TOWN BOARD LEGISLATIVE AGENDA
Wednesday, July 19, 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 – June 7, 2017; June 14, 2017
VI. Petitions
VII. Resolutions by Function

Law and Finance
17T-141 Setting a Public Hearing to Consider a Conditional Use Permit to Allow the Conversion of a Pre-existing Non-conforming Industrial Building to a Climate Controlled Storage Facility at 1385 Empire Blvd.
17T-142 Manufacturers and Traders Trust Company, Tax Certiorari Settlement
17T-143 R. Chiarenza, (Penwood Apt., II LLC) Tax Certiorari Settlement

Public Works
17T-144 Purchase 2017 Chevrolet 1500 Pickup Truck
17T-145 Awarding Contract for Retaining Wall Replacement on Five Mile Line Road

Public Safety
None

Community Services
17T-146 Authorization for Supervisor to Sign Recreation Contracts

VIII. Old Business
IX. New Business
X. Public Participation
XI. Executive Session
XII. Next Meeting: (August 2, 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, July 19, 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

Absent:  Richard Horwitz   Town Attorney

Supervisor LaFountain called the meeting to order – Pledge of Allegiance

Communications and Announcements

1. The Penfield Public Library reminds residents that their facility is a “safe place” location for young individuals seeking assistance with housing, safety or crisis situations. For more information on the “Safe Places” program please visit www.nationalsafeplace.org or visit our Penfield Public Library.

2. The 2017 Summer Concert Series at the Amphitheater continues with “Mr. Mustard” performing on Saturday, July 29, 2017 at 7:00 PM. For a complete list of remaining concerts please visit www.penfieldrec.org.

3. The Penfield Town Board kicked off the 2020 Comprehensive Plan update at its July 12 Work Session. The project page can be viewed on the Town website at www.penfield.org. The Town Board is looking for interested residents to participate in the planning process. If interested, please send an e-mail to supervisor@penfield.org and attach your resume.

4. Penfield Recreation has announced a free new community program called “Passport to Play.” Passports are available at the Recreation office and the Town Hall. For more information please visit www.penfieldrec.org.

5. The Penfield Players Summer Readers Theater will be held on Saturday, July 29, 2017 at 2:00 PM and Wednesday, August 2, 2017 at 7:30 PM at the Penfield Community Center. For more information please visit www.penfieldplayers.org.

6. Councilwoman Kohl’s next Community Chat will be held on Tuesday, August 15, 2017 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Baird Road.

Public Participation

Ed Lindskoog, 40 Willow Pond Way, asked if the new Parks Foreman, Tim Masterton, will start attending the Trail’s Committee Meetings?

Mr. Lindskoog spoke about Rise Against Hunger, formerly known as STOP Hunger Now, stating that there will be opportunities for the community to make a positive difference in the fight against hunger.

Mr. Lindskoog stated that he continues to be concerned about a number of street lights that remain unlit.

Supervisor LaFountain informed Mr. Lindskoog that he has had a conversation with Jim Kreckman, Foreman Building Maintenance, Cleaner and Security pertaining to this subject.

Mr. Lindskoog stated he also has had a conversation with Mr. Kreckman and would like the street lights checked after dusk.
Lastly, Mr. Lindskoog stated he has spoken with Jim Costello, Director of Developmental Services, about a number of trail issues and hopes they will be rectified.

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of June 7, 2017, Councilman Quinn seconded and all voted “Aye.” Councilman Moore moved to approve the Minutes of June 14, 2017, Councilwoman Metzler seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#17T-141 Setting a Public Hearing to Consider a Conditional Use Permit to Allow the Conversion of a Pre-existing Non-conforming Industrial Building to a Climate Controlled Storage Facility at 1385 Empire Blvd., by Moore

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Conditional Use Permit pursuant to Chapter 250-7-13-C and 250-5.9-B-1(k) of the Code to consider allowing the conversion of a pre-existing non-conforming industrial building to a climate controlled storage facility at 1385 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 August 16, 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 250-7-13-C and 250-5.9-B-1(k) of the Code to consider allowing the conversion of a pre-existing non-conforming industrial building to a climate controlled storage facility at 1385 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
WHEREAS, MANUFACTURERS AND TRADERS TRUST COMPANY, heretofore commenced proceedings against the Assessor and the Board of Assessment Review and other respondents for a review of the Assessment for the years 2014/2015, 2015/2016 and 2016/2017, for the premises located at 1838 Empire Boulevard, (Tax Map Number 093.15-1-58); located within the Town of Penfield, and

WHEREAS, after negotiations between the Attorney for the Town and the Attorneys for the Petitioner, a tentative agreement has been reached between all parties on the terms of a proposed settlement subject to the approval of the Town Board and to the approval of the Supreme Court of the State of New York, which terms of settlement are set forth in the stipulations on file in the Office of the Town Assessor, and

WHEREAS, upon due consideration of all facts and circumstances, the Town Board finds that the proposed compromise and settlement is fair and reasonable and should be approved.

THEREFORE, BE IT RESOLVED, that the proposed settlement of the Tax Certiorari proceedings brought by MANUFACTURERS AND TRADERS TRUST COMPANY, for the years, 2014/2015, 2015/2016 and 2016/2017, and hereby are approved.

BE IT FURTHER RESOLVED, that the Attorney representing the Town be and hereby is directed to make application to the Supreme Court of the State of New York for approval of such settlement and that upon obtaining such approval, the Assessor of the Town of Penfield be and he hereby is directed to make the necessary adjustments in the Assessment Rolls for the Town of Penfield to reflect the terms of such settlement.

Moved: Moore
Seconded: Quinn

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

Adopted

WHEREAS, R. CHIARENZA, PENWOOD APT., II LLC, heretofore commenced proceedings against the Assessor and the Board of Assessment Review and other respondents for a review of the Assessment for the years, 2015/2016, 2016/2017, for the premises located at 1699 Penfield Rd., (Tax Map Number 139.05-1-49); located within the Town of Penfield, and

WHEREAS, after negotiations between the Attorney for the Town and the Attorneys for the Petitioner, a tentative agreement has been reached between all parties on the terms of a proposed settlement subject to the approval of the Town Board and to the approval of the Supreme Court of the State of New York, which terms of settlement are set forth in the stipulations on file in the Office of the Town Assessor, and

WHEREAS, upon due consideration of all facts and circumstances, the Town Board finds that the proposed compromise and settlement is fair and reasonable and should be approved.

THEREFORE, BE IT RESOLVED that the proposed settlement of the Tax Certiorari proceedings brought by R. CHIARENZA, (PENWOOD APT., II LLC) for the years, 2015/2016, 2016/2017, and hereby are approved.
Penfield Town Board, July 19, 2017

(Resolution #17T-143 – Continued)

BE IT FURTHER RESOLVED, that the Attorney representing the Town be and hereby is directed to make application to the Supreme Court of the State of New York for approval of such settlement and that upon obtaining such approval, the Assessor of the Town of Penfield be and he hereby is directed to make the necessary adjustments in the Assessment Rolls for the Town of Penfield to reflect the terms of such settlement.

Moved: Moore
Seconded: Metzler

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

Adopted

Public Works

#17T-144  Purchase 2017 Chevrolet 1500 Pickup Truck by Metzler

WHEREAS, the Director of Public Works desires to purchase one 2017 Silverado 1500 1LS Double Cab 4WD Standard Box with Auxiliary Fuel Tank, Headache Rack and Light Bar from Chautauqua, Bid # E-11-14 PFTH 2017 C-Group 5, Item 2, Vehicle 2, Quote #25164 from Van Bortel Chevrolet, 1338 W. Main Street, Macedon, NY, for a total cost of $35,629.47; and

WHEREAS, the total funds of $35,629.47 for said purchases are budgeted in the 2017 DPW Highway Department Budget (DAO-5130-0002-2503);

NOW, THEREFORE, BE IT RESOLVED, that the Director of Public Works be and hereby is authorized to purchase said vehicle. Per the attached vehicle purchase proposal.

Moved: Quinn
Seconded: Moore

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

Adopted

See Attachment at end of Minutes

#17T-145  Awarding Contract for Retaining Wall Replacement on Five Mile Line Road by Metzler

WHEREAS, a portion of the retaining wall on Five Mile Line Road is falling over and is in need of replacement; and

WHEREAS, the Director of Public Works received three (3) quotes to replace from:

1. R.M. Landscape $19,450.00
2. Rochester Lawn Care $19,600.00
3. Broccolo Tree & Lawn Care No Bid

AND WHEREAS, the DPW has reviewed all quotes and the quote of R.M. Landscape is the lowest bid and meets all specifications;
(Resolution #17T-145 – Continued)

NOW, THEREFORE, BE IT RESOLVED, that a contract be and hereby is awarded to R.M. Landscape, 293 Peck Road, Hilton, NY 14468 to reconstruct the retaining wall on Five Mile Line Road per the Town specifications. This Resolution and the quote submitted by R.M. Landscape shall constitute this contract, which is to be reviewed and approved by the Town Attorney; and

BE IT FURTHER RESOLVED, that all materials will be provided by the Town of Penfield.

Moved: Metzler
Seconded: Kohl

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

Adopted

Public Safety - None

Community Services

#17T-146 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:

Sports Officials of the Rochester Area (SORA), c/o Gary Godden, 189 Parkview Terrace, Rochester, NY 14617, to provide officials for the HS Basketball League, 6/26/17 - 8/3/17, for the fee of $28.00 per official per game, plus $20.00 per team for USSSA liability insurance. Vouchers to be submitted at end of season.

Rochester Foam Dart League, c/o Justin Dangler, 1097 Fawn Wood Drive, Webster, NY 14580, to provide Outdoor Nerf Battle Program, 6/5/17 - 7/31/17, for the fee of $70.00 per participant. Vouchers to be submitted 8/2/17.

Moved: Kohl
Seconded: Quinn

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

Adopted

Old Business - None

New Business - None

Public Participation - None

Next Meeting – August 2, 2017

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 7:18 PM.

Amy Steklof, RMC/CMC
Town Clerk
Attachment for Resolution #17T-144

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<tr>
<th>Item Description</th>
<th>Code</th>
<th>Qty</th>
<th>Your Price</th>
<th>MSRP</th>
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<td>2017 Silverado 1500 ILS Double Cab 4WD Standard Box</td>
<td>CK16763</td>
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<td>$27,058.53</td>
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<td>Summit White</td>
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<td>Engine, 5.3L EcoTec3 V8 with Active Fuel Management, Direct injection and</td>
<td>L83</td>
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<td>$1,099.40</td>
<td>$1,195.00</td>
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<td>Variable Valve Timing</td>
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<tr>
<td>Transmission, 6-speed automatic, electronically controlled</td>
<td>MYC</td>
<td>1</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>Windows, power front and rear</td>
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<td>Remote Locking Tailgate</td>
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<td>Seats, front 40/60/20 split-bench, 3-passenger, driver and front passenger</td>
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<td>manual recline</td>
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<td>Glass, deep-tinted ILS</td>
<td>AKX</td>
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<td>Remote Keyless Entry, with 2 transmitters</td>
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<td>Door locks, power</td>
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<td>$0.00</td>
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<td>Air bags, dual-stage frontal and side-impact, driver and front passenger</td>
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<tr>
<td>and head-curtain and seat-mounted side-impact, front and rear outboard seating</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>positions with Passenger Sensing System</td>
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<tr>
<td>Floor covering, color-keyed carpeting with rubberized vinyl floor mats</td>
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<td>1</td>
<td>$92.00</td>
<td>$100.00</td>
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<td>Air conditioning, single-zone</td>
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<td>Mirrors, outside heated power-adjustable</td>
<td>DL8</td>
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<td>Body, Pick Up Box</td>
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<td>Differential, heavy-duty locking rear</td>
<td>GB8</td>
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<td>$363.40</td>
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<td>Rear axle, 3.42 ratio</td>
<td>GU8</td>
<td>1</td>
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<tr>
<td>Dark Ash with Jet Black Interior Accents, Cloth seat trim</td>
<td>HSR</td>
<td>1</td>
<td>$0.00</td>
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<tr>
<td>Audio system, Chevrolet MyLink Radio with 7&quot; diagonal color touch-screen,</td>
<td>J08</td>
<td>1</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>AM/FM stereo 1LS</td>
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<tr>
<td>Trailer brake controller, integrated</td>
<td>JU1</td>
<td>1</td>
<td>$253.00</td>
<td>$275.00</td>
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<td>Cruise control, electronic</td>
<td>K34</td>
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<tr>
<td>Cooling, external engine oil cooler</td>
<td>KC4</td>
<td>1</td>
<td>$0.00</td>
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<tr>
<td>Alternator, 150 amp</td>
<td>KG4</td>
<td>1</td>
<td>$0.00</td>
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<tr>
<td>&quot;Power outlet, 110-volt AC, Chautauqua Bid Only&quot;</td>
<td>K35</td>
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<td>Cooling, auxiliary external transmission oil cooler</td>
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<td>Emissions, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey,</td>
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<td>$0.00</td>
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<tr>
<td>New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington state</td>
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<tr>
<td>requirements</td>
<td></td>
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<tr>
<td>LS Convenience Package</td>
<td>PDZ</td>
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<td>$389.00</td>
<td>$325.00</td>
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<td>Tires, LT255/70R17 C, all-terrain, blackwall</td>
<td>RC6</td>
<td>1</td>
<td>$363.40</td>
<td>$395.00</td>
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<tr>
<td>Wheels, 17&quot; x 8&quot; (43.2 cm x 20.3 cm) stainless steel clad</td>
<td>RD7</td>
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<td>Tires, spare LT255/70R17 all-terrain, blackwall</td>
<td>RH4M</td>
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<tr>
<td>Tire carrier lock, keyed cylinder lock</td>
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<td>1</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>Headlamps, high intensity discharge (HID) projector beam with LED signature ORL</td>
<td>T4F</td>
<td>1</td>
<td>$0.00</td>
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<tr>
<td>SiriusXM Satellite Radio, delete</td>
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<td>$0.00</td>
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<tr>
<td>Item</td>
<td>Code</td>
<td>Quantity</td>
<td>Unit Price</td>
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<td>-------------------------------------------</td>
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<td>------------</td>
<td>-------------</td>
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<tr>
<td>OnStar Guidance plan</td>
<td>UE1</td>
<td>1</td>
<td>$</td>
<td>$0.00</td>
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<tr>
<td>6-speaker audio system</td>
<td>UQ3</td>
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<td>$</td>
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<tr>
<td>Rear Vision Camera &quot;LT&quot;</td>
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<td>1</td>
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<tr>
<td>Grills surround, chrome</td>
<td>Y22</td>
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<td>Bumper, front chrome</td>
<td>V46</td>
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<td>Recovery hooks, front, frame-mounted, black</td>
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<tr>
<td>Bumper, rear chrome</td>
<td>YJR</td>
<td>1</td>
<td>$</td>
<td>$0.00</td>
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<tr>
<td>License plate kit, front</td>
<td>VK3</td>
<td>1</td>
<td>$</td>
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<tr>
<td>OnStar 4G LTE</td>
<td>VV4</td>
<td>1</td>
<td>$</td>
<td>$0.00</td>
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<tr>
<td>Trailering Package</td>
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<td>$345.00</td>
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<tr>
<td>Paint, solid</td>
<td>2Y1</td>
<td>1</td>
<td>$</td>
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<tr>
<td>Delivery to Region 1</td>
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*Credit for Delete - Floor Mats (Sijshu) Chautauqua Bid Only. (Rubber mats not recommended on vinyl floors)*

Term is Net 15 Days A.R.V. Delivery from factory to dealer is estimated at 16-20 weeks. This Quote Expires In 60 Days or final Order date, whichever comes first.

To place an order please sign and date this proposal and return it to Van Bortel Ford along with a valid Purchase Order, Voucher, or Letter of Intent. Thank You!

Accepted By: ___________________________ Title: ___________________________ Date: ___________________________

Van Bortel Chevrolet Inc (WBE) Federal ID 46-1298708 Salesperson: Josh Reilyo Quote: 25164