PENFIELD TOWN BOARD MEETING AGENDA
Wednesday, February 1, 2012
Supervisor R. Anthony LaFountain, presiding

I Call to Order – Pledge of Allegiance – Roll Call

II Communications and Announcements

III Public Participation

IV Additions and Deletions to Agenda

V Approval of Minutes – January 4, 2012

VI Petitions

VII Resolutions by Function

Law and Finance
12T-059 Adoption of Revised Wage and Salary Schedule for 2012
12T-060 Authorization for Auditing Services
12T-061 Authorize the Town Comptroller to attend the PERMA Board Meeting
12T-062 Authorizing the Town Supervisor to Sign a Service Contract for Tree Removal and Trimming Services for 2012
12T-063 Authorization for Supervisor to Execute a License and Hold Harmless Agreement with the Owner(s) of #1 Terrace Hill Drive
12T-064 Authorization for Supervisor to Execute an Amendment to the Sewer Use Contract with the Town of Brighton, Relating to Extension 52 (Collingsworth Drive Sewer Project)

Public Works-None

Public Safety
12T-065 Award Contract for 2012 Property Maintenance to Maintain, Clean-Up and Secure Properties as needed by the Authorized Official
12T-066 Contract with Mario Gianforte for Annual Security Training Services

Community Services
12T-067 Authorization to Attend NYSRPS Annual Conference
12T-068 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 1, 2012 at 7:30 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

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

Also Present: Amy Steklof  Town Clerk  
Richard Horwitz  Town Attorney  

Supervisor LaFountain called the meeting to order – Pledge of Allegiance

Communications and Announcements

1. The deadline date for tax payments without interest is Friday, February 10, 2012. Payments may be placed in the drop box located in front of the Town Hall which is checked twice daily.

2. The first Passport Night of the year will be held on Thursday, March 29, 2012 from 5:30 to 7:30 PM.

3. The Trails Committee will sponsor a free indoor hike in the Penfield Town Hall Auditorium on Saturday, February 11, 2012 from 10:00 AM to Noon. To register call (585)-340-8655.

4. The Heritage Association Lecture, Civil War Lecture Series Part II will be held Sunday, February 12, 2012 from 2:30 to 4:30 PM at the Penfield Library, 1985 Baird Road. To register call 340-8720.

5. The “State of the Town” address will be held Tuesday, February 7, 2012 at 7:00 PM in the Town Hall Auditorium.

6. Eco Park is located at 10 Avion Drive in Rochester. The hours of operation are Wednesday through Saturday from 7:30 AM to 1:00 PM (closed Holidays.) For more information call (585) 753-7600 or visit the website at www.monroecounty.gov/ecopark.

7. Auditions for the Penfield Player’s Spring melodrama “Egad! The Woman in White,” will be held on Monday, February 20, and Tuesday, February 21, 2012 at 7:00 PM at the Penfield Community Center. Performances of the play will be held May 4, 5, 11, 12, 18 and 19. For more information visit www.penfieldplayers.org or call Nicholas Hambas at 359-1232.

8. The “Mardi Gras” Shoe Box Float contest will be held Tuesday, February 21, 2012 at 12:45 PM during the Mardi Gras Shoe Box Parade. Floats must be in by 5:00 PM Friday, February 17. For more information call 340-8664.

9. Councilwoman Kohl’s next Community Chat will be held Tuesday, February 21, 2012 from 5:30 to 7:00 PM at the Penfield Library.

Tonight’s Penfield Historic Trivia question is as follows:

In 1981, which structure became a historic landmark in the Town of Penfield?
A) The Daniel Penfield House  
B) The Mud House  
C) Dayton’s Corners School House  
D) The Rich-Raymond House

Submit your answers to PCTV@penfield.org or #Penlive

The answer to the trivia question is:
B) The Mud House (1981)
Penfield Town Board, February 1, 2012

Public Participation - None

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of January 4, 2012. Councilwoman Metzler seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#12T-059 Adoption of Revised Wage and Salary Schedule for 2012

BE IT RESOLVED, that the Town Board hereby adopts the revised Wage and Salary Schedule for the 2012 Exempt, Grade 3 - 5, page 2 of 2, (Exhibit A), effective February 1, 2012.

Moved: Moore
Seconded: Kohl

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

Adopted

#12T-060 Authorization for Auditing Services

WHEREAS, the Town Board requested that accounting proposals be obtained so that selection could be made for the fiscal years 2011 - 2013 for annual audit services and,

WHEREAS, there were proposals from four (4) accounting firms which were aggressive and met all the terms of the request for proposals,

NOW BE IT RESOLVED, that the request for proposal from the Bonadio Group, LLP be approved as they met all the specifications for the Town of Penfield’s accounting services audit for the fiscal years 2011, 2012, and 2013.

Moved: Moore
Seconded: Quinn

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

Adopted

#12T-061 Authorize the Town Comptroller to attend the PERMA Board Meeting

WHEREAS, the Town Comptroller is on the Board of Directors for the workers compensation carrier, Public Employers Risk Management Association, and

WHEREAS, the PERMA Board Meeting will be held on February 15, 2012 located in Latham, New York and will be paid fully for mileage and hotel expenses by PERMA, and

NOW BE IT RESOLVED, that the Town Comptroller attend the PERMA Board Meeting on February 15, 2012.
Penfield Town Board, February 1, 2012

(Resolution #12T-061 – Continued)

Moved: Moore  
Seconded: Metzler

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

Adopted

#12T-062  Authorizing the Town Supervisor to Sign a Service Contract for Tree Removal and Trimming Services for 2012 by Moore

BE IT RESOLVED, that the Supervisor is authorized to sign a contract with Thomas E. Urkfitz, 1925 Penfield Road, Penfield for tree removal and trimming for various Town Projects for 2012.

BE IT FURTHER RESOLVED, that Thomas E. Urkfitz will be compensated at an agreed upon fee depending on the nature of the services performed, fee schedule is on file in the Town Clerk’s Office. All fees are allocated in the 2012 budget.

Moved: Moore  
Seconded: Kohl

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

Adopted

#12T-063  Authorization for Supervisor to Execute a License and Hold Harmless Agreement with the Owner(s) of #1 Terrace Hill Drive by Moore

WHEREAS, as indicated in a letter from Thomas A. Klonick, Attorney dated 1/25/2012 and as shown on a related Instrument Survey done by Parrone Associates, PC, dated 1/11/2012, there exists an encroachment into a Sanitary Sewer Easement at #1 Terrace Hill Drive, and

WHEREAS, the southwest corner of the home encroaches to a maximum extent of 0.30 feet into the Sanitary Sewer Easement to the Town of Penfield, filed under Liber 8869 of Deeds, Page 478, and

WHEREAS, the Penfield Sewer Department has inspected the subject premises and has verified that said encroachment, as it now exists, does not significantly impair the rights conferred unto the Town of Penfield under said easement, nor hinder future utility maintenance efforts; and has recommended that the Town Board enter into a License and Hold Harmless Agreement to allow said encroachment to continue, in its present form and condition.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a License and Hold Harmless Agreement with the owners of #1 Terrace Hill Drive, SBL# 124.01-4-58, to allow the continuance of the encroachment into the Sanitary Sewer Easement referenced above, and said Agreement shall be in a form and substance acceptable to the Town Attorney; and

BE IT FURTHER RESOLVED, that the owner of said property shall comply with the requirements of said Agreement and insure that the encroachment does not exceed its current extent as shown on an instrument survey map done by Parrone Associates, PC, dated 1/11/2012, incorporated herein by reference.
Penfield Town Board, February 1, 2012

(Resolution #12T-063 - Continued)

Moved: Moore
Seconded: Quinn

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

Adopted

#12T-064 Authorization for Supervisor to Execute an Amendment to the
Sewer Use Contract with the Town of Brighton, Relating to
Extension 52 (Collingsworth Drive Sewer Project) by Moore

WHEREAS, Resolution 11T-237 created Extension 52 to the Penfield
Consolidated Sanitary Sewer District for the purpose of providing
sanitary sewers to 18 properties along Collingsworth Drive,

WHEREAS, sanitary sewer flow generated from this project will utilize
the Town of Brighton sewer system, to transmit this flow to the Monroe
County Pure Waters treatment system,

WHEREAS, the Town of Penfield and the Town of Brighton currently have a
Sewer Use Contract approved April 27th, 1981 and has been subsequently
amended to include (6) six additional properties, and

WHEREAS, the Agreement was again amended in 2008 to include an
additional 17 properties part of Extension 41 (2007 Sewer Project),
bringing the total number of properties served through this agreement to
23, all as listed on Schedule A attached hereto, and

WHEREAS, the Town of Penfield and the Town of Brighton now desire to
amend the current agreement to include these additional 18 properties
along Collingsworth Drive, bringing the total number of Penfield
properties served by the Brighton Sewer District to 45.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Penfield
as Commissioners of the Penfield Consolidated Sanitary Sewer District
hereby approve said Amendment to the existing Sewer Use Agreement with
the Town of Brighton, to include an additional 18 properties along
Collingsworth Drive, bringing the total number served by this Agreement
to 45, as listed on Schedule A attached hereto, and that all terms and
conditions set forth in the original 1981 Agreement remain in force and
effect, and

BE IT FURTHER RESOLVED, that the Town Supervisor of the Town of Penfield
be and hereby is authorized to execute said amendment to the Brighton
Sewer Use Contract.

Moved: Moore
Seconded: Metzler

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

Adopted

See Schedule “A” at end of Minutes

Public Works - None
Penfield Town Board, February 1, 2012

Public Safety

#12T-065 Award Contract for 2012 Property Maintenance to Maintain, Clean-Up and Secure Properties as needed by the Authorized Official by Quinn

WHEREAS, sealed proposals were requested for the maintenance, clean-up and securing of properties that may become abandoned, neglected and/or otherwise inadequately maintained by the owner thereof in accordance with the applicable property maintenance code requirements of the Town of Penfield; and

WHEREAS, on Friday January 20, 2012 at 11:00 AM local time, the following sealed proposals were received and read publicly by the Town Clerk:

<table>
<thead>
<tr>
<th>Item #</th>
<th>Item Description</th>
<th>Unit</th>
<th>Proposed Unit Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Cutting/Trimming Of Grass/Weeds Less Than Twelve (12) Inches In Height</td>
<td>Man Hour</td>
<td>$36.00</td>
</tr>
<tr>
<td>2</td>
<td>Cutting/Trimming Of Grass/Weeds More Than Twelve (12) Inches In Height</td>
<td>Man Hour</td>
<td>$45.00</td>
</tr>
<tr>
<td>3</td>
<td>Rubbish &amp; Garbage Removal (Labor)</td>
<td>Man Hour</td>
<td>$36.00</td>
</tr>
<tr>
<td>4</td>
<td>Rubbish &amp; Garbage Removal Minor (No Roll-Off Container Necessary)</td>
<td>Cubic Yard</td>
<td>$14.00</td>
</tr>
<tr>
<td>5</td>
<td>Rubbish &amp; Garbage Removal Major (Roll-Off Container Necessary)</td>
<td>Each</td>
<td>$140.00</td>
</tr>
<tr>
<td>5a</td>
<td>Container Hauling Charge (Delivery &amp; Removal Of Container)</td>
<td>Per Ton</td>
<td>$60.00</td>
</tr>
<tr>
<td>6</td>
<td>Securing Of Structures</td>
<td>Man Hour</td>
<td>$45.00</td>
</tr>
</tbody>
</table>

WHEREAS, Boon & Sons Inc is the lowest responsible bidder for meeting the specifications as set forth in the bid for 2012 Property Maintenance, and

NOW, THEREFORE BE IT RESOLVED, that the Penfield Town Board hereby awards the bid to; Boon & Sons Inc, 1 Boon Drive, PO Box 370, N. Chili, NY 14514.

BE IT FURTHER RESOLVED, that funds for said work are budgeted for in the 2012 adopted budget.

Moved: Quinn  
Seconded: Metzler

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

Adopted

#12T-066 Contract with Mario Gianforte for Annual Security Training Services by Quinn

WHEREAS the Town of Penfield wishes to provide the annual eight (8) hour in service New York State security refresher training course 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 2012 for an amount not to exceed $180 with Mario Gianforte, as provided in the 2012 Budget.
Penfield Town Board, February 1, 2012

(Resolution #12T-066 - Continued)

Moved: Quinn
Seconded: Moore

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

Adopted

Community Services

#12T-067 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 72nd annual New York State Recreation and Park Society Conference and Business Expo from 3/25 – 3/27/12 in Saratoga Springs, N.Y.:

Linanne Conroy  Pamela Mount   Ashley Vent

Funds are provided in the 2012 budget. Expenses include registration fees, meals, lodging, transportation (gas, tolls, parking), and related expenses.

Moved: Kohl
Seconded: Quinn

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

Adopted

#12T-068 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:

Webster Marching Band Boosters, 875 Ridge Road, Webster, NY 14580, Independence Day Parade, 6/30/12, for a fee of $900. Voucher to be submitted 6/6/12.

Gates Keystone Police Pipes and Drums, c/o Dave Staub, 89 Sweet Birch Lane, Rochester, NY 14615, Independence Day Parade, 6/30/12, for a fee of $700. Voucher to be submitted 6/6/12.

Carol Crocca, 114 Heather Dr., Rochester, NY 14625, Instructor for Opera 101, 1/23/12 – 3/5/12, for a fee of 70% of total class revenue. Voucher to be submitted 2/15/12.

Moved: Kohl
Seconded: Metzler

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

Adopted
Penfield Town Board, February 1, 2012

Old Business - None

New Business - None

Public Participation

Tom Cleary, 1252 Jackson Road stated he has a couple more questions in reference to the Cranberry Cove Pond.

Supervisor LaFountain stated that since Mr. Cleary has sent a letter informing the Board that he planned to bring a suit against the Town that it is now a private matter and not open to public discussion.

Mr. Cleary then asked how he could contact the Ethics Committee.

Supervisor LaFountain stated he had sent Mr. Cleary two (2) letters in response to Mr. Cleary’s inquiry about the Ethics Committee process and that the Ethic’s Board would like specific questions given to them.

Footage was shown of the Boy Scouts of America Klondike Event that took place a week and a half ago.

Adjournment

Supervisor LaFountain adjourned the meeting at 7:55 PM.

Amy Steklof
Town Clerk
### Schedule A
2012 Brighton Sewer Use Contract Amendment

**Original 1991 - Brighton Sewer Use Contract**

<table>
<thead>
<tr>
<th>Property Number</th>
<th>Street Name</th>
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<tbody>
<tr>
<td>103.12.23</td>
<td>725525</td>
</tr>
<tr>
<td>105.2.12</td>
<td>490235</td>
</tr>
<tr>
<td>105.2.55</td>
<td>490235</td>
</tr>
<tr>
<td>105.6.204</td>
<td>490235</td>
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**Subsequent Amendments**

<table>
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<tr>
<th>Property Number</th>
<th>Street Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>105.6.217</td>
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<tr>
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<td>327721</td>
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<tr>
<td>105.6.213</td>
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<tr>
<td>105.6.211</td>
<td>327721</td>
</tr>
<tr>
<td>105.6.209</td>
<td>327721</td>
</tr>
</tbody>
</table>

**2000 Amendment (Ex. 41 - 2007 Sewer Project)**

<table>
<thead>
<tr>
<th>Property Number</th>
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<tbody>
<tr>
<td>105.6.142</td>
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<tr>
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<tr>
<td>105.6.138</td>
<td>156515</td>
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</table>

**2012 Amendment (Ex. 50 Cellogsworth Drive)**

<table>
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<tbody>
<tr>
<td>105.6.123</td>
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<tr>
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<tr>
<td>105.6.119</td>
<td>875321</td>
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<tr>
<td>105.6.117</td>
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</tbody>
</table>

Total of 41 Properties