TOWN BOARD LEGISLATIVE AGENDA
Wednesday, August 15, 2018 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order - Pledge of Allegiance - Roll Call
II. Public Hearing - To Allow a Law Office and Apartment at 1771 Penfield Road
III. Communications and Announcements
IV. Public Participation
V. Additions and Deletions to Agenda
VI. Approval of Minutes - July 18, 2018
VII. Petitions
VIII. Resolutions by Function

Law and Finance
18T-154 Authorization to Attend APHNYS Conference
18T-155 Authorization for Supervisor to Sign a Service Agreement for Electronic Processing Services
18T-156 Budget Transfer - PCTV Contractual Services to Personal Services
18T-157 Authorization for Town Supervisor to Sign an Agreement to Accept American Express Credit Cards
18T-158 Authorization to Attend NYS Town Clerks Association Athenian Dialog and Regional Education Seminar
18T-159 Setting a Public Hearing to Consider a Conditional Use Permit to Allow Live Music in the Outdoor Dining Area at K2 Brewery located at 1221 Empire Blvd.
18T-160 Approval of Issuance of a Special Permit to Allow three (3) Apartments and Accessory Garages at a Penfield Landmark at 2567 Browncroft Blvd.
18T-161 Release of Pond Inspection Easement and Property Maintenance Agreement at 1661-B Five Mile Line Road

Public Works
18T-162 Authorization for Supervisor to Sign a Contract with LaBella Associates, D.P.C. for Geotechnical and Site Design Services
18T-163 Naming SRF Associates as a Consultant for Traffic Analysis Projects
18T-164 Naming of Transportation Consultant Barton and Loguidice, D.P.C. to the Town of Penfield

Public Safety - None

Community Services
18T-165 Authorization for Supervisor to Sign Recreation Contracts
IX. Old Business
X. New Business
XI. Public Participation
XII. Executive Session
XIII. Next Meeting: September 5, 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 1303. Questions regarding video coverage contact Penfield TV at (585) 340-8661.
The Regular meeting of the Penfield Town Board was held on Wednesday, August 15, 2018 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
Jim Costello  Director Developmental Services

Absent: Richard Horwitz  Town Attorney

Supervisor LaFountain called the meeting to order – Pledge of Allegiance

Public Hearing  To Allow a Law Office and Apartment at 1771 Penfield Road

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on July 26, 2018 and was posted on the Town Website and Town Clerk Bulletin Board. 15 postcards were mailed. Supervisor LaFountain confirmed Town Attorney Horwitz advised that this Hearing is in order.

Ted Pittinaro, owner of 1771 Penfield Road, stated he is representing the applicants Sheila Miller and Mark Lewis. The proposed hours of operation are Monday through Friday 9:00 AM to 5:00 PM. The applicants, who are a paralegal and attorney, will be the only ones working there. The law office is planned as a satellite office for the attorney. The applicants are uncertain as to how many clients will be visiting the office, but it will be on an as needed basis. There are approximately 8 – 10 parking spaces. Ms. Miller will be living in the apartment attached to the premises.

Supervisor LaFountain stated that Mr. Pittinaro had worked with Town staff to designate a driveway location, and it was agreed to have driveway access off of Penfield Road for the safety of those visiting the site. Supervisor LaFountain asked Mr. Pittinaro to speak about signage.

Mr. Pittinaro stated that two (2) signs will be located at the rear of the property on Mott’s Lane. He also stated he would like to place an entrance and exit arrow at the front of the property off of NYS RTE 441.

Councilwoman Metzler asked if Mr. Lewis will have his own sign.

Mr. Pittinaro stated he would, and that Mr. Lewis has received the sign requirements from Director of Developmental Services, Jim Costello in terms of size and appropriate locations.

Supervisor LaFountain asked if there will be weekend hours.

Mr. Pittinaro stated he is not aware of any.

Councilwoman Kohl inquired about the apartment that is included in the application.

Mr. Pittinaro stated that there is an upstairs apartment that Ms. Miller will be living in, and that there is also a downstairs room and kitchen at the rear of the building that Mr. Lewis will be using.

Supervisor LaFountain complimented Mr. Pittinaro for the work he has done to the outside of the property.
Mr. Pittinaro recognized his wife Carol for the work she has done to spruce up the property. He thanked Mr. Costello for his assistance with this application.

Mr. Costello stated that the paralegal is Mr. Lewis’ mother. He also stated that he has spoken with Ms. Miller on the sign requirements and that the sign package is being drawn up for the Town Board’s review.

Public Participation - None

Communications and Announcements

1. The American Red Cross will be holding a blood drive Wednesday, August 29, 2018 at the Penfield Community Center from 1:00 PM to 6:00 PM. For more information, please contact 1-800-RED CROSS or visit www.redcrossblood.org.

2. On Saturday, September 15, 2018 from 7:45 PM to 1:00 PM the Towns of Penfield and Webster will partner with Monroe County to host a Household Hazardous Waste Drop-off to be located at the Penfield Highway garage, 1607 Jackson Road. This is an appointment service only. Please call Penfield Department of Public Works at 340-8710 before Friday, September 14, 2018 or by going to www.monroecounty.gov/hhw.

3. The Penfield Town offices and Penfield Library will be closed on Monday, September 3, 2018 in observance of Labor Day.

4. Penfield Recreation’s 2018 fall program brochure is now available at www.penfieldrec.org. Early registration will be available for programs at www.penfieldrec.org to sign up.

5. The annual Tastin’ the Blues event will be held on Saturday, September 15, 2018 in Veteran’s Memorial Park from Noon until 4:00 PM. For details visit www.penfieldrec.org.

6. Councilwoman Kohl’s next Community Chat will be held on September 18, 2019 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Baird Road.

Public Participation

Christine Emerine, 79 Thorntree Circle, stated she has brought her son, Braden, to the Town Board meeting so that he could see how Town government works. She asked for an update on the use of pesticides used to treat Town property.

Supervisor LaFountain stated that the Town has significantly cut back on pesticide treatments and that the Town primarily spot treats for bees.

Ms. Emerine asked if signs are posted when spot treatments occur.

Supervisor LaFountain stated that the Town does put up signs to make residents aware when pesticides have been applied to an area. He also stated that coaches and teams are made aware of the treatments as well.

Ms. Emerine stated it would be helpful to have the signs put up for a longer period of time, so that people won’t be exposed and can avoid the area.

Supervisor LaFountain stated he will speak with DPW staff on a long term plan. He also said that the Town is investigating the use of organic products, and will inform Town residents by placing updated information on the Town’s website.
Braden Emerine asked why pesticides are used when the signs clearly show that pesticides are bad for kids and dogs.

Supervisor LaFountain stated that the signs are used to make people aware that pesticides have been applied in the area, and if someone is concerned, they should avoid the area.

Ms. Emerine said that although NYS mandates the use of pesticides on school grounds, there are alternative solutions to using pesticides and that the Town should consider researching other safer methods.

Supervisor LaFountain stated that the biggest worry is not the schools or the Town, it is the homeowners that use large quantities of pesticides to make their yards greener and pest free.

Mary Blanda, 2586 Browncroft Blvd., asked if residents will have an opportunity to ask questions and provide input for the upcoming Resolution #18T-160, pertaining to a Penfield Landmark at 2567 Browncroft Blvd.

Supervisor LaFountain stated this is the time to speak, for or against this topic, since it is on the agenda for this evening. He reminded residents that there was a Public Hearing for this application in June.

Ms. Blanda offered up a number of concerns pertaining to this agenda item.

Supervisor LaFountain stated that the Town Board may table the matter due to the number of concerns that have been brought up to the Town Board.

Councilwoman Metzler stated that anyone can attend a Town Board Legislative Session and talk about any Town subject during Public Participation.

Joan Stage, 39 Farmbrook Drive, said she already stated her concerns in a letter dated August 11, 2018 that the owner of 2567 Browncroft Blvd. will be renting out three (3) bedrooms to a number of unrelated people, and all will be using the same kitchen.

Supervisor LaFountain stated this is a concern of the Town Board as well.

Ms. Stage is also concerned with the number of garages proposed, and that the lights will be shining into the neighbors houses.

Supervisor LaFountain stated the Town Board will look into the issue. He also went over the process that would occur if the resolution gets passed.

Ms. Stage also stated she is concerned with the Mary Cariola center in the area.

Supervisor LaFountain stated the Town Board, Town staff and Town Attorney are currently addressing that issue.

Ms. Stage stated that there needs to be a clear definition in the Town code of what an apartment is.

Supervisor LaFountain stated the definition is straight forward, but in this day and age with people wanting to make extra money by renting out rooms in their homes is an issue since it is not permitted by Town code. The Town’s Code Enforcer is working on the addition of extra wording in the Town’s residential zoning document. He stated a process needs to be followed.
Ed Lindskoog, 40 Willow Pond Way, stated he is a member of Faith Lutheran Church which is directly across the street from the Mary Cariola facility, and is concerned with what goes into the house particularly because the church operates a full daycare.

Supervisor LaFountain stated the Town is waiting to see the new plan that is being drawn up for the property that may warrant further review by the Planning Board.

Mr. Lindskoog stated he would like to be informed of updates pertaining to the property.

Supervisor LaFountain stated there will be more information about Mary Cariola within the next couple of days.

Additions and Deletions to Agenda

Councilman Moore moved to add Resolutions #18T-166 and #18T-167, Councilwoman Kohl seconded.

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of July 18, 2018 Councilman Quinn seconded and all voted “Aye.”

Petitions

Supervisor LaFountain received a Petition from residents residing on Huntington Meadow requesting support for sidewalks to be put in on the street. Adding sidewalks will make it safer for residents walking or waiting for the school bus in that area.

Resolutions by Function

Law and Finance

#18T-154 Authorization to Attend APHNYS Conference by Moore

WHEREAS, The Association of Public Historians of New York State, is holding its 2018 Fall Conference at the Doubletree Hotel in Henrietta, New York, on to October 1-3, 2018; and

WHEREAS, the conference provides training, educational resources, and networking for Public Historians in New York State;

NOW, THEREFORE, BE IT RESOLVED that Kathy Kanauer, Penfield Town Historian attend the APHNYS Conference on October 1-3, 2018, registration and mileage not to exceed $200. Money will be allocated from the Historian’s Departmental budget.

Moved: Moore
Seconded: Kohl

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

Adopted

#18T-155 Authorization for Supervisor to Sign a Service Agreement for Electronic Processing Services by Moore

WHEREAS; the Town of Penfield has had a signed Agreement with Value Payment Systems, (VPS) for Web E-Payment System Services since 2012, and
Penfield Town Board, August 15, 2018

(Resolution #18T-155 – Continued)

WHEREAS; VPS has informed the Town of Penfield that the electronic processing services for the current platform will no longer be maintained and will eventually be phased out, and

WHEREAS; VPS plans to begin shifting processing to their alternate processor, T Tech, LLC, and

WHEREAS; the changes in Vendor will not affect the Town’s current fee or settlement schedule.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to sign a Service Agreement with T Tech (Transaction Technologies), LLC for continuation of electronic check processing services. Said Agreement to be approved by the Town Attorney.

Moved: Moore
Seconded: Quinn

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

Adopted

#18T-156 Budget Transfer – PCTV Contractual Services to Personal Services by Moore

WHEREAS, the Cable TV Coordinator requests a transfer of funds from contractual services to personal services, 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 2018 budget transfer be approved:

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Moved: Moore
Seconded: Metzler

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

Adopted

#18T-157 Authorization for Town To accept an Amended Supervisor to Agreement to Accept For American Express Credit Card Payments in the Town Clerk’s Office by Moore – AMENDED

WHEREAS, the Town of Penfield previously signed an agreement, whereby the Town agreed to provide residents with the option to pay general Town fees via Visa, Mastercard and Discover Card; and

WHEREAS, the Town has received requests to add American Express Card to the Credit Card payments currently accepted.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor Agreement is authorized to sign the amended Service Agreement to add American Express Credit Card payments to the list of Credit Cards currently accepted in the Town Clerk’s Office. Said Agreement to be approved by the Town Attorney.
Resolution #18T-157 – Continued

Moved: Moore
Seconded: Kohl

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

Adopted

#18T-158 Authorization to Attend NYS Town Clerks Association Athenian Dialog and Regional Education Seminar 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 has scheduled an Athenian Leadership dialog and Regional Education Seminar in Canandaigua, New York, and

WHEREAS, Regional Seminars provide the opportunity for Town Clerk’s to receive important and valuable training sessions on professional development and networking opportunities.

NOW, THEREFORE, BE IT RESOLVED, that Town Clerk, Amy M. Steklof, RMC/CMC is hereby authorized to attend the New York State Town Clerks Association Athenian Dialogue and Regional Educational Seminar in Canandaigua, New York on Saturday, September 15, 2018 and Monday, September 17, 2018 at a cost not to exceed $150.00. Funds to attend this Seminar are included in the Town Clerk 2018 Budget.

Moved: Moore
Seconded: Quinn

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

Adopted

#18T-159 Setting a Public Hearing to Consider a Conditional Use Permit to Allow Live Music in the Outdoor Area at K2 Brewery located at 1221 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 250-5.9.B-1 of the Code to allow live music in the outdoor dining area of the K2 Brewery at 1221 Empire Blvd., located in the LaSalle’s Landing 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 has classified this proposal as an Unlisted action; 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 September 5, 2018, at 7:00 PM on said date, to consider the said application and to hear all persons interested in the question of the issuance of a Conditional Use Permit to allow live music in the outdoor dining area of the K2 Brewery 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: Metzler

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

Adopted

#18T-160 Approval of Issuance of a Special Permit to Allow three (3) Apartments and Accessory Garages at a Penfield Landmark at 2567 Browncroft Blvd. by Moore

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Special Permit pursuant to Chapter 250-6.2-I of the Code to allow the conversion of a two (2) family residence to a multiple residence with construction of accessory garages at a Penfield Landmark at 2567 Browncroft Blvd., located in the R-1-20 zoning district;

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 June 6, 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 Special Permit to allow the conversion of a two (2) family residence to a multiple residence with construction of accessory garages at a Penfield Landmark at 2567 Browncroft Blvd., in the R-1-20 zoning district and the Public Hearing was closed and decision was reserved.

NOW, THEREFORE BE IT

RESOLVED, that the applicant’s request for a SPECIAL PERMIT to allow the conversion of a Penfield Landmark at 2567 Browncroft Blvd. to three (3) apartment units is hereby GRANTED subject to the following conditions:

1. The applicant shall obtain a SPECIAL PERMIT from the Town Clerk and pay the appropriate fee; said Special Permit shall be non-transferable and any future owner shall be responsible for obtaining a Special Permit from the Town Board to continue to use the site for three (3) apartments.

2. The applicant shall comply with the requirements of the Penfield Fire Marshal and Building Inspector to ensure compliance with the International Building Code. The applicant shall obtain any/all building permits to accommodate the proposed multi-residential use at this site.

3. The applicant proposes to construct up to six (6) garage units to accommodate the residents of the proposed units. The applicant shall submit a plan identifying the locations and building design to the Town Board, Planning Board and Historic Preservation Board for their review and approval.

AND BE IT FURTHER
RESOLVED, that the applicant’s proposal is classified as an Unlisted action pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and the Town Board has designated itself lead agency for this action and has determined that is proposal will not have a significant effect on the environment.

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

1. The applicant purchased the subject property on October 10, 2017. At the time of purchase the residence was classified as a three (3) family dwelling. This occurred in 1964 when a prior owner, Mary Ludwig requested and received a use variance from the Zoning Board of Appeals to convert it from a single family residence to a three (3) family residence to allow her to lease two (2) apartments. A subsequent owner utilized the site as a two (2) family dwelling. The use of the site as a three (3) family dwelling continued in effect based on the Zoning Board of Appeals grant of the use variance in 1964 which runs with the land.

2. The requested Local Landmark status for the site was granted by the Historic Preservation Board on November 2, 2017. Upon receiving the local designation, the applicant requested a Special Permit from the Town Board pursuant to Chapter 250.6.2-I of the Code to allow her to increase the number of units on the site from three to twelve (12) units and requested approval from the Planning Board of twelve garage units to comply with Code pertaining to parking requirements for multi-residential units.

3. The Town Board held a Public Hearing on June 6, 2018 whereat the applicant presented her proposal to the Board and the public. The Board and the public expressed concern that the applicant’s request was too intense for the site and would alter the essential character of the neighborhood.

4. The applicant subsequently met with the Town Board at its July 11, 2018 work session where the Board confirmed that twelve units were too intense for the site and requested the applicant to look at a reasonable reduction in the number of units to bring the proposal more in keeping with the character of the neighborhood, which is primarily single family residential.

5. The Town Board, at its August 8, 2018 work session, in its discussion with the applicant, made a determination that the applicant purchased the residence, knowing that it had legal status as a three (3) family dwelling which was approved in 1964, and further determined that the site, if utilized as a multiple dwelling could continue as a three (3) family dwelling as it could give the applicant additional income to help maintain the building, while maintaining the character of the surrounding single family residential neighborhood.

6. The applicant proposes to construct up to six (6) garage units to accommodate the Code requirements for multi-residential uses. Said garages shall be reviewed and approved by the Boards having jurisdiction in this matter.

7. The Board has granted a non-transferable Special Permit to ensure that any continuation of this use be required to be reviewed by the Town Board to ensure that any such modification protects the residential neighborhood and the historic character of the site.

Moved: Moore
Seconded: Kohl
(Resolution #18T-160 – Continued)

Table to September 5, 2018

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<th>Kohl</th>
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Adopted

#18T-161  Release of Pond Inspection Easement and Property Maintenance Agreement at 1661-B Five Mile Line Road by Moore

WHEREAS, the owners of property at 1661-B Five Mile Line Road have requested that the Town of Penfield release a Pond Inspection Easement and a Property Maintenance Agreement as both documents were granted in conjunction with a previous approval of a day care center, and its accessory drainage pond, neither of which were constructed; and

WHEREAS, it has been determined that since said Pond Inspection Easement, recorded in the Monroe County Clerk’s Office in Liber 10468 of Deeds, page 0653 has no utility situated within it and none is proposed to be installed within it, that there is no need on the Town’s part to retain said easement nor the accompanying Property Maintenance Agreement recorded in the Monroe County Clerk’s office in Liber 10468 of Deeds page 0652, both documents recorded on July 1, 2017: and

WHEREAS, the Town of Penfield intends to retain all other easements on the subject property which benefit the Town and its residents;

NOW, THEREFORE, BE IT RESOLVED, that the Penfield Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a Release of Easement to permit the release of the Pond Inspection Easement and the Property Maintenance Agreement at 1661-B Five Mile Line Road; and

BE IT FURTHER RESOLVED, that the Release of Easement and Release of Property Maintenance Agreement shall be in the Town’s format and shall be recorded in the Monroe County Clerk’s Office with a certified copy of this Resolution.

Moved: Moore  
Seconded: Quinn

Adopted

Public Works

#18T-162  Authorization for Supervisor to Sign a Contract with LaBella Associates, D.P.C. for Geotechnical and Site Design Services by Metzler

BE IT RESOLVED, that the Supervisor is hereby authorized to sign a contract, not to exceed $10,000.00 for services with LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614, to provide topographic surveys for both the box athletic field and the soccer fields, as well as geotechnical investigation and site design for the box athletic field at Rothfuss Park. This resolution and the proposal submitted by LaBella Associates, D.P.C. shall constitute the contract. This agreement to be reviewed and approved by the Town Attorney.
(Resolution #18T-162 - Continued)

BE IT FURTHER RESOLVED, as this agreement is to develop Town parkland for recreational purposes the Board hereby authorizes the appropriation of $10,000 from the Town’s Recreation Trust Special Revenue Fund as an amendment to the 2018 budget.

Moved: Metzler  
Seconded: Moore  

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

Adopted

#18T-163 Naming SRF Associates as a Consultant for Traffic Analysis Projects by Metzler

BE IT RESOLVED, that SRF Associates, 3495 Winton Place, Rochester, NY 14623 be named a Traffic Consultant for the Town of Penfield; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with SRF Associates, as outlined according its billing rates, which are on file with the Town Clerk effective as of April 1, 2018, as a Transportation Consultant to the Town of Penfield for the remainder of 2018 and 2019. Contract to be reviewed and approved by the Town Attorney; and

BE IT FURTHER RESOLVED, that the Town Board reserves the option to assign specific projects to internal staff and to other qualified Transportation firms in addition to SRF Associates, as necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2018 and 2019 at an agreed upon fee depending on the nature of the services performed.

Moved: Metzler  
Seconded: Kohl  

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

Adopted

#18T-164 Naming of Transportation Consultant Barton and Loguidice, D.P.C. to the Town of Penfield by Metzler

BE IT RESOLVED, that Barton and Loguidice, D.P.C., 443 Electronic Parkway, Liverpool, NY 13088 be named a Transportation Consultant for the Town of Penfield; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with Barton and Loguidice, D.P.C., as outlined in its letter, dated June 4, 2018, on file with the Town Clerk, which includes a schedule of fees for various services provided by Barton and Loguidice, D.P.C., as a Transportation Consultant to the Town of Penfield for the remainder of 2018 and 2019. Contract to be reviewed and approved by the Town Attorney, and

BE IT FURTHER RESOLVED, that the Town Board reserves the option to assign specific projects to internal staff and to other qualified Transportation firms in addition to Barton and Loguidice, D.P.C., as necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2018 and 2019 at an agreed upon fee depending on the nature of the services performed.
Penfield Town Board, August 15, 2018

(Resolution #18T-164 – Continued)

Moved: Metzler
Seconded: Quinn

Vote:

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Adopted

Public Safety - None

Community Services

#18T-165 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:

Penfield Sport and Fitness, 667 Panorama Trail W, Rochester, NY 14625, Water Yoga, Swim Lessons – 6 months – Age 3, Boot Camp, Personal Training Package and Weight Loss for Wellness, 9/18/18 – 11/13/18, for a fee of 70% of the total program revenue. Vouchers to be submitted 10/3 and 11/7/18.

Read to Respond Training Services, Domenic Danesi, 1440 Long Pond Road, Rochester, NY 14626, Babysitting - 10/8/18 and Safety First for Children - 10/8/18, for a fee of 70% of the total program revenue. Voucher to be submitted 10/17/18.

McWherter Equestrian LLC, 132 Country Manor Way, Apt. 19, Webster, NY 14580, Horseback Riding Intro, 10/15/18 - 11/14/18, for a fee of 70% of the total program revenue. Voucher to be submitted 11/7/18.

Perinton Youth Hockey, PO Box 1001, Fairport, NY 14450, Intro to Ice Skating and Hockey, 10/20/18 - 12/15/18, for a fee of 70% of the total program revenue. Voucher to be submitted 11/7/18 and 12/5/18.

Martha Sweeney, 74 Redwood Drive, Penfield, NY 14526, Painting and Drawing, 9/17/18 – 11/12/18, for a fee of 70% of the total program revenue. Vouchers to be submitted 10/3/18 and 11/7/18.

Steve Link, 11 Antelope Lane, Rochester, NY 14623, Dancing and Romancing and Social Smooth Ballroom Dancing, 9/20/18 – 11/15/18 for a fee of 70% of the total program revenue. Vouchers to be submitted 10/3/18 and 11/7/18.

Therese Bason, 10 Hampton Lane, Fairport, NY 14450, Barre 9/22/18 - 12/15/18 and Pilates Mat with Therese 9/18/18 – 12/11/18, for a fee of 75% of the total program revenue per class for 10 or less registrants or a fee of 70% of the total program revenue per class for over 10 registrants. Vouchers to be submitted semi-monthly.

Victory Fitness, 52 DePew Street, Rochester, NY 14611, Forever Fit- 9/18/18 - 12/20/18, Zumba Gold 9/12/18 - 12/19/18, Yogalates 9/20/18 - 12/20/18 and Line Dancing Workout 9/20/18 - 12/20/18, for a fee of 75% of the total program revenue per class for 10 or less registrants or a fee of 70% of the total program revenue per class for over 10 registrants. Vouchers to be submitted 10/3/18, 11/7/18 and 12/19/18.

Moved: Kohl
Seconded: Quinn
Penfield Town Board, August 15, 2018

(Resolution #18T-165 – Continued)

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

Adopted

Old Business - None

New Business

#18T-166 Setting a Public Hearing for a Conditional Use Permit to Allow a Personal Training Gym at 1844 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 personal training gym at 1844 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) thus does hereby designate itself as “lead agency” pursuant to SEQRA and has classified this proposal as an Unlisted action; 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 September 5, 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 personal training gym at 1844 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.

Moved: Moore
Seconded: Kohl

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

Adopted

#18T-167 Authorization to Accept and Certify the Standard Work Day Report for Elected and Appointed Officials by Moore

BE IT RESOLVED, that based on the record of activities kept by elected and appointed officials for three (3) months, their New York State Retirement will be credited for service time worked as per the attached form, RS 2417-A; and;

BE IT FURTHER RESOLVED, as required by New York State and Local Employees’ Retirement System, the Standard Work Day and Reporting Resolution for Elected and Appointed Officials (RS 2417-A) will be certified by the Town Clerk and made available to the public via the Town’s website and posted on the official signboard of the Town for a minimum of thirty (30) days after the resolution is adopted.
Moved: Moore
Seconded: Quinn

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

Adopted

Public Participation

Ed Lindskoog stated he has spoken with the Town on improved lighting, adding signage and adding a road shoulder at Willow Pond Way. He also spoke about “No Trespassing” signs to be posted, and a number of other issues that have occurred in that area. He would like a meeting with the neighborhood.

Supervisor LaFountain reminded Mr. Lindskoog that the Town cannot spend taxpayer’s money on private property, however, the Town can participate in a discussion with the Willow Pond/Watermark neighborhood.

Supervisor LaFountain stated he had received an e-mail from John O’Brien, 9 Redwood Drive, which asked if the Town of Penfield has worked with Greenlight to bring their service to Penfield. “Their lower cost/higher speed internet service would benefit many people.”

Supervisor LaFountain stated that Greenlight is in the Town of Penfield at different locations where there are poles, but a good portion of Penfield has its wires underground and at this time he does not believe that Greenlight is capable of setting up underground. The Town continues to work with Greenlight and other internet services to bring to the Town of Penfield.

Executive Session - None

Next Meeting - September 5, 2018

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 8:09 PM.

Amy Steklof, RMC/CMC
Town Clerk