TOWN BOARD LEGISLATIVE AGENDA
Wednesday, October 16, 2019, 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order - Pledge of Allegiance - Roll Call
II. Public Hearing - To Allow a Hair Salon at 1782 Penfield Road, Located in the Four Corners (FC) Zoning District
III. Communications and Announcements
IV. Public Participation
V. Additions and Deletions to Agenda
VI. Approval of Minutes - September 18, 2019, September 25, 2019
VII. Petitions
VIII. Resolutions by Function

Law and Finance
19T-190 Budget Amendments and Transfers in the General Fund
19T-191 Adoption of Final Budgets for Fiscal Year 2020 for the Town of Penfield
19T-192 Authorization for the Supervisor to Sign an Intermunicipal Agreement with Monroe County for the Stormwater Coalition of Monroe County

Public Works - None

Public Safety - None

Community Services - None

IX. Old Business
X. New Business
XI. Public Participation
XII. Executive Session
XIII. Next Meeting: November 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, October 16, 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  
Bernadette Brinkman  Library Director  
Barbara Chirdo  Town Comptroller  
Jim Costello  Director of Developmental Services

Supervisor LaFountain called the meeting to order – Pledge of Allegiance

Councilwoman Kohl presented a Proclamation to the Town Librarian, Bernadette Brinkman proclaiming October 20-26, 2019 as National Friends of Libraries Week. (See attachment at end of Minutes)

Ms. Brinkman thanked the “Friends of the Penfield Library” for their fundraising efforts and for helping make the Penfield Library one of the top libraries in Monroe County.

Public Hearing #1 To Allow a Hair Salon at 1782 Penfield Road, Located in the Four Corners (FC) Zoning District

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on September 26, 2019 and was posted on the Town Website and Town Clerk Bulletin Board. 18 postcards were mailed. Town Attorney Horwitz confirmed that this Hearing is in order.

Supervisor LaFountain asked the applicant, Sara Limburg, 2169 Five Mile Line Road, to give an overview of her proposal. Ms. Limburg stated she has been a hairstylist for 10 years. She now would like to open her own salon and name it after her maiden name which is Cinotti. She anticipates having three (3) work stations. She plans to use the upstairs of the building for esthetics which would include facials, waxing and eyelash extensions. She and her husband plan to add new laminate flooring throughout the house. She plans to use a large tote for waste management. Ms. Limburg stated she will have a maximum of four (4) employees (including herself). Staff will therefore use four (4) parking spaces and six (6) more parking spaces will be used for customer parking. Proposed hours of operation are Tuesday through Friday, 9:00 AM to 8:00 PM and Saturday from 8:00 AM to 4:00 PM. Ms. Limburg stated that her husband plans to create two (2) metal signs for the salon; one (1) to be placed in the front of the salon and another sign to be placed on Liberty Street. She has received permission from the neighbor who owns Bistro 1778 located at 1778 Penfield Road at the corner of Liberty Street and Penfield Road. She plans to meet with Mr. Costello to discuss setback and sign dimensions.

Councilwoman Metzler asked if she plans to include retail sales.  
Ms. Limburg stated yes.

Supervisor LaFountain inquired about building renovations.  
Ms. Limburg stated that nothing will be done to the structure, but they plan to add plumbing and plan to paint the building.

Public Participation - None

Hearing closed.
Communications and Announcements

1. Reminder: Beginning October 26 through November 3, registered voters in New York State will have a first experience of “Early Voting.” Individuals can go to a designated voting center in Monroe County to complete their ballot for the 2019 General Election. The hours of these locations will vary day to day, opening early some days and staying open later others. The Penfield Town Hall will be one of seven county wide centers offering Early Voting. The current planned hours are available on the Town’s website calendar at www.penfield.org. Voters are likely to see new equipment at the Early Voting centers. Electronic Poll Books (E-Poll Books), will be necessary to make sure voters only vote once. Individuals will not be able to go to another center and cast a ballot. Votes cast at an Early Voting center will not be counted until Election night. Those who vote on Tuesday, November 5, 2019, will go to their registered polling location to cast a ballot. All information regarding this year’s Election is available at www.monroecounty.gov/elections.

With Early Voting happening at the Town Hall, the Mobile DMV office will not be available in Penfield on Tuesday, October 29, 2019 or November 5, 2019.

2. Next week, October 21 – 25, 2019 is National School Bus Safety Week, an active education program, that serves as a reminder as to the importance of safety in school bus transportation. This year’s theme is “My School Bus, The Safest Form of Student Transportation!” While school districts throughout the country will be observing School Bus Safety Week, this is a time to remind motorists that New York State earlier this year increased the penalties for the conviction of passing a stopped school bus. Whether on the roadways or on school grounds, when a buses’ red lights are flashing, you must stop. School bus transportation plays a critical role in the education of students and it is important to keep school bus safety in the forefront.

3. It’s time to turn our clocks back one hour as daylight savings time is coming up on Sunday, November 3, 2019 at 2:00 AM. While setting your clocks back, take the opportunity to do a quick and easy review of your household emergency safety plan. Testing the batteries in your smoke alarms and CO2 detectors is the first line of defense in escaping from a house fire or gas leak. Smoke alarms should be replaced every 10 years, and should be on every floor of your home and in each sleeping area. It is important to maintain an emergency plan in your home so don’t forget to turn the clocks back and test your alarms on November 3.

4. Reminder: The Shepherd Home in Penfield is holding a “Mum Sale Fundraiser” through October 31, 2019 in partnering with Bauman’s Farm Market. Individuals can stop by Bauman’s at 1340 Five Mile Line Road to pick out a mum for $10. Mention to a staff member that your purchase is for the Shepherd Home and $5 will be contributed to the fundraiser. This sale helps continue to the mission of Shepherd Home to provide comfort and compassionate care to members of our community with a terminal illness. Details about the Shepherd Home can be found at www.shepherdhome.org.

5. Fall is now in full swing, which means leaves are not only covering our yards, but also our catch basins. The Department of Public Works, and the Engineering Department, would like to remind everyone that if you see a catch basin blocked by leaves, or other yard debris, please remove the items clear of a drain allowing for proper stormwater flow. Using a rake helps an individual from having to enter a roadway, while reducing the amount of waste that falls back into the basin. If left within a storm drain leaves not only can cause flooding of our roadways, but they also release unnatural high levels of nutrients into our water system.
Composting leaves on your property is a resourceful option in disposal of them. There are also local businesses and the service of Monroe County Eco Park as a reusable consideration. The Town performs a variety of stormwater maintenance activities throughout the year, but assistance is always appreciated.

6. The Town’s Annual Family Halloween Fun night will be held this Friday, October 18, 2019 from 6:00 PM to 8:00 PM at the Community Center. Join your friends and neighbors for games, trick-or-treat, hayrides, crafts, music and more! The Town would like to thank Woody Acres and the Rothfuss family for their generous contributions to this event each year. All activities are free for the evening. Information on this and other Halloween activities are available in the Pen Rec Fall Brochure and www.penfieldrec.org.

7. The ninth annual Penfield Community Bike Drop-off on October 5, 2019 resulted in 420 bikes being donated. This is the biggest event since the inception. 1,890 bikes have been donated overall since 2011 to R-Community Bikes through this event. R-Community Bikes collects and repairs these bicycles for distribution, free of charge, to the Rochester region’s less fortunate children and adults. Thank you to Penfield Rotary and the Penfield Recreation Department for collecting the bikes each year, and thank you to everyone for helping make a difference in someone else’s life.

8. This fall, the Penfield Players will be performing the comedy, “Rex’s Exes,” by Jessie Jones, Nicholas Hope, and Jamie Wooten. “Rex’s Exes” continues the story of the three (3) Verdeen cousins who were introduced in 2017 during the players production of “The Red Velvet Cake Wars.” Six (6) performances are scheduled for Friday and Saturday evenings at 8:00 PM during the period of October 25 to November 9, 2019. Sunday, November 3, 2019 there will be a 2:00 PM matinee. The show will be held at the Community Center on Baird Road and is directed by Sue Zuris. Tickets can now be purchased online at www.penfieldplayers.org by phone at 585-340-8655, or at the door on the night of the production. Come and enjoy “Your Community Theatre” this fall with “Rex’s Exes” where nothing in the story goes according to plan bringing a hilarious effect.

9. Councilwoman Kohl’s next Community Chat will be held on Tuesday, November 19, 2019 from 5:30 PM to 7:00 PM in the New Book area at the Penfield Library, 1985 Baird Road.

Public Participation

County Legislator of the 9th District, Debbie Drawe, 5 Cobblestone Crossing, stated she has reviewed the 2020 Town of Penfield Budget and encourages the Town Board to vote to adopt the budget. She stated she is proud of the Town’s Budget and stated that this budget is fiscally responsible with a savings of over $411,000 and still remains under the Tax Cap and continues to maintain quality services for our Town residents.

Additions and Deletions to Agenda

Councilman Moore moved to add Resolution #19T-193, Councilwoman Kohl seconded.

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of September 18, 2019, Councilman Quinn seconded and all voted “Aye.”

Councilwoman Kohl moved to approve the Minutes of September 25, 2019, Councilwoman Metzler seconded and all voted “Aye.”
Penfield Town Board, October 16, 2019

Petitions - None

Resolutions by Function

Law and Finance

#19T-190 Budget Amendments and Transfers in the General Fund by Moore

WHEREAS, contractual services appropriations in the Building Department require an increase from fees collected, and

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

WHEREAS, the Director of Public Works requires a transfer in the Parks Account for parks maintenance activities, 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 2019 budget amendments and transfers be approved

AMENDMENTS:

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Amount</th>
<th>Appropriations</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A00-3620-1560-0000</td>
<td>$2,000</td>
<td>A00-3620-0004-4032</td>
<td>$2,000</td>
</tr>
<tr>
<td>Fees for Vacant Properties</td>
<td></td>
<td>Contractual Services</td>
<td></td>
</tr>
<tr>
<td>A00-7551-2001-0012</td>
<td>$1,646</td>
<td>A00-7551-0004-4012</td>
<td>$1,646</td>
</tr>
<tr>
<td>Town Gardens</td>
<td></td>
<td>Town Gardens</td>
<td></td>
</tr>
<tr>
<td>A00-6772-2001-0001</td>
<td>$3,800</td>
<td>A00-6772-0004-4042</td>
<td>$3,800</td>
</tr>
<tr>
<td>DEAR</td>
<td></td>
<td>DEAR</td>
<td></td>
</tr>
<tr>
<td>A00-7140-2001-0018</td>
<td>$15,000</td>
<td>A00-7140-0004-4017</td>
<td>$15,000</td>
</tr>
<tr>
<td>Sports</td>
<td></td>
<td>Sports</td>
<td></td>
</tr>
<tr>
<td>A00-7140-2001-0011</td>
<td>$10,000</td>
<td>A00-7140-0004-4031</td>
<td>$10,000</td>
</tr>
<tr>
<td>Soccer</td>
<td></td>
<td>Soccer</td>
<td></td>
</tr>
</tbody>
</table>

General Fund: $32,446 $32,446

TRANSFERS:

<table>
<thead>
<tr>
<th>From</th>
<th>Amount</th>
<th>To</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A00-7110-0002-2200</td>
<td>$8,000</td>
<td>A00-7110-0004-4003</td>
<td>$8,000</td>
</tr>
<tr>
<td>Parks Light Duty Equip</td>
<td></td>
<td>Parks Maintenance</td>
<td></td>
</tr>
</tbody>
</table>

Total: $8,000 Total: $8,000

Moved: Moore
Seconded: Kohl

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

Adopted

#19T-191 Adoption of Final Budgets for Fiscal Year 2020 for the Town of Penfield by Moore

WHEREAS, the Town Board of the Town of Penfield having on the 2nd day of October 2019 commencing at 7:00 PM, duly held a Public Hearing on the preliminary budgets for the fiscal year beginning January 1, 2020, and

WHEREAS, all requirements of Article 102 through 109 of the New York State Town Law for preparation and adoption of the General, Highway, and Library Budgets have been met, and
(Resolution #19T-191 - Continued)

WHEREAS, all requirements of Article 15 of the New York State Town Law for preparation and adoption of the Special District budgets have been met, and

WHEREAS, in addition to the above legal requirements, a presentation of the 2020 Tentative Budget was made at the Town Board meeting on September 18th and,

WHEREAS, all persons desiring to be heard in the matter of the budgets of the Town of Penfield for fiscal year 2020 having been fully heard,

NOW THEREFORE, BE IT RESOLVED, that the Final Budgets for the General, Highway, and Library Funds, and the Special Districts be and the same are hereby adopted as the annual budgets for the fiscal year beginning January 1, 2020, and that such annual budgets as so adopted, be entered in detail in the Minutes of the proceeding of this Town Board, and the annual budgets made available for public inspection at the Town Clerk’s Office during normal business hours as well as in the Finance Office at the Town Hall located at 3100 Atlantic Avenue, and the Public Library at 1985 Baird Road, and

BE IT FURTHER RESOLVED, that the Clerk of the Town of Penfield prepare and certify as provided by Law, duplicate copies of said annual budgets together with Assessment Rolls for the Town, and deliver one of such copies to the Supervisor of this Town, and that the Supervisor shall provide such copy to the Monroe County Legislature, as required by Law.

Moved: Moore
Seconded: Quinn

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

Adopted

#19T-192 Authorization for the Supervisor to Sign an Intermunicipal Agreement with Monroe County for Stormwater Coalition of Monroe County by Moore

WHEREAS, the Town of Penfield recognizes the importance of protecting water quality and the value of our water resources; and

WHEREAS, the Town of Penfield has been a member of the Stormwater Coalition of Monroe County since its inception in 2000; and

WHEREAS, the Coalition has prepared a new Stormwater Coalition Intermunicipal Agreement; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to continue participation in the Coalition; and

NOW, THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the Stormwater Coalition Intermunicipal Agreement subject to the review and approval of the Town Attorney.

Moved: Moore
Seconded: Metzler

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

Adopted

Public Works - None

Public Safety - None
Community Services - None

Old Business - None

New Business

19T-193 Authorization for Town Board to Waive Marriage License Fee for Active Duty Members of the Armed Forces by Moore

WHEREAS, on August 20, 2019, the Governor passed a law waiving the State Fee on Marriage Licenses for active duty members of the Armed Forces; and

WHEREAS, that Domestic Relations Law Section 15, Subdivision 4 states that the Town may elect to waive the portion of the fee to which the Town is entitled; and

WHEREAS, that Domestic Relations Law Section 14-a, Subdivision 3 states that a Town may elect to waive the fee for any certificate when either party making application for any certificate required by the Veterans Administration or by the division of Veterans’ Affairs of the State of New York to be used in determining the eligibility of any person to participate in the benefits made available by the Veterans Administration or by the State of New York, is an active duty member of the Armed Forces of the United States; and

WHEREAS, the Town Board of the Town of Penfield desires to waive the portion of the marriage license fee to which the Town is entitled and the certificate fee for those active duty members of the Armed Forces of the United States for the purpose contained herein.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Penfield hereby waives the portion of the marriage license fee, to which the Town is entitled, for active duty members of the Armed Forces of the United States.

AND BE IT FURTHER

RESOLVED, that the Town Board of the Town of Penfield hereby waives the certificate fee for members of the Armed Forces of the United States on active duty when the certificate is required by the Veterans Administration or by the division of Veterans’ Affairs of the State of New York to be used in determining the eligibility of any person to participate in the benefits made available by the Veterans Administration or by the State of New York.

This resolution shall take effect immediately.

Moved: Moore
Seconded: Kohl

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

Adopted
Syed Ahmed Mustafa, MBA, President, Board of Directors NYS-EMT Paramedic, Northeast Quadrant Advanced Life Support and Webster Emergency Medical Service, thanked Supervisor LaFountaine for recognizing him in the audience for all NEQALS does with EMS and First Response in the Town.

Mr. Mustafa said that the transparency and visibility we have with Penfield Town Government is unprecedented and that this Town Board has always been open. If a question is asked you will get an educated answer. He says that residents should take advantage of the Town’s open government policies and watch the Board meetings on television or come to meetings to hear firsthand on what is happening in the Town.

Mr. Mustafa also reminded everyone that smoke detectors should be replaced every 10 years and CO2 detectors should be replaced every 7 years.

Lastly, Mr. Mustafa mentioned that a child was hit by a car on Creek Street last week. He reminded everyone, with Halloween approaching, please make sure your children are supervised, their outfits are properly illuminated and don’t cut through yards, traffic and neighborhoods. It will be dark and he wants everyone to stay safe.

Supervisor LaFountaine stated that he is always interested in having a guest author for his weekly column, and would be happy to have Mr. Mustafa submit information for the column.

Executive Session - None
Next Meeting - November 6, 2019
Adjournment
Supervisor LaFountaine moved to adjourn the meeting at 8:00 PM.
National Friends of Libraries Week October 20-26, 2019

WHEREAS, the Friends of the Penfield Public Library raise money that enables our library to move from good to great—providing the resources for additional programming, much needed equipment, support for children’s summer reading, and special events throughout the year; and

WHEREAS, the work of the Friends highlights on an ongoing basis the fact that our library is the cornerstone of the community, providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present; and

WHEREAS, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers’ advisory, and children’s services; and

WHEREAS, the Friends’ gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community; and

NOW, THEREFORE, BE IT RESOLVED THAT R. Anthony LaFountain, Supervisor, proclaims October 20–26, 2019, as Friends of Libraries week in Penfield, New York, and urges everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

Dated: October 16, 2019

R. Anthony LaFountain, Supervisor

Linda Kohl, Councilwoman  •  Paula Metzler, Councilwoman  •  Andy Moore, Councilman  •  Rob Quinn, Councilman