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

I. Call to Order - Pledge of Allegiance - Roll Call
II. Communications and Announcements
III. Public Participation
IV. Additions and Deletions to Agenda
V. Approval of Minutes - October 16, 2019
VI. Petitions
VII. Resolutions by Function

Law and Finance
19T-203 Authorization for Release of a Sanitary Sewer Easement UE-3 and a Multi-Use Trail Easement PAE-1 Located on 777 Panorama Trail
19T-204 2019 Budget Transfers - General Fund and Sewer Fund
19T-205 Resolution Concerning Hearing Officer Report and Recommendation in NYS Civil Service Law Section 75 Proceeding

Public Works
19T-206 Authorization to Advertise for Sealed Bid Proposals for Demolition Services for the Removal and Clean-up of 124 Beacon Hills Drive South

Public Safety - None

Community Services - None

VIII. Old Business
IX. New Business
X. Public Participation
XI. Executive Session
XII. Next Meeting: December 4, 2019
XIII. 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, November 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  

Absent: Richard Horwitz  Town Attorney  

Supervisor LaFountain called the meeting to order – Pledge of Allegiance

Councilman Moore presented a Proclamation to Marie Cinti, President of the Penfield Business Chamber of Commerce. The Proclamation recognized Saturday, November 30, 2019 as “Small Business Saturday.”

Councilman Moore stated he was honored to present the Proclamation to Ms. Cinti and recognized the importance of local small businesses and the important contributions they make to the economy and community.

Ms. Cinti thanked the Town Supervisor and Town Board members for being advocates of the Penfield Business Chamber and stated that every dollar that is spent in the Town of Penfield, 68% stays in the community and benefits the entire community.

Communications and Announcements

1. There are still leftover Deer Management Permits, (DMP’s) which continue to be issued on a first come/first serve basis. All applications will be accepted only in person. Applications will not be accepted by phone, mail or online. Hunters may apply for and receive up to two (2) additional DMP’s. Applicants with licenses that are exempt from paying a DMP Application fee or hunters who have previously applied for DMP’s during this license year will not be charged any additional fees during the extended application period. DMP’s are only valid for antlerless deer in Wildlife Management Units.

2. The Penfield Ecumenical Food Shelf’s annual Thanksgiving Distribution will be held on Saturday, November 23, 2019. If you are able, please consider donating a frozen turkey. The PEFS was established in 1997 and was created to meet the needs of the Penfield Community for those in need of emergency food. The PEFS is 100% donation based and volunteer run. If you can donate a frozen turkey please email penfieldfoodshelf@gmail.com or contact Town Clerk Amy Steklof at steklof@penfield.org for more information.

3. Winter and Snow plow rules are currently in effect through to April 1, 2020. This means no parking is allowed on all roads and highways between 2:00 AM and 7:00 AM to allow highway crews to safely and effectively maintain roads. For more information regarding Winter and Snow Plow rules, please visit www.penfield.org.

4. The holiday season is a time when individuals are looking to donate to different groups and organizations to help those in need. “Matt’s Coats for Kids” was started by the family and friends of Matthew J. Fitton in the fall of 2004. Matthew lost his life in a tragic car accident in August 2003 at the age of 20. Each year, the organization collects and donates new or gently used coats and other items to area children who need help in keeping warm during the winter months. To date, more than 9,000 items have been distributed.
Residents can help keep Matt’s memory alive by dropping off winter outerwear at the Town Hall or Community Center from now until December 2, 2019. Information about “Matt’s Coats for Kids” is available at [www.mattscoats.webs.com](http://www.mattscoats.webs.com) or by calling 585-721-5289.

5. The Town Offices will be closed on Thursday, November 28, 2019 and Friday, November 29, 2019 in observance of the Thanksgiving Day Holiday. The Penfield Library will close early on Wednesday, November 27, 2019 at 5:00 PM and remain closed on Thursday, November 28, 2019, re-opening Friday, November 29, 2019.

6. Residents may begin reserving the Penfield lodges and shelters for 2020 on Wednesday, December 4, 2019 at 10:00 AM. Lodges and shelters may be reserved online or in person; however, we highly recommend reserving online. You will need a Penfield Recreation household account in order to reserve, so please make sure you do this before December 4, 2019 to avoid reservation delays. For more information and to obtain a household account, please go to [www.penfieldrec.org](http://www.penfieldrec.org).

7. A ribbon-cutting ceremony for the new box turf field at Rothfuss Park was held this past Saturday, November 16, 2019. Senator Rich Funke, who provided an $80,000 grant for the project, cut the ribbon with Supervisor LaFountain. Members of the Penfield Youth Lacrosse team attended the ceremony. Heidi Rothfuss also attended the ceremony and was recognized as one of the top women lacrosse players in the region.

8. Councilwoman Kohl’s next Community Chat will be held on Tuesday, December 17, 2019 from 5:30 PM to 7:00 PM in the New Book area at the Penfield Library, 1985 Baird Road.

Public Participation - None

Additions and Deletions to Agenda - None

Approval of Minutes

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

Petitions - None

Resolutions by Function

Law and Finance

#19T-203 Authorization for Release of a Sanitary Sewer Easement UE-3 and a Multi-Use Trail Easement PAE-1 Located on 777 Panorama Trail by Moore

WHEREAS, the owners of the property at 777 Panorama Trail have requested that the Town of Penfield release an existing sanitary sewer easement UE-3 and a multi-use trail easement PAE-1 on said property; and

WHEREAS, the original easements were recorded in the Monroe County Clerk’s Office in Liber 12205 of Deeds, page 241 and Liber 12205 Page 256 respectively; and

WHEREAS, modifications to the road and site layouts made the easements no longer viable and necessary for the Town of Penfield; and

WHEREAS, new easements have been prepared and will be filed in place of these abandoned easements; and
NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a Release of Easement in order to abandon an existing sanitary sewer easement UE-3 and a multi-use trail easement PAE-1 as shown on maps prepared by BME Associates, dated 5/23/2019.

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

Moved: Moore  
Seconded: Kohl  

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

Adopted

NOW, BE IT RESOLVED that the attached budget transfers be approved.

<table>
<thead>
<tr>
<th>FROM</th>
<th>TO</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A00-3510-0001-1013</td>
<td>A00-9060-0008-8003</td>
<td>$15,000</td>
</tr>
<tr>
<td>Animal Control PT Medical-Retiree</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A00-9010-0008-8000</td>
<td>A00-9060-0008-8003</td>
<td>$45,000</td>
</tr>
<tr>
<td>Retirement Medical Retiree</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total General Fund: $60,000

<table>
<thead>
<tr>
<th>FROM</th>
<th>TO</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>S10-9040-0008-8000</td>
<td>S10-9060-0008-8001</td>
<td>$6,000</td>
</tr>
<tr>
<td>Workers Comp Insurance Medical</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Sewer Fund: $6,000

Moved: Moore  
Seconded: Quinn  

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

Adopted

<table>
<thead>
<tr>
<th>FROM</th>
<th>TO</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>S10-9040-0008-8000</td>
<td>S10-9060-0008-8001</td>
<td>$6,000</td>
</tr>
<tr>
<td>Workers Comp Insurance Medical</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#19T-204 2019 Budget Transfers – General Fund and Sewer Fund by Moore

WHEREAS, transfers of funds are necessary for anticipated expenditures and reconciliations as the year end approaches, 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 attached budget transfers be approved.

Moved: Moore  
Seconded: Quinn  

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

Adopted

WHEREAS, the Town Board designated Allan Berry as its hearing officer (Resolution #19T-159) to conduct a hearing regarding charges filed against Y.G. pursuant to Section 75 of the New York State Civil Service Law and to provide the Board with a report and recommendations as to whether Y.G. was guilty of some or all of the charges that were filed against Y.G. and, if so, what penalty was recommended; and

WHEREAS, Hearing Officer Berry has provided the Board with his Report and Recommendation dated October 28, 2019 (the “Hearing Officer’s Recommendation”); and
WHEREAS, each member of the Board has had ample opportunity to review and deliberate upon:  (1) the transcript of the Section 75 Hearing and all exhibits that were admitted into evidence at that Hearing, (2) the post-hearing briefs that were submitted to Hearing Officer Berry, and (3) the Hearing Officer’s Recommendation.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Penfield takes the following action with respect to the Hearing Officer’s Recommendations:

1. The Board adopts the recommendations of the Hearing Officer concerning Y.G.’s guilt on each of the charges.
2. The Board modifies the recommendations of the Hearing Officer concerning the penalty as follows: the Board finds the misconduct of which Y.G. has been found guilty constitutes moral turpitude and therefore terminates Y.G.’s employment immediately.

Moved: Moore
Seconded: Metzler

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

Adopted

Public Works

#19T-206 Authorization to Advertise for Sealed Bid Proposals for Demolition Services for the Removal and Clean-up of 124 Beacon Hills Drive South by Metzler

WHEREAS, that the Penfield Town Clerk be, and hereby is, authorized to advertise, in the manner prescribed by Law, seeking sealed proposals to provide building demolition services for the removal and clean-up of a site located at 124 Beacon Hills Drive South; and

WHEREAS, the Building, Zoning, Code Enforcement Administrator and the Town Board have declared the structure to be hazardous and a threat to public safety; and

NOW BE IT RESOLVED, that the services covered by such proposals shall be in accordance with the specifications prepared by the Building and Zoning Administrator. Sealed proposals are to be submitted to the office of the Town Clerk until 11:00 AM local time Friday, December 13, 2019 and then and there to be opened by the Town Clerk and read publically.

Moved: Metzler
Seconded: Moore

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

Adopted

Public Safety - None
Community Services - None
Old Business - None
New Business - None
Public Participation - None
Executive Session - None

Next Meeting - December 4, 2019

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 7:16 PM.

Amy Steklof, RMC/CMC
Town Clerk
Small Business Saturday, November 30, 2019

WHEREAS, the Town of Penfield, NY recognizes the importance of local small businesses and the important contributions they make to our local economy and community; and

WHEREAS, according to New York State Empire State Development, small businesses make up 98 percent of New York State business, and employ more than half the state’s private sector workforce; and

WHEREAS, 91 percent of consumers in the United States agree that small businesses contribute positively to the local community by supplying jobs and generating tax revenue; and

WHEREAS, more than 75 percent of all consumers plan to shop at one or more small businesses as part of their holiday shopping; and

WHEREAS, small businesses are critically important to the overall economic health of the United States, highlighting the impact of supporting local businesses in communities like Penfield; and

WHEREAS, residents benefit from easy access to Penfield’s six business districts and thriving farm markets throughout the year and holidays; and

WHEREAS, the Town of Penfield is committed to providing entrepreneurs and small business owners the support they need to thrive and grow through the Town’s Office of Business Development and business-friendly streamlined zoning procedures; and

WHEREAS, public and private organizations from across the nation, including Penfield Business Chamber, have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, BE IT RESOLVED THAT I, Tony LaFountain, Supervisor of the Town of Penfield, New York, do hereby proclaim Saturday, November 30, 2019 as Small Business Saturday in the town of Penfield and urge our residents to support small business merchants on Small Business Saturday and throughout the year because healthy businesses make a healthy community for all.

Dated: November 20, 2019

R. Anthony LaFountain, Supervisor

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