TOWN BOARD LEGISLATIVE AGENDA

Wednesday, June 21, 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 – May 17, 2017

VI. Petitions

VII. Resolutions by Function

Law and Finance

17T-133 Budget Account Transfer - Sewer Debt Service

17T-134 Budget Transfer - Highway Maintenance Account to Sidewalk Maintenance Account

17T-135 Making a Determination of Non-significance and Adopting a Negative Declaration for the Proposed Town of Penfield Solar Farm

17T-136 Authorization for Town Supervisor to Sign a Professional Service Contract with Edwin A. Summerhays Surveying for Preparation of Subdivision of Property for new Solar Photo Voltic (PV) at 1607 Jackson Road, Penfield, NY

17T-137 Granting a Conditional Use Permit to Allow a Skin Care Spa at 1771 Penfield Road - Amita's Xpress Salon

Public Works - None

Public Safety

17T-138 Authorization to Establish a Three way Stop at Sanders Farm Drive and Willow Pond Way

Community Services

17T-139 Authorization for Supervisor to Sign Recreation Contracts

VIII. Old Business

IX. New Business

X. Public participation

XI. Executive Session

XII. Next Meeting: (July 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. Questions regarding video coverage contact Penfield TV at (585) 340-8661.
The Regular meeting of the Penfield Town Board was held on Wednesday, June 21, 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  

Supervisor LaFountain called the meeting to order – Pledge of Allegiance  

Communications and Announcements  

1. Independence Day celebration for the Town of Penfield will be held on Saturday, July 1, 2017. The annual parade will begin at 10:00 AM with evening entertainment beginning at 5:00 PM within Harris Whalen Park. The fireworks show will be at 10:00 PM. For complete details, visit the Town of Penfield’s website at www.penfield.org.  

2. The Penfield Trails Committee will be offering a Free Public Hike within Abraham Lincoln Park 1559 Empire Boulevard, on Saturday, July 8, 2017 from 9:00 AM to 11:00 AM. For more information or to pre-register, please contact the Recreation Department at 340-8655.  

3. The Penfield Town offices will be closed on Monday, July 3 and Tuesday, July 4, 2017 in observance of the Independence Day holiday.  

4. Penfield residents and other interested parties are invited to sign a petition in support of state-wide legislation that will help improve public safety of children in Penfield and all of New York State. If enacted, this legislation would allow adoption of the Penfield Child Safety Act.  

5. If you are looking for a fun and creative way to stay fit outside, check out the QR FIT Trail within Rothfuss Park. Come experience guided video workouts along the paved path of the park with just a simple scan of your smart phone. Several signs are available along the trail with links to videos that focus on different fitness areas. These videos are updated on a monthly basis. For more information please contact Penfield Recreation at 340-8655.  

6. The Penfield Ecumenical Food Shelf, 1618 Jackson Road, is active all year long and always needs the communities help in keeping their shelves full of inventory. To help with donations Woody Acres will be hosting a collection area of non-perishable foods and personal care items during the Town’s annual Independence Day festivities in Harris Whalen Park. Please log on to www.penfieldecumenicalfoodshelf.org for an updated list of items currently needed.  

7. Councilwoman Kohl’s next Community Chat will be held on Tuesday, July 18, 2017 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Baird Road.
Public Participation

Gerald Russ, 101 Heather Drive stated that Braman Post 1229 of the American Legion, 1707 Penfield Road has adopted a new project called Operation Build Up. This is a registered 501C3 non-profit with the goal to assist veterans in need. He encourages people to donate furniture or cars that can be restored. By giving restored vehicles and furniture to veterans the hope is that this will give comfort, sense of belonging and the tools necessary to create stable lives.

Supervisor LaFountain recognized Boy Scout Tristin from Troop 9 who attended the Town Board meeting.

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of May 17, 2017 Councilman Quinn seconded and all voted "Aye."

Petitions - None

Resolutions by Function

Law and Finance

#17T-133  Budget Account Transfer - Sewer Debt Service by Moore

WHEREAS, there is a need to transfer appropriations within the Sewer Debt Service budget S20-9730 (BAN debt) to S20-9710 (Bond debt) for the Parkview/White Village Project as the project was put to permanent financing at the end of 2016, 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 transfers be approved:

<table>
<thead>
<tr>
<th>From</th>
<th>Amount</th>
<th>To</th>
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<tr>
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<td>S20-9710-0007-7197</td>
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<tr>
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<td>Sewer Debt (Bond)</td>
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</tr>
</tbody>
</table>

Moved: Moore
Seconded: Kohl

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

Adopted

#17T-134  Budget Transfer - Highway Maintenance Account to Sidewalk Maintenance Account by Moore

WHEREAS, the Director of Public Works has a need to transfer funds from the Highway Maintenance account to the Sidewalk Maintenance account, and

WHEREAS, there is sufficient funding in the 2017 budget in the Highway Maintenance account, 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:

<table>
<thead>
<tr>
<th>From</th>
<th>Amount</th>
<th>To</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
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<td>A00-5410-0004-4001</td>
<td>$1,171.50</td>
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<td>Sidewalk Maintenance</td>
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<td></td>
</tr>
</tbody>
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Moved: Moore  
Seconded: Quinn  

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

Adopted

#17T-135 Making a Determination of Non-significance and Adopting a Negative Declaration for the Proposed Town of Penfield Solar Farm by Moore

WHEREAS, the Town Board of the Town of Penfield desires to develop and install a Solar Photovoltaic (PV) system to serve Town facilities on Town property; and

WHEREAS, the Town Board, adopted resolution 15T-091 authorizing the Supervisor to enter into a professional service agreement with Larsen Engineers to provide the necessary planning, financial projections, competitive bid, evaluation of bid responses and final recommendations to develop and implement a Solar PV System on town-owned property; and

WHEREAS, the Town Board, adopted a new business resolution on March 23rd, 2016 authorizing the Supervisor to enter into a contract with Solar City to design and implement a Solar PV System on Town owned property, located at 1607 Jackson Road; and

WHEREAS, the Town Board, acting as Lead Agency pursuant to the State Environmental Quality Review Act has classified this proposal as a Type I action, prepared and analyzed a Full Environmental Assessment Form; and

WHEREAS, findings supporting the determination of the Negative Declaration have been included in Part III of the Long form EAF, which is attached hereto; and

WHEREAS, a Public Hearing was held on May 17, 2017 on the Solar Photovoltaic (PV) system, the subdivision of Town owned land for this purpose and any environmental concerns from the residents;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby makes a determination of non-significance and adopts a Negative Declaration for this proposal, a copy of which is attached hereto and made a part hereof.

Moved: Moore  
Seconded: Metzler  

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

Adopted
Penfield Town Board, June 21, 2017

#17T-136 Authorization for Town Supervisor to Sign a Professional Service Contract with Edwin A. Summerhays Surveying for Preparation of Subdivision of Property for new Solar Photo Voltic (PV) at 1607 Jackson Road, Penfield, NY by Moore

BE IT RESOLVED, that Edwin A. Summerhays Surveying, 2509 Browncroft Boulevard, Rochester, NY 14625, is authorized to prepare a subdivision plan for property located at 1607 Jackson Road, Penfield, NY for a Solar Photo Voltic System, and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to sign a contract with Edwin A. Summerhays Surveying for professional services, not to exceed $750.00. Said contract to be reviewed and approved by the Town Attorney.

Moved: Moore
Seconded: Kohl

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

Adopted

#17T-137 Granting a Conditional Use Permit to Allow a Skin Care Spa at 1771 Penfield Road – Amita’s Xpress Salon by Moore

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Conditional Use Permit pursuant to §250-5.10.D(17) of the Code to allow a skin care salon at 1771 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 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 the application and hear all persons interested on the question of the issuance of a Conditional Use Permit to allow a skin care salon at 1771 Penfield Road, in the Four Corners (FC) zoning district and the Public Hearing was closed.

NOW, THEREFORE, BE IT RESOLVED, that the applicant’s request for a CONDITIONAL USE PERMIT to allow a skin care salon at 1771 Penfield Road is hereby GRANTED subject to the following conditions:

1. The applicant shall obtain a CONDITIONAL USE PERMIT from the Town Clerk and pay the appropriate fee. The CONDITIONAL USE PERMIT is non-transferable. Any subsequent owner or operator shall be required to apply for and obtain a CONDITIONAL USE PERMIT from the Town Board to be permitted to operate a business from this location.

2. The applicant shall comply with all requirements of the New York State Building Code pertaining to operating a business at this location.

3. The applicant shall make the physical improvements to the subject structure as outlined by him at the Public Hearing on June 7, 2017.

4. The applicant shall submit a parking plan subject to the approval of the Town Engineer for the site to ensure that patrons can safely access the property and the right-of-way of Motts Lane and Penfield Road when entering and leaving the site prior to opening the salon.

5. The applicant shall confer with the New York State Department of Transportation to determine if the existing residential curbcut onto Penfield Road will be required to be upgraded to a commercial curbcut.
6. The applicant shall submit a sign package for the property for review and approval by the Town Board. Upon receiving approval, the applicant may apply for a sign permit from the Building Department and pay the appropriate fee.

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

AND BE IT FURTHER RESOLVED, that the applicant’s proposal is classified as Type II action pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and no additional environmental review of this application is required.

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

1. The applicant will be the owner/occupant of the property at 1771 Penfield Road and proposes to convert the existing residence to a skin care salon.

2. The applicant proposes two (2) full time employees at the site at any given time and expects between 20-30 clients per day on an appointment only basis.

3. The applicant proposes to operate within the permitted hours of operation in the Four Corners district.

4. The applicant proposes to rehabilitate the structure and will work with the Town Engineer to develop a final parking plan prior to opening the salon.

5. The applicant will also provide the Town Board with a sign package for its review and approval prior to requesting a sign permit to identify his business.

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

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

Public Works - None  
Public Safety  

#17T-138  Authorization to Establish a Three-way Stop at Sanders Farm Drive and Willow Pond Way by Metzler

WHEREAS, a Petition was received in September, 2013 to consider several different traffic control options at this intersection; and

WHEREAS, over the last four years different signage was installed to help improve the safety of this intersection and roadway with little to no success; and

WHEREAS, the Town Board believes that the installation of a three way stop at Sanders Farm Drive and Willow Pond Way will reduce speed and improve public safety;
NOW, THEREFORE, BE IT RESOLVED that the Director of Public Works be and hereby is authorized to install a three way stop sign at Sanders Farm Drive and Willow Pond Way effective Immediately.

Moved: Quinn
Seconded: Metzler

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

Community Services

#17T-139 Authorization for Supervisor to Sign Recreation Contracts

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following Recreation Contracts:

Northeastern Productions Systems, Inc. P.O. Box 23199, Rochester, NY 14692, provide stage, sound, lighting, engineering and crowd control stage barriers for the Town of Penfield Independence Holiday Celebration, July 1st, 2017 for a fee of $5,800.00. Voucher to be submitted on 6/22/2017, manual check requested.

Moved: Kohl
Seconded: Quinn

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

Old Business - None

New Business - None

Public Participation - None

Executive Session - None

Next Meeting - July 5, 2017

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 7:24 PM.

Amy Steklof, RMC/CMC
Town Clerk