TOWN BOARD LEGISLATIVE AGENDA
Wednesday, December 6, 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 - November 8, 2017; November 15, 2017
VI. Petitions
VII. Resolutions by Function

Law and Finance
17T-213 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Private Sanitary Sewer Forcemain within the Penfield Road Right of Way at 1698 Penfield Road
17T-214 Authorization to Purchase a Kubota Utility Vehicle
17T-215 Budget Amendments in the General Fund, Library Fund and Sewer Fund

Public Works
17T-216 Roadway Dedications for 2017

Public Safety - None
Community Services - None

VIII. Old Business
IX. New Business
X. Public Participation
XI. Executive Session
XII. Next Meeting: December 20, 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.
PENFIELD TOWN BOARD RESOLUTION NO. 17T-213     DATE December 6, 2017

BY Councilman Moore                         Law & Finance COMMITTEE

NAME Authorization for Supervisor to Sign a License and Hold Harmless Agreement to
Allow a Private Sanitary Sewer Forcemain Within the Penfield Road Right of Way at
1698 Penfield Road - SBL#139.05-1-52

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 Ida Schreiner, owner of
property of 1698 Penfield Road, to allow a private sanitary sewer forcemain within the
Penfield Road right-of-way located at 1698 Penfield Road in a form and substance
acceptable to the Town Attorney.

Moved: __________
Seconded: _________

Vote:            Kohl       _________
                LaFountain _________
                Metzler         _________
                Moore          _________
                Quinn          _________
WHEREAS, the Engineering Department desires to purchase a Kubota RTV-X1100CWL all terrain side by side utility vehicle for a total amount not to exceed $19,500, from Bentley Brothers, Inc., under State Bid Web Quote # 865662; and

WHEREAS, said all–season utility vehicle unit will be utilized for support of the drainage crew and the continued cleaning and maintenance of the town’s stream and ditches year-round; and

WHEREAS, the Town Board continues to aggressively maintain the drainageways within the Town of Penfield, and

WHEREAS, the total funds of $19,500 for said purchases are budgeted in the 2017 Drainage Fund Budget; and

NOW, THEREFORE, BE IT RESOLVED, that the Engineering Department be and hereby is authorized to purchase said utility vehicle.

Moved: _________________
Seconded: _________________

Vote: Kohl _________________
      LaFountain _________________
      Metzler _________________
      Moore _________________
      Quinn _________________
PENFIELD TOWN BOARD RESOLUTION NO. 17T-215    DATE: December 6, 2017

BY: Councilman Moore  COMMITTEE: Law and Finance

NAME:       Budget Amendments in the General Fund, Library Fund and Sewer Fund

Whereas, the registrations and attendance for programs at the Recreation Department require an increase in the appropriations Playgrounds/Youth account from program fees collected, and

Whereas, the Library received unanticipated grant funds from New York State totaling $5,000 to be used for Library equipment, and

Whereas, at their monthly meetings, the Library Board recognized the receipt of donations received during 2017 totaling $1,599.66, to be used for Library supplies, and

Whereas, it is necessary to appropriate additional funds for Sewer Debt payments from the Assigned Sewer Debt Service Fund Balance, and

Whereas, the Town Board desires to have an up to date budget in relation to current appropriations and revenues,

Now, Be It Resolved that the attached 2017 budget amendments be approved:

Moved:

Seconded:

Vote:     Kohl  
          LaFountain
          Metzler
          Moore
          Quinn
## Budget Amendments December 6, 2017

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<td>Sewer Fund:</td>
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</table>
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:

Redstone Builders, LLC. – Crowne Pointe- Section 2B, the remainder of Knight Bridge Circle and a portion of Crowne Pointe Drive.

Viola Homes – Silverwoods Subdivision – Section 6, the remainder of Armetale Luster.

Combat Construction – Windsor Ridge Subdivision – Section 2, the remainder 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, all in accordance with Section 171 of the Highway Law of the State of New York.

Moved: ______  Vote: Kohl ______
Seconded: ______  Lafountain ______
                  Metzler ______
                  Moore ______
                  Quinn ______
The Regular meeting of the Penfield Town Board was held on Wednesday, December 6, 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: Lisa Grosser  Deputy Town Clerk  
Richard Horwitz  Town Attorney  

Absent: Amy Steklof  Town Clerk  

Supervisor LaFountain called the meeting to order – Pledge of Allegiance

Supervisor LaFountain introduced Paul Krenzer from Troop 312 who is donating wreaths to the Town.

Paul Krenzer stated that Boy Scout Troop 312 is holding their Annual Tree and Wreath sale at 1650 Penfield Road, the parking lot of Bill Gray’s in Panorama Plaza. They are open weeknights from 6:00 PM to 9:00 PM, Saturday 9:00 AM to 6:00 PM and Sunday 11:00 AM to 5:00 PM. Trees are priced at $40, and wreaths are $20.

Councilwoman Metzler recognized Troop 312 also helps with the Town’s Memorial Day service as well as several Eagle Scout projects throughout Town parks and trails.

Communications and Announcements

Supervisor LaFountain stated that a press conference was held earlier today.

Supervisor LaFountain reviewed the timeline of significant steps towards the Town of Penfield’s goal to purchase the Shadow Pines Golf Course property. (see attachment at end of Minutes) LaFountain stated that it was a goal to have a public referendum, but the seller was not willing to give the Town that ability and has given a drop dead date of January 31, 2018 as the required closing date. Resolutions were passed on November 20, allowing the Town to obtain the bonds to purchase the property. If a petition is submitted by December 20, with a number of signatures equal to 5% of those that voted in the last gubernatorial race, the process would stop. If a petition is received, a vote would be required, which could not take place until February 20. It would then take until early April to obtain the funding, which is well beyond the required closing date of January 31.

Public Participation

Neal Madden, 10 Park Place, expressed his dissatisfaction with not having this decision go to a referendum vote. He directed residents to his website righttovotepenfield.com, and urges them to sign the petition to require a vote and stop this process. Neal reviewed the timeline and indicated he feels the Board could have done more.

Councilman Quinn reviewed that the Town did not receive a letter from the seller until September 20. Once this letter was received a deadline was imposed and we are working as quickly as possible and continue negotiating in good faith with the seller.

Sam Lembo, 7 Hickory Lane, stated he would also like the right to vote on the referendum.

Kathleen McGrail, 275 Parkview Drive, stated she has questions pertaining to the 2020 Master Plan, but is willing to wait for the next meeting to discuss.
Jim Mathers, 126 Creek Hill Lane, stated he objects to the process and stands against it. He thinks there should be documentation presented on the future use of the property. Mathers asked what went on between September 20th and November 20th and asked if Scenario 2, holding a referendum vote, is viable.

Supervisor LaFountain stated we don’t even know if Scenario 1 is an option because we cannot meet the required closing date of January 31. He added we continue to negotiate with the seller for an extension.

Jim Mathers said he doesn’t understand why the Town cannot comply with the January 31st closing date.

Town Attorney Horwitz stated that legal requirements in the process must be met. February 6th is the earliest possible closing date and he then reviewed the legal requirements and imposed deadlines for those requirements. Horwitz continued to say September 20th was the first there was an option for the Town to purchase the property and the legal constraints have forced this process. The Board decided to follow this process as it was the closest we could come to meeting the seller’s terms. There was not an opportunity to have a Public Referendum vote.

Councilwoman Metzler stated, we have been negotiating with a seller of a very important parcel, and the seller could pull the plug at any time.

Councilman Moore stated that the March 30th Letter of Intent did not allow the Town a financing contingency. If a financial contingency was allowed a referendum vote could have already occurred. He added, we all wanted to hold a referendum vote. The Town Board will continue in the direction to purchase the property under the seller says no.

Les Gambee, 2181 Baird Road, stated he is not sure what should be done with the property. He is happy to hear that the Board would have preferred having a referendum vote. He asked for clarification on the use of the property, and added he would like to see a good appropriate use.

Councilwoman Metzler stated that the Moratorium Committee collected suggestions for future use of this property and the number one suggestion was Open Space/recreational use.

Les Gambee asked what would happen if the Town does not purchase the property.

Councilwoman Metzler said a large, dense residential development would be built that would have a major impact on our schools, infrastructure, traffic and our future.

Christina Emerine, 79 Thorntree Circle, stated she would like to discuss pesticide use and the safety of children, but is willing to come to the next meeting.

Sam Ogie, 1924 Clark Road, stated that as part of the Moratorium Committee, a letter was received from the school district in May of 2016 stating that if the property is developed with the proposed 255 homes, the district would have a shortfall of between $675,000 and $1.9 million per year. Ogie also noted that Ryan Homes submitted a proposal before the Town put the Moratorium in place, and in September 2017 Combat Construction stated that they intend to purchase the property when Penfield fails. Ogie asked if Dolomite will extend their deadline to close if a petition is received and the Town cannot move forward with the February 6th closing date.

Councilman Quinn stated there is no indication that we will be able to extend that date.
Dick Horwitz stated we cannot force the seller to extend the required closing date. Horwitz added he is hopeful the Town would be able to convince the seller to extend the closing date to allow for a permissive referendum vote.

Councilwoman Metzler added if a Petition is received, it is reasonable to say Dolomite will not sell the property to the Town.

Sam Ogie stated he wanted to have a referendum vote. As part of the Moratorium Committee, the comments received in support of having the Town purchase the property were 40 to 1. He added, he is concerned that people who are signing the petition do not have the full story. Ogie confirmed with the Board that Ryan Homes has come to the Town with a proposed project for the property and advised that the Town will fail on purchasing the property. He does not feel Dolomite has been negotiating in good faith.

Jeff Burns, 39 Scarborough Park, stated he is one of the founders of the “Save Shadow Pines” group. Burns stated he would have preferred a referendum vote. He stated every signature on Mr. Madden’s Petition is a vote for development, higher taxes and more traffic. The 1966 Master Plan stated that the quarry would be discontinued within 10 years. Burns added that the residents will more closely scrutinize the quarry operation in the future if they do not see fit to maintain this buffer.

Supervisor LaFountain explained that the quarry continues operation as a pre-existing, non-conforming use and we cannot force them to cease operation.

Jeff Bales, 1816 Baird Road, stated he is not against purchasing the land. If the property is developed with housing, he is concerned about impacts to the school district, infrastructure and taxes. Bales asked if the property can be rezoned.

Mr. Horwitz stated the recommendation of the Moratorium Committee was for the Town to purchase the property. Different types of zoning are being reviewed concurrently with the proposed acquisition. The Town has the ability to rezone the property, though easier if we are the property owner. The property can be rezoned for a more suitable use for the entire community, and we will make sure the current owner can get a reasonable economic return.

Jeff Bales said he wishes he had an opportunity to vote, but does not want 255 Ryan homes built on the property.

Mr. Horwitz stated we wanted to have a public referendum vote on November 7, but did not get an indication that the seller was willing to work with us in the timeframe required to legally hold the vote.

Bob Peterson, 1931 Clark Road, stated he was a member of the Moratorium Committee and wants the property purchased for Open Space. There was a minority on the committee that wanted the property developed. All members of the committee expected a public referendum vote.

Mr. Horwitz stated that New York State Law requires a minimum 60 to 75 days for a public referendum. If a Petition is received by December 20 we will not meet the January 31st closing date.

Bob Peterson said residents need to know what they are voting for. He feels those that are passing the petition are not sharing all of the information. Peterson said residents are being told their taxes will increase, but not being told if the property is developed their taxes will increase even more. He feels this is putting the petition in question. He would like to have a referendum vote, and feels a vote will result in the property being purchased for Open Space.
Penfield Town Board, December 6, 2017

(Public Participation - Continued)

Bob Maxwell, 1462 Plank Road, stated he does not want development. He asked what are the Town’s plans for upkeep of Open Space if this property is purchased?

Supervisor LaFountain stated that the Moratorium Committee recommended Open Space/recreational use for this property. This would be developed similarly to Rothfuss Park and built out over several years. Funding would come out of the tax base and there would not be much activity on the property over the next two (2) to three (3) years.

Councilman Quinn stated there are both short and long term plans. Next year the Town will begin work on the 2020 Master Plan and will use the Moratorium Committee’s suggestions. In the short term we will keep the land in the Town’s holdings.

Councilwoman Metzler stated that purchasing this property is a preventative measure and an investment for the Town.

Bob Maxwell asked if solar grids would be considered for the property.

Supervisor LaFountain said yes, to support an activity, but not to be used as a solar farm.

Councilwoman Metzler said if we add a Town owned lodge that would provide revenue. We will need more community input before decisions are made.

Carol Samuel, 27 Huntington Meadow, stated that if a development is allowed on that property, traffic would be impacted Town wide. Dolomite doesn’t understand how many residents want the Town to own this land. Samuel asked Madden to cease and desist the Petition process.

Steve Ward, 74 Corral Drive stated that citizens need the right to vote on the Town’s purchase of the property and need to be advised how the property will be used.

Jim Froom, 11 Denonville Ridge, stated he was on the Moratorium Committee and the majority wanted Open Space. He asked if the Town is negotiating with Old Castle or Dolomite. Froom added that he would like the property as passive use Open Space

Supervisor LaFountain stated that Old Castle purchased Dolomite.

Jim Froom added that the issue is this land is a buffer around the quarry. He would like to see a commitment to Open Space and subsequently the quality of life in Penfield.

Chandra Petre, 181 Sawmill Drive, asked if this goes to the end of the Moratorium, could it be extended again.

Councilwoman Metzler stated yes, that is an option. We would have to show the property owner we are trying to get a decent return on his property.

Chandra Petre said she wants this parcel as Open Space.

Seann McArdle, 15 Hillside Road, asked why wasn’t this property rezoned two (2) years ago?

Supervisor LaFountain stated this has been discussed as another component of this process.

Dorothy Madden, 10 Park Place, stated she wants the right to vote and urged others who agree to sign her Petition.
Sam Ogie stated there has been many opportunities to speak, residents need to learn what has transpired over the past two (2) years. The financial argument is against developing this property. Ogie explained that in previous Open Space purchases, the Town paid a higher rate for development rights then what is proposed to own this parcel.

Abigail Ogie, 1924 Clark Road, asked what will happen to the Clark House if the land is not purchased by the Town.

Supervisor LaFountain said the building is historic and zoned for restaurant use and a new owner would have to follow that zoning.

Neil Madden said he is only concerned about the right to vote, we are not for or against the development and must continue our effort.

Councilwoman Metzler asked if the Town did not offer to purchase the parcel, wouldn’t we be denying residents the opportunity to vote on how it will be developed. Metzler continued to say that Madden was on the Moratorium Committee and has a lot of information to share regarding the potential acquisition or development. That information should be shared when trying to get signatures on your petition.

Councilman Moore pointed out that not all information is being presented in Madden’s petition. Not mentioned in the petition are the required closing deadline of January 31st, the legal guidelines of holding a public referendum and how that would take us beyond the required closing date. Moore added the signer needs to be made aware that by signing the petition they are jeopardizing everything the Town has done to purchase the property which would then allow the land to be sold for massive residential development.

Madden read a portion of a letter Madden wrote to the Town Board in support of clustered residential development on the property. He continued to say it is important to point out that Madden had an alternate point of view than the majority of the Moratorium Committee and has advocated for development of the land. It is important that residents understand your position when signing your petition.

Neil Madden said he doesn’t feel it is right to present all of the information he has regarding the Moratorium Committees recommendations, the petition is only about the right to vote.

John Backus, 35 Colonial Drive, stated that this has been thoroughly explained, there is not time for a vote. Backus said we as citizens have elected the Board to make the tough decisions, we need to allow them to do their job.

Mindy Maclaren, 1724 Five Mile Line Road, stated the houses in the Windsor Ridge development have been going up in a matter of days. The traffic at Atlantic Ave. and Five Mile Line Road is crazy and accidents have increased. As a member of “Save Shadow Pines,” there has been a lot of research done and Shadow Pines needs to be saved.

Carol Samuel asked to hear the full Petition.

Councilman Moore stated it is available online.

Jeff Burns, said do not sign the Petition, it will prevent the will of the people. He asked if those that have already signed the Petition can have their signatures removed if they ask. Burns added that he would like to see the Town work cooperatively with Dolomite and visa versa.
Penfield Town Board, December 6, 2017

(Public Participation – Continued)

Neil Madden stated that he would allow residents to remove their signatures.

Steve Ward said he has signed the Petition and did not know where Mr. Madden stood when the Petition was presented. He added that it is the same as signing a Petition for an elected official.

Carol Samuel said this is a very carefully worded petition. Mr. Madden knew what he was doing, most of Penfield does not agree with him.

Supervisor LaFountain asked Kathleen McGrail and Christina Emerine if they would like to come to the December 20th meeting, he will make sure they are first on the agenda.

Additions and Deletions to Agenda – None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of November 8, 2017, Councilman Quinn seconded and all voted “Aye.”

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

Petitions – None

Resolutions by Function

Law and Finance

#17T-213 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Private Sanitary Sewer Forcemain within the Penfield Road Right-of-Way at 1698 Penfield Road 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 Ida Schreiner, owner of property of 1698 Penfield Road, to allow a private sanitary sewer forcemain within the Penfield Road right-of-way located at 1698 Penfield Road in a form and substance acceptable to the Town Attorney.

Moved: Moore
Seconded: Kohl

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

Adopted

#17T-214 Authorization to Purchase a Kubota Utility Vehicle by Moore

WHEREAS, the Engineering Department desires to purchase a Kubota RTV-XI100CWL all terrain side by side utility vehicle for a total amount not to exceed $19,500, from Bentley Brothers, Inc., under State Bid Web Quote # 865662; and

WHEREAS, said all-season utility vehicle unit will be utilized for support of the drainage crew and the continued cleaning and maintenance of the Town’s stream and ditches year-round; and

WHEREAS, the Town Board continues to aggressively maintain the drainageways within the Town of Penfield, and
Resolution #17T-214 – Continued

WHEREAS, the total funds of $19,500 for said purchases are budgeted in the 2017 Drainage Fund Budget; and

NOW, THEREFORE, BE IT RESOLVED, that the Engineering Department be and hereby is authorized to purchase said utility vehicle.

Moved: Moore
Seconded: Quinn

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

Adopted

#17T-215 Budget Amendments in the General Fund, Library Fund and Sewer Fund by Moore

WHEREAS, the registrations and attendance for programs at the Recreation Department require an increase in the appropriations Playgrounds/Youth account from program fees collected, and

WHEREAS, the Library received unanticipated grant funds from New York State totaling $5,000 to be used for Library equipment, and

WHEREAS, at their monthly meetings, the Library Board recognized the receipt of donations received during 2017 totaling $1,599.66, to be used for Library supplies, and

WHEREAS, it is necessary to appropriate additional funds for Sewer Debt payments from the Assigned Sewer Debt Service Fund Balance, and

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

NOW, BE IT RESOLVED that the attached 2017 budget amendments be approved:

Moved: Moore
Seconded: Metzler

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

Adopted

Public Works

#17T-216 Roadway Dedications for 2017 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:

Redstone Builders, LLC. – Crowne Pointe- Section 2B, the remainder of Knight Bridge Circle and a portion of Crowne Pointe Drive.

Viola Homes – Silverwoods Subdivision – Section 6, the remainder of Armetale Luster.

Combat Construction – Windsor Ridge Subdivision – Section 2, the remainder of Stoneledge Way.
(Resolution #17T-216 – Continued)

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

Moved: Metzler
Seconded: Moore

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

Adopted

Public Safety - None

Community Services - None

Old Business - None

New Business - None

Public Participation

Supervisor LaFountain read a communication that was received online from Maureen Bigenwald, 165 Timber Brook Lane in support of the Town purchasing Shadow Pines.

Executive Session - None

Next Meeting: December 20, 2017

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 10:23 PM.

Lisa Grosser, RMC
Deputy Town Clerk
Timeline of Significant Steps Towards the Town of Penfield’s Goal to Purchase the Shadow Pines Golf Course Property
Timeline of Steps

- **Dec. 1 2015**: Shadow Pines ends operations. Property listed for sale by Dolomite.
- **Mar. 23 2016**: Shadow Pines/Shadow Lake Properties Land Use Committee established. Resolution 16T-094
- **April 6 2016**: Town receives a real estate appraisal of the Shadow Pines property.
- **Sept. 2 2016**: A one year moratorium on development of the golf course is established. Resolution 16T-085
- **Oct. 12 2016**: Committee submits final report of recommendations to Town Board.
- **Mar. 22 2017**: Town Board extends moratorium until March 31, 2018. Resolution 17T-081
Timeline of Steps

1st time Dolomite submits “Letter of Intent” expressing interest in selling Shadow Pines to the Town. Purchase is all cash, no bond referendum. (“no financing contingency”)

Mar. 30 2017 *

Dolomite responds: Not willing to postpone the sale for Bond Referendum. Needs a “drop dead” date for the sale.

May 9 2017

Email exchange regarding Town’s response.

May 26 2017

Town responds: “No Financing Contingency” does not work because the Town needs to hold a Public Referendum.

June 9 2017

Town responds: Offers to hold the Bond Referendum on Election Day - Nov. 7, 2017. If the vote is affirmative, property to be purchased (20) days following the bond closing.

June 23 2017

Email from Town to Dolomite expressing Town’s continued interest to keep moving forward.

July 28 2017

Town of Penfield’s efforts to purchase Shadow Pines
Timeline of Steps

Dolomite submits a revised “Letter of Intent” for Purchase and Sale of Shadow Pines that allows for a purchase contingency to obtain financing, provided the Town close by Jan. 31, 2018, with no possibility of extensions.

Dolomite response: Not willing to extend the closing date or make any changes to the Sept. 20, 2017 “Letter of Intent” and further, that the Town must accept the “Letter of Intent” no later than Sept. 30, 2017.

Town response: Jan. 31, 2018 is an impossible deadline; it does not allow enough time to comply with legal requirements to hold a Bond Referendum and obtain the monies to close.

The Town signs the “Letter of Intent”

Town of Penfield’s efforts to purchase Shadows Pines
Timeline of Steps


Town Board holds special meeting to adopt resolutions 17T-211 & 17T-212 authorizing the issuance of serial bonds to finance appropriation. Subject to Permissive Referendum.

Oct. 11 2017
Town receives the first draft “Purchase and Sale Agreement” from Dolomite for Shadow Pines.

Oct. 25 2017

Nov. 15 2017
Negotiations with Dolomite on terms and conditions of “Purchase and Sale Agreement” are ongoing.

Nov. 15 2017

Nov. 20 2017

Town of Penfield’s efforts to purchase Shadow Pines.
Scenarios
All assume a binding “Purchase and Sale Agreement” is in place

Scenario 1: Permissive Referendum, no petition
Bond Resolutions for purchase adopted November 20, 2017 subject to Permissive Referendum.
If no petition for Public Referendum is received by December 20, 2017, and all funding goes as identified by financial advisors, the expected closing date would be February 6, 2018.

Scenario 2: Permissive Referendum, with petition
Bond Resolutions for purchase adopted November 20, 2017 subject to Permissive Referendum.
If a petition for Public Referendum is received on or before December 20, 2017 there would be a Public Referendum on or about February 20.
If the vote is affirmative the closing date could be approximately early April 2018.
If the vote is negative, negotiations would end.

Scenario 3: Public Referendum
The earliest date upon which the Town could hold a Public Referendum after completing legal obligations is January 20, 2018. If the vote is affirmative the earliest projected settlement date for receipt of bond monies would be early March 2018.
If the Town were to hold a Public Referendum as described above and the vote is negative, negotiations would end.

Town of Penfield’s efforts to purchase Shadows Pines