TOWN BOARD LEGISLATIVE AGENDA
Wednesday, May 17, 2017, 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order - Pledge of Allegiance - Roll Call
II. Public Hearing - To Consider Approval of a Solar PV System and Subdivision of Town Land
III. Approval of Minutes – April 19, 2017
IV. Communications and Announcements
V. Public Participation
VI. Additions and Deletions to Agenda
VII. Petitions
VIII. Resolutions by Function

Law and Finance
17T-114 Authorization for Amendment to Accounting Services Contract
17T-115 Authorization for Insurance Coverage 2017-2018
17T-116 Authorization for Town Attorney & Counsel to Town Attorney to Proceed with Legal Action
17T-117 Authorization to Attend the NYS Floodplain and Stormwater Manager's Association Conference
17T-118 Authorization for Supervisor to Sign a license and Hold Harmless Agreement to Allow a Portion of a Loading Dock within a Sanitary Sewer Easement at 1900 Empire Boulevard, Building F
17T-119 Granting a Conditional Use Permit and Preliminary and Final Site Plan Approval to Allow a 2,034+/- Square Foot Dental Office at 1739 Penfield Road
17T-120 Budget Transfer - Sidewalks

Public Works - None

Public Safety
17T-121 Authorization for Town Supervisor to Sign Contracts for Town Rabies Clinic on June 3, 2017

Community Services - None

IX. Old Business
X. New Business
XI. Public Participation
XII. Executive Session
XIII. Next Meeting: June 7, 2017
XIV. 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.
Penfield Town Board, May 17, 2017

The Regular meeting of the Penfield Town Board was held on Wednesday, May 17, 2017 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 Kreckman  Town Facilities Foreman  
Mark Valentine  Town Engineer

Supervisor LaFountain called the meeting to order - Pledge of Allegiance

Barbara Quinn, Coordinator/Teacher for Dayton’s Corners School/Museum announced the Annual Pie Social to be held on Sunday, June 4, 2017 located at the corner of Creek Street and Plank Road in Penfield. The event will run from 2:00 PM to 4:00 PM and will include free pony rides, music and a tour of the schoolhouse/museum. Pie and lemonade will be served for $3.00. For more information please contact Ms. Quinn at 385-1491.

Public Hearing - To Consider Approval of a Solar PV System and Subdivision of Town Land

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on April 27, 2017 and was posted on the Town Website and Town Clerk Bulletin Board. No postcards were mailed due to this being a town wide action. Town Attorney Horwitz confirmed that this Hearing is in order.

Supervisor LaFountain recognized Town Engineer Mark Valentine, Consultant Newton Green of Larsen Engineering and Town Facilities Foreman Jim Kreckman and gave a brief overview of the project. The project began almost two (2) years ago when the Town began looking into installing a solar array at the Town’s Department of Public Works facility on Jackson Road to help with the Town’s green initiative. Solar City is the Town’s contractor and partner for this effort.

Mr. Kreckman explained that the two (2) maps he hand hung for the purpose of the Public Hearing show the proposed solar array located in the southern portion of the property at 1607 Jackson Road. Currently the parcel is not subdivided and has only one (1) meter. The second map shows the proposed subdivision of the parcel. Subdividing the parcel would allow R G & E to place another meter on the property to work in conjunction with the proposed solar array.

Councilman Quinn asked for the current acreage of the parcel and the breakdown of the proposed subdivision of the parcel.

Mr. Kreckman stated that it is currently a 30 acre parcel and will be subdivided down to 11 acres on the second parcel.

Mr. Green stated he is a Senior Associate with Larsen Engineers and thanked the Town for supporting this project. He stated that the subdivision will allow the Town of Penfield to extract the maximum profit from the solar array. He went on to say that if the parcel is not subdivided the Town will have a much lower profit margin.

Public Participation - None

Hearing closed.
Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of April 19, 2017. Councilman Quinn seconded and all voted “Aye.”

Communications and Announcements

1. The Mobile DMV for Tuesday, May 23, 2017 has been cancelled due to Assessment Grievance Day for the Town of Penfield. This service will resume on Tuesday, May 30, 2017.

2. The Town of Penfield will be hosting its annual Free Rabies Vaccination Clinic on Saturday, June 3, 2017 from 10:00 AM to Noon at the Public Works Complex, 1607 Jackson Road. For more information, please contact Town Clerk Amy Steklof at 340-8629.

3. The Dayton’s Corners School Pie Social will be held on Sunday, June 4, 2017 from 2:00 PM to 4:00 PM. For additional information, please contact Barbara Quinn at 385-1491.

4. The County of Monroe recently completed the installation of a solar powered traffic control device at the intersection of Whalen Road and Baird Road. Approximately 15,000 vehicles pass through this intersection each day. The device is installed on the stop signs facing east and west on Whalen Road. It’s low maintenance utilizing renewable energy and hopefully enhances visibility of stop signs.

5. The Town of Penfield’s Spring Drop Off will run this Friday, May 19, 2017 from 7:30 AM to 5:00 PM, and Saturday, May 20, 2017 from 9:00 AM to 3:00 PM at the Public Works Complex, 1607 Jackson Road. This service is for Penfield residents only. For more information please visit www.penfield.org.

6. In conjunction with the Spring Drop Off, Eagle Scout, Mitchell Krenzer, nephew of Councilwoman Paula Metzler, will head up the 3rd annual “Vacuums for Vets.” Please donate any used vacuum cleaners and/or vacuum cleaner parts during the Spring Drop Off and Mr. Krenzer will collect them, refurbish them and then deliver them to veterans in need.

7. The annual Terry Rothfuss Memorial Good Neighbor Day will be held on Saturday, May 20, 2017 and begin at the Rothfuss Farm, 1865 Salt Road. To register for this event and for more information, please contact Sabrina Renner of Penfield Recreation at 340-8651.

8. The Penfield Town Offices and Library will be closed on Monday, May 29, 2017 in observance of Memorial Day.

9. On Monday, May 29, 2017 the Town will hold its annual Memorial Day Ceremony at the Penfield Amphitheater beginning at 10:30 AM. For more information, please contact Sabrina Renner at Penfield Recreation 340-8651 or visit www.penfieldrec.org.

10. Penfield Recreation presents “Rollin into Summer,” a new event for families. This event will be held Friday, June 9, 2017 from 4:00 PM to 7:00 PM at Rothfuss Park. There will be free bike inspections along with helmet fittings, bike demonstrations, DJ music, a bounce house and food for purchase. For more information please call the Department of Recreation at 340-8655.

11. The Penfield Amphitheater Music Series will kick off on Friday, June 2, 2017 at 4:30 PM with the annual Music and Food Truck Rodeo. For more information, and for a full summer schedule, please go to www.penfieldrec.org.

12. Councilwoman Kohl’s next Community Chat will be held on Tuesday, June 20, 2017 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Baird Road.
Public Participation

Town Clerk Amy Steklof read an e-mail received from Town resident, Bob Peterson which included questions pertaining to the Shadow Pines Moratorium. (See attachment at end of Minutes)

 Supervisor LaFountain answered the questions.

Ed Lindskoog, 40 Willow Pond Way, stated he had spoken with Councilwoman Kohl in reference to a signed agreement with an energy services company for Faith Lutheran Church to do lighting retrofit in the parking lot, which was successful, and lighting retrofit in the front yard, that was not successful. The church was overcharged.

Mr. Lindskoog read the name and address of the company off of the invoice. He went on to say that the contractor did not install the equipment to code. The fixtures fell over when they were touched. He wonders if this has occurred elsewhere. Mr. Lindskoog will continue to follow up on the issue.

 Supervisor LaFountain asked if the work had been inspected.

Mr. Lindskoog stated it had not been inspected. He believes the church will rectify the issue.

Gerald Russ, 101 Heather Drive stated he is proud of the Town of Penfield for passing the school budget.

Mr. Russ also stated that last week marked the 100th anniversary of the entry of the US into WWI. The WWI centennial will be celebrated during Veterans Day 2018. He would like the Town Board to consider acquiring a centennial flag to display at the Town Hall. He stated that WWI is the most recent war in which there were no living survivors.

 Supervisor LaFountain stated it is a great suggestion and he will speak with Jim Kreckman, who manages all the Town’s flags and have him work on it.

Carol Samuel, 27 Huntington Meadow requested an update on the Comprehensive Plan. She stated she hopes that Shadow Pines will end up as green space.

 Supervisor LaFountain stated that Town Staff are in the process of working on an update to the Comprehensive Plan and that the Town Board will be looking to roll out a formal timeline within a month or so that will identify the different milestones associated with the plan. A discussion will occur at an upcoming work session. Information will then be placed on the website under Projects of Interest.

Ms. Samuel stated she presumes the public will be given the opportunity to make suggestions.

 Supervisor LaFountain said “absolutely.”

Jeff Burns, 39 Scarborough Park stated he would like to follow up with questions pertaining to Bob Peterson’s questions. Mr. Burns asked what is the order of the steps in terms of the environmental analysis and a formal agreement with Dolomite.

 Supervisor LaFountain stated the agreement would come after the environmental analysis.

Mr. Burns asked for the approximate cost of the analysis.

 Supervisor LaFountain stated between $15,000 to $20,000.

Mr. Burns also asked if the Town knows what the time frame is in terms of the negotiation for having an agreement.
Supervisor LaFountain stated it is not known at this time. Supervisor LaFountain went on to say that both parties are in negotiations and having discussions in good faith.

Mr. Burns inquired, in reference to Mr. Peterson’s third question, what work has been done in looking to what the best land use alternatives would be.

Supervisor LaFountain referred to what he had indicated to Ms. Samuel. The Town is focusing on a combination of general municipal use for the Shadow Pines parcel.

Mr. Burns asked, in terms of the Comprehensive Plan, will there be zoning discussions for recreational space/open space.

Supervisor LaFountain stated, yes.

Mr. Burns asked Councilwoman Metzler if there will be paper shredding at the Spring Drop off.

Councilwoman Metzler advised Mr. Burns to go to the home page on www.penfield.org and he will see a list of what will and will not be taken at that drop off. Free and secure paper shredding will be offered on October 14, 2017.

Additions and Deletions to Agenda

Councilman Moore moved to add Resolution #17T-122 to the agenda and Councilwoman Kohl seconded.

Petitions - None

Resolutions by Function

Law and Finance

#17T-114 Authorization for Amendment to Accounting Services Contract

WHEREAS, the Town Board engages Bonadio & Co. LLP to audit the Town’s financial statements and associated notes to the financials, in accordance with GAAP and GASB, and

WHEREAS, in the course of the audit for fiscal year 2016, prior period research and subsequent adjustments were necessary in the reporting of the Town’s capital asset valuation for infrastructure, and

WHEREAS, additional hours outside the scope of the normal audit of the financial statements were required of Bonadio staff to determine cause and resolution for the adjustment to the Town’s records, and

WHEREAS, this adjustment does not impact the Town’s operating funds, nor does it impact any previous or future budgets, and there are funds available in the 2017 appropriations,

NOW BE IT RESOLVED, the agreement with Bonadio & Co. LLP for auditing services be amended to include an additional amount of $3,000 for time expended outside the scope of services.

Moved: Moore
Seconded: Kohl

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

Adopted
WHEREAS, the Town Board requested that insurance quotes be obtained so that selection could be made for June 1st 2017 to May 31st 2018 insurance year, and

WHEREAS, Commercial Insurance Consultants, Inc., acting as consultant to the Town, received proposals from three (3) brokers representing six (6) insurance carriers and evaluated said proposals for coverage for the 2017-2018 insurance year for our Property and Liability insurance renewing on June 1, 2017

NOW, BE IT RESOLVED that the total insurance quote of $126,586.83 from the Key Insurance & Benefit Services for coverage with U.S Specialty is approved as they met all the specifications for the Town of Penfield’s insurance needs for the 2017-2018 insurance year as follows:

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<th>INSURANCE TYPE</th>
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Moved: Moore  
Seconded: Quinn  

Adopted

#17T-116 Authorization for Town Attorney and Counsel to Town Attorney to Proceed with Legal Action by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Town Attorney and Counsel to Town Attorney to proceed with legal action against owner of property located at 2207 Five Mile Line Road, Penfield, NY 14526.

Moved: Moore  
Seconded: Metzler  

Adopted
Penfield Town Board, May 17, 2017

#17T-117 Authorization to Attend NYS Floodplain and Stormwater Manager’s Association Conference by Moore

WHEREAS, the New York State Floodplain and Stormwater Managers Association Conference is scheduled for June 12th – 14th, 2017 at the Holiday Inn, Binghamton, New York;

WHEREAS, it is in the Town’s best interest to have the staff attend this workshop to gain knowledge pertaining to floodplain and stormwater management;

NOW, THEREFORE BE IT RESOLVED, that Mark Valentine, Town Engineer and Mike O’Connor, the Assistant Town Engineer are hereby authorized to attend the Floodplain and Stormwater Management Program, to be held Monday, June 12th thru Wednesday, June 14th. Registration fees, lodging and meal expenses will be allocated from the departmental conference budget line. Total expenses not to exceed $900.00.

Moved: Moore
Seconded: Kohl

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

Adopted

#17T-118 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Portion of a Loading Dock within a Sanitary Sewer Easement at 1900 Empire Blvd., Building F by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a License and Hold Harmless Agreement with DiMarco BayTowne Associates, owner of property of 1900 Empire Boulevard, to permit a portion of a loading dock to encroach into a sanitary sewer easement to the Town of Penfield, located at 1900 Empire Boulevard in a form and substance acceptable to the Town Attorney.

Moved: Moore
Seconded: Quinn

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

Adopted

#17T-119 Granting a Conditional Use Permit and Preliminary and Final Site Plan Approval to Allow a 2,034 +/- Sq. Ft. Dental Office at 1739 Penfield Road by Moore

WHEREAS, an application has been received by the Penfield Town Board pursuant to Chapter 250-5.10-D (5) and 250-5.12-2 of the Code to allow a Conditional Use Permit and Preliminary and Final Site Plan approval to allow a 2,034 +/- square foot dental office at 1739 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 3, 2017, 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 and Preliminary and Final Site Plan approval to allow a 2,034 +/- square foot dental office at 1739 Penfield Road, located in the Four Corners (FC) zoning district and the Public Hearing was closed and decision was reserved;
WHEREAS, the Penfield Town Board acting as “lead agency” within the meaning of the State Environmental Quality Review Act (SEQRA) and did designate itself as “lead agency” pursuant to SEQRA and determined that the subject action is an Unlisted action that will not have a significant effect on the environment;

NOW, THEREFORE BE IT RESOLVED, that the applicant’s request for the issuance of a Conditional Use Permit and Preliminary and Final Site Plan Approval pursuant to Chapter 250-5.10-D (5) and 250-5.12-2 of the Code allow a 2,034 +/- square foot dental office at 1739 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. Said 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 construct the proposed structure and install all landscaping as portrayed to the Town Board at its May 3, 2017 Public Hearing and the May 10, 2017 work session.

3. Compliance with all requirements of the Town of Penfield Design and Construction Specifications, revised March 4, 2013.

4. All site work is to be in compliance with the standards of the Penfield Zoning Ordinance.

5. Compliance with the comments concerning this application from the Development Review Committee as contained in Monroe County Department of Planning’s Referral #PN17-15Z, dated April 26, 2017, except as otherwise provided herein.

6. The applicant shall comply with all applicable recommendations in the Town’s Project Review Committee’s comments dated April 28, 2017.

7. Compliance with the Town’s Highway Frontage Policy which limits the number of curb cuts onto major roads in the Town; specifically the sole access to this property shall be from the existing driveway on Penfield Road.

8. The applicant shall submit a Property Maintenance Agreement in recordable form, subject to review and approval of the Town Attorney, and accompanied by appropriate filing fees. The Agreement shall specifically address maintenance and care of lawn, landscaping, drainage facilities, as well as driveway and parking areas. Obtaining the signature of the Town Engineer shall indicate compliance with this requirement.

9. The applicant will be responsible for compliance for submitting a sign package for the site to be approved by the Town Board.

10. 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. All new utilities serving this project shall be installed underground and shall be approved by the Town Engineer.

11. The applicant shall obtain the signature of the Town Engineer on the final site plan which shall indicate compliance with this requirement.

12. Furnishing 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.
13. The applicant shall obtain a demolition permit from the Penfield Building Department, prior to any demolition work on the site.

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

15. THIS RESOLUTION OF APPROVAL WITH CONDITIONS SHALL BE PRINTED IN ITS ENTIRETY AND CONTAINED ON AT LEAST ONE SHEET WITHIN THE SITE PLAN SET.

The Board bases its finding and decision to APPROVE this application on the following:

1. Site Plan Approval Standards in Article IX: Factors for Consideration
   a. Adequacy and arrangement of pedestrian traffic access and circulation, vehicular traffic, parking, walkway structures, control of intersections with vehicular traffic, pedestrian convenience, and appropriate provisions for handicapped persons. The site is being developed on a 0.60 +/- acre lot. The applicant proposes to continue to manage traffic to and from the site by use of the existing curbcut. The site will have 10 parking spaces, with one identified for handicap use which will be more than adequate to accommodate this business.
   
   b. Location, arrangement, size, architectural feature and design of buildings, lighting and signs. As much as possible, consideration should be given to noise sources, privacy and outdoor waste disposal locations. This property is being redeveloped based on the current zoning. The new professional office will replace an existing building which was originally constructed as a single family residence and subsequently converted to an office. The proposed office will have no greater impact than the existing office. Noise will be limited as the building is being designed for use as a professional office, which is allowable within the zoning district. The applicant proposes no dumpster on site and will store refuse totes in a proposed storage shed. Approval of the proposed signage for the site is subject to the review of the Town Board.
   
   c. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise deterring buffer between these and adjoining properties. Site plans should also show existing stands of trees on site. Landscaping will be installed on the site to increase the aesthetics and create a buffer from Penfield Road.
   
   d. In the case of an apartment house or multiple dwelling, the adequacy of usable open space for playgrounds and informal recreation. Not applicable, this project is a professional office.
   
   e. Adequacy of storm water, sanitary waste disposal, and public water facilities. The site will use the existing utility infrastructure for water, sewer, electric and natural gas. New connections will be provided from the new building to the existing infrastructure. All connections will be installed in accordance with the NYS Building Code and Town standards. Storm water retention and treatment will be handled on-site. A bio-retention rain garden will be installed on site and discharged to the existing drainage system on Penfield Road.
Penfield Town Board, May 17, 2017

(Resolution #17T-119 – Continued)

f. Protection of adjacent properties and the general public against noises, glare, and unsightliness, or other objectionable features. The use of the facility as professional office setting will fit into the surrounding neighborhood. The structure was designed to look like a single family residence. Lighting from the site will be limited to security lighting and parking lot lighting which is designed to be downward and unobtrusive. No noise is proposed to be generated from the site.

g. The effect of the proposed development on environmentally sensitive areas such as but not limited to: wetlands, floodplains, woodlands, steep slopes and watercourses. The proposed development is designed to be remote of the steep slope on the parcel.

h. Compliance with this Ordinance, Master Plan, Design and Construction Specifications, SEQRA, IBP, LWRP and any others. The development is compatible with the current zoning and the Town’s Comprehensive Plan and the Four Corners Plan.

i. Provisions for adequate drainage away from walls or structures. The development will be served by a bio-filter rain garden as directed by the Town Engineer to manage storm water runoff.

j. Maintenance agreements, easements and other required legal documentation shall be approved by the Town Attorney. The applicant is not required to submit any easements in conjunction with this project, but is required to submit a property maintenance agreement and has agreed to do so.

k. The impact of the proposed use on adjacent land uses. The development is consistent with local zoning as a permitted use and is consistent with surrounding development.

Moved: Moore
Seconded: Metzler

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

Adopted

#17T-120 Budget Transfer – Sidewalks by Moore

WHEREAS, the Town Engineer has a need to transfer funds from the ARC GIS maintenance line in the Engineering Administration account to the Sidewalks account, and

WHEREAS, there is sufficient funding in the 2017 budget, 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 following 2017 budget transfer be approved:

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<th>Amount</th>
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Engineering ARC GIS Maintenance Sidewalks New Sidewalk Installation
(Resolution #17T-120 – Continued)

Moved: Moore
Seconded: Kohl

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

Adopted

Public Works - None

Public Safety

#17T-121 Authorization for Town Supervisor to Sign Contracts for Town Rabies Clinic on June 3, 2017 by Quinn

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following contracts for the Penfield Rabies Clinic on Saturday June 3, 2017, 10:00 AM – 12:00 PM,

Emilia Monachino, DVM, 117 N. Main Street, Fairport, NY 14450 for veterinarian services for a fee of $150.00.

Stacy Crippen, LVT, 117 N. Main Street, Fairport, NY 14450, for veterinarian technician services for a fee of $75.00.

Moved: Quinn
Seconded: Metzler

Adopted

Community Services - None

Old Business - None

New Business

#17T-122 Setting a Public Hearing to Consider a Conditional Use Permit to Allow a Valet/Shuttle Parking Lot at 1387 Empire Boulevard – SBL #108.05-2-8.32 – John Diamantopoulas/Murphy’s Law by Moore

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Conditional Use Permit pursuant to Chapter 250-5.9-B-3(g) of the Code to allow a valet/shuttle parking lot at 1387 Empire Blvd. to provide overflow parking for Murphy’s Law operating at 1400 Empire Blvd., located in the LaSalle’s Landing Development (LLD) zoning district; and

WHEREAS, the Penfield Town Board is best suited to act as “lead agency” within the meaning of the State Environmental Quality Review Act (SEQRA) and thus does hereby designate itself as “lead agency” pursuant to SEQRA; and

WHEREAS, the subject application is determined to be an Unlisted Action pursuant to Section 617.4 of the State Environmental Quality Review Act (SEQRA);
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the said Town of Penfield shall hold a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on June 7, 2017, at 7:00 PM on said date, to consider said application and to hear all persons interested on the question of the issuance of a Conditional Use Permit pursuant to Chapter 250-5.9-B-3(g) of the Code to allow an overflow valet/shuttle parking lot at 1387 Empire Blvd. to provide overflow parking for Murphy’s Law operating at 1400 Empire Blvd., located in the LaSalle’s Landing Development (LLD) zoning district; and be it further

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the Town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the date set for said Hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law.

Moved: Moore
Seconded: Kohl

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

Adopted

Public Participation - None

Executive Session - None

Next Meeting - June 7, 2017

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 7:58 PM.

Amy Steklof, RMC/CMC
Town Clerk
Mr. Supervisor,

1. Can you give the community an update on the status of the Shadow Pines Moratorium:
   a. What is the appraised market value of the Shadow Pines tract? (Appraisal was completed last fall)
   b. Has the Town reached a tentative purchase agreement with Dolanski? (If not, when?)
   c. Has an environmental analysis of the property been completed? (If not, when?)

2. Is it your intent to have the Shadow Pines referendum on the November 2017 ballot? (If not, when?)

3. The final report from Moratorium Advisory Committee, as well as 94% of the 455 public comments, recommended that the Town purchase Shadow Pines and maintain the property in a combination of active and passive open space. Has the Town's planning staff started work to identify the best land use alternatives that would become the proposal to be put in front of the community for referendum? (If not, when?)

With respect to the last question, the following is provided as supporting data:

(quoted from the Final Report of the St. SP Advisory Committee, 9/2/2016)

Option I (Preferred):

The Committee recommends that the Town of Penfield purchase the Shadow Pines property to preserve open space and recreational opportunities for the community.

The Committee believes that the best use of the Shadow Pines property is a combination of "active" and "passive" recreational uses, and that the Town Board should determine the specific uses based on an assessment of Town needs, financial implications, and the potential impact on the adjacent neighborhoods. The following list describes the kinds of uses that the Committee discussed while making our recommendation:

- Lodges/Picnics
- Playgrounds
- Sport fields
- Trails (hike and/or bicycle)
- Wild space

(summary of the comments posted on Town website)
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<th>Date</th>
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