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 - none

VI Petitions

VII Resolutions by Function

Law and Finance
#10T-091 Declaration of “Silver Star Banner Day” – May 1, 2010
#10T-092 Appointment of Ronald Young to the Board of Assessment
#10T-093 Appointment of Temporary Members to the Board of Assessment

Review

#10T-094 Acknowledging the Great Lakes Small Harbor Coalition and Authorizing Membership

Public Works
# 10T-095 Appointments to the Energy & Environmental Advisory Committee
# 10T-096 Re-Advertising for Bids for New 1 ½ to 2-ton Pavement Roller
# 10T-097 Authorization to Attend New York Chapter of APWA Annual Conference

Public Safety - None

Community Services
#10T-098 Award Bid for Window Replacement Penfield Town Hall
#10T-099 Award Bid for Metal Roof for Harris Whalen Lodge
#10T-100 Authorization for Supervisor to Sign Recreation Contracts

VIII Old Business

IX New Business

X Public Participation

XI Adjournment
The Regular Meeting of the Penfield Town Board was held on Wednesday, March 17, 2010 at 7:30 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 was led by County Legislator of the 15th District, Dan Quatro.

Supervisor LaFountain stated that starting this month, the Town Board will be spotlighting our business districts to make the Town of Penfield residents aware of our six (6) business districts. Businesses in those areas are encouraged to come speak to the Town Board on their behalf.

A short video clip was shown highlighting the Browncroft Corners Business District, which is one of the six (6) major business districts serving the Town of Penfield and neighboring communities.

Supervisor LaFountain thanked Dave Renner and the PCTV staff for putting the video clip together.

Supervisor LaFountain introduced Christine Peters, President and CEO of Family First Credit Union. Family First is one of the Bicentennial sponsors. Ms. Peters thanked the Town Board for giving her the opportunity to speak and for having Family First Credit Union the first business identified in this spotlight series.

Ms. Peters stated that the Family First Credit Union originally began in 1969 as the Penfield Central Schools Credit Union and later was known as the Penfield Federal Credit Union. In 2002, the name changed to Family First in recognition of the fact that they serve other Towns in this area and not only the Town of Penfield. Ms. Peters gave an overview of the Credit Union and welcomed anyone who is interested in learning more about the organization to stop in at the Family First Headquarters on Browncroft Boulevard or at their branch in Webster on Ridge Road, or their branch in Perinton at Cedarwood Office Park.

Supervisor LaFountain stated that the Town Board appreciates the relationship and partnership we have with the businesses in Penfield and that a healthy business is a healthy community.

Supervisor LaFountain thanked Ms. Peters for taking the time to come in and speak to the Town Board meeting this evening and recognized Mary Lou Lunt who was in the audience and is part of the Family First Credit Union team.

Supervisor LaFountain introduced Shepherd Home Board members Jeff Burns and Gail Van Belzin. Mr. Burns stated that Shepherd Home is a comfort care facility and that Supervisor LaFountain is one of the volunteers at the facility. The goal of the Shepherd Home is to help the residents of the Shepherd Home to live out their remaining days with as much joy, comfort and dignity as possible. The Shepherd Home does not charge any fees for their services, therefore, the facility relies on fundraising. The Shepherd Home’s largest fundraiser is their annual Spring Gala. This year the Gala will be on Saturday, April 10, 2010, 6:00 PM at Midvale Country Club. Co-chair for the event, Gail Van Belzin, stated that this is their 6th annual event. The theme for this year’s Gala is the Fabulous 50’s with music, dinner and dancing. There will also be a live and silent auction. Already in progress is an on-line auction which people
can participate in by going to [HYPERLINK "http://www.shepherdhome.org"] . The last day to make a bid is April 5th. For more information contact the Shepherd Home at 381-0890 or [HYPERLINK "http://www.shepherdhome.org"].

Supervisor LaFountain thanked Jeff and Gail and all of the volunteers and staff for all of the hours they put in to make the Shepherd Home a successful comfort care facility.

Supervisor LaFountain welcomed Nels Carman to tonight’s Town Board meeting. Nels stated that he has been involved with a marketing and awareness campaign for the Town’s 200th Birthday. A display is set up outside the Town Hall Auditorium with Bicentennial merchandise and will be sold during and after tonight’s meeting.

Nels mentioned the opportunities available for Penfield residents involving the Town’s Bicentennial Celebration and thanked the Town Board for their support.

**Communications and Announcements**

1. A Passport Night will be held on Thursday, April 22, 2010, from 6:30 – 8:30 PM in the Penfield Town Hall Auditorium. The event will be hosted by Town Clerk Amy Steklof, Councilman Rob Quinn and Monroe County Clerk Cheryl Dinolfo. For more information go to the Town’s website at [HYPERLINK "http://www.penfield.org"] or Monroe County Clerk’s website [HYPERLINK "http://www.monroecounty.gov"].

2. The Town Clerk’s office will be holding extended hours on April 22, 2010, from 5:00 – 7:00 PM.

3. On March 27, 2010, an Easter egg hunt will be held at Rothfuss Park, 1648 Five Mile Line Road at 10:00 AM. This is a free event. Rain date will be on March 28, 2010 at 1:00 PM.

4. VFW Post #820 is sponsoring the Penfield Memorial Day Essay Contest, and is open to all Penfield students grades 6 – 8. Please mail entries to “Memorial Day Essay Contest” c/o Penfield Recreation Department, 1985 Baird Road, Penfield, NY 14526. Entries must be postmarked by May 3, 2010. For more information call Penfield Recreation at 340-8651.

5. Councilman Rob Quinn’s next office hours will be Thursday, April 8, 2010 from 6:00 – 7:00 PM at the Penfield Community Center, 1985 Baird Road. Councilman Quinn can be reached at [HYPERLINK "mailto:quinn@penfield.org"] or at 944-5752.

6. Penfield Little League will be offering Challenger Division Baseball for children 5-18 with special needs. Opening Day will be May 1, 2010 at the Penfield Little League fields at Veteran’s Memorial Park. Register at [HYPERLINK "http://www.penfieldbaseball.com"]. This is a free program.

7. Grand Opening for the Victory Garden will be Thursday, April 22, 2010, on Earth Day, at 3:00 PM. You may reserve a garden plot through Penfield Recreation by calling 340-8655. A 6’ x 16’ garden plot will cost $35.00. A 6’ x 32’ garden plot will cost $50.00. The Victory Garden is adjacent to 724 Five Mile Line Road near Rothfuss Park.

8. Councilwoman Kohl will hold her next Community Chat on Saturday, April 3, 2010 from 9:00 – 10:30 AM at the Four Corners Starbucks.

9. Progress is being made on the Daniel Penfield sculpture and it is close to being completed.

10. The Penfield Rotary Bicentennial Euchure Tournament was held this past weekend. There were 172 players and it was very successful.
(Communications and Announcement – Continued)

11. Bicentennial meetings are held the first Thursday of every month at 1:00 PM in the Local History Room.

Public Participation

Dan Quatro, 637 Contempri Way, County Legislator, 15th District, Majority Leader, congratulated Councilman Andy Moore on his charges being dropped. Legislator Quatro also congratulated the Shepherd Home and Family First for being recognized as businesses in the Penfield Community.

Legislator Quatro stated he is opposed to the Resolution presented by the Democrats that would reduce the size of the Legislature from 29 members to 15 members. Legislator Quatro stated he cannot support a Resolution that takes representative democracy farther away from the people. If residents are interested in speaking with Legislator Quatro concerning this issue, his contact information can be found at {HYPERLINK "http://www.monroecounty.gov"}. Legislator Quatro along with Legislator Debbie Drawe will be holding office hours together on Monday, April 5, 2010 at the Penfield Community Center from 5:00 – 7:00 PM.

Debbie Drawe, 5 Cobblestone Crossing, County Legislator, 9th District, commended Supervisor LaFountain for starting the Penfield Business District monthly update.

Councilwoman Drawe stated that under the direction of County Executive Maggie Brooks, the Monroe County Department of Transportation is sponsoring an open house to discuss the Jackson Road shoulder construction project. The open house will be held at the Town Hall Auditorium on Thursday, April 1, 2010 form 7:00 – 9:00 PM. Contact Karen Cox, lead person on this topic for the Department of Transportation at 753-7742 or at {HYPERLINK "mailto:kcox@monroecounty.gov"} with any questions.

Councilwoman Drawe mentioned that a joint venture between Mayor Duffy and County Executive Brooks was announced in reference to collaborative effort towards a possible Google fiber network. If residents are interested in sharing their input on this subject, go to {HYPERLINK "http://www.google.com"}.

Ed Lindskoog, 18 High School Drive, stated that 20 people participated in Saturday’s hike. Mr. Lindskoog gave a word of caution to dress appropriately for the weather when hiking and to clean up after your pets, particularly on the sidewalk.

Additions and Deletions to the Agenda - None

Approval of Minutes - None

Resolutions by Function

Law and Finance

#10T-091 Declaration of "Silver Star Banner Day" - May 1, 2010 by Moore

WHEREAS, the Town of Penfield has always honored the sacrifice of the men and women in the Armed Forces, and

WHEREAS, the Silver Star Families of America was formed to make sure we remember the blood sacrifice of our wounded and ill by designing and manufacturing a Silver Star Service Banner and Flag, and

WHEREAS, the Silver Star Families of America has freely given thousands of Silver Star Service Banners to the wounded and their families, and
WHEREAS, the members of Silver Star Families of America have worked tirelessly to provide the wounded of this Town and Country with Silver Star Service Banners, Flags and care packages, and

(Resolution #10T-091 - Continued)

WHEREAS, the Silver Star Families of America’s sole mission is that every time someone sees a Silver Star Service Banner in a window or a Silver Star Service Flag flying, that people remember the sacrifice for this Town, State and Nation, and

WHEREAS, the Town Board of Penfield, NY, which that the sacrifice of so many in our Armed Forces never be forgotten,

NOW, THEREFORE, BE IT RESOLVED, the Penfield Town Board hereby proclaims that Saturday, May 1, 2010 “Silver Star Banner Day” the official day to honor the wounded and ill Soldiers of the Town of Penfield, New York.

Moved: Moore  Seconded: Kohl

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

Adopted

#10T-092 Appointment of Ronald Young to the Board of Assessment Review by Moore

WHEREAS, Ronald Young, 160 Maryview Drive, Webster, New York, has served on similar Boards of Assessment Review for the last (10) ten plus years as a Member, and

WHEREAS, Ronald Young has provided expertise to those Boards of Assessment Review, and

WHEREAS, Ronald Young has expressed his interest in serving on the Board of Assessment Review,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield appoint Ronald Young to a five (5) year term on the Board of Assessment Review of the Town of Penfield, such term to expire on September 30, 2015.

Moved: Moore  Seconded: Quinn

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

Adopted

#10T-093 Appointment of Temporary Members to the Board of Assessment Review by Moore

WHEREAS, each year the Town of Penfield Board of Assessment Review meets, in accordance with the New York State Real Property Tax Law, to hear grievances on assessments, and

WHEREAS, Article 5, Section 523-a of the New York State Real Property Tax Law allows the legislative body of any local government, in any year deemed necessary, to appoint temporary members to the Board of Assessment Review to serve as administrative hearing panel members as provided, and
Penfield Town Board, March 17, 2010

WHEREAS, in recent years the number of grievances heard by the Board of Assessment Review has increased to the point where it is necessary to have temporary members appointed according to Article 5, Section 523-a of the New York State Real Property Tax Law, and

(Resolution #10T-093 - Continued)

WHEREAS, the Town Board of Penfield, in order to facilitate the assessment grievance process, deems it necessary to appoint temporary members to the Board of Assessment Review,

NOW, BE IT THEREFORE RESOLVED, that the Town Board of Penfield appoints the following Penfield residents to serve a one (1) year term as temporary members of the Board of Assessment Review as provided in Section 523-a of the New York State Real Property Tax Law. The term shall commence on October 1, 2009 and shall end on September 30, 2010.

Eugene T. Oliver, 90 City View Drive, Rochester, NY 14625

Moved: Moore
Seconded: Metzler

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

Adopted

#10T-094 Acknowledging the Great Lakes Small Harbor Coalition and Authorizing the Membership Thereto by Moore

WHEREAS, there are approximately 120 federally authorized small Great Lakes harbors; and

WHEREAS, the federal government is responsible for maintaining boater access to these harbors through adequate dredging and maintenance of navigation infrastructure (hereinafter referred to as maintenance); and

WHEREAS, small harbors perform other valuable functions such as ports of refuge during inclement weather, ports for U.S. Coast Guard rescue stations, ports for law enforcement, ports for commercial fleets, ports for Great Lakes research vessels, and ferry terminals; and

WHEREAS, many of the 120 federally authorized small harbors in the Great Lakes require regular maintenance because of natural sedimentation, low water levels, storm events, and littoral drift, among other factors; and

WHEREAS, longstanding federal policy prevents the U. S. Army Corp of Engineers from allocating funds for the maintenance of small harbors in its operation and maintenance budget for the Great Lakes, thus forcing these harbors to seek Congressional assistance or “earmarks” to secure funds for maintenance; and

WHEREAS, this inefficient, inequitable, system has resulted in maintenance backlogs that have hindered, or in some cases totally blocked access to Great Lakes small harbors, causing significant economic loss and increased risk to human health and safety; and

WHEREAS, small harbors in the Great Lakes have not, to date, had an organization through which to unite and speak with one voice to address concerns about maintenance and other shared interests to federal and state agencies;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Penfield supports and commits to being a member of the Great Lakes Small Harbors Coalition; and
BE IT FURTHER RESOLVED, that the Town of Penfield urges the Great Lakes Small Harbors Coalition to advocate for a more equitable, sustainable, needs-based system to allocate funds for adequate maintenance of small Great Lakes harbors.

Moved: Moore
Seconded: Kohl
(Resolution #10T-094 - Continued)

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<th>LaFountain</th>
<th>Aye</th>
<th>Metzler</th>
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Adopted

Public Works

#10T-095 Appointments to The Energy and Environmental Advisory Committee by Metzler

BE IT RESOLVED, that Bob Brumbaugh, 1565 Jackson Road, Penfield, NY and Bob Kanauer, Jr., 1710 Sweets Corners Road, Penfield, NY be appointed to the Penfield Energy and Environmental Advisory Committee for term ending on December 31, 2010.

Moved: Metzler
Seconded: Moore

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<th>Metzler</th>
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Adopted

#10T-096 Re-Advertising for Bids for New 1½ to 2-ton Pavement Roller by Metzler

WHEREAS, sealed proposals were sought and requested in the manner prescribed by law to furnish the Highway Department with one new 1½ to 2-ton Pavement Roller and,

WHEREAS, On Friday March 5, 2010 at 11:00 AM Local time, no bids were received and,

BE IT RESOLVED, that the Superintendent of Highways be and hereby is authorized to re-advertise in the manner prescribed by Law for sealed proposals to furnish the Town of Penfield Highway Department the following:

ONE NEW 1½ to 2-ton Vibratory Pavement Roller

BE IT FURTHER RESOLVED, that the equipment covered by such proposals shall be in accordance with specifications prepared by the Highway Superintendent. Sealed proposals are to be received in the office of the Town Clerk until 11:00 AM Local time, Friday April 9, 2010 and then are to be opened by the Town Clerk.

Moved: Metzler
Seconded: Kohl

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<th>Aye</th>
<th>LaFountain</th>
<th>Aye</th>
<th>Metzler</th>
<th>Aye</th>
<th>Moore</th>
<th>Aye</th>
<th>Quinn</th>
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Adopted

#10T-097 Authorization to Attend New York Chapter of APWA Annual Conference by Metzler
WHEREAS, the Town Board supports the continued professional development of the staff, and

WHEREAS, the American Public Works Association provides training in all aspects of Public Works, and

WHEREAS, the Annual NY Chapter of APWA is hosting their annual conference in Utica, NY on April 7 – 9, 2010, and

(Resolution #10T-097 – Continued)

WHEREAS, the conference will provide up to (9) nine professional development hours (PDH’s) that are part of the requirements of the NYS Education Department to retain a professional engineering license.

BE IT RESOLVED that, Geoffrey Benway, Town Engineer, is hereby authorized to attend the New York Chapter of APWA Annual Conference from April 7 to 9, 2010.

The cost of the conference shall not exceed $500.00 for registration expenses, lodging, and transportation and will be allocated from the Engineering Department budget.

Moved: Metzler
Seconded: Quinn

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

Adopted

Public Safety - None

Community Services

#10T-098 Award Bid for Window Replacement-Penfield Town Hall by Kohl

WHEREAS, sealed proposals were requested to provide the Town of Penfield Parks and Facilities Department with Window Replacement within Penfield Town Hall, and

WHEREAS, on Friday, March 5, 2010, at 11:00 AM Local time, the following sealed proposal was received and read publicly by the Town Clerk:

Rochester Colonial MFG Corp
1794 Lyell Ave                                    $26,950.00
Rochester, NY   14606

WHEREAS, Rochester Colonial MFG Corp is the lowest responsible bidder for the Window Replacement at Penfield Town Hall meeting specifications as set forth in the bid, and

NOW, THEREFORE, BE IT RESOLVED, that the Penfield Town Board hereby accepts the bid of Rochester Colonial Mfg Corp. for a sum of $26,950.00; and

BE IT FURTHER RESOLVED, that funds for said purchase are budgeted for in the 2010 Budget from American Recover & Reinvestment Act of 2009.

Moved: Kohl
Seconded: Quinn

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

Adopted

#10T-099 Metal Roof for Harris Whalen Lodge by Kohl
WHEREAS, sealed proposals were requested to provide the Town of Penfield Parks and Facilities Department with a Metal Roof for Harris Whalen Lodge,

WHEREAS, on Thursday, March 11, 2010, at 11:00 AM Local time, the following sealed proposal was received and read publicly by the Town Clerk:

Bayford Construction Co. Inc.
18 Turner Drive
Spencerport, NY 14559 $41,580.00

WHEREAS, Bayford is the lowest qualified, responsible bidder for the Metal Roof Panels, meeting specifications as set forth in the bid and,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield hereby award the bid to Bayford Construction Co., Inc, 18 Turner Drive, Spencerport, NY 14559, for a bid price not to exceed $41,580.00

Funds for this project are budgeted for in the 2010 Budget.

Moved: Kohl
Seconded: Metzler

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

Adopted

#10T-100 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:

Scott Kropman, 1596 Qualtrough Rd., Rochester, NY 14625, Co-director of Youth Instructional Wrestling Program, 1/5/10 – 2/25/10, plus supervision of the extended open mats sessions 3/1/10 – 3/4/10, for the fee of $500.00, voucher to be submitted 3/18/10.

Ed Porto, 97 Keyel Drive, Rochester, NY 14625, Co-Director of Youth Wrestling Program, 1/5/10 – 2/11/10, for the fee of $300.00, voucher to be submitted 3/18/10.

Petra Henderson, 49 State Street, Rochester, NY 14614, to provide entertainment Paradigm Shift for “Cool Jazz” Tuesday, August 3, 2010 (7:00 – 9:00 PM) for a fee of $400.00. Voucher to be submitted on 7/7/10.

Jon Seiger, 6117 Main Road, Stafford, NY 14143, to provide entertainment Jon Seiger and the All-Stars for Saturdays Series at Penfield Amphitheater (7:00 – 9:00 PM) Saturday, July 31, 2010 for a fee of $900.00. Voucher to be submitted on 7/7/10.

Music Rochester, Inc., P.O. Box 12732, Rochester, NY 14612, to provide Gap Mangione’s New Blues Band to perform Tuesday, July 27, 2010 at Penfield Amphitheater (7:00 – 9:00 PM) for a fee of $1000.00. Voucher to be submitted on 7/7/10.

Mike DeDee, 22 Bainbridge Lane, Webster, NY 14580 to provide magical show/entertainment for the Penfield Bicentennial Gala at the Daisy Flower Mill on 3/27/10 for a fee of $200.00. Voucher to be submitted on 3/17/10 and Manual check generated.

Light the Heavens Searchlights, c/o Robert Kanauer, 1710 Sweets Corners Rd., Fairport, NY 14450 to provide searchlight service on 3/27/10 for
Penfield Town Board, March 17, 2010

Bicentennial Gala for a fee of $200.00. Opening Movie Night 6/25/10 and Halloween event 10/15/10 for a fee of $300.00 for each event. Vouchers to be submitted on 3/17/10, 7/7/10 and 9/15/10.

Radio Nation Band, c/o Jerry Cumming, 2001 Salt Rd., Fairport, NY 14450 to provide entertainment for Independence Day Holiday Celebration 7/3/10 for a fee of $750.00. Voucher to be submitted on 6/2/10.

(Resolution #10T-100 – Continued)

Bill Tiberio, 43 Nettlecreek Rd., Fairport, NY 14450 to provide Bill Tiberio Band Tuesday July 13, 2010 for “Cool Jazz” series (7:00 – 9:00 PM) for a fee of $750.00. Voucher to be submitted on 6/16/10.

Rick Holland Productions, c/o Rick Holland 300 Main Street, Brockport, NY 14420 to provide music entertainment, Rick Holland Evan Dobbins Little Big Band at the Penfield Amphitheater (7:00 – 9:00 PM) on Saturday August 7, 2010 for a fee of $1,000.00. Voucher to be submitted on 7/7/10.

Chet Catallo Productions Inc. c/o Chet Catallo, 147 Deerfield Drive, Rochester, NY 14609 to provide music entertainment Chet Catallo & The Cats at the Penfield Amphitheater Saturday July 24 2010, (7:00 – 9:00 PM) for a fee of $1,500.00. Voucher to be submitted on 7/7/10.

Moved: Kohl
Seconded: Moore

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

Adopted

Old Business – None

New Business – None

Public Participation – None

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 8:32 PM.

Amy Steklof
Town Clerk