TOWN BOARD LEGISLATIVE AGENDA

Wednesday, March 21, 2018, 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order - Pledge of Allegiance - Roll Call

II. Public Hearing - To Consider Adopting Local Law No. 1 of 2018 to Extend the Moratorium and Prohibition of Public Golf Course Redevelopment on Real Property Located within the Town of Penfield

III. Communications and Announcements

IV. Public Participation

V. Additions and Deletions to Agenda

VI. Approval of Minutes - February 21, 2018

VII. Petitions

VIII. Resolutions by Function

Law and Finance

18T-084 Authorization to Attend NYS Town Clerks Association Conference

18T-085 Setting a Public Hearing to Consider the Issuance of a Conditional Use Permit to Allow a Nail Spa at 1802 Penfield Road

18T-086 Setting an Informal Neighborhood Discussion Meeting to Discuss the Use of Transfer of Development Rights to Consider the Development of 20 Townhomes on 10+/- Acres at 1725 Scribner Road

Public Works

18T-087 Authorization for the Town Board to Accept a Monroe County CDBG Grant for $29,592 for the 2017 LaSalles Landing Improvement Project and Execute Agreement YR42

Public Safety - None

Community Services

18T-088 Authorization For Supervisor to Sign Recreation Contracts

IX. Old Business

X. New Business

XI. Public Participation

XII. Executive Session

XIII. Next Meeting: April 4, 2018

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. Questions regarding video coverage contact Penfield TV at (585) 340-8661.
The Regular meeting of the Penfield Town Board was held on Wednesday, March 21, 2018 at 7:00 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

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

Also Present: Amy Steklof  Town Clerk
             Jim Costello  Director of Developmental Services
             Peter Weishaar  Town Attorney

Absent: R. Anthony LaFountain  Supervisor
        Richard Horwitz  Town Attorney

Deputy Supervisor Andy Moore called the meeting to order – Pledge of Allegiance

Public Hearing #1  To Consider Adopting Local Law No. 1 of 2018 to Extend the Moratorium and Prohibition of Public Golf Course Redevelopment on Real Property Located within the Town of Penfield

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on March 15, 2018 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 Weishaar confirmed that this Hearing is in order.

Public Participation

Deputy Supervisor Moore asked if anyone would like to comment on this Public Hearing.

Fritz Odenbach, co-owner of Shadow Lake stated he purchased Shadow Lake approximately two (2) years ago. He does not understand why the Town Board wants to extend the Moratorium on Shadow Lake for a third year and would like the Town Board to consider dropping the Moratorium. He stated that the Shadow Lake Moratorium along with the negative publicity over the Shadow Pines issue has had a negative impact on Shadow Lake’s daily business. He went on to say that Shadow Lake has nothing to do with Shadow Pines. He said that his family built Shadow Lake 40 years ago and they are doing their best to make Shadow Lake a great asset to the Town of Penfield.

Deputy Supervisor stated he appreciates Mr. Odenbach’s comments.

Hearing closed.

Communications and Announcements

1. “Passport Night in Penfield” will be held on April 5, 2018 from 5:30 PM to 7:30 PM at the Penfield Town Hall, 3100 Atlantic Avenue. There will be a fee change for passport services starting April 1, 2018. For fee changes and all other information pertaining to Passport Night, please contact Town Clerk Amy Steklof at 340-8629 or visit the Town’s website at www.penfield.org.

2. Town offices will be closed on Friday, March 30, 2018 in observance of Good Friday. The Library will be open on Good Friday for its regular hours, but will be closed April 1, 2018 for Easter Sunday.
3. The Department of Public Works will begin repairing lawns damaged by their road and sidewalk plows pending the long range forecast. Additionally this spring, the Department of Public Works will fill in roadway potholes, repair or replace mailboxes and sidewalks damaged from highway snowplow blades, trim and clear tree limbs in our parks and clean stormwater drainage ponds and sewer systems.

4. Brush Drop-off is year round at 1607 Jackson Road for residents Monday through Friday from 7:30 AM to 3:00 PM, except on holidays.

5. The Recreation Department has begun the process of updating its Five (5) year Master Plan and the Town is currently undertaking the 2020 Comprehensive Plan process. The work of these two (2) committees will directly affect and influence future land uses in Penfield, including that of the Shadow Pines property. Those who are interested in serving on the Recreation Master Plan Committee should contact Chris Bilow by Friday, April 6, 2018 at bilow@penfield.org. Residents wanting to be part of the 2020 Comprehensive Plan Committee can email Supervisor LaFountain at supervisor@penfield.org. The Town Board plans to form a Shadow Pines Land Use Committee late 2018 or early 2019.

6. Councilwoman Kohl’s next Community Chat will be held on Tuesday, April 15, 2018 from 5:30 PM to 7:00 PM at the Penfield Library.

7. The Penfield Player’s spring mainstage theatre performance of “A Comedy of Tenors” by Ken Ludwig, will open on Friday, April 27, 2018 at 8:00 PM at the Penfield Community Center, 1985 Baird Road, through May 12, 2018. For more information, please visit www.penfieldplayers.org.

Public Participation

Fritz Odenbach asked why the Town Board wants to extend the Moratorium for another year.

Deputy Supervisor Moore stated that the Town is in the process of putting together the 2020 Comprehensive Plan Committee. They would like to make sure that, when the Moratorium on Shadow Pines expires on March 30, 2018 and the property’s sale closes in April, they are covered during that time period. Once the Comprehensive Plan Committee is established, all properties will be under review in the Town Of Penfield. The Moratorium is a safeguard in that respect.

Mr. Odenbach asked why the Moratorium only pertains to Shadow Lake and not other properties in Town.

Deputy Supervisor Moore stated that the Town wants to ensure nothing occurs on the property while the Comprehensive Plan Committee is put in place and future recommendations are made. He went on to say that no decision has been made in reference to the extension of the Moratorium and that this Public Hearing is so that the Town Board can receive public comment. He said they will take Mr. Odenbach’s comments seriously.

He also said the Town Board will do everything they can to let residents know that the Moratorium will not affect their opportunities in holding events at Shadow Lake. They want the business to thrive and they want the golf course to be operational, successful and profitable.

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of February 21, 2018 Councilman Quinn seconded and all voted “Aye.”

Petitions - None
Resolutions by Function

**Law and Finance**

#18T-084  Authorization to Attend NYS Town Clerks Association Conference by Moore

WHEREAS, the New York State Town Clerk Association is dedicated to promoting the professional development of Town Clerks across the State as Administrative leaders, and

WHEREAS, the New York State Town Clerks Association’s 36th Annual Conference has been scheduled at the Desmond Hotel and Conference Center in Albany, New York, April 22, 2018 through April 25, 2018, and

WHEREAS, this conference provides vital information from State agency representatives and valuable training sessions on professional development for Town Clerks.

NOW, THEREFORE, BE IT RESOLVED, that Town Clerk, Amy M. Steklof, RMC/CMC and Deputy Clerk, Lisa S. Grosser, RMC are hereby authorized to attend the 2018 New York State Town Clerks Association Conference and the funds to attend this conference are included in the Town Clerk 2018 Budget.

Moved: Moore  
Seconded: Kohl

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

#18T-085  Setting a Public Hearing to Consider the Issuance of a Conditional Use Permit to Allow a Nail Spa at 1802 Penfield Road 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 nail spa at 1802 Penfield Road, located in the Four Corners (FC) zoning district;

NOW, THEREFORE, BE IT RESOLVED, that 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 be it further

RESOLVED, that the subject application is determined to be an Unlisted action pursuant to the State Environmental Quality Review Act (SEQRA); and be it further

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 April 18, 2018 at 7:00 PM on said date, to consider the said application and to hear all persons interested on the question of the issuance of a Conditional Use Permit to allow a nail spa at 1802 Penfield Road, in the Four Corners (FC) 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.
Penfield Town Board, March 21, 2018

(Resolution #18T-085 – Continued)

Moved: Moore  
Seconded: Kohl  

Vote:     Kohl  Aye  
         Metzler Aye  
         Quinn Aye  

Adopted

#18T-086 Setting an Informal Neighborhood Discussion Meeting to Discuss the Use of Transfer of Development Right to Consider the Development of 20 Townhomes on 10 +/- Acres at 1725 Scribner Road by Moore

WHEREAS, Steve Philippone, on behalf of Redstone Builders, Inc., 1140 Crosspointe Lane #8, Webster, New York 14580 requests an Informal Neighborhood Discussion with the Town Board to discuss the use of Transfer of Development Rights pursuant to Town Law 261-a to consider the development of twenty (20) townhomes on 10 +/- acres at 1725 Scribner Road. The property is owned by Daniel Owens and is zoned R-1-20.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the said Town of Penfield shall hold an Informal Discussion at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on April 18, 2018, at 7:00 PM on said date, to discuss the use of Transfer of Development Rights pursuant to Town Law 261-a to consider the development of twenty (20) townhomes on 10 +/- acres at 1725 Scribner Road; 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  
         Metzler Aye  
         Quinn Aye  

Adopted

Public Works

#18T-087 Authorization for the Town Board to Accept a Monroe County CDBG Grant for $29,592 for the 2017 LaSalles Landing Improvement Project and Execute Agreement YR42 by Metzler

WHEREAS, the Town of Penfield is a member of the Monroe County Community Development Block Grant Urban Consortium; and

WHEREAS, the Town of Penfield has entered into a cooperation agreement to participate in the Community Development Program, and comply with the Federal laws and requirements regulating the Program; and

WHEREAS, the Town of Penfield, after consultation with the public, has identified an appropriate use of potential Community Development funding in the Town; and

WHEREAS, the Town of Penfield made application to the Monroe County Development Administration for a project that satisfied it’s requirement; and
WHEREAS, the Monroe County Development Administration has awarded a grant for a maximum amount of $29,592 for the 2017 LaSalles Landing Park Improvement Project in the Town of Penfield; and,

WHEREAS, the Town of Penfield has deemed it in the best interest of the Town to accept this grant; and,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield accepts this grant and encourages the implementation of this project; and,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town of Penfield Supervisor, R. Anthony LaFountain be and hereby is authorized to execute an Agreement with Monroe County for said project and grant.

Moved: Moore  
Seconded: Kohl

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

Adopted

Public Safety - None

Community Services

#18T-088 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:

Earthworks Institute, 185 Caroline Street, Rochester, NY 14620, Instructor for Spring Break Adventure Day Camp, 4/2/18 – 4/6/18, for a fee of 70% of total program revenue. Voucher to be submitted 4/18/18.

Little Medical School, 510 Clinton Square, Rochester, NY 14604, Instructor for Little Medical School Spring Break Camp, 4/2/18 – 4/6/18, for a fee of 70% of total program revenue. Voucher to be submitted 4/18/18.

Steve Grills, 61 Linden Street, Rochester, NY 14620, to provide entertainment “Steve Grills and the Roadmasters” Saturday, September 15, 2018 for “Tastin’ the Blues” for a fee of $1,550.00. Weather Cancellation – Performer Steve Grills and the Roadmasters arrive at venue total payment if weather dictates cancellation prior to event by 10:00 AM day of event payment of $775.00. Voucher to be submitted on 8/15/18.

Frances DeWitte, 3 Bittersweet Circle, Penfield, NY 14526, Coordinator for Penfield Recreation Adult Tennis League, 6/5/2018 – 8/28/2018, for the fee of 70% of program net revenues. Vouchers to be submitted 6/6/18 and 9/19/18.

RocSports LLC, 7 Shenandoah East, Spencerport, NY 14559 to administer Recreational Adult Basketball league play consisting of an eight (8) week season and playoff games, providing USSSA league insurance with the Town of Penfield named as additional insured, team registration fees, referees fee, players T-shirts, 3/12/2018 – 5/7/2018 for a fee of 95% of team registration fees. Voucher to be submitted 4/4/18.
(Resolution #18T-088 - Continued)

Moved: Moore
Seconded: Kohl

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

Adopted

Old Business - None
New Business - None
Public Participation - None
Executive Session - None
Next Meeting - April 4, 2018

Adjournment

Deputy Supervisor Moore moved to adjourn the meeting at 7:22 PM.

Amy Steklof, RMC/CMC
Town Clerk