TOWN BOARD LEGISLATIVE AGENDA
Wednesday, October 3, 2018 7:00 PM
Supervisor R. Anthony LaFountain, presiding

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

II. Public Hearing #1 - Town of Penfield 2019 Preliminary Budget and 2019 Special Districts Budget
Public Hearing #2 - To Allow a 4,692 square foot Animal Hospital at 1467 Empire Blvd., located in the LaSalle's Landing Development (LLD) Zoning District

III. Communications and Announcements

IV. Public Participation

V. Additions and Deletions to Agenda

VI. Approval of Minutes - August 15, 2018

VII. Petitions

VIII. Resolutions by Function

Law and Finance
18T-176 Authorization to Advertise a Request for Proposals (RFP) for Website Evaluation, Design and Implementation Services
18T-177 Authorization to Attend the 2018 Alliance for Community Media - North East Chapter (ACM-NE) Conference
18T-178 Budget Amendments and Transfers in the General Fund
18T-179 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow Private Drainage Pipes within a Storm Sewer Easement at 86 Bainbridge Lane
18T-180 Approval of Issuance of a Conditional Use Permit to Allow a Personal Training Gym at 1844 Penfield Road

Public Works - None
Public Safety - None
Community Services - None

IX. Old Business
X. New Business
XI. Public Participation
XII. Executive Session
XIII. Next Meeting: October 17, 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, October 3, 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

Also Present:  Amy Steklof  Town Clerk
                Richard Horwitz Town Attorney
                Bernadette Brinkman Library Director
                Barbara Chirdo    Town Comptroller
                Jim Costello      Director of Developmental Services

Absent: Robert Quinn Councilman

Supervisor LaFountain called the meeting to order – Pledge of Allegiance

Public Hearing #1  Town of Penfield 2019 Preliminary Budget and 2019 Special Districts Budget

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on September 13, 2018 and September 20, 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 Horwitz confirmed that this Hearing is in order.

Supervisor LaFountain recognized the Town of Penfield Department Heads for their ongoing attention to detail and services provided. He then recognized Town Comptroller, Barbara Chirdo. She presented the Preliminary Budget and gave a power point slide presentation that can be viewed on the Town’s website at www.penfield.org.

On the very first slide Ms. Chirdo went over a pie chart that broke down the property tax dollar. 68% is collected for school taxes, 24% is collected for county taxes and just 8.1% is collected for Town taxes.

The proposed 2019 budget, which includes Special Districts, is $20,259,606. This is an increase of $1,120,212 from last year. The 2019 Town tax rate is $2.78 per $1,000 of assessed property value which is an increase of approximately $.09 from 2018. This increase is due to the purchase of Shadow Pines Golf Course which was approved by 80% of voters at a Special Election in February 2018. The tax increase was anticipated to cover the Shadow Pines debt, estimated ownership and maintenance costs. The $.09 tax increase covers the Shadow Pines debt as well as the financing for the purchase of capital equipment for the Department of Public Works.

Ms. Chirdo stated that the Town’s tax levy is below the State tax levy cap and that the Town, through fiscal state monitoring, is fiscally sound moving forward.

The Preliminary Budget delivers the same level of services, finances the Shadow Pines purchase and maintenance, updates DPW equipment and adds a new playground at Harris Whalen Park.

Councilman Moore thanked Ms. Chirdo for her budget presentation. He stated that he is the Town Liaison for the Shadow Pines Land Use Advisory Committee that began meeting on September 18, 2018. He asked Ms. Chirdo to confirm that there is adequate funds under the Department of Public Works for upkeep and maintenance of the Shadow Pines property.

Ms. Chirdo stated that she had met with Eric Tait, Superintendent of Public Works, to go over what funds were needed to maintain the property and that those funds are included in the budget.
Councilwoman Metzler stated that the Town of Penfield is the first municipality to present the budget. She commended the Town of Penfield Department Heads for their efforts in helping put the Town’s Budget together. She mentioned that several municipalities and school districts override the State tax cap, but the Town of Penfield does not. She also pointed out that not all municipalities project forward three (3) years, as the Town of Penfield usually does, and that at times it can be difficult to partner with neighboring towns when they have not prepared for the future. She stated the Town of Penfield is fiscally sound and that other municipalities are being hit with significant tax increases since they do not do assessment updates as the Town of Penfield does.

Supervisor LaFountain stated the budget details have been uploaded to the Town’s website and that Ms. Chirdo and he will be available to address any questions regarding the 2019 Budget.

Public Participation – None

Supervisor LaFountain stated the Town has not yet received any comments regarding the Budget.

Councilwoman Kohl thanked Ms. Chirdo for her thorough presentation.

The Town Board will develop the Final Budget once they review any budget comments received through October 16, 2018. The adoption of the Final 2019 Budget is expected for October 17, 2018.

Hearing closed

Public Hearing #2 To Allow a 4,692 Square Foot Animal Hospital at 1467 Empire Blvd., Located in the LaSalle’s Landing Development (LLD) Zoning District – Laurelton Bayside Animal Hospital

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on September 13, 2018 and was posted on the Town Website and Town Clerk Bulletin Board. 11 postcards were mailed. Town Attorney Horwitz confirmed that this Hearing is in order.

Dan Pieters, architect for the project, introduced Kenneth Boehm, Chief Operating Officer of JARZ Holding, Inc., and owner of the parcel. He also introduced Tony Bingo of Bingo and Son Construction.

Mr. Pieters handed out a document that included responses to the Project Review Committee (PRC) comments dated September 26, 2018. He stated that this is a vacant parcel now that the single family farmhouse and garage have been removed. The intent is to construct a 4,692 sq. ft. one-story animal hospital on the property with added site improvements. There will be no basement. Dr. Boehm already has a practice on Empire Blvd. in Irondequoit. He would like to improve the quality of care for animals with the new hospital by adding more surgery and exam rooms. 18 parking spaces are planned at the site.

Mr. Pieters went over the responses to the PRC comments. All handouts have been included in the project file.

Dr. Boehm spoke about the hours of operation and signage for the business. He plans to have the hours of operation be from 7:00 AM to 7:00 PM, Monday through Friday open a half day on Saturdays and closed on Sundays. There will not be any overnight boarding.

Councilwoman Kohl inquired about the number of employees.

Dr. Boehm said there will be approximately 10 employees made up of an Office Manager, Technicians and another Doctor.
Supervisor LaFountain inquired about signage.

Dr. Boehm stated he is looking to have at least one (1) free standing sign.

Councilwoman Kohl asked if a logo for the sign has been decided on.

Dr. Boehm stated he has a logo being drawn up now.

Councilwoman Metzler stated that the parcel was overgrown, but the clean-up work that has been done so far makes the parcel look nice. She inquired about deliveries.

Dr. Boehm said there will be pet food deliveries. He also stated that there will be a separate exit on the side of the building to discretely pick up deceased pets.

Public Participation

Ed Lindskoog, 40 Willow Pond Way, stated he would like the trail system to expand up to Lincoln Park so that people can have the opportunity to walk their dogs in that area.

Mindy Maclaren, 1665 Five Mile Line Road, stated she is impressed with the work done so far on this application and supports the project.

Jim Costello, Director of Developmental Services, stated the Town of Penfield requires 7 foot wide sidewalks as opposed to 5 foot wide sidewalks so as to provide cars the ability to pull over the sidewalk without blocking it. Mr. Costello also stated that the Town of Penfield does require landscaping and that he will work with the applicant on a landscaping plan.

Councilman Moore thanked the applicant for choosing Penfield to locate his business.

Supervisor LaFountain went over next steps.

Hearing closed

Communications and Announcements

1. The Town’s annual Recycling Day Event will be held on Saturday, October 13, 2018 from 7:00 AM to 3:30 PM at the Department of Public Works, 1607 Jackson Road. For more information please contact 340-8710 or visit www.penfield.org.

2. The Penfield Town Offices and Penfield Library will be closed on Monday, October 8, 2018 in observance of Columbus Day.

3. The Penfield Trails Committee will sponsor a free guided hike at Monroe County’s Lucien Morin Park on Saturday, October 13, 2018 from 10:00 AM to Noon. Participants are encouraged to pre-register by contacting the Penfield Recreation Department at 340-8655.

4. The annual Family Halloween Event, at the Penfield Community Center, 1985 Baird Road, will be held on Friday, October 19, 2018. For more information, please visit www.penfieldrec.org.

5. Penfield’s Annual Community Bike Drop will be held on Saturday, October 6, 2018 from 10:00 AM to 1:00 PM at the Penfield Community Center. For more information, please visit www.rcommunitybikes.net.

6. Penfield Rotary’s Fall Euchre Tournament will be held on Sunday, October 21, 2018 at the Legacy at Willow Pond. For complete details visit www.penfieldrotary.org.
7. Councilwoman Kohl’s next Community Chat will be held October 16, 2018 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Baird Road.

Public Participation - None

Additions and Deletions to Agenda

Councilwoman Metzler moved to add Resolution #18T-181, Councilman Moore seconded.

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of August 15, 2018
Councilwoman Metzler seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#18T-176 Authorization to Advertise a Request for Proposals (RFP) for Website Evaluation, Design and Implementation Services by Moore

WHEREAS, the Town of Penfield has identified that the existing town web based technologies are limited in providing effective growth, future customer services and efficiency's; and

WHEREAS, the Town Board’s desire is to have a comprehensive and easily operates website for its residents, business, visitors and employees; and

WHEREAS, the Town Board is interested in obtaining quality services to meet its existing and future internet service needs with the best value possible;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to advertise a Request for Proposals (RFP) for the purpose of selecting a contract services to evaluate existing internet services and assist with the development and implementation of new town website and internet services.

Moved: Moore
Seconded: Kohl

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

Adopted

#18T-177 Authorization to Attend the 2018 Alliance for Community Media - North East Chapter (ACM-NE) Conference by Moore

WHEREAS, the Alliance for Community Media-North East Chapter represents local access community television stations, media centers and cable television franchising authorities thought the New York and New England region; and

WHEREAS, it is in the best interest of the Town of Penfield to provide adequate training and educational opportunities for employees to maintain high standards of current methods, laws, technologies & legislation;
NOW, THEREFORE BE IT RESOLVED, that Cable Television Coordinator, David Renner and Assistant Cable Television Coordinator, Brian Delameter is hereby authorized to attend the 2018 Alliance for Community Media - North East Chapter Conference, from October 11 - 13, 2018 in Schenectady, New York for a cost not to exceed $650.00 for registration, lodging, transportation and meals. Funds for this conference have been budgeted in the 2018 Cable Television Department budget.

Moved: Moore
Seconded: Metzler

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

Adopted

#18T-178  Budget Amendments and Transfers in the General 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, there is a need to for additional funds in the Town Attorney Department for outside legal services, and
WHEREAS, the Director of Developmental Services has identified Town property signs in need of refurbishing, 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 2018 budget amendments and transfers be approved.

Moved: Moore
Seconded: Kohl

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

Adopted

#18T-179  Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow Private Drainage Pipes within a Storm Sewer Easement at 86 Bainbridge Lane 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 Joseph M. and Kristi L. Shur, owners of property of 86 Bainbridge Lane, to permit private drainage pipes to encroach into a Storm Sewer easement to the Town of Penfield located at 86 Bainbridge Lane in a form and substance acceptable to the Town Attorney.

Moved: Moore
Seconded: Metzler

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

Adopted
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; 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 did designate itself as “lead agency” pursuant to SEQRA and has classified this proposal as an Unlisted action; and

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 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 the Public Hearing was closed and decision was reserved.

NOW, THEREFORE BE IT

RESOLVED, that the applicants’ request for a CONDITIONAL USE PERMIT to allow a personal training gym at 1844 Penfield Road is hereby GRANTED subject to the following conditions:

1. The applicant shall obtain a CONDITIONAL USE PERMIT from the Town Clerk and pay the appropriate fee.

2. The applicant shall comply with the occupancy requirements for this lease space that have been established by the Penfield Fire Marshal, in accordance with the New York State Uniform Fire Prevention and Building Code and obtain all necessary permits.

3. The applicant shall comply with the requirements of the Penfield Sign Ordinance for this site; specifically that the applicant shall submit a sign package for the business, which shall be reviewed and approved by the Town Board. Subsequent to Town Board approval, the applicant shall obtain a Sign Permit and pay the appropriate fee prior to the installation of any sign.

4. The applicant shall ensure that his business has adequate on-site parking at all times and that his business does not interfere or adversely impact other businesses operating from the site nor his neighbors immediately adjacent to this site.

5. This operation shall comply with all Federal, State, County and Town Codes.

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

AND, BE IT FURTHER

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

1. The proposed business, consisting of two (2) employees is a low traffic generating, appointment based business, scaled to such a degree that it will not adversely impact on-site parking facilities at any time.

2. The business is primarily an appointment only, one-on-one personal training operation with small group classes and conducted by the applicant and his wife, who is his business partner.
(Resolution #18T-180 – Continued)

3. The business is consistent with, and furthers the goals and objectives of the Four Corners zoning district.

Moved: Moore  
Seconded: Kohl

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

Adopted

Public Works - None
Public Safety - None
Community Services - None

Old Business - None

New Business

#18T-181 Authorization to Auction Surplus Equipment on October 6, 2018 at the Monroe County Fleet Center by Metzler

WHEREAS, the Director of Public Works has identified the attached list of equipment as surplus and available for public auction; and

WHEREAS, the Town Supervisor and the Director of Public Works be granted the authority to amend the attached list prior to final designation as surplus equipment;

NOW, THEREFORE, BE IT RESOLVED, that the following list of equipment be declared surplus and that the Director of Public Works be and hereby is authorized to enter into agreement with Roy Teitsworth, Inc., 6502 Barber Hill Road, Geneseo, New York 14454, to auction said equipment:

- Gorman Rupp Pump Station Equipment
- Office Furniture Partitions
- DeWalt Caulk Gun

BE IT FURTHER RESOLVED, that the proceeds resulting from the auction and the sale of this equipment be credited to the appropriate fund.

Moved: Metzler  
Seconded: Moore

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

Adopted

Public Participation - None

Executive Session - None

Next Meeting - October 17, 2018

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 8:18 PM.

Amy Steklof, RMC/CMC  
Town Clerk