PENFIELD TOWN BOARD AGENDA
Wednesday, November 17, 2010 7:30 PM
Supervisor R. Anthony La Fountain, 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 20, 2010

VI Petitions

VII Resolutions by Function

Law and Finance
#10T-232 2010 Budget Transfers-Salaries
#10T-233 Setting Public Hearing to Consider Adoption of
Local Law #1 of 2010 Entitled Dog Licensing and
Animal Control Law
#10T-234 Authorization for Supervisor to Re-new the
Agreement with the North East Quadrant Advanced Life Support,
(NEQALS), Inc.

Public Works
#10T-235 Adoption of the Town of Penfield Neighborhood
Traffic Calming Manual

Public Safety – None

Community Services
#10T-236 2010 Budget Amendment Recreation Programs
#10T-237 Authorization for Supervisor to Sign Recreation
Contracts
#10T-238 Update to Parks, Recreation, Facilities Fee
Schedule

VIII Old Business

IX New Business

X Public Participation

XI Adjournment
The Regular Meeting of the Penfield Town Board was held on Wednesday, November 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. The Pledge was led by County Legislators Debbie Drawe and Dan Quatro.

Supervisor LaFountain recognized former Town Board member Maggie Hession and presented her with a Certificate of Recognition in appreciation for her 10 years of service as President of the Friends of the Penfield Library.

Ms. Hession thanked the Town Board for the recognition and thanked her Board of 10 years, stating that the volunteers for the Friends of the Penfield Library have done a wonderful job.

Ms. Hession also thanked the Town and Andy Suveges, Building and Code Compliance Inspector, for making sure the owner at 1801 Jackson Road completed the excavation job that he had started back in the end of 2009. Ms. Hession congratulated Councilman Quinn on winning his election and stated he is also the liaison to the Penfield Symphony. Ms. Hession said that the Penfield Symphony is pleased to have its photograph in the new “Memories of Penfield” book. Ms. Hession also congratulated the Town Board on the 2011 Budget.

Supervisor LaFountain thanked Ms. Hession on behalf of the entire Town for her 10 plus years of service, and was honored to have served with her on the Town Board for many years.

Communications and Announcements

1. The (8) eight day celebration of Chanukah will begin at sundown on December 1, 2010. All are invited to meet in the Town Hall Rotunda on Thursday, December 2nd at 3:30 PM to welcome the holiday.

2. Winter safety information can be found on the Town’s website at www.penfield.org and by clicking on the quick link for “Winter and Holiday Safety Tips”. Information
on Winter Parking rules can also be found on the Quick Links at www.penfield.org.

3. Councilwoman Metzler’s office hours will be held on Monday, November 22, 2010 from 11:30 AM to 1:00 PM at the Tim Horton’s on Empire Blvd. in the North Penfield Crossroads Business District.

4. “Backyard 101” was held Saturday, November 6, 2010 at the Penfield Community Center. The program was put together by SUNY Brockport intern Josh Dillon. A video clip of the program was shown. Councilwoman Metzler thanked Mr. Dillon for putting together this great program.

(Communications and Announcements – Continued)

5. The Town Hall’s Auditorium is under construction to improve energy efficiencies and to help reduce the cost to the taxpayer. Lights are being replaced which will cut the Auditorium’s electrical consumption in half. New windows have been added and a new suspended ceiling will be added. The Auditorium energy improvements are part of the Town’s $145,500 Energy Efficiency and Conservation Block Grant provided through the American Recovery and Reinvestment Act.

Supervisor LaFountain thanked Parks Director, Bob Ainsworth and his staff for coordinating this effort.

6. Town offices will be closed Thursday, November 25 – 26, 2010 for the Thanksgiving Holiday.

7. The annual holiday event, All-You-Can-Eat Pancake Dinner, sponsored by the Town, will be held Saturday, December 4, 2010 from 5:00 to 7:00 PM at the Penfield Community Center. For advance tickets, call 340-8655.

8. The Heritage Kiosk that has been on display in the County Executive Building can now be seen in the Penfield Library. The Kiosk showcases the Hall of Towns, History of the County and features Penfield due to it being the Town of Penfield’s Bicentennial year.

Supervisor LaFountain recognized the Town Staff for setting up the Kiosk and recognized Bernadette Brinkman, Library Director, and Kathy Kanauer, Town Historian, for their contributions to the programs.
Councilwoman Kohl stated that the Kiosk was not a big budget item due to the County employees from the Communications Department and from the County’s construction crew involvement in developing the Kiosk. Councilwoman Kohl encourages all to go see the display.

9. Councilwoman Kohl’s Community Chat will be held on Saturday, December 11, 2010 from 9:00 to 10:30 AM at the Starbucks at 1806 Penfield Road.

10. “Memories of Penfield” book can be purchased at the Town Clerk’s office or the Penfield Community Center for $15.00, or (2) two for $24.00.

11. Penfield Players Fall Production “The Sunshine Boys” ends this weekend. The last (2) two shows will be on November 19 and 20, 2010 at 8:00 PM. Tickets are available at the Penfield Recreation Center. “The Sunshine Boys” has won the following awards, Excellence in Acting to the cast, Excellence in Directing and Meritorious Achievement in Acting from the Theater Association of New York.

Public Participation

Bob Reid, 275 Parkview Drive, gave background on the Baker’s Commodities Plant located on Browncroft Blvd. and informed the Town Board that there has been an increase in odors emanating from the plant. Mr. Reid feels that the plant will not alter its operating procedures to help minimize the odor problem unless told to do so by law or from State Agency intervention. All odor complaints received by the plant have also been given to Tony LaFountain, Town Supervisor, Jim Costello, Director of Developmental Services, and the Department of Environmental Conservation (DEC). Mr. Reid would like the Town Board to hold the plant accountable and would like assurance that in 2011 there will be less of an odor problem.

(Public Participation – Continued)

Supervisor LaFountain asked what is the total number of complaints received?

Mr. Reid stated there have been 21 complaints thus far.

Additions and Deletions to Agenda

Councilman Moore added Resolution #10T-239 to the Agenda under New Business.

Councilwoman Kohl withdrew Resolution #10T-263 from the Agenda under New Business.

Approval of Minutes
Councilwoman Metzler moved to approve the Minutes of October 20, 2010. Councilwoman Kohl seconded and all voted “Aye”.

Petitions - None

Resolutions by Function

Law & Finance

#10T-232  2010 Budget Transfers - Salaries by Moore

WHEREAS, during 2010, merit raises and other adjustments were approved for salaries, and

WHEREAS, the Town Board desires to have an up-to-date budget in relation to current income and expenditures, and

NOW, BE IT RESOLVED, that the following 2010 Budget Transfers be approved:

General Fund Appropriations:

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<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Amount</th>
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<tr>
<td>Assessors Department</td>
<td>Town Justice Department</td>
<td>01-1110-0001-1015 $1,300.00</td>
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<tr>
<td>01-1355-0001-1011 ($18,000.00)</td>
<td>Supervisors Department</td>
<td>01-1220-0001-1012 $2,200.00</td>
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<td>01-1355-0001-1014 ($5,700.00)</td>
<td>01-1220-0001-1014 $700.00</td>
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<td>Parks Department</td>
<td>01-1220-0001-1013 $2,730.00</td>
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<tr>
<td>01-7110-0001-1013 ($4,800.00)</td>
<td>Receiver of Taxes</td>
<td>01-1330-0001-1011 $1,700.00</td>
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<tr>
<td>01-7110-0001-1015 ($11,000.00)</td>
<td>01-1330-0001-1013 $1,200.00</td>
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<tr>
<td>Facilities</td>
<td>01-1620-0001-1014 ($16,240.00)</td>
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<tr>
<td>01-1620-0001-1014 ($16,240.00)</td>
<td>Town Clerk</td>
<td>01-1410-0001-1016 $3,300.00</td>
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<td>01-1440-01-1012 $1,900.00</td>
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<td>Planning Department</td>
<td>01-1490-01-1011 $1,900.00</td>
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<tr>
<td>01-3410-0001-1011 ($22,510.00)</td>
<td>Building Inspectors Department</td>
<td>01-3620-01-1011 $3,850.00</td>
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<td>01-3410-0001-1012 $200.00</td>
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<tr>
<td>Fire Marshal</td>
<td>Highway Superintendent Department</td>
<td>01-5010-0001-1011 $2,200.00</td>
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<td>01-5010-0001-1011 $2,200.00</td>
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<td>Senior Citizens</td>
<td>01-6772-0001-1011 $1,200.00</td>
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<td>01-6772-0001-1012 $4,600.00</td>
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<td>Recreation Administration</td>
<td>01-7020-01-1012 $1,90</td>
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<td>01-7020-01-1012 $1,90</td>
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(Resolution #10T-232 - Continued)

Town Historian
01-7510-0001-1013 $300.00
Special Events Activities
01-7550-0001-1011 $300.00
01-7551-0001-1011 $750.00
Conservation Board
01-8090-01-1012 $500.00
Cable TV
01-8989-0001-1017 $1,600.00
01-8989-0001-1019 $4,400.00

Totals: $61,710.00

Moved: Moore
Seconded: Kohl

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

Adopted

#10T-233 Setting a Public Hearing to Consider Adoption of Local Law #1 of 2010 Entitled Dog Licensing and Animal Control Law by Moore

WHEREAS, effective January 1, 2011, the State of New York will relinquish the responsibility of the dog licensing function to local municipalities and will eliminate the Animal Population Control Fund; and

WHEREAS, local municipalities will now be required to adopt legislation relating to this issue; and

WHEREAS, the Town’s current laws relating to dogs need to be updated in conformance with the change in the statute;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the said Town of Penfield shall hold a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on December 1, 2010 at 7:30 PM on said date, to consider the said adoption and to hear all persons interested in said proposed Law, a summary of which is annexed here to as Schedule A;

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper
of the Town, the first publication thereof to be not less than three (3) nor more than thirty (30) days before the date set for said Hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law.

Moved: Moore
Seconded: Quinn

Discussion: Councilman Moore commented that with the State eliminating their involvement in Dog Licensing, this action constitutes as an unfunded mandate.

Vote:

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<td>Kohl</td>
<td>Aye</td>
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<td>Metzler</td>
<td>Aye</td>
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<td>LaFountain</td>
<td>Aye</td>
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<td>Moore</td>
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<td>Quinn</td>
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Adopted

See Schedule “A” at end of Minutes

#10T-234 Authorization for Supervisor to Renew the Agreement with the North East Quadrant Advanced Life Support, (NEQALS), Inc.

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign an Agreement with the North East Quadrant Advanced Life Support, Inc., (NEQALS), that reflects the current interests of the involved parties, a copy of which is on file with the Town Clerk.

Moved: Moore
Seconded: Metzler

Vote:

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<tr>
<td>Kohl</td>
<td>Aye</td>
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<tr>
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<td>LaFountain</td>
<td>Aye</td>
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<td>Moore</td>
<td>Aye</td>
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<td>Quinn</td>
<td>Aye</td>
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Adopted

Public Works

#10T-235 Adoption of the Town of Penfield Neighborhood Traffic Calming Manual

WHEREAS, transportation issues have a profound impact on the quality of life of all Penfield residents; and

WHEREAS, in response to increasing requests by residents to the Town to investigate neighborhood traffic concerns, such as high speeds, high volumes and excessive cut through traffic, the Town
Board has requested the Penfield Transportation Committee to develop a Traffic Calming Policy; and

WHEREAS, in compliance with the Town Board request, the Penfield Transportation Committee has prepared a document entitled, “Town of Penfield Neighborhood Traffic Calming Manual” which outlines the procedures and the options available to residents for traffic calming measures and provides a quantifiable scoring system to assist Town staff to determine the right measure for the right location; and

WHEREAS, the Town Board proposes to adopt the “Town of Penfield Neighborhood Traffic Calming Manual” to be used as another planning tool to address traffic calming issues throughout the Town; and

WHEREAS, it has been determined that it is in the Town’s best interest to follow these guidelines whenever reasonably possible; and

WHEREAS, pursuant to §617.5(c)18 of the State Environmental Quality Review Act (SEQRA), the Town Board of the Town of Penfield has determined that the adoption of this document is classified as a Type II Action.

NOW, THEREFORE BE IT RESOLVED, the Town Board hereby adopts the “Town of Penfield Neighborhood Traffic Calming Manual” as proposed by the Transportation Committee; and

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to distribute the manual to appropriate departments, boards, committees, and general public as deemed appropriate.

Moved: Metzler
Seconded: Moore

Discussion: Councilman Moore thanked the members of the Transportation Committee for putting so much effort into the creation of the Traffic Calming Manual.

(Resolution #10T-235 – Continued)

Councilman Moore stated this thorough document will help residents and staff with transportation needs and issues throughout the Town.

Supervisor LaFountain recognized Councilman Moore for his great leadership as Chairman of the Transportation Committee.

Vote: Kohl Aye LaFountain Aye
Adopted

Public Safety - None

Community Services

#10T-236  2010 Budget Amendment Recreation Programs by Kohl - WITHDRAWN

#10T-237 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:

Bay Creek Paddling Center, 1099 Empire Boulevard, Rochester, NY 14609, Paddlesports Camp, for a fee of $165.00 per camper. Voucher to be submitted 11/17/10.

Dave Coin, 280 Liberty Ave., Rochester, NY 14622, Director for Instructional Basketball program, 10/23/10 - 12/18/10 for the fee of $45.00 per session. Voucher to be submitted 12/01/10.

Moved: Kohl
Seconded: Quinn

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

Adopted

#10T-238 Update to Parks, Recreation, Facilities Fee Schedule by Kohl

WHEREAS, the Town of Penfield adopted updated fee schedule for Recreation Parks and Facilities for Park Lodges:

WHEREAS, the Town Board has reviewed updated recommendations making available the newly renovated Harris Whalen Lodge for rental Thanksgiving Week with a “Thanksgiving” fee structure for (Thursday through Sunday) the (4) four day period;

NOW, THEREFORE, BE IT RESOLVED, that the fee structure for Harris Whalen Enclosed Lodge will include a Thanksgiving rate as follows:

Harris Whalen Park Lodge

Resident fee
Premium Thanksgiving - $200.00 / $180.00 self serve on-line reservation system
Non - Resident fee
Premium Thanksgiving - $250.00 / $225.00 self serve on-line reservation system

(Resolution #10T-238 - Continued)

AND, FURTHER, BE IT RESOLVED, that this Fee Schedule shall become effective December 1, 2010 for the 2011 rental calendar year.

Moved: Kohl
Seconded: Metzler

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

Adopted

Old Business - None

New Business

#10T-239  Authorization for Supervisor to Sign an Agreement for Professional Services with Clough Harbour and Associates, LLP by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign an Agreement with Clough Harbour & Associates, LLP for professional services as outlined in the project scope for administration of the Department of Housing and Urban Development Grant secured for updates at the Penfield Community Center. A copy of said Agreement is on file with the Town Clerk.

Moved: Moore
Seconded: Kohl

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

Adopted

Public Participation

Mel Callan, 1410 Harris Road, phoned in and inquired whether the Town Board would consider having a dialog with those who participate in the Public Participation portion of a Town Board meeting?
Ms. Callan also stated she had expected the Town Comprehensive Plan to be on the Agenda tonight and would like to know its status.

Lastly, Ms. Callan inquired whether there have been any announcements about appointments to Boards or Committees for the upcoming year?

Supervisor LaFountain stated that the Town Board is still working with the Comprehensive Plan and that one more Work Session will be held on Wednesday, December 8, 2010 where continued Comprehensive Plan discussions will occur.

Supervisor LaFountain answered Ms. Callan’s question in reference to Board and Committee vacancies by stating that the process to fill these positions typically occurs after the Thanksgiving Holiday and that a Notice will be posted in the paper.

In answer to Ms. Callan’s question referring to Town Board/Resident discussion during Public Participation, Supervisor LaFountain stated that when appropriate, the Town Board will continue to have discussions if there is an opportunity for feedback at future Town Board meetings.

Debbie Drawe, 5 Cobblestone Crossing, congratulated Rob Quinn on his election victory and stated she is sure Mr. Quinn will continue to serve the Penfield residents responsibly.

(Public Participation – Continued)

Legislator Drawe also congratulated Maggie Hession in receiving the Certificate of Recognition and thanked Ms. Hession for all her hard work as President of The Friends of the Penfield Library.

Legislator Drawe updated the Town Board on business before the County Legislature and stated that last week County Executive Maggie Brooks presented her budget of approximately $932 million and that the tax rate has remained flat. In the future, the Monroe County Legislature hopes to keep the tax rate flat by cutting expenses and raising revenue. The Legislature will vote on the budget at the next Legislative Session on Tuesday, December 7, 2010. Legislator Drawe informed the public that all County Legislative Sessions and Committee Meetings are open and anyone can attend. The schedule for the Legislative Sessions and Committee Meetings are available under www.monroecounty.gov.

Legislator and Majority Leader Dan Quatro, 637 Contempri Way, congratulated Councilman Quinn for winning his election.

Legislator Quatro stated that increasingly, municipalities need to bear the cost of services such as dog licensing that formerly had been the responsibility of the state but have become unfunded mandates.
Legislator Quatro thanked the Town Board for the level of communication they allow Legislator Drawe and himself to have with the Town Board and for the office hours they hold at the Community Center and posted by PCTV. Legislator Quatro recognized the Town of Penfield for the superior level of communication the Town has to offer.

Lastly, Legislator Quatro stated that the County Executive did an exemplary job with the County Budget by protecting taxpayers in keeping the tax rate flat.

Supervisor LaFountain stated that the Town of Penfield has been very fortunate in that our Legislators from the 9th and 15th Districts regularly attend Town Board meetings and share information with the Town Board.

Supervisor LaFountain again thanked the Finger Lakes Health Consortium and stated the (9) nine month effort that benefits (9) nine communities and the Rochester Housing Authority helps keep the 2011 Health rates for Penfield flat. It also gives the Town Board the opportunity to look for ways to control costs and deliver community services.

Adjournment

Supervisor LaFountain adjourned the meeting at 8:26 PM.

Amy Steklof
Town Clerk