TOWN BOARD LEGISLATIVE AGENDA
Wednesday, February 20, 2019, 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order - Pledge of Allegiance - Roll Call
II. Public Hearing #1 - To Consider Adoption of Local Law #1 of 2019 to Amend and Extend the Moratorium on the Prohibition of Public Golf Course Redevelopment within the Town of Penfield
III. Communications and Announcements
IV. Public Participation
V. Additions and Deletions to Agenda
VI. Approval of Minutes - January 16, 2019
VII. Petitions
VIII. Resolutions by Function

Law and Finance
19T-081 Authorization to Attend NYS Town Clerks Association Conference
19T-082 Adoption of Social Media Policy

Public Works
19T-083 Authorization to Recycle Phone System Equipment

Public Safety - None

Community Services - None
19T-084 Authorization for Supervisor to Sign Recreation Contracts

IX. Old Business
X. New Business
XI. Public Participation
XII. Executive Session
XIII. Next Meeting: March 6, 2019
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, February 20, 2019 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  
Richard Horwitz  Town Attorney  

Supervisor LaFountain called the meeting to order – Pledge of Allegiance

Public Hearing #1  To Consider Adoption of Local Law #1 of 2019 to Amend and Extend the Moratorium on the Prohibition of Public Golf Course Redevelopment 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 January 31, 2019 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 asked Town Attorney Dick Horwitz to briefly comment on the Hearing.

Town Attorney Horwitz stated that the Public Hearing is to enact further extension of the Moratorium and prohibition of public golf course redevelopment in the Town of Penfield. The Local Law would apply to the Shadow Lake public golf course and would run until 2020. He went on to say that the Local Law is intended to enable the Town’s Comprehensive Plan Committee to complete their recommendations for the zoning code. The work of the committee is expected to be completed this coming year.

Supervisor LaFountain asked Mr. Horwitz to comment on the difference between this Moratorium and the previous ones that the Town has enacted.

Mr. Horwitz stated this Local Law shall not apply to approximately 1.2 acres of land consisting of .588 acres between 1837 and 1845 Baird Road and .62 acres between 1875 and 1885 Baird Road which is adjacent to the Shadow Lake Golf course property. He went on to say that these two (2) small parcels have never been used as part of the golf course. It is zoned residential and there is desire from the owner to use those two (2) parcels for residential lot development.

Public Participation - None

Hearing closed.

Communications and Announcements

1. Please be mindful of your neighborhood fire hydrants and the Adopt a Hydrant program and structural heating exhausts. Additionally, keep your exhaust vent clear. Please visit www.penfield.org Fire Marshal’s office for more safety tips.

2. The Penfield Ecumenical Food Shelf (PEFS) is in need of non-perishable foods. For a listing of the items needed at the food shelf, go to www.penfieldecumenicalfoodshelf.org or call 234-0799. Donations can be made at the PEFS facility located at 1618 Jackson Rd.

3. The Penfield Players will perform their Winter Readers’ Theater show entitled “The Unavoidable Disappearance of Tom Durnin” on Saturday, February 23 and Sunday February 24, 2019 at 2:00 PM at the Penfield Community Center. For details please visit www.penfieldplayers.org.
4. On behalf of the Town Board, Councilman Moore congratulated Supervisor LaFountain for being named Elected Official of the Year by the Public Works Association, Genesee Chapter.

5. The Penfield Community Victory Garden will partner with Boy Scout Troop 230 for its 1st Annual Pasta Dinner Fundraiser which will be held Wednesday, February 27, 2019 beginning at 4:30 PM at the Penfield Community Center. For more information contact the Penfield Community Center at 340-8655.

6. Councilwoman Kohl’s next Community Chat will be held on Tuesday, March 19, 2019 from 5:30 PM to 7:00 PM at the Penfield Library.

Public Participation

Ed Lindskoog, 40 Willow Pond Way, stated that an accident on January 20, 2019 at the corner of Sweets Corners Road and Harris Road, took out an electrical pole that caused power outages in the Willow Pond community. He is concerned that the fire alarm system there has not been tested since the occurrence. He wants to make sure the system is functioning properly. He asked if there is anything in the Town code that states testing is required, specifically for the protection of residents residing in assisted living facilities.

Supervisor LaFountain stated he does not recall anything in Town code and is not sure if the State Uniform Code requires testing either. He will check with the Director of Building and Zoning and the Fire Marshal tomorrow and will ask for their feedback and have them follow up on the concern.

Councilwoman Metzler stated that the insurance company does have some sort of requirement and that it should be looked into.

Mr. Lindskoog also said he has met with the Transportation Committee regarding street lighting at the intersections of Kenmont Road and Baird Road, Wheelock Road and Baird Road, and Willow Pond Way and Willow Pond Way. He feels those intersections are too dark and need lighting.

Town Attorney Dick Horwitz suggested that the Town’s Code Enforcement could check with the State licensing that license nursing homes, assisted living facilities, etc. for their requirements.

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of January 16, 2019, Councilman Quinn seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#19T-081 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 37th Annual Conference has been scheduled at the Marriott Syracuse Downtown, Syracuse, New York, May 5 through May 8, 2019, 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 2019 New York State Town Clerks Association Conference and the funds to attend this conference are included in the Town Clerk 2019 Budget.

Moved: Moore
Seconded: Kohl

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

Adopted

#19T-082 Adoption of Social Media Policy by Moore

BE IT RESOLVED, the Board hereby adopts the attached “Social Media Policy”; consistent with the needs of the Town; AND

BE IT RESOLVED, such policy shall be incorporated into the Town’s Employee Handbook; AND

BE IT FURTHER RESOLVED, such policy will take effect immediately.

Moved: Moore
Seconded: Quinn

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

Adopted

See Attachment at end of Minutes

Public Works

#19T-083 Authorization to Recycle Phone System Equipment by Metzler

WHEREAS, the Director of Public Works has identified the attached list of electronic equipment as end of use and obsolete; and

WHEREAS, by NYS law, all electronics must be recycled by a certified electronics recycling facility; 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 obsolete equipment;

NOW, THEREFORE, BE IT RESOLVED, that the following list of electronic equipment be declared obsolete and that the Director of Public Works be and hereby is authorized to enter into agreement with Sunnking Electronics Recycling, 4 Owens Road, Brockport, New York 14420, to recycle said equipment:

- 60 – DT12D – 12 Button Display Telephones
- 12 – DT12DS – 12 Button Display Speakerphones
- 2 – DT24DS – 24 Button Display Speakerphones
- Associated Phone Equipment

BE IT FURTHER RESOLVED, that the proceeds resulting from the recycling of this equipment be credited to the appropriate fund.
(Resolution #19T-083 – Continued)

Moved: Metzler  
Seconded: Moore  

Vote: Kohl Aye  
      Metzler Aye  
      Quinn Aye  

      LaFountain Aye  
      Moore Aye  

Adopted

Public Safety

Community Services

#19T-084 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:

Michael Zarzycki, 8 Splendor Wood Dr., Penfield, NY 14526, to supervise as Director and provide instruction for Little Patriots Basketball, 1/1/19 – 3/16/19, for a fee of all program expenses as approved. Vouchers to be submitted monthly.

Bushido Kai Judo Club, c/o Heiko Rommelman, 240 Curtice Park, Webster, NY 14580, to supervise and provide instruction for the Bushido Kai Judo programs for Winter and Spring youth and adults 1/12/19 – 6/15/19 for the fee of 70% of program revenues. Voucher to be submitted at end of each session.

Moved: Kohl  
Seconded: Quinn  

Vote: Kohl Aye  
      Metzler Aye  
      Quinn Aye  

      LaFountain Aye  
      Moore Aye  

Adopted

Old Business - None

New Business - None

Public Participation

Ed Lindskoog, 40 Willow Pond Way, stated that they are experiencing a growth factor at the Faith Lutheran church in the Browncroft Blvd. neighborhood and are looking to expand. The church may be interested in purchasing the former James Johnson property which is now owned by Heidi Ames.

Supervisor LaFountain stated that the church should make sure that Jim Costello, Director of Developmental Services is brought into any discussions the church may have regarding purchasing property for expansion of the church.

Executive Session - None

Next Meeting – March 6, 2019

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 7:26 PM.
Town of Penfield

Social Media Policy

The Town of Penfield encourages employees to share information with management, co-workers, vendors and residents for the purpose of gathering information, generating new ideas, and increasing employee and community engagement. The use of the internet and specifically the use of social media (i.e. Facebook, Twitter, Snapchat, YouTube, LinkedIn, Instagram, blogs, personal websites et al.) has afforded inexpensive, informal and timely ways to participate in those exchanges of information and ideas.

The Town believes that information posted on the internet remains available to the public indefinitely and therefore must prioritize protecting employee and Town interests. The Town, therefore, expects to maintain the ability to determine and decide what is “spoken” on its behalf on social media sites. As such, the Town has established the following guidelines for employees’ personal and professional use of social media.

Official Town Social Media Use:
The Town maintains official Town of Penfield social media sites and authorizes certain employees to manage and post to those sites on behalf of the Town. Only those authorized to post on behalf of the Town may do so. The content of those posts must comply with this and all other Town policies as well as all applicable Federal, State and local laws, regulations, rules and policies.

Those employees authorized to manage and post to official Town of Penfield social media sites must follow these guidelines:

 Employees must ensure that items posted are accurate, factual and neutral in viewpoint.
 Posts may not include confidential information, including, but not limited to, confidential information about any employee, vendor, resident or other Town information.
 Employees may not publish posts that engage in demeaning, threatening or harassing behavior.
 Town procedures regarding record retention must be followed.

Personal Social Media Use:
The Town acknowledges employees’ rights to privacy and free speech that may protect online activity conducted on personal social media sites. However, what is published on such personal sites should not be attributed to or reference the Town and should not appear to be endorsed or originated from the Town. It is highly recommended that employees keep Town related information separate from personal social media accounts.

Use of social media may not interfere with employees’ work responsibilities. Use of social media during compensated work hours is not appropriate and will subject an employee to discipline.

Employees should be aware that the Town may observe or be otherwise made aware of content and information made available by employees through social media. Employees should use their best judgement in posting material that is neither inappropriate nor harmful to the Town, its employees, vendors or residents.

Employees that choose to list their work affiliation or reference their employment with the Town in any way on social media should regard all communication on the site as if it were a professional network. Employees must add disclaimers such as “The opinions stated here are my own and not representative of my employer” to make clear the employee is not speaking on behalf of the Town. In addition, employees may not:

 Disclose any Town or employee related confidential information.
 Post comments or images that are defamatory, pornographic, harassing, libelous, or that can create a hostile work environment.
 Post comments or images that violate Federal, State and local laws, regulations and rules or any Town policies.
 Use official Town email addresses or Town phone numbers as contact information.

The Town will promptly investigate reports of violations of this policy. Employees who are found to have violated this policy will be subject to discipline, up to and including termination of employment. The Town also reserves the right to take legal action when necessary against employees or others who engage in prohibited or unlawful conduct.

Nothing in this policy is intended to restrict conduct or speech that is protected by Federal or State laws or regulations.