alt. 1 – additional</th>
<th>Alt 2</th>
<th>Alt 3 – additional</th>
<th>Alt 4</th>
<th>Alt 5 – additional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bid 1</td>
<td>$3,926.17</td>
<td>$95.79</td>
<td>$4,143.18</td>
<td>$84.50</td>
<td>$4,356.22</td>
</tr>
<tr>
<td>Bid 2</td>
<td>$4,586.17</td>
<td>$95.79</td>
<td>$4,863.18</td>
<td>$84.50</td>
<td>$5,136.22</td>
</tr>
<tr>
<td>Bid 3</td>
<td>$5,380.32</td>
<td>$129.47</td>
<td>$5,597.33</td>
<td>$135.28</td>
<td>$5,814.34</td>
</tr>
<tr>
<td>Bid 4</td>
<td>$6,040.32</td>
<td>$129.47</td>
<td>$6,317.33</td>
<td>$135.28</td>
<td>$6,594.34</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Webster Printing Corporation</th>
<th>Alt. 1 – additional</th>
<th>Alt 2</th>
<th>Alt 3 – additional</th>
<th>Alt 4</th>
<th>Alt 5 – additional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bid 1</td>
<td>$4,066.00</td>
<td>$86.70</td>
<td>$4,285.00</td>
<td>$94.60</td>
<td>$4,477.00</td>
</tr>
<tr>
<td>Bid 2</td>
<td>$4,858.00</td>
<td>$86.70</td>
<td>$5,149.00</td>
<td>$94.60</td>
<td>$5,413.00</td>
</tr>
<tr>
<td>Bid 3</td>
<td>$4,258.00</td>
<td>$95.20</td>
<td>$4,480.00</td>
<td>$103.10</td>
<td>$4,672.00</td>
</tr>
<tr>
<td>Bid 4</td>
<td>$5,050.00</td>
<td>$95.20</td>
<td>$5,344.00</td>
<td>$103.10</td>
<td>$5,608.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Indiana Printing &amp; Publishing</th>
<th>Alt.1 – additional</th>
<th>Alt. 2</th>
<th>Alt. 3 – additional</th>
<th>Alt 4</th>
<th>Alt 5 – additional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bid 1</td>
<td>$3,498.00</td>
<td>$78.00</td>
<td>$3,700.00</td>
<td>$81.00</td>
<td>$3,916.00</td>
</tr>
<tr>
<td>Bid 2</td>
<td>$5,258.00</td>
<td>$78.00</td>
<td>$5,620.00</td>
<td>$81.00</td>
<td>$5,996.00</td>
</tr>
<tr>
<td>Bid 3</td>
<td>$4,220.00</td>
<td>$94.00</td>
<td>$4,414.00</td>
<td>$99.00</td>
<td>$4,602.00</td>
</tr>
<tr>
<td>Bid 4</td>
<td>$5,980.00</td>
<td>$94.00</td>
<td>$6,334.00</td>
<td>$99.00</td>
<td>$6,682.00</td>
</tr>
</tbody>
</table>

Moved: Quinn  
Seconded: Metzler  

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

Adopted  

Old Business – None  

New Business

#17T-086 Purchase of 2017 Case 580 N 4WD Backhoe by Metzler

WHEREAS, the Director of Public Works desires to purchase one (1) 2017 Case 580N 4 Wheel Drive Backhoe from NYS OGS Group 40625 award PC67265 Dealer Code 06565A from Monroe Tractor, 101 Lehigh Station Road, Henrietta, NY 14467 for a total cost of approximately $81,850.75, and

WHEREAS, the total funds of approximately $81,850.75 for said purchase are budgeted in the 2017 DPW Highway Department Budget (DAO-5130-0002-2503), and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Public Works be and hereby is authorized to purchase said piece of equipment per the attached bid sheet.
Penfield Town Board, March 22, 2017

(Resolution #17T-086 – Continued)

Moved: Metzler
Seconded: Moore

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

Adopted

Public Participation - None

Executive Session - None

Next Meeting - April 5, 2017

Adjournment

Councilwoman Kohl moved to adjourn the meeting at 7:25 PM.

Lisa Grosser, RMC
Deputy Town Clerk