PENFIELD TOWN BOARD MEETING AGENDA
Wednesday, December 15, 2010
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 – November 17, 2010

VI Petitions

VII Resolutions by Function

Law and Finance
10T-244 Authorization to Approve Agreement to Settle Tax Certiorari
10T-245 Authorization to Approve Agreement to Settle Tax Certiorari
10T-246 2010 Budget Transfer-Year End Transfers
10T-247 Adoption of Local Law No. 1 of 2010 – Dog Licensing and Animal Control Law
10T-248 Approval of Issuance of a Special Permit to Allow Rosey’s Italian Café – 2135 Five Mile Line Road – 139.10-1-3 – Richard & Roseann Vitale
10T-249 Setting Informal Discussion Meeting for an Incentive Zoning Proposal at 2433 Penfield Road – SBL #140.02-1-50 – Pride Mark Homes
10T-250 Setting a Public Hearing for Amendment to the Zoning Ordinance and Map to Allow a Rezoning of 4.22 Acres from BNR to R-1-20 at 1360-B Five Mile Line Rd, SBL #094.18-1-5.001 – Cloverland Properties LLC
10T-251 Setting a Public Hearing to Consider Design Modifications to the Incentive Zoning Application & Preliminary & Final Subdivision & Site Plan Approval at 1360-B Five Mile Line Road, Windham Woods Subdivision – Phases II & III, SBL #094.18-1-5.001 – Cloverland Properties, LLC

Public Works - None

Public Safety – None

Community Services
10T-252 2010 Budget Transfers-Recreation Programs
10T-253 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 Hall was held on Wednesday, December 15, 2010 at 7:40 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 apologized for running 20 minutes behind due to the Closing Ceremony for the Town’s Bicentennial.

Supervisor LaFountain called the meeting to order

The Pledge of Allegiance was led by Paris and Jimmy, siblings of Alec Clanton who is one of (2) two proclamation recipients this evening.

Supervisor LaFountain stated that the Town has been collecting toys, games, food and miscellaneous items for the Penfield Shares and Cares Program to be taken to the Penfield Food shelf at the end of the week. Supervisor LaFountain thanked all those who participated.

Councilwoman Metzler and Councilman Quinn presented Proclamations to Aquinas Football players Michael Messina and Alec Clanton, recognizing them for their achievements in the classroom as well as on the athletic field.

Jim Costello, Director of Developmental Services and graduate of Aquinas Institute stated that he is very proud of both Michael and Alec for winning the State Championship and for the team being #1 with the highest academic rating in New York State. Mr. Costello encouraged them to continue their academics and wished them all the best.

Communications and Announcements

1. Reservations for the 2011 lodge rentals for Harris Whalen Lodge or Dolomite Lodge can be made on line at www.penfield.org, or in person at the Penfield Recreation office.

2. The Town of Penfield Energy and Environmental Advisory Committee Green Tip (from www.earth911.com): switch to LED holiday lights which use ten times less energy than incandescent mini-lights and 100 times less energy than standard bulbs.

3. Town of Penfield is active on Facebook, Twitter, and YouTube.

5. Town Hall offices will be closed Thursday and Friday, December 23 – 24, 2010 for the Christmas Holiday and Friday, December 31, 2010 for the New Year Holiday.

6. The Town Board’s Organizational meeting will be Wednesday, January 5, 2011 at 7:30 PM. Prior to the meeting, there will be a swearing in ceremony for Councilman Quinn who was elected this past November.

7. The Town Board continues to look for volunteers for Town Boards and Committees. If interested contact Town Clerk, Amy Steklof via e-mail with letter of interest and resume’ by 5:00 PM December 17, 2010.

(Communications and Announcements – Continued)

8. Today, Supervisor LaFountain joined County Executive Maggie Brooks at the Grand Opening of Salvatores Old Fashioned Pizzeria, 1217 Bay Road in the Town of Penfield.

9. Planning Board Chairman, Sandy Kyle has tendered her resignation. At the Planning Board’s last official public meeting on December 9, 2010, Supervisor LaFountain presented her with a Proclamation. Ms. Kyle has spent 14 years within this community and a number of years as Planning Board Chairman. Supervisor LaFountain thanked Ms. Kyle for her 14 years of dedicated service to the Town of Penfield.

10. The annual All-You-Can-Eat Pancake Dinner was held Saturday, December 4, 2010 at the Penfield Community Center. Approximately 200 people attended the successful event.

11. Winter Parking rules will run though April 1, 2011. No parking will be allowed on roads and highways between 2:00 AM to 7:00 AM.

12. Councilwoman Kohl thanked all those that participated in the final Bicentennial Event that took place this evening at the Town Hall and thanked all that were involved in the many Bicentennial activities this year.

13. “Memories of Penfield” can still be purchased at the Town Clerk’s office or the Penfield Community Center for $15.00 or two for $24.00.

14. An Old Fashioned Christmas was held at the Dayton’s Corners School on December 12, 2010 from 1:00 – 4:00 PM.

15. Councilwoman Kohl’s next Community Chat will be held as a joint Community Chat with Penfield School member Marie Cinti, liaison to the Town Board on Tuesday, January 18, 2011 from 5:30 – 7:00 PM at the Penfield Library, 1984 Baird Road.

Councilwoman Kohl recognized Marie Cinti who was in the audience this evening.

Public Participation
Gordon Lee Griffin, 2124 Penfield Road, Vice President of the Penfield Chamber of Commerce stated the Chamber held its annual awards dinner last week at the Penfield Country Club. The awards went to Penfield Citizen of the Year, Wally Ashnault and Penfield Business of the Year, Senior Fitness, Betty Perkins.

Mr. Griffin thanked Supervisor LaFountain for serving on the Awards Selection Committee.

Rose Hanscom, 145 Anytrell Drive, asked the Town Board if there is a liaison from Webster to the Penfield School Board?

Supervisor LaFountain stated that he is not aware of one, but will follow up with the Webster Superintendent.

Ms. Hanscom thanked the Highway Department for the great job they did in plowing the streets of Penfield during the past weeks snow storm.

Ms. Hanscom read a statement she had written in memory of past neighbor Paula Keenan in which she reiterated both of their opposition to the Baytowne Walmart expansion project.

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of November 17, 2010. Councilwoman Metzler seconded and all voted “Aye”.

Petitions - None

Resolutions by Function

Law and Finance

#10T-244 Authorization to Approve Agreement to Settle Tax Certiorari by Moore

WHEREAS, Rochester General Long Term Care, Inc., d/b/a Hill Haven, heretofore commenced proceedings against the Assessor and the Board of Assessment Review and other respondents for a review of the Assessment for the years 2010/2011 for the premises described and known as 1520, 1530 and 1550 Empire Boulevard (tax account numbers 093.19-2-32; 093.19-2-33; 093-19-2-34); located within the Town of Penfield; and

WHEREAS, negotiations have been had between the Attorney for the Town and the Attorneys for the Petitioner in an attempt to settle and compromise Petitioner’s claim; and

WHEREAS, after such negotiations, tentative agreement has been reached between all parties on the terms of a proposed settlement subject to the approval of the Town Board and to the approval of the Supreme Court of the State of New York, which terms of settlement are to be set forth in the
Stipulation of Settlement and Order of the Supreme Court to be filed upon completion in the Office of the Town Assessor; and

WHEREAS, upon due consideration of all facts and circumstances, the Town Board finds that the proposed compromise and settlement is fair and reasonable and should be approved.

THEREFORE, BE IT RESOLVED, that the proposed settlement of the Tax Certiorari proceedings brought by Rochester General Long Term Care, Inc., d/b/a Hill Haven, for the years 2010/2011 be and hereby are approved.

BE IT FURTHER RESOLVED, that the Attorney representing the Town be and hereby is directed to make application to the Supreme Court of the State of New York for approval of such settlement and that upon obtaining such approval, the Assessor of the Town of Penfield be and he hereby is directed to make the necessary adjustments in the Assessment Rolls for the Town of Penfield to reflect the terms of such settlement.

Moved: Moore
Seconded: Kohl

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

Adopted

#10T-245 Authorization to Approve Agreement to Settle Tax Certiorari by Moore

WHEREAS, GHRS Foundation, Inc., heretofore commenced proceedings against the Assessor and the Board of Assessment Review and other respondents for a review of the Assessment for the years 2007/2008, 2008/2009 and 2009/2010 for the premises described and known as 1520, 1530 and 1550 Empire Boulevard (tax account numbers 093.19-2-32; 093.19-2-33; 093-19-2-34); located within the Town of Penfield; and

WHEREAS, negotiations have been had between the Attorney for the Town and the Attorneys for the Petitioner in an attempt to settle and compromise Petitioner’s claim; and

(Resolution #10T-245 - Continued)

WHEREAS, after such negotiations, tentative agreement has been reached between all parties on the terms of a proposed settlement subject to the approval of the Town Board and to the approval of the Supreme Court of the State of New York, which terms of settlement are to be set forth in the Stipulation of Settlement and Order of the Supreme Court to be filed upon completion in the Office of the Town Assessor; and

WHEREAS, upon due consideration of all facts and circumstances, the Town Board finds that the proposed compromise and settlement is fair and reasonable and should be approved.

THEREFORE, BE IT RESOLVED, that the proposed settlement of the Tax Certiorari proceedings brought by GHRS Foundation, Inc., for the years 2007/2008, 2008/2009 and 2009/2010 be and hereby are approved.
BE IT FURTHER RESOLVED, that the Attorney representing the Town be and hereby is directed to make application to the Supreme Court of the State of New York for approval of such settlement and that upon obtaining such approval, the Assessor of the Town of Penfield be and he hereby is directed to make the necessary adjustments in the Assessment Rolls for the Town of Penfield to reflect the terms of such settlement.

Moved: Moore
Seconded: Quinn

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

Adopted

#10T-246  2010 Budget Transfer – Year End Transfers by Moore

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 as follows:

General Fund Appropriations:

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</table>

Moved: Moore
Seconded: Metzler

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

Adopted

#10T-247  Adoption of Local Law No. 1 of 2010 – 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

(Resolution #10T-247 – Continued)
WHEREAS, the Town’s current laws relating to dogs need to be updated in conformance with the change in the statute; and

WHEREAS, a Public Hearing concerning this proposed Local Law was held on December 1, 2010 at 7:30 PM at the Penfield Town Hall where all interested persons were given the opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED AND HEREBY IS ENACTED by the Town Board of the Town of Penfield Local Law No. 1 of 2010, to be known as the Dog Licensing and Animal Control Law as follows and as set forth in Schedule A annexed hereto; and

BE IT FURTHER RESOLVED, that the said Local Law shall take effect January 1, of 2011 after filing with the Secretary of State by the Town Clerk upon adoption.

Moved: Moore
Seconded: Kohl

<table>
<thead>
<tr>
<th>Vote</th>
<th>Kohl</th>
<th>Aye</th>
<th>LaFountain</th>
<th>No</th>
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<tr>
<td></td>
<td>Metzler</td>
<td>Aye</td>
<td>Moore</td>
<td>Aye</td>
</tr>
<tr>
<td></td>
<td>Quinn</td>
<td>Aye</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Adopted

See Schedule “A” at end of Minutes

#10T-248 Approval of Issuance of a Special Permit to Allow Rosey’s Italian Café at 2135 Five Mile Line Road - SBL #139.10-1-3 - Richard & Rosann Vitale by Moore

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Special Permit, pursuant to Article III-3-97 of the Code to allow an Italian café at 2135 Five Mile Line Road, located in the Four Corners (FC) zoning district; and

WHEREAS, the Town Board of the said Town of Penfield held a Public Hearing at the 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 application and hear all persons interested on the question of the issuance of a Special Permit to allow an Italian café at 2135 Five Mile Line Road, in the Four Corners (FC) zoning district and the Public Hearing was closed.

NOW, THEREFORE, BE IT RESOLVED, that the applicants’ request for a SPECIAL PERMIT to operate an Italian café at 2135 Five Mile Line Road is hereby GRANTED subject to the following conditions:

1. The applicants shall obtain a SPECIAL PERMIT from the Town Clerk and pay the appropriate fee. The SPECIAL PERMIT is non-transferable. Any subsequent owner or operator shall be required to apply for and obtain a SPECIAL PERMIT from the Town Board to operate a business at this location.

2. The applicants shall comply with the occupancy requirements that have been established by the Penfield Fire Marshal in accordance with the International Building Code and obtain any/all necessary permits.
Furthermore, seating for no more than 25 patrons shall be permitted within the café and no more than (2) two tables with seating for (4) four shall be permitted on the sidewalk to the exterior of the café. At no time shall pedestrian access on the sidewalk be impeded by the placement of the proposed tables and seating.

3. The applicants shall obtain a Sign Permit and pay the appropriate fee.

(Resolution #10T-248 – Continued)

4. The applicants shall be responsible for the continuous maintenance of the dumpsters on the site. Said dumpsters if they are not already enclosed, shall be enclosed within six (6) months of the date of this Resolution at the direction of the Director of Developmental Services.

5. The applicants shall ensure that they have the ability to utilize on-site parking facilities without adversely impacting other on-site businesses that depend on those facilities, particularly those parking spaces situated in the front of the building. Failure to comply with this condition of approval will result in the Board holding a Public Hearing to pursuant to the requirements of Article XI-11-14 of the Zoning Ordinance to review the intensity of the scope of this business and making a determination as to whether it is properly scaled to the area.

6. This operation shall comply with all Federal, State, County and Town Codes.

AND BE IT FURTHER RESOLVED, that the applicants’ proposal is classified as a Type II action pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and the Penfield Environmental Quality Review Law (PEQR).

The Town Board, in granting the Special Permit, does so based on its following findings:

1. The applicants propose to occupy a recently vacated rental space at 2135 Five Mile Line Road which was previously utilized as an Italian restaurant. They will lease the site for the purpose of installing an Italian café with seating for 25 patrons. The applicants also proposed to install outdoor dining in front of the café on the sidewalk as the previous tenant had done. At the time the previous tenant had requested outdoor dining, the Fire Marshal determined that (2) two tables with seating for (4) four at each table was appropriate without compromising safe ingress and egress for the restaurant. The applicants are permitted to have the same (2) two tables with seating for (4) four at each table as the previous tenant had been approved for by this Board.

2. The site has 29 parking spaces to accommodate this business, as well as the (3) three other existing businesses operating from it. The use also has access to 13 on-street spaces as well as the 50 space public parking lot immediately across Five Mile Line Road. It is anticipated that those spaces will adequately support the businesses operating at this location, as well as other area businesses that
depend on those off-site facilities. The Board is concerned that this operation may initially dominate both the on-site and off-site spaces and will periodically review the operation to ensure that it does not adversely impact other area businesses in need of public and private parking facilities as well. The applicants are advised that they and their 3 - 6 employees park their vehicles in remote spaces to the rear of the restaurant to provide the most accessible parking for the patrons on the site. In no case shall patrons adversely impact the on-site parking needs of the other (3) three businesses operating from this site.

3. The applicants have successfully operated another restaurant in downtown Rochester for the last 13+/- years.

4. The use is consistent with the goals of the Four Corners Plan.

(Resolution #10T-248 - Continued)

Moved: Moore
Seconded: Quinn

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

Adopted

#10T-249 Setting an Informal Discussion Meeting for an Incentive Zoning Proposal at 2433 Penfield Road - SBL #140.02-1-50 - Pride Mark Homes, Inc. by Moore

WHEREAS, Peter Vars, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450/Nine Mile Point Associates, LLC requests an informal discussion with the Town Board regarding possible subdivision of an existing single family residence and construction of 28 townhomes on 16.3 +/- acres. The parcel is located at 2433 Penfield Road and is to be known as Arbor Ridge East. The property is now or formerly owned by Dawn Grambeck and is zoned RR-1. SBL# 140.02-1-50

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the said Town of Penfield shall hold an informal discussion at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on January 19, 2011, at 7:30 PM on said date, to consider the said conceptual plan and to hear all persons interested on the question of the possible construction of the subdivision of the existing residence and construction of 28 townhomes totaling 16.3 acres. The parcel is located at 2433 Penfield Road and is to be known as Arbor Ridge East; and be it further

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 ten (10) nor more than twenty (20) 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: Metzler

| Vote    | Kohl | Aye | LaFountain | Aye
|---------|------|-----|------------|-----
| Metzler | Aye  |     | Aye        |     
| Quinn   | Aye  |     |            |     

Adopted

#10T-250  Setting a Public Hearing for an Amendment to the Zoning Ordinance and Map to Allow a Rezoning of 4.22 acres from Business Non-Retail to R-1-20 at 1360-B Five Mile Line Road – SBL# 094.18-1-5.001 Cloverland Properties LLC by Moore

WHEREAS, an application has been received by the Penfield Town Board pursuant to Article XIV-14-3 of the Code to amend the Zoning Ordinance and Map to rezone 4.22 acres from Business Non-Retail to R-1-20 at 1360-B Five Mile Line Road;

NOW, THEREFORE, BE IT RESOLVED, that the Penfield Town Board is best suited to act as “lead agency” within the meaning of the State Environmental Quality Review Act (SEQRA) and the Penfield Environmental Quality Review Law (PEQR) and thus does hereby designate itself as “lead agency” pursuant to SEQRA and PEQR; and be it further

RESOLVED, that the subject application is determined to be an Unlisted action pursuant to Section 2.020(d) of the Penfield Environmental Quality Review Law; and be it further

(Resolution #10T-250- Continued)

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 January 19, 2011, at 7:30 PM on said date, to consider the said application and to hear all persons interested on the question of amending the Zoning Ordinance and Map to rezone 4.22 acres from Business Non-Retail to R-1-20 pursuant to Article XIV-14-3 of the Code at 1360-B Five Mile Line Road, as more particularly described in Schedule “A”, attached hereto and made a part hereof; and be it further

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 ten (10) nor more than twenty (20) 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: Kohl

| Vote    | Kohl | Aye | LaFountain | Aye
|---------|------|-----|------------|-----
| Metzler | Aye  |     | Aye        |     
| Quinn   | Aye  |     |            |     

Adopted
See Schedule “A” at end of Minutes

#10T-251 Setting a Public Hearing to Consider Design Modifications to the Incentive Zoning Application and Preliminary and Final Subdivision and Site Plan Approval at 1360-B Five Mile Line Road, known as Windham Woods Subdivision – Phases II and III, SBL #094.18-1-5.001 – Cloverland Properties, LLC by Moore

WHEREAS, an application has been received by the Penfield Town Board, under Local Law No. 2 of 2003, known as the Town of Penfield Incentive Zoning Law, to consider a design modification to the approval granted by the Town Board on July 19, 2006 for Incentive Zoning and Preliminary and Final Subdivision and Site Plan Approval to allow 46 single family homes on 20.75 acres at 1360-B Five Mile Line Road, known as Windham Woods Subdivision – Phases II and III; and

WHEREAS, the Penfield Town Board is best suited to act as “lead agency” within the meaning of the State Environmental Quality Review Act (SEQRA) and the Penfield Environmental Quality Review Law (PEQR) and thus does hereby designate itself as “lead agency” pursuant to SEQRA and PEQR; and

WHEREAS, the subject application is determined to be an Type I action pursuant to Section 3.020(b) of the Penfield Environmental Quality Review Law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield will hold a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York 14526 on January 19, 2011, at 7:30 PM on said date, to consider said application and to hear all persons on the question of consideration of said application, and

BE IT FURTHER 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 not to be less than ten (10) nor more than twenty (20) 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.

(Resolution #10T-251 - Continued)

Moved: Moore
Seconded: Quinn

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

Adopted

Public Works - None
Public Safety - None

Community Services

#10T-252 2010 Budget Transfers – Recreation Programs by Kohl

WHEREAS, the Town Board has authorized several recreation program changes in the original budget, and

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

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be approved to the 2010 budget:

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<th>TO:</th>
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<tr>
<td>Wellness Merchandise</td>
<td>July 4th Stage Sound Rental</td>
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</tr>
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</table>

Moved: Kohl
Seconded: Quinn

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

Adopted

#10T-253 Authorization for Supervisor to Sign Recreation Contract by Kohl

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following Recreation Contracts:

Danielle Staversky, 626 Cranberry Lane, Macedon, NY 14502, to direct Jazzy Dance Camp, 12/28/10 – 12/30/10, for the fee of $50.00 per day. Voucher to be submitted 1/5/11.

The Arthritis Foundation 330 Monroe Ave. Suite 319, to provide Arthritis exercise and Tai Chi classes for 2011 for a fee of $32.00 per class. Vouchers to be submitted upon receipt of invoice.

Usha Shah, 688 East Ave., Apt. 7C, Rochester, NY 14607, Instructor for Healthy Cooking sessions on 11/10/10, 11/17/10, 12/1/10, 12/8/10 for the fee of 80% of total revenue. Voucher to be submitted 12/17/10.

Pisces School of Dive, Inc., 783 Fairport Road, East Rochester, NY 14445, Discover Scuba Diving, 3/5/11 and 5/14/11 for a fee of 80% of the total revenue less expenses. Vouchers to be submitted 3/2 and 5/18/11.

Sea Dragons Swim Club, P.O. Box 112, Penfield, NY 14526, Competitive Swimming Instruction, 4/26 – 5/19/11, for a fee of 80% of the total program revenue. Voucher to be submitted 5/18/11.

Linda Schmackpfeffer, 2712 Spencerport Road, Spencerport NY 14559, Baby Signing Time, 3/12 – 6/4/11, for a fee of 80% of the total program revenue. Vouchers to be submitted 4/6 and 6/1/11.

Lori Griffin, 4 Galante Circle, Webster, NY 14580, Etiquette: Manners for Children, 2/9/11 and 4/2/11, for a fee of 80% of the total program revenue. Voucher to be submitted 2/16/11 and 4/6/11.

Dave Rogachefsky, 2199 East Main Street, Rochester, NY 14609, Friday Gym Frolics, Floor Hockey, K-1 Sports of all Sorts, and 2-3 Sports of all Sorts, 1/13/11 – 6/2/11 for a fee of $20.00 per class. Vouchers to be submitted 1/19, 3/2, 4/6 & 5/18/11.

Lisa Valcore, 57 Country Lane, Penfield, NY 14526, Zumbatomic – 1/15/11 – 4/9/11 and Zumba Gold – Fridays – 1/14/11 – 6/17/11 for a fee of 80% of the total revenue for Zumbatomic and 75% of the total revenue for Zumba Gold. Vouchers to be submitted 1/19, 2/2, 3/2, 4/6, 5/4, and 6/15/11.

Gymnastics Training Center, 2051 Fairport Nine Mile Point Road, Penfield, NY 14526, Gymnastics – Beginner and Gymnastics for Tiny Tumblers – 1/17/11 – 4/11/11; and Gymnastics Camp, 2/21/11 – 2/25/11 & 4/18/11 – 4/22/11 for a fee of 80% of the total program revenue. Vouchers to be submitted 2/2, 3/2, 4/6 and 4/20/11.

TrueNorth Equestrian Center, 3476 Atlantic Avenue, Penfield NY 14526, Horseback Riding Intro, 4/25/11 – 5/25/11, for a fee of 80% of the total program revenue. Voucher to be submitted 5/18/11.

Big Oak Driving Range, North Washington Street, PO Box 430, East Rochester, NY 14445, Jr. Golf, 4/30/11 – 7/2/11 for a fee of $50.00 per paid participant. Vouchers to be submitted 5/18 and 6/15/11.

Heather Wilber, 710 Cobblestone Trail, Macedon NY 14502, Handmade Cards and Great Handmade Cards, 1/25/11 – 6/14/11 for a fee of 75% of the total program revenue. Vouchers to be submitted 2/2, 2/16, 3/15, 4/20, 5/18 and 6/15/11.
Sharon Kofod, Inner Compass, 169 Shirewood Drive, Rochester, NY 14625, Jewelry Making, 1/24 - 2/7/11, for a fee of 75% of the total program revenue. Vouchers to be submitted 2/2/11 and 2/16/11.

Kathryn Boone, KB Dog Training, 28 Landing Park, Rochester, NY 14625, Dog Obedience Classes, 1/19/11 - 5/25/11 for a fee of 80% of the total program revenue less expenses. Vouchers to be submitted 1/19, 3/2, 4/6 & 5/18/11.

Diane DiRoberto, P.O. Box 10621, Rochester, NY 14610, Hand Coloring Black & White Photographs - 2/11/11 and Street Photography Workshop - 5/7/11, for a fee of 75% of the total program revenue. Vouchers to be submitted 2/16/11 and 5/4/11.

(Resolution #10T-253 - Continued)

Rees & Company, Inc., 147 Morgan Road, Scottsville, NY 14546, Remodeling Your Kitchen: Getting Started, 2/10/11 & 5/5/11 for a fee of 75% of the total program revenue. Vouchers to be submitted 2/16/11 & 5/4/11.

Carrie Herscovici, 17 Watchet Lane, Fairport NY 14450, Gentle Yoga - 1/14/11 - 5/27/11 and Power Yoga - 1/11/11 - 5/24/11, for a fee of 80% of the total program revenue for 10 or less registrants or a fee of 75% of the total program revenue for over 10 registrants. Vouchers to be submitted 1/19, 2/16, 4/6, and 5/18/11.

Anne Freitas, 85 Harwood Circle, Rochester, NY 14625, Get Fit with Fun, 1/4/11 - 5/26/11, for a fee of 75% of the total program revenue. Vouchers to be submitted 1/19, 2/16, 3/2, 4/6, 5/4 & 5/18/11.

Monica Kraft, 1539 Fieldcrest Drive, Webster, NY 14580, Lighten and Tighten, 1/5/11 - 6/22/11 for a fee of 75% of the total program revenue. Vouchers to be submitted 1/19, 2/16, 3/16, 4/20, 5/18 & 6/15/11.

Therese Bason, 172 D Serene Park, Webster, NY 14580, Pilates Mat Class - Monday and Yoga’lates, 1/13/11 - 6/20/11, for a fee of 80% of the total program revenue for 10 or less registrants or a fee of 75% of the total program revenue for over 10 registrants. Vouchers to be submitted 1/19, 2/2, 3/2, 4/6, 5/4, & 6/15/11.

Rhonda Flint, 1036 Pondbrook Point, Webster, NY 14580, Pilates Mat Class – Tuesday, 1/11/11 - 6/14/11 for a fee of 80% of the total program revenue per class for 10 or less registrants or a fee of 75% of the total program revenue per class for over 10 registrants. Vouchers to be submitted 1/19, 2/2, 3/2, 4/6, 5/4, & 6/15/11.

Glenda Bondy, 16 St. Ebbas Drive, Penfield NY 14526, Zumba Gold, 1/12/11 - 6/15/11, for a fee of 75% of the total program revenue. Vouchers to be submitted 1/19, 2/2, 3/2, 4/6, 5/4, & 6/15/11.

Mary Lynne DiFolco, 1213 Shoecraft Road, Webster, NY 14580, Sharpen your Short Game and Women’s Only Beginner Golf, 4/27/11 - 5/26/11, for a fee of 80% of the total program revenue. Vouchers to be submitted 5/4, 5/19, and 6/1/11.
Marcia Orlandini, 11 Brookside Drive, Fairport, NY 14450, Volleyball Co-ed Play, 1/13/11 - 6/23/11, for a fee of $25.00 per class. Vouchers to be submitted 1/19, 3/2, 4/6 & 6/1/11.

Mike Kornrich, 59 Culver Parkway, Rochester, NY 14609, to provide musical entertainment for Holiday program on 12/4/10 for a fee of $300.00. Voucher to be submitted on 12/15/10.

Moved: Kohl
Seconded: Metzler

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

Adopted

Old Business - None

New Business - None

Public Participation

Richard Hammann, 1410 Penfield Center Road, stated he is pleased that the Commission Ditch is flowing well and working properly. Mr. Hammann remembered three (3) Town Veterans, Past Town Road Commissioner, Dewey Retter, past Town Clerk, Earl Rapp, and past Town Supervisor, Howard Frank. Mr. Hammann also remembered military veterans and stated he feels without veterans there would be no America and no constitution. Mr. Hammann stated he appreciates that there is religious diversity represented in the Township. He also appreciates how the Town remembers its Veterans. Mr. Hammann thanked the Town Board for its service.

Ed Lindskoog, 19 High School Drive, is concerned with the damage the sidewalk plow has caused to the installed sidewalk pads. He believes it has created a tripping hazard.

Mr. Lindskoog has brought the issue to the attention of County Legislator, Debbie Drawe and stated that although the County installed the pads it will be the responsibility of the Town to repair them. Mr. Lindskoog would like the Town to look into this matter especially in the Five Mile Line Road area.

Legislator to the 9th District Debbie Drawe, 5 Cobblestone Crossing stated how wonderful the Bicentennial wrap up was this evening and thanked Councilwoman Kohl and the Bicentennial Committee for all their work in making the Town’s Bicentennial year a success.
Legislator Drawe thanked Highway Superintendent Jim Fletcher and the Highway Department for keeping Penfield roads clean.

Legislator Drawe stated that the County Legislature adopted the 2011 Monroe County Budget last evening and that she spent a lot of her effort on the Human Services portion of the Budget. She informed the Town Board that County Executive Maggie Brooks presented a fiscally responsible Budget. She also commented on the fact that for the 7th consecutive year the county is delivering a stable property tax at a flat rate of $8.99 per 1,000. Legislator Drawe also stated that they are reducing the size of government and are in compliance with the Tax Payer Protection Act. With the help of Budget Director Susan Walsh and County Department Heads there was some strict cost cutting and streamlining of some departments and services.

Legislator Drawe stated she is available to answer any questions at 586-8284 and can also be reached at ddrawe@gmail.com.

Adjournment

Supervisor LaFountain adjourned the meeting at 9:02 PM.

Amy Steklof
Town Clerk
Schedule A Summary Of
Proposed Local Law #1 of 2010
Dog Licensing and Animal Control Law

The subject and purpose of this law is to provide for the licensing and identification of dogs and to protect citizens and personal property from dangerous dogs and to preserve the health, safety and welfare of the public by enforcing regulations and restrictions on the activities of dogs.

The proposed law sets forth dog licensing requirements, procedures and fees and provides for the permanent assignment of a municipal identification number for each dog licensed and requires an identification tag to be affixed to the collar on each said dog at all times.

Further the law provides for the seizure, confinement and/or impoundment of dogs that are unlicensed, dangerous, or engage in unlawful activities, such as running at large, attacking persons or nuisance barking.

The law also sets forth fees for impoundment and the penalties for violations of the proposed law.

Copies of the proposed law are available for inspection by and distribution to any interested person during business hours at the Penfield Town Clerk’s Office.
Schedule "A"

WINDHAM WOODS SUBDIVISION
DESCRIPTION OF LANDS ZONED BN-R

All that tract or parcel of land situate in the Town of Penfield, County of Monroe, State of New York, all as shown on a map entitled "Windham Woods Plat Map Section 2", prepared by Costich Engineering, P.C., having Drawing No. 4730 CA100, dated 10/18/2010, said map to be filed in the Monroe County Clerk's Office, being more particularly bounded and described as follows:

Beginning at a point at the easterly bounds of Five Mile Line Road- County Road 18 (66’ R.O.W.), said point being the northwesterly corner of Lot No. 203; thence

1. N89°43'03"E, a distance of 864.52 feet to a point; thence
2. N00°16'57"W, a distance of 161.13 feet to a point; thence
3. N88°51'22"E, a distance of 422.77 feet to a point; thence
4. S00°19'1O"E, a distance of 398.46 feet to a point; thence
5. S89°43'03"W, a distance of 261.85 feet to a point; thence
6. N24°44'32"W, a distance of 204.30 feet to a point; thence
7. S89°43'03"W, a distance of 941.06 feet to a point; thence
8. N00°16'56"W, a distance of 45.00 feet to the point and place of beginning.