Call to Order - Pledge of Allegiance - Roll Call

Public Hearing #1 - To Consider Establishment of Extension No. 52 to the Penfield Consolidated Sanitary Sewer District - Collingsworth Drive Sewer Project

Public Hearing #2 – To Consider Establishment of Extension No. 51 to the Penfield Consolidated Sanitary Sewer District - Arbor Ridge Subdivision, Section III

Public Hearing #3 – To Consider Establishment of Extension No. 1 to Sidewalk District No. 13 – Arbor Ridge Subdivision, Section III

Public Hearing #4 – To Consider Establishment of the Intensified Street Lighting District- Arbor Ridge Subdivision, Section III

Communications and Announcements

Public Participation

Additions and Deletions to Agenda

Approval of Minutes –August 3, 2011

Petitions

Resolutions by Function

Law and Finance
#11T-204 Setting a Public Hearing on 2012 Preliminary and Special District Budget
#11T-205 Setting a Public Hearing for Replacement of Extension 19 Pumps Station Forcemain, Phase III
#11T-206 Authorization for Supervisor to sign an Easement Agreement with the Nature Conservancy
#11T-207 Approval of Issuance of Special Permit to Allow Jewelry Store at 1833 Penfield Road
#11T-208 Authorization for Release of an Access Easement at 2060 Fairport Nine Mile Point Road
#11T-209 Authorization for Release of a Drainage Easement at 667 Panorama Trail West - Penfield Fitness Club
#11T-210 Amending Resolution No. 11T-091 of 2011 Relating to the Amendment of the Official Zoning Map at 1360-B Five Mile Line Road
Public Works - None

Public Safety - None

Community Services
#11T-211 Award Bid for Replacement of Stage Door at Penfield Community Center
#11T-212 Award Bid for Installation of Gymnasium Wall Padding at Penfield Community Center
#11T-213 Authorization to Auction Surplus Equipment for Parks & Facilities Department, Sewer Department and Highway Department
#11T-214 Authorization for Supervisor to Sign Recreation Contracts

IX Old Business

X New Business

XI Public Participation

XII Adjournment
Penfield Town Board, September 7, 2011

The Regular meeting of the Penfield Town Board was held on Wednesday, September 7, 2011 at 7:30 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

Present: R. Anthony LaFountain, Supervisor
Linda Kohl, Councilwoman
Andrew Moore, Councilman
Robert Quinn, Councilman

Also Present: Amy Steklof, Town Clerk
Richard Horwitz, Town Attorney
Robert Beedon, Town Comptroller
Mark DiFrancesco, Superintendent of Sewers

Absent: Paula Metzler, Councilwoman

Supervisor LaFountain called the meeting to order – Pledge of Allegiance

Supervisor LaFountain asked for a moment of silence for Councilwoman Metzler’s husband, Eric J. Metzler, Esq. who passed away suddenly on September 1, 2011.

Gary Richardson, 48 Cardogan Square announced that the Friends of the Penfield Public Library will hold its 34th annual used book sale at Penfield Community Center, 1985 Baird Road beginning on September 13th for members only, and will be open to the public September 14 – 18, 2011. Proceeds will benefit the Penfield Library. For more information call the Penfield Library at 340-8720.

Public Hearing #1 – To Consider Establishment of Extension No. 52 to the Penfield Consolidated Sanitary Sewer District – Collingsworth Drive Sewer Project

The Town Clerk read the title of Notice of Public Hearing, said Notice was published in the Penfield Post on August 11, 2011, posted on the website and on the Bulletin Board.

Mark DiFrancesco, Superintendent of Sewers gave an overview of the project stating that 18 homes located on Collingsworth Drive have septic systems and therefore do not currently receive public sanitary sewer service. In July of 2010 the Town Board received a petition from Collingsworth residents requesting that a plan be developed to extend public sanitary sewer service to them. In the Fall of 2010 a feasibility study was conducted. In February of this year the Town held a Public Information meeting to discuss the results of the study which included cost and timing of the project. Property owners were then asked if they would still support the proposed project. 15 of the 18 petitioners were still in favor of the project.

Mr. DiFrancesco stated that the project comprises 850 lineal feet of 8” gravity sewer mains, one (1) sewer pump station, 4” lateral services to each house and driveway and lawn restoration. He also stated that the project provides a future access point for the Town of Brighton for six (6) properties still on septic systems that are located at the head of the street before entering Penfield.

The estimated project budget, including engineering and other professional services is $325,550. The annual cost to the residents within the extension district is approximately $68.67. The Town of Penfield operation and maintenance cost is $39.51 annually per sewer unit after the homes are connected to the sewer. The Monroe County Pure Waters (MCPW) parcel and capital charge is currently $18.39 per year for all parcels within the county that have access to sewers. Monroe County treatment costs are $77.10 per year. This is based on an annual water consumption of 60,000 gallons per year.

Mr. DiFrancesco stated that if the Town Board decides to move ahead with the project a preliminary district formation will be adopted at the September 21, 2011 Town Board Legislative Session.
A final district formation would then be scheduled for adoption on November 2, 2011 and construction on the project could conceivably begin by the middle of December.

Elizabeth McLean, 183 Collingsworth Drive stated she is concerned about the winter construction and asked whether winter time construction is typical?

Mr. DiFrancesco stated that although not typical, winter construction has occurred in the past. He also stated that the contractor will be aware of the challenges.

Ms. McLean also asked what is the size of the pumping station and will there be landscaping surrounding it?

Mark DiFrancesco stated the pumping station is virtually all underground and that it resembles a small fiberglass enclosure that stands 5 ft. by 5 ft. He also stated that the enclosure will blend into the neighborhood after a period of time and that there will be landscaping. The goal is to visually buffer it from view.

Ms. McLean asked if the pump will work when there is a power outage?

Mr. DiFrancesco stated that there are two (2) sources for pumping if commercial power goes out. He stated that there are generator connections to all of the stations as well as a bypass pumping system for small portable pumps if the Town runs out of portable generators.

Ms. McLean stated she will contact Mr. DiFrancesco to schedule a time to meet with him to see visuals of the project.

Nora Pelish, 59 Collingsworth Drive stated she lives in the Brighton portion of Collingsworth Drive and would like to know what the impact will be in regards to construction and taxes.

Mark DiFrancesco stated there will be no special district charges to the Brighton residents relating to this project. He also stated that there will be some construction that will run down the right-of-way of Collingsworth and that a trenchless technology will be used.

Robin Barker, 135 Collingsworth Drive asked what degree will Collingsworth be torn up and how much restoration is expected?

Mark DiFrancesco stated that open cut conventional sewer construction will be done at 135 Collingsworth Drive.

Ms. Barker also asked why the project location was changed to the other side of the street?

Mr. DiFrancesco stated that there are utility poles, a gas main and more trees on the side of the street that was originally planned for the project and therefore the west side of the street was ultimately chosen.

Hearing closed.

Public Hearing #2 – To Consider Establishment of Extension No. 51 to the Penfield Consolidated Sanitary Sewer District - Arbor Ridge Subdivision, Section III

The Town Clerk read the title of Notice of Public Hearing, said Notice was published in the Penfield Post on August 11, 2011, posted on the website and on the Bulletin Board.

Mark DiFrancesco stated that Pride Mark Homes, represented by Jim Barbato is petitioning the Town Board to establish Sewer District Extension #51 for the Arbor Ridge Subdivision, Section III and that the developer is paying 100% of the cost.
(Public Hearing #2 - Continued)

Hearing closed.

Public Hearing #3 – To Consider Establishment of Extension No. 1 to Sidewalk District No. 13 - Arbor Ridge Subdivision, Section III

The Town Clerk read the title of Notice of Public Hearing, said Notice was published in the Penfield Post on August 11, 2011, posted on the website and on the Bulletin Board.

Mark DiFrancesco stated, similar to the last Public Hearing, the developer, Pride Mark Homes is petitioning the Town Board to establish a sidewalk district for Arbor Ridge Subdivision, Section III. The developer will be paying all the costs for the improvements and then turning over the improvements to the Town of Penfield for dedication.

Councilman Quinn asked whether the sidewalks are on both sides?

Jim Barbato, Pride Mark Homes stated that the sidewalks will be on one side of the road.

Councilman Quinn also asked if it is consistent with the remaining street out to Fellows Road?

Mr. Barbato stated it is.

Hearing closed.

Public Hearing #4 – To Consider Establishment of the Intensified Street Lighting District – Arbor Ridge Subdivision, Section III

The Town Clerk read the title of the Notice of Public Hearing, said Notice was published in the Penfield Post on August 11, 2011, posted on the website and on the Bulletin Board.

Mark DiFrancesco stated, similar to the last two (2) Public Hearings, the developer, Pride Mark Homes is petitioning the Town Board for the establishment of an Intensified Lighting District. Mr. DiFrancesco stated intensified lighting is a higher frequency of light and is decorative. The developer will be paying all of the costs for these improvements and then turning them over to the Town for operation and maintenance.

Councilman Quinn asked if the current Phase I and Phase II have the Intensified Lighting?

Mr. Barbato stated they do.

Hearing closed.

Supervisor LaFountain said he would like to officially present the 2012 Tentative Budget to the Town Board and the community and stated that the budget presentation will be on the Town’s website.

Supervisor LaFountain stated that this Tentative Budget proposes no tax increase for 2012 and will remain at $2.64 which is lower than the tax rate in 2005. The budget is $15.1 million and is about 2.3% less than the 2011 Budget.

Supervisor LaFountain also stated there is no pay increase for any appointed or elected official consistent to last year.

Robert Beedon, Finance Director gave an overview of the Tentative Budget which can be viewed on the website. Mr. Beedon also went over the 2012 Budget timeline.
Town of Penfield 2012 Budget Time Line

April to September 2011 Town Supervisor, Finance Director and Staff conduct budget Work Sessions; prepare 2012 Tentative Budget.

September 7 - 21, 2011 Town Supervisor and Finance Director present summary of the Tentative Budget to the Town Board and community (September 7, 2011) document made public for review (during this period, Tentative Budget becomes Preliminary Budget.)

September 7 - October 12, 2011 - Public comment period.

October 5, 2011 - Public Hearing on 2012 Preliminary Budget, Public comments received.

October 5 - 12, 2011- Town Board reviews public comments, prepares Final Budget.

October 19, 2011 - Town Board Legislative Meeting, adoption of a Final 2012 Budget, Adopted Budget made public.

October 20, 2011 – Town presents Penfield Adopted 2012 Budget to Monroe County.

Mr. Beedon informed the community that printed copies of the 2012 Tentative Budget will be available at the Penfield Public Library, 1985 Baird Road and at the office of the Comptroller in the Penfield Town Hall, 3100 Atlantic Avenue. The Tentative Budget is currently available on-line at www.penfield.org.

Communications and Announcements

1. “Tastin’ the Blues” will be held on Saturday, September 17, 2011 from Noon to 4:00 PM at the Penfield Amphitheater 3100 Atlantic Avenue.

2. The Town Of Penfield and Family First 5k Challenge will be held Sunday, September 25, 2011 at 9:00 AM. It will begin and end at the Penfield Community Center, 1985 Baird Road. For more information go to www.penfield.org.

3. The Penfield Recreation Department will sponsor a new program, Daytime Education at Recreation (DEAR) An open house will be held on Wednesday, September 21, 2011 from 10:00 AM to 2:00 PM. Lunch will be available for $3.00.

4. The Town of Penfield will observe the 10th anniversary of September 11, 2011 this Sunday. A remembrance ceremony will begin at 1:00 PM to dedicate a new flagpole at the Jackson Road entrance to Veteran’s Memorial Park. Following the flag pole dedication an ecumenical service will be held at the amphitheater. Immediately following the service, the faith community will lead a CROP walk along the trails of the park. Participants are asked to bring a donation of non-perishable food or personal care items for the Penfield Ecumenical Food Shelf. Collection bins will be on-site at the flag memorial, amphitheater and in the Town Hall.

5. A ribbon cutting for Broccolo and Country Way, 2755 will be held on Saturday, September 10 at 10:00 AM for more information go to www.monroecounty.gov.

6. Councilwoman Kohl’s next Community Chat will be held, Tuesday September 20, 2011 from 5:30 PM to 7:00 PM at the Penfield Public Library, 1985 Baird Road.

7. A Trails Committee free hike will be held on Saturday, September 10 from 9:00 to 11:00 AM. Meet at the corner of Five Mile Line Road and Penfield Road at Schaufelberger Park. To register call the Penfield Recreation Department at 340-8655.
Public Participation

Ed Lindskoog, 18 High School Dr. stated that the property at 2069 Five Mile Line Road should have its grass mowed regularly since property maintenance by the Town has been charged to the homeowner’s tax bill. Mr. Lindskoog also requested clean up at the corner of Chantilly Lane. Vines are spilling over the sidewalk creating a hazard for walkers and children waiting for the school bus.

Supervisor LaFountain stated he will have it taken care of.

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of August 3, 2011. Councilman Quinn seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#11T-204 Setting a Public Hearing on 2012 Preliminary and Special District Budget by Moore

BE IT RESOLVED, that a Public Hearing on the proposed Town of Penfield 2012 Preliminary Budget and the 2012 Special District Budgets be held on Wednesday, October 5, 2010 at 7:30 PM at the Penfield Town Hall, and that all persons wishing to be heard be given an opportunity at that time, and

BE IT FURTHER RESOLVED, that the Town Clerk cause a Notice of the Public Hearing to be published in the official newspaper at least five (5) days prior to the Hearing and that said Legal Notice shall contain a summary of the Budget as required by Law, and

BE IT FURTHER RESOLVED, that the Legal Notice also list a summary of the 2012 Budget, and contain a statement that a copy of the Preliminary Budget is available at the office of the Town Clerk, where any interested person may inspect it during office hours on or after October 1st. A copy of the 2012 Preliminary Budget is also available in the Finance Department at the Town Hall located at 3100 Atlantic Avenue and the Public Library at 1985 Baird Road.

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-205 Setting a Public Hearing for Replacement of Extension 19 Pumps Station Force Main, Phase III by Moore

WHEREAS, the Penfield Consolidated Sanitary Sewer District operates a sanitary sewer pump station and associated forcemain piping known as the Extension 19 Pumps Station, located at 2375 Fairport Nine Mile Point Road, and

WHEREAS, this pump station itself and various sections of the forcemain have been renovated or replaced over several years, and

WHEREAS, the section of 12” forcemain extending from the station to 4,700 l.f. downstream is 45 + years old and remains the last section which has not been replaced, and the ductile iron pipe is susceptible to hydrogen sulfide corrosion which can lead to failure, and
WHEREAS, based on these factors and consequence that a failure would have on the environment, the Town Board did authorize MRB Group, PC to prepare an Engineering Report, for the replacement of this section of forcemain, and

WHEREAS, this Engineering Report dated 8/31/2011 identified alternate plans and methods for replacement and estimated that maximum amount to be expended for replacement of this section of forcemain to not exceed $425,000, and

WHEREAS, these proposed improvements to existing facilities consist of sewer pipes, lines, manholes, and all necessary appurtenances thereto for the purpose of replacing 4,700 l.f. of existing forcemain shall benefit the entire Penfield Consolidated Sanitary Sewer District as extended, and

WHEREAS, if approved by the Town Board this project would be funded through issuance of either a Bond Anticipation Note or Serial Bond of the Penfield Consolidated Sanitary Sewer District, and

WHEREAS, the annual cost to a “Typical Residence” within the Penfield Consolidated Sanitary Sewer District resulting from this project, and inclusive of all other district debt, are estimated as follows:

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<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Town of Penfield</td>
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<tr>
<td>Debt Service</td>
<td>$70.80/ Unit</td>
<td>(2012 Budget)</td>
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<tr>
<td>Operation &amp; Maintenance</td>
<td>$39.64/ Unit</td>
<td>(2012 Budget)</td>
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<tr>
<td>Monroe County Pure Waters</td>
<td>$77.10/Unit Annually</td>
<td></td>
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<tr>
<td>Operation &amp; Maintenance</td>
<td></td>
<td>(Based on $1.285 / 1000 gals. water consumption x 60,000 gals. of average annual consumption)</td>
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<tr>
<td>Capital Charge</td>
<td>$18.39/annually</td>
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The Entrance Fee for a “Typical Residence” within said extension is a one time fee of $500, and

WHEREAS, pursuant to SEQR Act this project is listed as an Unlisted Action; and after careful review of the project EAF, Engineers Report and supporting documentation the Town Board has prepared a statement of Negative Declaration of Environmental Significance.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield shall hold a Public Hearing at the Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on Tuesday, September 27, 2011 at 7:30 PM, to consider the said motion and to hear all persons interested in the subject thereof and concerning the same, and for such other action on the part of the Town Board with relation to said motion as may be required by Law, 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 of the aforesaid Public Hearing. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law and be filed with the NYS Comptrollers Office, Department of Audit and Control.

Moved:  Moore
Seconded:  Quinn
Penfield Town Board, September 7, 2011

(Resolution #11T-205 – Continued)

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

Adopted

#11T-206  Authorization for Supervisor to Sign an Easement Agreement with the Nature Conservancy by Moore

WHEREAS, the Nature Conservancy and the Town of Penfield propose to execute mutually beneficial easements; and

WHEREAS, the Nature Conservancy will be granted a permanent easement over the town owned parking lot, as described in the map and description attached hereto, along the access road to the 1,000 Acre Swamp at 1607 Jackson Road; and

WHEREAS, the 25 year lease agreement entered into with the Nature Conservancy in Resolution No. 248, on October 17, 1983 has expired; and

WHEREAS, the Town of Penfield will obtain a permanent easement across the Nature Conservancy land, as described in the map and description attached hereto, providing pedestrian access between Rothfuss Park and town owned land adjacent to the Oakridge Knolls subdivision; and

WHEREAS, it is in the best interests of the Town of Penfield to enter into said easement agreement.

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the parking easement agreement with the Nature Conservancy and to accept the access easement which provides a connection between Rothfuss Park and Oakridge Knolls.

Moved: Moore
Seconded: Kohl

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

Adopted

See Schedule "A" at End of Minutes

#11T-207  Approval of Issuance of a Special Permit to Allow a Jewelry Store at 1833 Penfield Road 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 a Jewelry Store at 1833 Penfield 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 August 3, 2011, 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 a jewelry store at 1833 Penfield Road, in the Four Corners (FC) zoning district and the Public Hearing was closed.

NOW, THEREFORE, BE IT RESOLVED, that the applicant’s request for a SPECIAL PERMIT to allow a jewelry store at 1833 Penfield Road solely for the purpose of selling and purchasing jewelry, precious metals and coins is hereby GRANTED subject to the following conditions:
Resolutions 

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.

3. Adequate on-site parking shall be available at all times to accommodate the applicant’s business, as well as the other vacant lease space on this site.

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

5. Failure to comply with the conditions set forth hereinabove may result in the revocation of this Special Permit pursuant to the requirements of Article XI-11-14 of the Zoning Ordinance.

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

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

1. The applicants are leasing approximately 825 square feet of vacant area on the west side of the building for the purpose of operating a jewelry and coin exchange business at this location. There is no intent on the applicants’ part or the Town Board approval to allow the operation of a pawn shop at this location.

2. The applicants expect to have only two (2) employees on site at any time and expect to need no more than 4-5 parking spaces to accommodate their business. The site is currently served by 26 parking spaces.

3. This use will continue to provide a needed service to the residents of Penfield and is a use consistent with the goals of the Four Corners Plan.

Moved: Moore
Seconded: Quinn

Kohl Aye LaFountain Aye
Metzler Absent Moore Aye
Quinn Aye

Adopted

#11T-208 Authorization for Release of an Access Easement at 2060 Fairport Nine Mile Point Road by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a Release of Easement to permit a release of an existing access easement at 2060 Fairport Nine Mile Point Road, recorded as Liber 10241, Page 0188 in the Monroe County Clerk’s Office to allow the owner to install a reconfigured access easement on said property in conjunction with the development of a second building on the site subject to the approval of the Penfield Planning Board; and
Penfield Town Board, September 7, 2011

(Resolution #11T-208 – Continued)

BE IT FURTHER RESOLVED, that the Release of Easement shall be in the Town’s format and shall be recorded at the Monroe County Clerk’s Office with a certified copy of this Resolution subject to the property owner submitting a revised access easement subject to Planning Board approval, which shall also be recorded in the Monroe County Clerk’s Office immediately after the Release of Easement has been recorded.

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-209 Authorization for Release of a Drainage Easement at 667 Panorama Trail West – Penfield Fitness Club by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a Release of Easement to permit a release of an existing drainage easement at 667 Panorama Trail West, as shown on a map entitled “Map of a Subdivision of J. Sandman Property” prepared by Dominic J. Parrone and Associates P.C., last revised April 16, 1964, filed in the Monroe County Clerk’s Office as Liber 163 of maps, Page 15, as the Town has no further use of the easement on said property; and

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

Moved: Moore
Seconded: Quinn

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

Adopted

#11T-210 Amending Resolution #11T-091 of 2011 Relating to the Amendment of the Official Zoning Map at 1360-B Five Mile Line Road by Moore

WHEREAS, on February 16, 2011, in Resolution #11T-091, the Town Board of the Town of Penfield granted rezoning of 4.22 acres at 1360-B Five Mile Line Road from Business Non-Retail (BN-R) to R-1-20 to allow for the development of a 56 lot single family residential subdivision known as Windham Woods; and

WHEREAS, after the rezoning of said property was granted, the Town Engineer determined that the applicant’s legal description failed to identify an additional .126 acres that were also required to be rezoned to accommodate the Windham Woods Subdivision; and

WHEREAS, the Town Engineer subsequently prepared a map and legal description, identifying the portion of the property which is the subject of the technical correction, a copy of which is attached hereeto and made a part hereof and known as Schedule “A.”

NOW, THEREFORE, BE IT RESOLVED, that the Town Board desires to ensure that all portions of the proposed residential subdivision are properly zoned and hereby approves a technical correction to include the .126 acres to be rezoned from Business Non-Retail to R-1-20, consistent with the zoning of the remainder of the subject property, as more particularly shown in the attached map and legal description, known as Schedule “A”; and
(Resolution #11T-210 - Continued)

BE IT FURTHER RESOLVED, that the Town Clerk be, and she hereby is authorized and directed to give the necessary notice of such change in the zoning to the departments, agencies and offices having jurisdiction in this matter and cause the zoning amendment to be entered into the Minutes of these proceedings.

Moved: Moore
Seconded: Kohl

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

Adopted

See Schedule “A” at End of Minutes

Public Works - None

Public Safety - None

Community Services

#11T-211 Award Bid for Replacement of Stage Door at Penfield Community Center by Kohl

WHEREAS, sealed proposals were requested to provide the Town of Penfield Recreation Department with Replacement of Stage Door at the Penfield Community Center and

WHEREAS, on Thursday, July 28, 2011, at 11:00 AM local time, the following sealed proposal was received and read publicly by the Town Clerk.

B.R. Johnson Inc.
6960 Fly Road
East Syracuse, NY 13057

WHEREAS, B.R. Johnson Inc. is the lowest responsible bidder for the Replacement of Stage Door at the Penfield Community Center meeting specifications as set forth in the bid and

NOW, THEREFORE BE IT RESOLVED, that Penfield Town Board hereby accepts the bid of B.R. Johnson Inc. for a sum of $42,258.00.

BE IT FURTHER RESOLVED, that funds for said purchase are budgeted for in 2011 Budget from the Economic Development Initiative-Special Project grant (EDI-SP).

Moved: Kohl
Seconded: Quinn

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

Adopted

#11T-212 Award Bid for Installation of Gymnasium Wall Padding at Penfield Community Center by Kohl

WHEREAS, sealed proposals were requested to provide the Town of Penfield Recreation Department with Installation of Gymnasium Wall Padding at the Penfield Community Center and

WHEREAS, on Thursday, July 28, 2011, at 11:30 AM local time, the following sealed proposal was received and read publicly by the Town Clerk.
(Resolution #11T-212 – Continued)

Toth’s Sports
71 Victor Heights Pkwy
Victor, NY 14564

$9,345.00

WHEREAS, Toths Sports is the lowest responsible bidder for the Installation of Gymnasium Wall Padding at the Penfield Community Center meeting specifications as set forth in the bid and

NOW, THEREFORE BE IT RESOLVED, that Penfield Town Board hereby accepts the bid of Toth’s Sports for a sum of $9,345.00.

BE IT FURTHER RESOLVED, that funds for said purchase are budgeted for in 2011 Budget from the Economic Development Initiative-Special Project grant (EDI-SP).

Moved: Kohl
Seconded: Moore

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

Adopted

#11T-213 Authorization to Auction Surplus Equipment for Parks and Facilities Department, Sewer Department and Highway Department by Kohl

BE IT RESOLVED, that the Director of Parks & Facilities be authorized to enter into a contract with Roy Teitsworth Inc., to auction surplus equipment at a Monroe County Auction on October 1, 2011 and

BE IT FURTHER RESOLVED, that the following equipment be declared surplus:

PARKS & FACILITIES:
  P - 16 - T 2001 Ford 1 Ton Pickup
  P - 19 - T 2001 Ford 1 Ton Service Body Pickup
  P - 76 - E 2005 Kromer Field Painter
  Miscellaneous Small Equipment

SEWER DEPARTMENT
  S - 502 - 2003 Chevy 1500 P/U

HIGHWAY DEPARTMENT
  H - 809 - 1991 Dodge Dakota

AND BE IT FURTHER RESOLVED, that the proceeds resulting from the auction and sale of these pieces of equipment be credited to the appropriate Capital Reserve Fund.

Moved: Kohl
Seconded: Quinn

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

Adopted
#11T-214  Authorization for Supervisor to Sign Recreation Contracts
by Kohl

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

The following persons to officiate soccer games for the Penfield
Recreation Women’s Fall Soccer League, 9/10/11 - 11/5/11, for a fee of
$37.00 per game:

Michael Eckert, 34 May St., Rochester, NY  14620
Vitallano Santoli, 177 Sunny Mill Lane, Rochester, NY  14626
Kathleen Buckley, 71 Valewood Run, Penfield, NY  14526
Ofer Sankowski, 58 Pacer Dr., Henrietta, NY  14467
Ilan Sankowski, 18 Terrain Dr., Rochester, NY  14618
David Weaver, 14 Brightford Heights Road, Rochester, NY  14610
Vouchers to be submitted 10/19/11.

Martha Sweeney, 74 Redwood Drive, Penfield, NY  14526, Adult Painting,
9/19 - 11/16/11 for the fee of $50.00 per participant.  Vouchers to be
submitted 10/5 and 11/2/11.

Steve Grills, 245 Cypress Street, Rochester, NY  14620, to provide
entertainment "Steve Grills and the Roadmasters" and special guest
Saturday, September 17, 2011 for "Tastin' the Blues" for a fee of
$1,350.00.  Voucher to be submitted on 9/7/11 for a manual check.

Shadow Lake Golf Course, 1850 Five Mile Line Road, Penfield, NY  14526,
to provide golf starting times for Senior 50’s + program, 5/05/11-
8/10/11 for a fee of $9.00 per paid participant.  Voucher to be
submitted on 9/7/11.

Eugene Renner, 783 Liberty Street, Penfield, NY  14526, to provide
supervision for 50 Plus golf program 5/5/11 – 8/11/11 for a fee of
$23.00 per golf date.  Voucher to be submitted on 9/7/11.

Bernie Ziegler, 172 Grafton St., Rochester, NY  14526, Instructor for
Senior Line Dancing Class 9/26/11 - 11/21/11 (no class on 10/11/11) for
a fee of $30 for each registered student.  Voucher to be submitted
on 11/16/11.

Dick Seils, 23 Brookshire Lane, Penfield, NY  14526, Instructor for
Beginning Euchre, Beginning Pickleball, and Beginning Pickleball for
Teens on 10/17/11 - 11/21/11 for a fee of 75% of total program revenue.
Voucher to be submitted on 11/16/11.

Michael J. Scott, 839 Lake Rd., Webster, NY  14580, Instructor for
Telling Your Story for Fun and Profit 9/30/11 – 11/4/11, Understanding
the US Constitution 9/29/11 - 11/3/11, and I Love NY History 9/28/11 -
11/2/11 for a fee of 80% of total revenue.  Voucher to be submitted
11/2/11.

Carol Lennox, 143 Belvista Dr., Rochester, NY  14625, Instructor for
Beginning Machine Quilting 9/29/11 - 10/27/11 for a fee of 80% of total
revenue.  Voucher to be submitted 10/19/11.

Elizabeth Liano, 160 Heatherstone Ln., Rochester, NY  14618, Instructor
for Knitting for All Levels 9/28/11 - 11/16/11 for a fee of 80% of total
revenue.  Voucher to be submitted 11/2/11.

Karen Wood, 1671 Harris Rd., Penfield, NY  14526, Instructor for
Communication Through Words 9/26/11 - 10/24/11 for a fee of 80% of total
revenue.  Voucher to be submitted 10/19/11.

Marie Gonzalez-Smith, 7 Brimsdown Circle, Fairport, NY  14450,
Instructor for Global Topics, The Good, the Bad and the Ugly, 9/28/11-
11/16/11 for a fee of 80% of total revenue.  Voucher to be submitted
11/2/11.
(Resolution #11T-214 – Continued)

Richard Burtless, 76 State St. Apt. 201, Seneca Falls, NY 13148, Instructor for Human Geography 9/29/11 - 10/20/11 for a fee of 80% of total revenue. Voucher to be submitted on 10/5/11.


Lorraine Brazner, 12 Treetop Dr., Rochester, NY 14625, Instructor for You and Your Electronic Medical Records, 9/26/11 – 11/7/11 (no class 10/10/11) for a fee of 80% of total revenue. Voucher to be submitted on 11/2/11.

Lifespan, 1900 S. Clinton Avenue, Rochester, NY 14618, Facilitators of the Matter of Balance Program 9/28/11 – 11/16/11 for a fee of $20 per student. Voucher to be submitted 11/2/11.

George Roth, 1060 Penfield Rd., Rochester, NY 14625, Instructor for Live Long, Live Healthy 10/5/11 - 11/2/11 for a fee of 80% of total revenue. Voucher to be submitted 10/19/11.


Corey Morgano, 1600 East Ave. #504, Rochester, NY 14610, Instructor for Hooray for Hollywood 9/26/11 - 11/21/11 and History of Western Theatre 9/30/11 - 12/2/11 (no class 11/11/11) for a fee of 80% of total revenue. Voucher to be submitted on 11/16/11.

Rosemary Zuck, 29 Stoneham Dr., Rochester, NY 14625, Instructor of Getting Over Getting Older: From Aging to Sage-ing 10/21/11 – 11/18/11 no class 11/11/11 for a fee of 80% of total revenue. Voucher to be submitted on 11/2/11.

Nanci DeLeo, 65 New Wickham Dr., Penfield, NY 14526, Instructor for Topics in Spirituality 9/27/11 – 10/25/11 for a fee of 80% of total revenue. Voucher to be submitted 10/5/11 and 11/2/11.

Donovan Shilling, 1765 Five Mile Line Rd., Penfield, NY 14526, Instructor for the Marvels and Myths of Rochester Series 9/28/11-11/30/11 for a fee of 80% of total revenue. Vouchers to be submitted on 10/19/11 and 11/16/11.

Pete DelGiorno, 172 Woody Lane, Rochester, NY 14625, instructor for An Abridged Tour Through History 9/30/11 – 11/18/11 for a fee of 80% of total revenue. Voucher to be submitted 11/2/11.

Kathleen Revekent, 106 Washington Rd., Pittsford, NY 14534, Instructor for Let's Preserve on 10/3/11 for a fee of 80% of total revenue. Voucher to be submitted 9/21/11.

Rosemary Irwin, 10 Blossom Circle West, Rochester, NY 14610, Instructor for How Charles Schulz Changed the World 9/27/11 – 11/8/11 for a fee of 80% of total revenue. Voucher to be submitted 11/2/11.

Joseph Meli, 54 Seth Green Dr., Rochester, NY 14621, Instructor for The Great Presidents 9/27/11 – 11/1/11 and Ancient Civilizations and their Contributions to Western Society 11/8/11 – 11/29/11 for a fee of 80% of total revenue. Voucher to be submitted on 10/19/11 and 11/16/11.

Doris Adamek, 2500 East Ave., Rochester, NY 14610, Instructor for the Rosemary Clooney Lecture on 12/1/11 for a fee of $30. Voucher to be submitted on 11/16/11.
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(Resolution #11T-214 – Continued)

Lynne Allis, 1485 Sweets Corners Road, Penfield, NY 14526, Live Band for the DEAR Senior Open House on 9/21/11 for a fee of $125. Voucher to be submitted 9/7/11.


Dave Coin, 280 Liberty Ave., Rochester, NY 14622, Director of Youth Flag Football program, 9/10/11 - 10/22/11 for the fee of $55.00 per session. Voucher to be submitted 9/07/11 & 10/05/11.

Mark Vogt, 3217 Pine View Drive, Walworth, NY 14568, Co-Director of ABC Sports for Tots, 9/24/11 - 10/15/11, for the fee of 40% of program revenues after all expenses have been deducted. Voucher to be submitted 10/05/11.

Dorothy Brenneis, 28 Woodside Drive, Penfield, NY 14526, Instructor for A Harvest of Healthy Fun at the Children’s Garden, 9/16/11 – 10/21/11, for a fee of 75% of the program revenues. Voucher to be submitted 10/19/11.

Moved: Kohl
Seconded: Moore

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

Adopted

Old Business - None

New Business - None

Public Participation

Ed Lindskoog inquired about the dumpster enclosures proposed for the property at 1833 Penfield Road.

Supervisor LaFountain stated the matter is still being worked on.

Debbie Drawe, County Legislator, 9th District, 5 Cobblestone Crossing, expressed condolences to Councilwoman Metzler and family on behalf of the County Legislature.

Legislator Drawe commended Supervisor LaFountain, the Town Board and Finance Director Robert Beedon for the 2012 Tentative Budget and stated she is pleased with the no tax increase. Ms. Drawe also commended the Department Heads for maintaining high quality services for the Penfield residents.

Ms. Drawe stated that County Executive Maggie Brooks and her staff are looking at the 2012 County Budget and the pension increases, unfunded mandates, medical benefits, decreased state aid and other issues affecting the budget. Ms. Drawe stated the County Legislature has a good working relationship with the Town Of Penfield and will continue to work with the town to consolidate services.

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 9:12 PM.

Amy Steklof
Town Clerk
ALL THAT TRACT OR PARCEL OF LAND, situate in Great Town Lot Number 42, Township 13, Range 4, Phelps and Gorham Purchase, Town of Penfield, County of Monroe, State of New York, being more particularly described as follows:

Commencing at an iron pin situate at the centerline intersection of Atlantic Avenue and Baird Road; thence S 89° 39' 37" W 30.66 feet to an iron pin on the westerly right of way line of Atlantic Avenue; thence continuing S 89° 39' 37" W, along the north line of premises now or formerly of James R. Wilbert (Liber 7688 of Deeds, page 217, Tax Map No. 109.03-04-25), a distance of 1552.64 feet to the northwest corner of said lands of Wilbert; thence continuing S 89° 39' 37" W, along the north line of Pennicott Village, Section 2 (Liber 229 of Maps, page 85 and Liber 246 of Maps, page 35, Tax Map No. 109.03-01-57) a distance of 9.81 feet to an iron pin and the POINT OF BEGINNING, thence the following courses and distance;

(1) N 00° 18' 54" E, along the east line of premises now or formerly of James L. and Lois Rothfuss (Liber 5101 of Deeds, page 283, Tax Map No. 109.03-01-13.1), a distance of 100 feet more or less to a point, thence,

(2) Southeasterly through lands now or formerly of The Nature Conservancy (Liber 8707 of Deeds, page 150, Tax Map No. 109.03-01-15.2) at an angle having an interior measurement of 45 degrees a distance of 140.78 feet more or less to a point on the north line of lands now or formerly of James R. Wilbert (Liber 7688 of Deeds, page 217, Tax Map No. 109.03-04-25), thence,

(3) S 89° 39' 37" W along the north line of said lands of Wilbert at an angle having an interior measurement of 45 degrees a distance of 90.19 feet to the northwest corner of said lands of Wilbert, thence continuing S 89° 39' 37" W along the north line of Pennicott Village, Section 2 (Liber 229 of Maps, page 85 and Liber 246 of Maps, page 35, Tax Map No. 109.03-01-57) a distance of 9.81 feet to an iron pin and the POINT OF BEGINNING.

The tax map numbers listed above are Town of Penfield tax parcels as shown on the map in Schedule "B."
SCHEDULE A

Parking Easement Description

ALL THAT TRACT OR PARCEL OF LAND, situate in Great Town Lot Number 41, Township 13, Range 4, Phelps and Gorham Purchase, Town of Penfield, County of Monroe, State of New York, being more particularly described as follows:

Commencing at a point in the centerline of Jackson Road, said point being the intersection of the centerline of Jackson Road and the centerline of Penfield Road, said point also being the southeast corner of lands now or formerly of Donovan Payne and Suzanne Payne (Liber 9394, page 316, Tax Map No. 109.02-01-30.002), thence N 78° 23' 00"W along the south line of said lands of Payne a distance of 709.44' to a point on the northerly line of lands of Town of Penfield (Liber 378, page 1, Tax Map No. 109.040-01-009), (hereinafter the "Town's Land") said point being the POINT OF BEGINNING, thence the following courses and distances;

1) S 11°-22'-15" W through the Town's Land a distance of 100' more or less to a point, thence;

2) N 78°-23'-00" W through the Town's Land a distance of 275' more or less to a point, thence;

3) N 11°-22'-15" E through the Town's Land a distance of 10' more or less to a point, thence;

4) N 78°-23'-00" W continuing through the Town's Land a distance of 127' more or less to a point, thence;

5) N 11°-22'-15" E through the Town's Land a distance of 90' more or less to a point on the southerly line of lands of The Nature Conservancy (Liber 6307, page 142, Tax Map No. 109.02-01-32.101), thence;

6) S 78°-23'-00" E along said lands of The Nature Conservancy a distance of 102' more or less to the southwest corner of lands now or formerly of Donovan Payne and Suzanne Payne (Liber 9394, page 316, Tax Map No. 109.02-01-30.002), thence;

7) S 78°-23'-00" E along said lands of Payne 300' to a point, said point being the POINT OF BEGINNING.

The tax map numbers listed above are Town of Penfield tax parcels as shown on the map in Schedule "B."
Schedule A

Description of an area of 5,504.04 square feet or .126 acres to be rezoned from Business Non-retail to R-1-20 for the construction of the Windham Woods Subdivision on Tax Map Parcel No. 094.18-1-5.001 at 1360-B Five Mile Line Road.

ALL THAT TRACT OR PARCEL OF LAND, situate in Great Town Lot Number 44, Township 13, Range 4, Phelps and Gorham Purchase, Town of Penfield, County of Monroe, State of New York, being more particularly described as follows:

Commencing at the northeast corner of Tax parcel No. 094.18-1-5.102, said point being the common division line of Tax Map No. 094.18-1-6.213 and the southern right-of-way of Plank Road, thence the following courses and distances to the POINT OF BEGINNING,

1. S00°19'12"E a distance of 754.57 feet to a point; thence
2. S89°43'03"W a distance of 268.00 feet to a point; thence
3. N24°15'45"W a distance of 55.63 feet to a point.

Said point being the POINT OF BEGINNING, thence the following courses and distance;

1. S89°43'03"W a distance of 13.95 feet to a point; thence
2. N45°28'46"W a distance of 90.00 feet to a point; thence
3. Northerly a distance of 70.00 feet to a point; thence
4. S89°43'03"W a distance of 567.03 feet to a point; thence
5. N89°37'23"E a distance of 583.44 feet to a point; thence
6. S24°15'45"E a distance of 150.21 feet to a point, said point being the POINT OF BEGINNING