PENFIELD TOWN BOARD AGENDA
Wednesday, February 2, 2011 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 –January 5, 2011

VI Petitions

VII Resolutions by Function
Law and Finance
#11T-071 Adoption of Town Board Rules of Procedure for 2011
#11T-072 Appointment to the Library Board
#11T-073 2010 Final Budget Transfers
#11T-074 Authorization to Attend the NYS Association of Towns Conference
#11T-075 Adopting the Findings Statement for the Town of Penfield 2010 Comprehensive Plan
#11T-076 Adoption of the Town of Penfield 2010 Comprehensive Plan
#11T-077 Setting Public Hearing for Preliminary Subdivision and Site Plan Approval to Allow 99 Single Family Residences and Final Subdivision and Site Plan Approval to Allow 29 Residences in Phase I of Abbington Place Subdivision on 49.1 Acres at 1229 Fairport Nine Mile Point Road

Public Works
#11T-078 Naming of a Planning Consultant to the Town of Penfield

Public Safety
#11T-079 Authorization to Donate Surplus Radio Scanner

Community Services
#11T-080 Contract with Mario Gianforte for Annual Security Training Services
#11T-081 Authorization to Attend NYSRPS Annual Conference
#11T-082 Authorization for Supervisor to Sign Intermunicipal Agreement and Land Lease with Penfield Central School District
#11T-083 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, February 2, 2011 at 7:30 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.
Supervisor LaFountain called the meeting to order – Pledge of Allegiance was led by Ed Lindskoog.

Communications and Announcements

1. Loan cupboard items have been donated to the Penfield Ambulance at 1585 Jackson Road. Contact them at 872-4070. For more information call the Town Clerk at 340-8629.

2. The Town of Penfield Animal Control Officer reminds residents to take special care of their pets in winter weather. Tips and recommendations from the Humane Society can be found at www.penfield.org and follow the link to “Keep Your Pets Safe From Winter Woes.”

3. The Penfield Symphony Orchestra will hold its first concert of the year at Penfield High School on Monday, February 14, 2011 at 7:30 PM. Call the Penfield Symphony Orchestra at 872-0774 or www.penfieldsymphony.org for more information.

4. Councilman Quinn congratulated Dave and Sabrina Renner on the impending birth of their son.

5. Penfield Recreation Department is offering a new Community Service Club called “Kids in the Community Club” for grades 6 – 8. For more information contact the Penfield Recreation Department at www.penfield.org.

6. The Penfield Library Program, “Bedtime Story” will be held Wednesday, February 9th from 7:00 – 7:30 PM. For more information contact the Library at www.penfieldlibrary.org.

7. The Town will offer a free (9) nine week Senior Citizen Police Academy program beginning March 31, 2011. For more information contact the Recreation Department at 340-8655 or on-line at www.penfield.org.

8. Tax payments may be dropped off in the drop box located in the front west side of the Town Hall on nights, weekends or anytime during the day.

9. Supervisor LaFountain received several e-mails and letters from residents thanking the Highway Department for keeping our roads safe and clear this winter.
10. The Penfield Library will be hosting a Valentine Party for children and their Dads on Saturday, February 12, 2011 from 11:00 AM - 12:00 PM at the Penfield Community Center, 1985 Baird Road. For more information contact the library at www.penfieldlibrary.org.

11. Councilwoman Kohl’s next Community Chat will be held Saturday, February 19, 2011 from 9:00 – 10:30 AM at Tim Horton’s, 1786 Empire Boulevard. Councilwoman Kohl can be reached at kohl@penfield.org.

(Communications and Announcements – Continued)

12. The Penfield Trail’s Committee will hold a free indoor hike in the Town Hall Auditorium, Saturday, February 12, 2011 from 10:00 AM – 12:00 Noon. To register and for more information contact the Recreation Department at 340-8655.

13. Family Floats Night scheduled for Friday, February 4, 2011 has been cancelled due to low attendance.

Public Participation

Tom Trevett, 47 Canyon Trail said he is delighted that Rob Quinn has stated as Chairperson of the Penfield TV Board, one of his goals will be to improve openness of Town Government.

Mr. Trevett stated he would like the rules to allow dialog during Public Participation.

Mr. Trevett stated that at the last Town Board meeting a resident inquired about the Town’s response to the Democrat and Chronicle’s request for Town salaries and where the information can be found. Mr. Trevett also stated that the resident was told she could get the information from Rose Iascone, Budget Officer, by making an appointment. He stated that there should be an easier way for taxpayers to obtain the salary of the Town Board which is $18,443.

Supervisor LaFountain stated that the Democrat and Chronicle reporter had asked for salaries of all Town Employees, and not just the salary of the Town Board, which is the information the resident had requested.

Supervisor LaFountain further stated that salaries of elected officials are attached to the summary of the budget and can be found on the Town’s Website.

Councilwoman Metzler stated that all past Town Board meetings can be found on the website at www.penfield.org.

Mr. Trevett gave several examples where he feels the Town Government could be more open in disclosing budget items such as Board Member salaries. Mr. Trevett gave a further example of where the Town
could be more open and feels the process to challenge assessments is too expensive for homeowners, siting a figure of $10,000 to bring an action in court.

Town Attorney, Richard Horwitz stated that the cost is actually $25.00 for homeowners to bring an action in Small Claims Court. Mr. Horwitz further stated that the Town Board has nothing to do with setting assessments and that it is the jurisdiction of the Assessor.

Mr. Trevett asked if the Town Board appoints the Assessor and the Grievance Committee?

Mr. Horwitz replied “yes”, but that the Town Board has nothing to do with the procedure.

Mr. Trevett also stated that there should be more detail in the settlement Resolutions, and that taxpayers should be made aware of the details of the suits. Mr. Trevett urges Councilman Quinn to consider the ideas he has put forth when looking to find ways to achieve more open government.

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of January 5, 2011. Councilwoman Metzler seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#11T-071 Adoption of Town Board Rules of Procedure for 2011 by Moore

WHEREAS, on January 5, 2011 Resolution #11T-027, Adoption of Town Board Rules of Procedure for 2011 was adopted, and

WHEREAS, the Supervisor and Town Clerk wanted to insure that the Town Board Rules of Procedure accurately reflected how business is conducted at Town Board Meetings and Public Hearings,

NOW, THEREFORE BE IT RESOLVED, that the Rules of Procedure annexed hereto by adoption will replace the former Rules of Procedure dated January 3, 2007, and

NOW, BE IT FURTHER RESOLVED, that a copy of the Rules of Procedure be available to the public on request from the Town Clerk, and that the Town Clerk will have available prior to each Town Board meeting a copy of the Rules of Procedure for review and inspection.

Moved: Moore
Seconded: Kohl
BE IT RESOLVED, that Alison Cundy, 12 Bittersweet Circle, Penfield, NY be appointed to the Penfield Library Board for a term expiring December 31, 2015.

Moved: Moore
Seconded: Quinn

Adopted

#11T-073 2010 Final Budget Transfers by Moore

WHEREAS, during 2010 the severe winter created overtime, and other activities during 2010, and

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

NOW, THEREFORE BE IT RESOLVED, that the following 2010 budget transfers be approved in the General Fund and Highway Funds as follows:

General Fund Appropriations

<table>
<thead>
<tr>
<th>Description - From</th>
<th>To</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Medical Insurance</td>
<td>Parks Department</td>
<td></td>
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<tr>
<td>01-9060-0008-8001($44,250)</td>
<td>01-7110-0001-1013</td>
<td>$17,000.00</td>
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<tr>
<td></td>
<td>01-7111-0001-1013</td>
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<tr>
<td></td>
<td>01-1620-0001-1016</td>
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(Resolution #11T-073 - Continued)

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<tr>
<th>Description - From</th>
<th>To</th>
<th>Amount</th>
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<tr>
<td></td>
<td>Cable TV Department</td>
<td></td>
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<tr>
<td></td>
<td>01-8989-0001-1016</td>
<td>305.00</td>
</tr>
<tr>
<td></td>
<td>01-8989-0001-1017</td>
<td>1,260.00</td>
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<tr>
<td></td>
<td>01-8989-0001-1019</td>
<td>885.00</td>
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</table>
Sidewalk Projects
01-5410-0004-4001  18,000.00

Totals $26,250.00  Totals $44,250.00

Highway Fund Appropriations

Medical Insurance  Highway Department
02-9060-0008-8001 ($20,000)  02-5110-0001-1000  $57,000.00
Highway Department
02-5140-0001-1000 ($37,000)

Totals  $57,000  Totals  $57,000.00

Moved:  Moore
Seconded:  Metzler

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

Adopted

#11T-074  Authorization to Attend the NYS Associations of Town
       Conference by Moore

WHEREAS, the New York State Education Department requires all
Professional Engineers to obtain annual training; and

WHEREAS, it is in the town’s best interest to have staff members
attend training workshops to gain knowledge pertaining to current
practices in stormwater management, administrative management,
street maintenance, traffic operations, and construction management; and

WHEREAS, the NYS Association of Towns is an industry leader in
training for municipal professionals, and

NOW, THEREFORE, BE IT RESOLVED that the Assistant Town Engineer is
hereby authorized to attend the NYS Association of Towns, to be held
from February 20 – 22, 2011 for a cost not to exceed $1,400.00.
This cost will be allocated from the 2011 departmental conference
budget line.

Authorized expenses will be reimbursed by the Town upon presentation
of a properly completed voucher with supporting documents.

Moved:  Moore
Seconded:  Kohl

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

Adopted
WHEREAS, the Town Board of the Town of Penfield has been designated as Lead Agency pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and the Penfield Environmental Quality Review Law (PEQR) regarding the preparation and adoption of the Town of Penfield 2010 Comprehensive Plan; and

WHEREAS, the Town Board completed a public review of the Draft Generic Environmental Impact Statement (DGEIS) and held a Public Hearing held on August 30, 2010 to allow the public to address both the DGEIS and the draft Comprehensive Plan; and

WHEREAS, during the public comment and review of said DGEIS, comments were made orally at the Hearing and submitted in writing prior to the close of said public comment period on September 17, 2010; and

WHEREAS, the Town Board has considered all comments made and has prepared responses as appropriate, as contained in the Final Generic Environmental Impact Statement (FGEIS) which it accepted on January 19, 2011; and

WHEREAS, the Town Board finds that adoption of the Town of Penfield 2010 Comprehensive Plan avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

NOW, THEREFORE, BE IT RESOLVED, that the Penfield Town Board acting as Lead Agency, and having complied with SEQRA and PEQR, hereby adopts the Findings Statement, attached hereto as Schedule A; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to Certify said Findings Statement.

Moved: Moore
Seconded: Quinn

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

Adopted

See Schedule “A” at End of Minutes

#11T-076  Adoption of the Town Of Penfield 2010 Comprehensive Plan
by Moore
WHEREAS, the Town Board of the Town of Penfield proposes to adopt the 2010 Comprehensive Plan, consistent with Section 272-a of Town Law; and

WHEREAS, the adoption of said plan constitutes a Type I action pursuant to the State Environmental Quality Review Act (SEQRA) and the Penfield Environmental Quality Review Law (PEQR); and

WHEREAS, the Town Board declared itself Lead Agency and filed a positive declaration of significance for the proposed action; and

WHEREAS, a Draft Generic Environmental Impact Statement (DGEIS) was prepared by the Town Board, acting as Lead Agency, pursuant to Part 617.8(a) of the State Environmental Quality Review Act (SEQRA) and Section 2.030 of the Penfield Environmental Quality Review Law (PEQR); and

WHEREAS, on August 30, 2010, a Public Hearing was held on the DGEIS and the draft 2010 Comprehensive Plan, at which oral and written comments were received; and

WHEREAS, prior to the close of the comment period on September 17, 2010 additional written comments were received; and

WHEREAS, the Town Board has fully considered all comments received throughout this process and has provided its responses in the Final Generic Environmental Impact Statement (FGEIS) which was accepted as complete on January 19, 2011; and

(Resolution #11T-076 - Continued)

WHEREAS, the Town Board has prepared its Notice of Findings Statement in compliance with the requirements of SEQRA and PEQR; and

WHEREAS, on this date the Town Board, acting as Lead Agency pursuant to the requirements of SEQRA and PEQR, accepted said findings as complete and authorized the Supervisor of the Town of Penfield to certify said findings as complete;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Penfield 2010 Comprehensive Plan be and the same is hereby adopted; and

BE IT FURTHER RESOLVED, that the Town Clerk be and she hereby is authorized and directed to give necessary Notice of said adoption of the Town of Penfield 2010 Comprehensive Plan to the departments, agencies and offices having jurisdiction in this matter.

Moved: Moore
Seconded: Metzler

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<thead>
<tr>
<th>Vote</th>
<th>Kohl</th>
<th>Aye</th>
<th>Metzler</th>
<th>Aye</th>
<th>LaFountain</th>
<th>Aye</th>
<th>Moore</th>
<th>Aye</th>
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</thead>
<tbody>
<tr>
<td>Metzler</td>
<td>Aye</td>
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<td>Quinn</td>
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3100 Atlantic Avenue, Penfield, New York 14526, USA
Tel: (585) 340-8600 • Fax: (585) 340-8667 • www.penfield.org
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 the application for Incentive Zoning and Preliminary Subdivision and Site Plan approval for 99 single family residences and Final Subdivision and Site Plan approval for 29 single family residences in Phase I of the Abbington Place Subdivision under Articles VIII-8-2 and XI-9-2 of the Code on 49.1 acres in the Rural Residential 1 (RR-1) zoning district at 1229 Fairport Nine Mile Point Road; and

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 March 2, 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 pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and the Penfield Environmental Quality Review Law (PEQR) this proposal is classified as an Unlisted Action; 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.

Moved: Moore
Seconded: Kohl

Vote:

Kohl Aye
Metzler Aye
Quinn Aye
LaFountain Aye
Moore Aye

Adopted

Public Works

#11T-078 Naming of a Planning Consultant to the Town of Penfield
by Metzler
BE IT RESOLVED, that Douglas Fox, 560 Plank Road, Webster, NY 14580, d.b.a. Fox Planning Services, be named as Planning Consultant for the Town of Penfield, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with Fox Planning as outlined in their letter on file with the Town Clerk, which includes a schedule of fees for various services provided by Consultant to the Town of Penfield for 2011.

Moved: Metzler
Seconded: Moore

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

Adopted

Public Safety

#11T-079 Authorization to Donate Surplus Radio Scanner by Quinn

WHEREAS, the West Webster Fire District is in need of a radio for a vehicle and;

WHEREAS, the Town of Penfield is auctioning an additional Fire Marshal Vehicle which includes a radio that could be used by the West Webster Fire District; and

WHEREAS, The Town of Penfield feels that it is in the best interest of the residents of the Town of Penfield to donate said radio to the West Webster Fire District, and

THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to donate one surplus Motorola MCS-2000 Scanner Radio to the West Webster Fire District.

Moved: Quinn
Seconded: Metzler

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

Adopted

Community Services

#11T-080 Contract with Mario Gianforte for Annual Security Training Services by Kohl

WHEREAS, the Town of Penfield wishes to provide the annual (8) eight hour in service New York State security refresher training course

__________________________________________
3100 Atlantic Avenue, Penfield, New York 14526, USA
Tel: (585) 340-8600 • Fax: (585) 340-8667 • www.penfield.org
for Town Security Department employees as required by the New York State Department of State,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign a contract for training services in 2011 for an amount not to exceed $175.00 with Mario Gianforte, as provided in the 2011 Budget.

Moved: Kohl
Seconded: Quinn

(Resolution #11T-080 - Continued)

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

Adopted

#11T-081 Authorization to Attend NYSRPS Annual Conference by Kohl

WHEREAS, the Recreation Department staff are members of the New York State Recreation and Park Society, and

WHEREAS, the annual conference will provide professional training and C.E.U. credits that will benefit the Town of Penfield,

NOW, BE IT RESOLVED, that the following recreation staff be hereby authorized to attend the 71st annual New York State Recreation and Park Society Conference and Business Expo from 3/27 - 3/29/11 in Verona, N.Y.:

Mike Cooper Laura Cheney Linanne Conroy
Steve Orsini Chris Bilow Pam Mount

Funds are provided in the 2011 budget. Expenses include registration fees, meals, lodging, transportation (gas, tolls, parking), and related expenses.

Moved: Kohl
Seconded: Metzler

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

Adopted

#11T-082 Authorization for Supervisor to Sign Intermunicipal Agreement and Land Lease with Penfield Central School District by Kohl

WHEREAS, that the Town of Penfield and the Penfield Central School District have developed a new updated Intermunicipal Agreement.
This agreement governs the use of District facilities by the Town and the use of Town facilities by the District. The agreement has proved to be mutually beneficial in that it provides recreational and scholastic opportunities to residents of the District and the Town; and

WHEREAS, the Town of Penfield and the Penfield Central School District desire to extend the Land Lease agreement regarding the community public locker room attached to the High School pool. This cooperative venture has proved to be successful and provides increased access to recreational opportunities for residents;

NOW, BE IT RESOLVED, that the Town Supervisor is authorized to sign an Intermunicipal Agreement and a Land Lease Agreement, both on file with the Town Clerk, between the Town of Penfield and the Penfield Central School District, subject to legal review by the Town Attorney.

Moved: Kohl
Seconded: Moore

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

Adopted

#11T-083 Authorization for the Supervisor to Sign Recreation Contracts by Kohl

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

Sandra Sanzotta, 911 Lothario Circle, Webster, NY 14580, Low Impact Aerobics, 2/26 - 4/23/11 for a fee of 75% of the total program revenue. Vouchers to be submitted 3/2 and 4/20/11.

Laurie Klatt, 18 Ellison Hill Drive, Rochester, NY 14625, Instructor/substitute for Wiggles, Giggles & Jiggles 1/19/11 – 12/30/11 for a fee of 80% of program/class revenues. Vouchers to be submitted on last voucher date each month.

Moved: Kohl
Seconded: Quinn

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

Adopted
Old Business - None

New Business - None

Public Participation

Ed Lindskoog, 18 High School Drive, stated he spoke with Councilman Quinn concerning Sherwood Fields and was assured that it would be open and the bridge will be installed across the Commission Ditch in time for the planned hike in June.

Mr. Lindskoog informed the Town Board that Terry Smith is planning a trail to link Panorama Plaza to Ellison Park. This will allow a trail to extend from Linear Park to Empire Boulevard.

Mr. Lindskoog also stated that he met with Councilwoman Kohl and Marie Cinti to discuss School District issues particularly involving transportation. Mr. Lindskoog stated that Ms. Cinti is interested in reducing the bus fleet as a way to help reduce the budget.

Mr. Lindskoog stated he and Ms. Cinti discussed ways the Town and the School District could work together to provide safe access to the schools.

Legislator Debbie Drawe, 5 Cobblestone Crossing thanked Councilman Moore and Councilwoman Kohl for having appointed her as chairperson to the Comprehensive Plan.

Legislator Drawe recognized Councilman Quinn, Supervisor LaFountain, Town Staff and members of the committee for the hours they spent working on the plan.

Legislator Drawe stated that County Executive Maggie Brooks has been appointed by Governor Cuomo to the Mandate Relief Re-design team.

Legislator Drawe reported that last night the County Legislature gave a Proclamation to the (2) two young men who saved the stabbing victim at the Calkins Road Wegmans.

Legislator Drawe also stated that during last night’s Legislative meeting they had bipartisan support for the appointment of Penfield resident Susan Walsh as Director of Greater Rochester International Airport.

(Public Participation - Continued)

Legislator Drawe also stated that at last night’s Legislative meeting they reconvened a bipartisan re-districting committee and that the meetings will be open to the public.

Lastly, Legislator Drawe stated that the Penfield Racquet Club has a program called the Healthy Food Drive which will run through
February 19, 2011. The club is asking for donations of healthy food which will benefit the Emergency Food Cupboard at the Calgary St. Andrews. More information is available on the clubs website at www.penfieldfitness.com.

Legislator Drawe along with Legislator Quatro will hold office hours on Monday, February 21, 2011 from 6:00 – 7:30 PM at the Penfield Community Center.

Adjournment – Supervisor LaFountain adjourned the meeting at 8:38 PM.

Amy Steklof
Town Clerk
RULES OF PROCEDURE
FOR
PENFIELD TOWN BOARD MEETINGS AND PUBLIC HEARINGS

I. TOWN BOARD MEETINGS & PUBLIC HEARINGS
   A. TIME, DATE & PLACE
      1. Regular Meetings:

      Penfield Town Board shall regularly meet the first and third Wednesday of each month at the Penfield Town Hall, Penfield, New York. The Town Board will normally meet in Work Session from 7:00 to 7:30 PM. During the regular meetings starting at 7:30 PM, the primary purpose of business shall be legislative actions. When such date falls on a legal holiday, the Town Board may set an alternate date and time of said meeting, or may dispense with said meeting. For good cause shown, the Supervisor is authorized to cancel Town Board meetings subject to rescheduling thereof.

      Pursuant to Town Law #63, the Supervisor shall preside at the meetings of the Town Board. In the absence of the Supervisor, the Deputy Supervisor shall preside, or if no Deputy Supervisor has been appointed, or in the event the Deputy Supervisor is absent, then the other members of the Town Board shall designate one of their members to act as temporary Chairman. A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn. It is the obligation of every member of the Board to vote on every issue, except where, in the judgement of the Board member, he/she has a potential conflict of interest in which case an abstain vote is in order.

      Such vote shall be taken by “ayes”, or “yes” and “nays”, or “no”, and the name of every member present and their vote shall be entered in the Minutes. Every act, motion or resolution shall require for
its adoption the affirmative vote of a majority of all members of
the Town Board.

2. Public Hearings:
Penfield Town Board shall regularly hold Public Hearings
as required at the Penfield Town Hall, Penfield, New York. The
primary purpose shall be to conduct Public Hearings required to be
held by and before the Penfield Town Board.

3. Special Meetings:
Special meetings may be called by the Supervisor from
time to time. The Supervisor shall call a special meeting within 10
days if requested in writing to do so, by not less than two (2) Town
Board members. The time and date of the special meeting may be set
at the discretion of the Supervisor provided that each Town Board
member receives actual notice thereof, not less than two (2) days
prior thereto; said notice shall contain the proposed agenda items
to be contemplated by said special meeting.

B. REGULAR AGENDA
The regular agenda shall be prepared by the Town Clerk and
shall be available by 4:00 PM on the Friday before the scheduled
Town Board Legislative Meeting. Said agenda shall be tentative only
as to Town Board meetings, but shall be firm as to Public Hearings.
Said agenda for Town Board meetings shall be tentative only, and
items may be added, deleted or altered at the pleasure of the Town
Board.
As nearly as possible, said agenda shall follow the following points
and order:

1. Call to Order, Pledge of Allegiance, Roll Call
2. Communications and Announcements
   a) From the Supervisor
   b) From the Town Board Members
   c) From the Town Clerk and Town Attorney
3. Public Participation
4. Additions and Deletions to Agenda
5. Approval of Minutes of Prior Meeting
6. Petitions Received
7. Resolutions by Function
   a) Law & Finance
   b) Public Works
   c) Public Safety
   d) Community Services
8. Old Business
9. New Business
10. Public Participation
11. Adjournment

C. FUNCTIONAL COMMITTEES

1. **Standing Functional Committees:**
   
The following shall be designated as areas of responsibility of the Penfield Town Board and shall be standing committees of the Penfield Town Board:
   
   a) Law and Finance
   b) Public Works
   c) Public Safety
   d) Community Services

2. **Ad Hoc Committees:**
   
Pursuant to Town Law, the Supervisor may designate ad hoc committees and appoint the members thereof at times and from time to time as the need may arise.

3. **Composition Formation of Functional Committee:**
   
Pursuant to Town Law, it is the prerogative of the Supervisor to appoint all committees, and the Supervisor shall appoint chairpersons to all standing functional committees and also
the composition of each committee, which shall be not less than the chairperson, and the rest of the Town Board, thereon.

D. RESOLUTIONS

1. Pursuant to the Town Law, any Town Board member or the Supervisor may offer a resolution for consideration by the Town Board. All resolutions shall be presented to the Town Clerk, who shall time stamp each resolution in consecutive number as received and list each resolution on the agenda under the appropriate function heading, as requested by the author of each resolution, in the order received in each function heading.

2. Routine requests for resolutions by Town staff members or by the Supervisor, and any proposed resolutions from Town staff, the Supervisor or Town Board members may be directed through the office of the Supervisor to the appropriate function chairperson. Review of such resolutions and requests for resolutions shall be by the function chairperson alone, or the Town Supervisor, or with the full Town Board, depending on the nature of the resolution and at the discretion of the function chairperson. The function chairperson shall author or cause to be authored all resolutions from requests for resolutions.

3. All resolutions shall be submitted to the Town Clerk by 12:00 noon of the Friday, or in the case of a holiday, shall be submitted the Thursday before, preceding the next regular Town Board Legislative Meeting, and unless so submitted, may not be acted upon at the discretion of the Town Board, unless of a serious and urgent matter. All proposed resolutions tabled from prior meetings shall be carried under “Old Business”. Proposed resolutions received too late to be listed under functional committees, may be considered as “New Business”.

E. PARLIAMENTARY PROCEDURE & VOTING
1. Voting by the Town Board on each issue shall be by alphabetical roll call vote.

2. Where not inconsistent with the Law of New York as contained in the Town Law, and elsewhere, or inconsistent with these rules, or any other rules adopted by the Penfield Town Board, procedural questions shall be resolved by "Robert’s Rules of Order". The Town Attorney shall serve as Parliamentarian.

II. MEETINGS OF STANDING COMMITTEES OF THE TOWN BOARD

A. TIME, DATE & PLACE

The Town Board shall meet in Work Session on the second and fourth Wednesday of each month at 7:00 PM at the Penfield Town Hall. Business will be conducted for each functional committee including Law and Finance, Public Works, Public Safety and Community Service.

When the scheduled date for such meeting falls on a legal holiday, the Town Board may set an alternate date and time of said meeting, or may dispense with said meeting. Pursuant to New York State Law, all committee meetings of the Town Board shall be open to the public; however, pertaining to certain business, as may be appropriate and permitted by State law, portions of such meetings may be closed to the public in so-called "Executive Sessions". For an Executive Session to occur, a motion to go to Executive Session must be made, seconded and carried by not less than three (3) members present and the purpose for the Executive Session must be clearly stated and recorded in the minutes of the committee meeting. No minutes of the Executive Session will be maintained except where a decision is made.

B. AGENDA

There will be a formal agenda for committee/work sessions, which shall be prepared by the Supervisor and Town Clerk. This agenda shall be available and distributed by the end of the day of
the preceding Friday or in case of a holiday shall be submitted the Thursday before the scheduled committee meeting.

Each Committee Chairperson and Supervisor will submit agenda items to the Town Clerk by end of day Thursday prior to each scheduled work session. The agenda will include: a call to order, approval of minutes and functional committees broken down by (1) Action Items; (2) Information Items and (3) Held Items. If needed, there may be an Executive Session.

Items to covered by any time, and from time to time, shall include:

1. Reports from standing committee chairperson;
2. Meetings with various appointed boards and committees in the Town;
3. Meetings with department heads, the Town Engineer and other consultants;
4. Items referred to the committee by the Town Board;
5. Communications and other pertinent business relating to the standing committee;
6. Executive Sessions as set forth herein above.

III. PUBLIC HEARINGS

Public Hearings shall be held as prescribed by law and conducted on the dates scheduled therefore by the Penfield Town Board. The Supervisor and/or the Town Attorney shall give a concise statement of the purpose of the Public Hearing after the Town Clerk has read the notice thereof.

The purpose of a Public Hearing is to hear the public. No Town Board member, nor the Supervisor shall engage in prolonged discussion with any speaker, but shall listen to what each speaker has to say.

IV. CONDUCT OF THE PUBLIC
A. Any person recognized by the Supervisor shall give name, address and the nature of his or her business, briefly.

B. No such person has the right to demand an answer to a specific question from a member of the Board. All such questions should be directed to the Supervisor.

C. No member of the public shall engage in any demonstration, booing, hand clapping or otherwise disrupt the formality of the Town Board meeting.

D. No member of the public shall be permitted to address the Town Board unless recognized by the Supervisor.

E. Any person speaking to the Town Board with the consent of the Supervisor shall address his remarks to the Town Board, not to other members of the audience in the form of a debate.

F. A Town Board meeting is an important Legislative session and it is expected that all members of the public will conduct themselves in a professional manner.

G. Any person wishing to speak at a Public Hearing may, prior to the start of said hearing, complete an "Intent to Speak" form available from the Town Clerk. The completed form shall be given to the Town Clerk who will recognize the speakers as the hearing progresses. Additionally, the Chair will recognize certain interests at the start of the hearing if such action will facilitate a more orderly and logical discussion of the subject of the hearing. In fairness to all members of the public, speakers are encouraged to focus on the facts of the matter at hand. Persons who have not indicated their intent to speak by completing the available form, may also have an opportunity to speak after all those who have signed forms have spoken. The public may also submit statements in writing. A speaker may be recognized to speak a second time by the Chair only after everyone who wishes to speak a first time has spoken.
H. Penfield Town Board agenda provide a segment of time for citizens to speak. Public Participation is allowed early on the agenda and at the end of the legislative session. Persons may speak on any subject and are not confined to items on the agenda.

I. No request for a show of hands or a “vote” of persons present on any matter is allowed.

J. Rules Letters “A”, “B”, “C”, “D”, “E” and “I” apply to Public Hearings, as well as to Town Board Meetings. Rule “G” applies only to Public Hearings, whereas Rules “F” and “H” do not apply to Public Hearings, as persons present are expected to express opinions and ask questions. A Public Hearing is not a legislative session.

V. MISCELLANEOUS PROVISIONS

A. FILE OF COMMUNICATIONS AND PROPOSED RESOLUTIONS

In order to enable the citizens of the Town of Penfield to be apprised of proposed resolutions and of communications received by the Town, and in order to reduce the need for reading of routine communications during Town Board meetings, the Town Clerk shall prepare, or cause to be prepared, a file of all proposed resolutions to be acted upon at a Town Board meeting. A copy of the Rules of Procedure and said file shall be available for inspections by the public, one-half hour before, in a convenient place within the meeting hall.

B. SAVINGS CLAUSE

In the event that any clause, paragraph or portion of these Rules shall be deemed to be invalid by any Court or any governmental agency or authority having jurisdiction hereof, the balance of these Rules shall continue nevertheless in full force and effect and shall survive such determination.

Effective: February 2, 2011
Schedule A

2010 Comprehensive Plan
Environmental Impact Statement
Findings Statement
Prepared January 2011
By Evan Sheppard

Pursuant to the requirements set forth in 6NYCRR §617.9(b) [Environmental Impact Statement Content] and §617.11 [Decision Making and Findings Requirements], the Town Board of the Town of Penfield has completed, accepted and offered for public review and comment a Draft Generic Environmental Impact Statement pertaining to the proposed 2010 Comprehensive Plan (“Plan”). On August 30, 2010, a duly noticed public hearing was held to solicit all public comment. Comments on the DGEIS were requested and accepted until September 17, 2010.

The Town Board received a number of comments on the Plan and the DGEIS, both at the public hearing and in writing. The substantive comments and the Town Board’s responses fell into five categories: Mixed Use District, Other Future Land Use, Environmental, Traffic, and Miscellaneous. The FGEIS addressed all substantive comments made during the public review process and was adopted by the Town Board on January 19, 2011.

Per 6 NYCRR §617.11(d), Findings must:

“(1) consider the relevant environmental impacts, facts and conclusions disclosed in the final EIS;…”

Response: The 2010 Comprehensive Plan update for the Town of Penfield is expected to result in an overall positive environmental impact. This determination was made in accordance with 6 NYCRR Part 617. Overall, the Plan more accurately reflects the current, predicted, and desired patterns of development in the Town. Furthermore, it advances the long standing goals of the Town to protect valuable environmental features and other community assets.

In its entirety, including those additional plans and studies, which are incorporated by reference into the DGEIS, adoption of the Plan will not likely have a significant adverse environmental impact. Specific components of the Plan, and their inevitable evolution as a result of development pressures both internal and external to the Town, may have minor environmental impacts. Short of a permanent moratorium on growth and development in the Town (which is not permitted under State Law
governing community development controls), these impacts will occur with or without the Plan. However, with the Plan they are likely to be better identified, minimized and controlled.

Discussion of the anticipated impacts with associated environmental setting and mitigation discussions are contained within Section III of the DGEIS.

“...(2) weigh and balance relevant environmental impacts with social, economic and other considerations;...”

Response: The 2010 Comprehensive Plan update for the Town of Penfield is expected to result in an overall positive environmental impact. Residential Living, Community Resources, Economic Opportunities, Transportation, Community Character & Design, and Government & Leadership are expected to be positively affected by the Plan’s implementation.

“...(3) provide a rationale for the agency’s decision;...”

Response: The rationale for adoption of the Plan, is, in short, to provide a consensus based and community-developed guide to planning and zoning decisions in the Town of Penfield to the benefit of all of its residents, as well as the natural and built environments. Further issue-by-issue discussion of the benefits and rational behind the decision to officially adopt the Plan is contained in the body of the EIS document.

“...(4) certify that the requirements of this Part [6NYCRR Part 617 et. seq.] have been met;...”

Response: By adopting these Findings, the Town Board of the Town of Penfield does hereby certify that the requirements of 6NYCRR Part 617 et. seq. have been met.

“...(5) certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.”
Response: No physical actions are proposed to be directly undertaken as a result of the Plan. It is only intended and empowered to be a policy guide for future actions and decisions by the Town. So defined, there have been no adverse impacts identified that are likely to occur as a result of the Plan being officially adopted by the Town Board of the Town of Penfield.

The Town Board, as Lead Agency, hereby presents the following findings by category:

**Potential increase of density of residential, commercial, and mixed-use development**

a. Growth-induced impacts to infrastructure

i. Transportation Network

Traffic volume increases due to growth inside and outside the Town are likely to occur with or without adoption and implementation of the Plan. The Genesee Transportation Council indicates good operating conditions within Penfield will continue over the next two decades with the following exceptions: Browncroft Boulevard beginning west of Blossom Road to Scribner Road, Five Mile Line Road from the southern town line to Whalen Road, NYS Route 441 east and west of Five Mile Line Road, and a segment of Panorama Trail just north of NYS Route 441.

The Plan advocates the recommendations found within the numerous transportation studies the Town has completed. These studies have been included by reference into the Plan and should be considered and implemented where appropriate during the life of this Plan.

The Plan seeks to strengthen partnerships with the GTC, NYSDOT, and MCDOT to continually mitigate system deficiencies as they develop and to utilize traffic control techniques such as medians or dedicated turning lanes where appropriate. Also, the Plan seeks to increase bicycling, walking, and transit use to reduce automobile use and prolong the life of existing infrastructure. Strengthening the partnership with the RGRTA may lead to greater transit service to the Town’s commercial districts and the availability of Park & Ride. The Plan advocates implementation of the Bicycle Facilities Master Plan, which establishes the Town’s goals for connecting key residential, commercial, and recreation areas with bicycle routes using both on-street bicycle facilities and off-road multi-use trails. The Town’s practice of installing about one mile of sidewalks per year will continue to open more of the road network to bicycling and walking.

ii. Sanitary Sewers

Sanitary Sewer availability will continue to be an important factor for development in Penfield. The Plan recommends relieving development pressure in areas where inadequate capacity exists by directing higher density residential development in the areas designated for mixed-use and high density residential development in the Future Land Use Map. This reduces the use of on-site
sewage disposal systems which have long-term risks and costs. A sewer capacity study will need to be conducted prior to implementing the proposed mixed use area along Route 250. The other strategic areas have reasonably adequate existing infrastructure support and fit within the character of the adjacent land uses in Penfield and adjacent municipalities. This long term planning approach will concentrate residential development in appropriate areas, leading to the preservation of farmland and open space, reduced impact to natural resources and infrastructure and increase in the variety of living options available to the community. It should also be noted that modern home construction consumes less water per house due to water conservation fixtures than past development practices.

iii. Stormwater/Drainage

Stormwater drainage will be impacted by future development and increased densities. Impervious surfaces generate higher rates and volumes of stormwater runoff. The Town has prepared strategic drainage analyses for all of its watersheds based upon current zoning. The recommendations within these watershed studies should continue being implemented. Changes in development densities within specific watersheds will require updates to these watershed studies and adjustments to implementation plans. Factors mitigating these potential impacts include the required adherence to NYS Municipal Separate Storm Sewer System (MS-4) regulations. Also, the Town has adopted multiple stormwater local laws, which are summarized in the above Regulatory Requirements section.

iv. Other Infrastructure

Incorporated within the Plan’s Future Land Use goals is the update or revision of the parking standards required within the Zoning Ordinance. Given the Town’s continued commitment to obtaining cross-access and shared parking agreements and the results of recent parking studies it is evident that the standards may be more restrictive than necessary. Implementation of this goal will lead to future development with reduced impervious surfaces and stormwater impacts.

The telecommunications and information technology infrastructure within the Town will be evaluated as development occurs and the Town will continue to partner with local service providers to ensure the adequacy of service. Furthermore, the Plan recommends identifying any existing gaps in service and capitalizing on opportunities for improving services, such as through the installation of fiber-optics or wireless hot spots.

The Plan recommends allowing goods and services in close proximity to residential areas. This will occur through both the creation of neighborhood retail/service areas and the development of mixed-use areas. Both strategies will further encourage trail and sidewalk use and reduce automobile use, particularly on the arterial roads which experience the highest traffic volumes. While the introduction of non-residential uses into residential areas may have some potential impacts, such as traffic generation, lighting impacts and noise, these impacts can be properly mitigated with careful planning, adherence to regulations, design guidelines, and creative design.
b. Increased density of residential development

The Zoning Ordinance provides substantial mitigation in its regulation of the form in which residential development may occur in conventionally zoned residential districts. Protective measures are in place such as required setbacks, minimum lot sizes, and buffers between different land uses. These regulations are intended to create development that minimizes impact to surrounding properties. Further, the Zoning Ordinance’s property maintenance requirements require property owners to care for their land such that conditions do not significantly impact neighboring properties or the general public.

The Zoning Ordinance regulates disturbance of sensitive natural resources through EPODS. The Plan recommends the steep slopes, woodlands, wetlands, and watercourses within the Town should be inventoried with updated mapping and the ordinance should be reviewed and, if necessary, revised. Revisions should be focused on clarifying standards to ensure continued responsible protection of these resources. Finally, the Local Laws reviewed earlier in this document provide controls for residential development regarding stormwater management and flood damage prevention. Compliance with these regulations will continue to ensure responsible residential development and mitigate potential impacts of increases in density to these resources.

Specific current conditions indicate the strong need for the higher density residential development recommended in the Plan. The Town’s existing Multiple Residential (MR) zoning districts have nearly been fully developed. It is important for the Town to address its residents’ needs by offering a variety of housing types. Also, the population growth of senior citizens will continue to outpace other age groups, indicating a growing demand for senior citizen targeted development such as townhouses and patio homes. High density residential development, especially senior housing, is financially beneficial to the town and school district tax bases. Finally, the Plan seeks to concentrate development in strategic areas, which will relieve the development pressure of other areas less suited for development.

c. Increased density of commercial development

Some additional commercial development is likely to occur with or without adoption of the Plan. All commercial zoning districts are not fully developed at this time and re-development of existing commercial uses is also likely to occur during the life of this Plan. The Plan seeks to guide economic development to improve community character and design, such as by continuing to implement access management and buffering techniques. Protective mitigation measures already exist within the Zoning Ordinance that govern commercial density through parking ratios, lot coverage requirements, building heights, and minimum setbacks. The Planning Board Design Guidelines are also in effect to assist with aesthetic continuity and to minimize impacts to surrounding and adjacent land uses, including residential uses. These design guidelines provide direction for landscaping buffers, facade features, lighting, and pedestrian connections. The Town should also consider the need to revise parking standards in its Zoning Ordinance, as the recently completed Monroe County Parking Study has accurately surveyed a wide variety of land uses using Monroe County data. This should provide a more realistic view of parking needs in the next decade.
Commercial development provides significant positive support to the tax base. In 2001, the American Farmland Trust summarized 83 “cost of community services” studies that it has conducted across the country. The summary indicates that commercial and industrial uses positively contribute to a community’s budget by only requiring $0.27 in services for every tax dollar they contribute. By comparison, the cost of providing community services to residential land uses can exceed the tax dollars brought in by as much as $1.15 on the dollar. The Plan recommends the Town balances residential growth and open space preservation with commercial and industrial developments to help alleviate the tax burden for its residents.

d. Increased density of mixed-use development

Mixed-use development in areas proposed on the Future Land Use Map will likely proceed under the guidance of a detailed design plan for each area. For example, LaSalle's Landing on Empire Blvd. has such a plan, as does the Four Corners. Specific design standards should be developed to meet the goals of the Plan. These standards will guide development to minimize impacts to the surrounding areas and the existing infrastructure systems. Mixed-use areas are intended to be unique places that provide a variety of employment, commercial, and entertainment uses supported with high-density residential development. Mixed-use development offers many advantages over single-use buildings or districts, such as the larger revenue streams associated with the mixing of uses in multi-story structures. The cornerstone of successful mixed-use districts is walkability, so the Plan identifies several design characteristics that will be important starting points to guide future planning.

Some mitigation expected with mixed-use development includes:

- Support services and convenience shopping nearby to residential areas
- Shared access and access management techniques
- Concentration of residential and non-residential development in areas with adequate infrastructure to support them
- Close proximity to existing and potential recreational opportunities and community organizations
- Establishment of new criteria, through the use of form-based code, use of a pattern book, modification of the Zoning Ordinance or other tools necessary to assure quality of life in this new land use category
- Responsible management of environmental features
- Similar positive effect on the tax base as commercial development, explained above

e. Growth-induced consumption of natural resources

The Plan seeks to concentrate development in strategic areas where adequate infrastructure and resources appear most appropriate for development, which will relieve the development pressure of other areas less suited for development, such as areas with sensitive environmental constraints. The Plan seeks to continue implementation of the Open Space Plan and the use of planning tools such as Incentive Zoning and cluster development under Town Law §278 (explanation of these tools can be
found within the Regulatory Requirements section of this document). The Conservation Board Tree Preservation Guidelines is also an available tool to guide the preservation and replacement of trees during development.

Through updating Environmental Protection Overlay District (EPOD) regulations, and improving stormwater management practices, the Plan will cause future development to have less impact on natural resources than under current conditions. It is common for new development to actually assist with improving existing problem areas as part of the project.

**Growth-driven demand on community facilities and services**

Demand increases are likely to occur with or without adoption and implementation of the Plan, especially due to the population growth of senior citizens continuing to outpace that of other age groups. Aging communities typically experience an increased demand for ambulance and fire service. Penfield may be forced to expand their ambulance service if demand outpaces its current capacity. The demographic shift is anticipated to reduce demand for school facilities. Due to the focus on “empty nesters” within the new development patterns recommended on the Future Land Use Map, development will contribute to the tax base while adding minimal demand on school facilities. The Plan recommends strengthening relationships with school districts, in addition to adjacent municipalities and other agencies, to consolidate or share services. This will allow the Town to capitalize on the excess capacity of other agencies and increase the efficiency of providing services to residents.

The Plan seeks to monitor and address the evolving needs of the community and to implement the recommendations of the 2007 Parks and Recreation Master Plan. Strategies such as increasing the recreational opportunities associated with local water bodies take advantage of existing resources to expand the community services available. The Plan identifies the potential need for additional park facilities or new services, such as a fee based day care center for children of recreation program participants. The long-term planning of these strategies enables the Town to accurately assess the needs of its residents and evolve accordingly.

**Pressure on agricultural uses and open space areas and potential conflicts with open space goals identified in the 2001 and 2006 Open Space Plans**

At one time agriculture was the predominant land use within the Town. Today active agricultural operations are concentrated east of NYS Route 250. This is evidenced by a large Certified Agricultural District in East Penfield which encompasses approximately three thousand (3,000) acres of land.

Current zoning regulations, land development controls, tax-reduction programs, and the restrictions that come with the NYS Agricultural District designation, will minimize the development driven impact on agriculture. In addition, areas recommended for increased density on the Future Land Use Map are intended to alleviate development pressure for agricultural uses elsewhere in Town. The Plan seeks to promote and support agriculture through continued implementation of the recommendations in the Open Space Plan and revising the Zoning Ordinance to expand the abilities of Farm Markets. The Plan also recommends enhancing communications with farmers to understand their areas of concern and identify new strategies for
increasing the profitability of farming in the Town. However, the Town is very limited in what it can feasibly do. In most cases the economics of agriculture will dictate the viability of an operation and must be considered outside of the scope of this Plan.

In some cases there may be conflict between the Plan’s Future Land Use goals and the Open Space Plan. One such case is the Manitou Lake area which the Plan recommends for mixed-use development, though the property was also identified as a potential open space property in the 2001 Open Space Plan. The Open Space Plan identified the property largely to capture the potentially significant public recreation value of Manitou Lake. Adjacent to the property is an active gun club and shooting range. The Plan recommends public access to the lake should be a central component of any mixed-use development of the property, which will thereby accomplish much of the intent of the Open Space Plan’s recommendation with the many added benefits associated with mixed-use development. Other potential conflicts may exist, though it is important to consider that the Open Space Plan recognizes permanent protection of all identified properties is not feasible. In that case it advocates the use of planning tools such as Town Law §278 and Incentive Zoning to preserve strategic portions of properties. Also, existing federal and state regulations will limit development within certain sensitive environmental areas such as floodplains and designated wetlands.

In summary, based on the components of the Draft Generic Environmental Impact Statement, and a detailed review of all comments received in response to said draft, it is the finding of the Lead Agency, the Town Board of the Town of Penfield, that the adoption of the Town of Penfield 2010 Comprehensive Plan will not have a significant adverse impact on the environment.

Certification of Findings:

Having considered the Draft and Final Generic EIS, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR part 617 have been met;

2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental effects to the maximum extent practicable; including the effects disclosed in the environmental impact statement, and;

3. Consistent with social economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact
statement process will be minimized or avoided by incorporating as conditions to any decision those mitigative measures which were identified as practicable.

Certification for the Lead Agency

______________________________  __________________________
Supervisor – R. Anthony LaFountain  Date