PENFIELD TOWN BOARD AGENDA
Wednesday, February 15, 2012, 7:30 PM
Supervisor R. Anthony LaFountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Public Hearing - To Consider a Preliminary and Final Subdivision and Site Plan Approval to Allow 35 Single Family Homes and Subdivision of Two Existing Properties on 30+/- acres Located at 2353 Penfield Road and 85 Fellows Road

III Communications and Announcements

IV Public Participation

V Additions and Deletions to Agenda

VI Approval of Minutes – January 18, 2012

VII Petitions

VIII Resolutions by Function

Law and Finance
# 12T-069 2012 Budget Amendment – Dayton’s Corner Swing Set
# 12T-070 Setting a Public Hearing to Consider Adoption of revision to Article V and VI of the Zoning Ordinance

Public Works
# 12T-071 Purchase of New Mid Duty Construction Dump Truck with Snow Plow and Salt Spreader Controls and Equipment
# 12T-072 Authorization to Attend Highway Superintendents “Grassroots Campaign” for Local Roads & Bridges in Albany, NY
# 12T-073 Approval of Out of District User Status for the Property Located at 1704 Penfield Road (Jennings/Nulton Funeral Home)

Public Safety - None

Community Services
# 12T-074 Color Resurfacing of Four (4) Tennis Courts at Harris Whalen Park
# 12T-075 Appointment of Bob Kanauer to the Town of Penfield Open Space Update Committee
# 12T-076 Authorization for Supervisor to Sign Recreation Contracts

IX Old Business
X New Business
XI Public Participation
XII Adjournment
The Regular meeting of the Penfield Town Board was held on Wednesday, February 15, 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
Mark Valentine   Director of Planning

Absent:  Richard Horwitz   Town Attorney

Supervisor LaFountain called the meeting to order – The Pledge of Allegiance was led by Ed Lindskoog.

Town Clerk Amy Steklof presented a Proclamation to recently retired Animal Control officer, Ray Wilson for his service and dedication to the Town.

Mr. Wilson expressed that it has been an honor and privilege to work for the Town of Penfield.

Public Hearing #1 To Consider a Preliminary and Final Subdivision and Site Plan Approval to Allow 35 Single Family Homes and Subdivision of Two Existing Properties on 30+- acres Located at 2353 Penfield Road and 85 Fellows Road

The Town Clerk read the title of Notice of Public Hearing; said Notice was published in the Penfield Post on January 26, 2012 and was posted on the Town Bulletin Board and Website.

Michael Cavalcanti, developer of Ashlyn Rise Subdivision and representing Samuel and Elisa Trapani, property owners of the two (2) parcels that make up Ashlyn Rise, gave an overview of the project.

The property is located on the west side of Fellows Road, approximately 800 feet south of Penfield Road (NYS Rte. 441).

The total area of the site is 29.70 acres. Approximately 6.9 acres are designated wetlands and regulated under the jurisdiction of the NYSDEC. Disturbance of the wetlands shall be avoided by developing the uplands only. A total of 36 lots are proposed for single family residential use. The average lot size is 90’ wide by 170’ deep. Access to the lots will be via a newly constructed street built in conformance with the Town of Penfield’s latest standards and specifications. The street will be offered to the Town for dedication and ownership. All lots within the subdivision will be serviced by public sewers and water. Sidewalks are proposed on one (1) side of the street except at Lynx Court where sidewalks will be installed on both sides of the street to go into the Fox Hill Subdivision. Sidewalks will also be installed on the west side of Fellows Road to Penfield Road.

Mr. Cavalcanti gave each Town Board member a book that included all of his presentation materials for their review.

Councilman Quinn asked Mr. Cavalcanti whether the size of the lots at Lynx Court are similar in size to the Fedyk Fox Hill properties?

Mr. Cavalcanti stated the lots are not the same size, but are larger than the lots in the rest of the development.

Councilman Quinn asked if there are sidewalks throughout the Fox Hill Subdivision?
Mark Valentine, Director of Planning, stated there are sidewalks on both sides of a portion of the Fox Hill neighborhood.

Councilman Quinn asked if there are sidewalks currently on the east side of Fellows Road to Penfield Road?

Mr. Valentine stated there are not.

Councilman Quinn asked if there are proposed light poles for the neighborhood?

Mr. Cavalcanti stated there are not.

Councilman Quinn asked for detail regarding grade change.

Lee Sinsebox from Costich Engineering stated that there is a substantial grade change from Fellows Road to the top of the hill and that the grading meets the Town’s Design Criteria.

Councilman Quinn asked Mr. Sinsebox to address the height of the retaining wall.

Mr. Sinsebox stated that the wall goes from 6 ft. down to 2 ft.

Councilwoman Metzler asked if the square footage range of the homes is available for all of the lots?

Mr. Cavalcanti stated there is no limitation for any of the lots.

Councilman Moore asked if the project will be completed in phases?

Mr. Cavalcanti stated the project will be completed in two (2) phases.

Councilman Moore asked if homeowners will have the option to build on any of the lots in the first phase?

Mr. Cavalcanti stated they would.

Councilman Quinn asked if there will be any traffic disruption on Penfield Road when they tie in the sewers to the new development?

Mr. Cavalcanti stated there will be no disruption.

Supervisor LaFountain asked if the sewers will extend from the Town of Perinton, or the Town of Penfield, or both to the property and how will they be connected?

Mr. Cavalcanti stated the first 17 lots will extend south into the Perinton Sewer System. The balance of the properties will tie into the Penfield Sewer System.

Supervisor LaFountain also asked how the drainage issues will be handled?

Mr. Sinsebox stated they are consistent with the Phase II regulations.

Supervisor LaFountain asked whether there will be an island or split entrance to the development?

Mr. Sinsebox said that it will be a conventional entrance.

Hearing closed.
Communications and Announcements

1. The second installment for taxes is due by Wednesday, February 29, 2012.

2. Passport night will be held on Thursday, March 29, 2012 from 5:30 to 7:30 PM.

3. Tammy Sweet has taken over for Ray Wilson as the Town’s full time Animal Control Officer. The Town Clerk read a Letter of Appreciation from resident Julie Rae, commending Ms. Sweet for her efforts in rescuing two (2) horses that had escaped from her pasture and had wandered onto Salt Road.

4. The Recreation Department is looking for participants for the April “Titanic” series. The participant planning meeting will be held Thursday, March 1, 2012. For more information call Pam Mount at 340-8664.

5. The Recreation Department is looking for instructors to teach one (1) or two (2) day sessions at the Penfield Community Center this summer. Interested instructors are asked to submit a proposal form or call Pam Mount at 340-8664. Deadline for proposals is March 5, 2012.

6. Councilwoman Metzler read a Letter of Appreciation from resident Tom Cole, giving credit to the Penfield Sewer Department for their assistance in helping correct a sewer pipe problem that caused flooding in his basement.

7. Tonight’s Penfield trivia question is as follows: What group of women helped create the first Penfield Free Library that was located on Liberty Street?

   A) The Philosophers Club
   B) Friends of the Public Library
   C) The Friday Club
   D) St. Joseph’s Book Club

   The answer is C – The Friday Club

8. A Public Information meeting “Living Next to Storm Water Ponds III (and more!)” will be held on Tuesday, February 28, 2012 at 7:00 PM in the Town Hall Auditorium.

9. Monroe County Waste Management “Ecopark” is open Wednesday through Saturday 7:30 AM to 1:00 PM for County residents to dispose of certain items for recycling purposes. For more information log on to www.monroecounty.gov/ecopark.

10. Town Hall offices will be closed on Monday, February 20, 2012 in observance of Presidents Day.

11. Residents are encouraged to fill out a request form if there is an area in the Town of Penfield that would benefit from having sidewalks constructed. Please log onto the Town’s website, www.penfield.org and fill out a sidewalk request form under Engineering Department, or email fletcher@penfield.org.

12. The Penfield Players announce auditions for its spring melodrama “Egad! The Woman in White” to be held February 20 and 21 at 7:00 PM at the Penfield Community Center. Performances will be held May 4, 5, 11, 12, 18 and 19. For more information call Nicholas Hambas at 359-1232 or visit www.penfieldplayers.org.
The Penfield Recreation Department will hold its “Mardi Gras” Shoe Box Float Contest on Tuesday, February 21, 2012 at 12:45 PM. Floats must be in by 5:00 PM Friday, February 17, 2012. For more information call 340-8664.

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

Penfield’s Dollop Gourmet Cupcake creations located at 1865 Penfield Road, will be featured on the Food Network’s “Cupcake Wars” Sunday, February 19, 2012 at 8:00 PM.

Dave Woodward, 1530 Harris Road announced the East Penfield Homeowner’s Association will hold their annual Pot Luck Dinner on March 3, 2012 at the Roseland Station, corner of Plank and Salt Roads and extended an invitation to the Town Board and their families.

Mr. Woodward also stated that the History Room will receive any items of historical nature from anyone who may be cleaning out their homes.

Mr. Woodward also stated he spent a day in Syracuse at an Integrated Pest Management meeting and presented the Board with materials he feels would be of use at the “Living Next to Storm Water Ponds III (and more!)” presentation to be held on February 28, 2012.

Supervisor LaFountain stated that the Town Clerk will make sure Town Engineer Geoff Benway receives the materials to research and report back at the Storm Water Ponds presentation.

Ed Lindskoog, 18 High School Drive, stated a tournament was held for Bayview YMCA at RIT in which they came in second out of all the participants from Western NY.

Mr. Lindskoog thanked the Town for hosting the Indoor Hike last Saturday. Mr. Lindskoog stated there were many suggestions that came out of the event including the possibility of extending navigable waterways on Irondequoit Creek from Philbrick Park down that would necessitate removing a bridge from behind Tops Market.

Mr. Lindskoog would like the Town to look into having Penfield school children decorate the NYS RTE 441 bridge that is over Irondequoit Creek.

Mr. Lindskoog stated that a year ago sidewalk mats were installed around the Town, but were damaged by the snow plows and was wondering what the status was for their replacement?

Supervisor LaFountain stated the mats were put in by Monroe County, but the Town of Penfield put one in at the intersection of Panorama Trail and Browncroft Boulevard. A discussion has been had at the County level and it will be decided how best to replace the mats in the Spring.

Mr. Lindskoog would like Supervisor LaFountain to speak to the School District on removing diseased Ash trees from school property so that the disease will not spread to the healthy Ash trees.

Councilwoman Kohl moved to approve the Minutes of January 18, 2012. Councilwoman Metzler seconded and all voted “Aye.”

Petitions None
Resolutions by Function

Law and Finance

#12T-069 2012 Budget Amendment - Dayton’s Corner Swing Set by Moore

WHEREAS, during 2012, the Town Board authorized the Parks Department to replace the old swing sets located at the Dayton’s Corner playground area, and

WHEREAS, during 2012, our general liability carrier has recommended that we replace the current swing sets for liability reasons, and

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

NOW BE IT RESOLVED, that the following 2012 Budget Amendment be approved for the General Funds as follows:

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<th>General Fund Revenue:</th>
<th>Amount</th>
<th>Revised Amount</th>
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<td>Recreation Fees</td>
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<tr>
<th>General Fund Appropriations:</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Dayton’s Corner Swing Set</td>
<td>$5,000</td>
<td>$5,000</td>
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<tr>
<td><strong>Total</strong></td>
<td>$5,000</td>
<td>$5,000</td>
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Moved: Moore  
Seconded: Kohl

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

Adopted

#12T-070 Setting a Public Hearing to Consider Adoption of Revision to Article V and VI of the Zoning Ordinance by Moore

WHEREAS, it has been more than 30 years since the last update was made to Articles V and VI, and

WHEREAS, the Penfield Town Board desires to revise Article V, Environmental Permits and Article VI, Topsoil and Mining Permits to strengthen the requirements and protect the environmental health of Penfield, and

WHEREAS, the Penfield Town Board desires to obtain public input on the proposed changes,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the said Town of Penfield shall hold a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on March 7, 2012 at 7:30 PM on said date, to consider the Ordinance changes to Article V and Article VI.

Moved: Moore  
Seconded: Quinn

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

Adopted
Penfield Town Board, February 15, 2012

Public Works

#12T-071 Purchase of New Mid Duty Construction Dump Truck with Snow Plow and Salt Spreader Controls and Equipment by Metzler

WHEREAS, The Director of Public Works desires to purchase one Mid Duty Construction Dump Truck with Snow Plow and Salt Spreader Controls and Equipment from New York State Contract #PC62176, for a contract price of approximately $155,889.08.

WHEREAS, the funds for said purchase are budgeted in the 2012 Highway Department Machinery and Equipment budget and,

NOW, THEREFORE BE IT RESOLVED, the Director of Public Works be and hereby is authorized to purchase said equipment.

Moved: Metzler
Seconded: Moore

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

Adopted

#12T-072 Authorization to Attend Highway Superintendents “Grassroots Campaign” for Local Roads & Bridges in Albany, NY by Metzler

WHEREAS, THE NYS Association of Town of Highway Superintendents (NYSTHSA) and the NYS Association of County Highway Superintendents (NYSCHSA) co-sponsor a “Grassroots Campaign” in Albany, NY each year, to advocate for an increased share of transportation funding for “Local” roads and bridges, and

WHEREAS, “Local” roads make up 87% of the total highways in New York State and “Local” bridges make up 50% of the total bridges in New York State, and

WHEREAS, the Town of Penfield received approximately $164,000 last year from NYS for local road maintenance, and

WHEREAS, the NYSTHSA/NYSCHSA “Grassroots Campaigns” have been very successful in the past at advocating for maintaining our fair share of “Local” Roads & Bridge funding, and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Public Works be and hereby is authorized to attend the NYSTHSA/NYSCHSA “Grassroots Campaign” for Local Roads and Bridges in Albany, NY, March 6-7, 2012 and that reasonable expenses will be reimbursed which are budgeted in the 2012 budget.

Moved: Metzler
Seconded: Kohl

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

Adopted

#12T-073 Approval of Out-of-District User Status for the Property Located at 1704 Penfield Road (Jennings/Nulton Funeral Home) by Metzler

WHEREAS, Jeff Jennings, owner of property located at #1704 Penfield Road and operator of the Jennings/Nulton Funeral Home, in the Town of Penfield, has requested Out-of-District user status for sanitary sewer service, in his letter dated 1/26/2012, and
Penfield Town Board, February 15, 2012

(Resolution #12T-073 – Continued)

WHEREAS, this parcel is not presently within a sanitary sewer district or extension thereof;

NOW, THEREFORE, BE IT RESOLVED, that an Agreement, as provided in the Town Board’s Resolution No. 83 of 1982 be executed between said property owner and the Town of Penfield providing for Out-of-District User status for the property located at #1704 Penfield Road, SBL# 139.05-1-47, and

BE IT FURTHER RESOLVED, that the Town Supervisor be, and hereby is, authorized to execute said Agreement on behalf of the Town Board of the Town of Penfield.

Moved: Metzler
Seconded: Quinn

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

Adopted

Public Safety - None

Community Services

#12T-074 Color Resurfacing of Four (4) Tennis Courts at Harris Whalen Park by Kohl

BE IT RESOLVED, that the Town of Penfield Parks and Facilities Department be authorized to advertise in the manner prescribed by law for sealed proposals to furnish the Town of Penfield with color resurfacing of four (4) tennis courts at Harris Whalen Park.

BE IT FURTHER RESOLVED, all work covered by such sealed proposals are in accordance with specifications prepared by the Town of Penfield. Sealed bids are to be submitted to the office of the Town Clerk until 11:00 AM, local time on March 12, 2012 and then and there opened and read publicly.

Bid documents may only be obtained through the Town Clerk’s Office, Penfield Town Hall, 3100 Atlantic Avenue, Penfield, NY 14526.

Funds for this proposal are provided in the 2012 Budget.

Moved: Kohl
Seconded: Quinn

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

Adopted

#12T-075 Appointment of Bob Kanauer to the Town of Penfield Open Space Committee by Kohl

WHEREAS, on September 5, 2001, by Resolution #233, the Penfield Town Board adopted the Town of Penfield Open Space Plan, and

WHEREAS, on March 1, 2006, by Resolution #88, the Penfield Town Board adopted the Town of Penfield Open Space Plan Update, and

WHEREAS, said Plan was intended to be a “living” plan, requiring periodic updates, and

WHEREAS, on February 2, 2011, by Resolution #76, the Penfield Town Board adopted the Town of Penfield Comprehensive Plan, and
Penfield Town Board, February 15, 2012

(Resolution #12T-075 - Continued)

WHEREAS, said Plan recommended an update to the Open Space Plan, and
WHEREAS, in the five (5) plus years since its adoption, significant strides have been made to preserve open space in Penfield, and
WHEREAS, the Town Board has determined that an update to this plan is now warranted,

NOW, THEREFORE, BE IT RESOLVED, that following individual is hereby appointed to serve as a member of the Town of Penfield Open Space Plan Update Committee:

Bob Kanauer, 1710 Sweets Corners Road, Fairport

BE IT FURTHER RESOLVED, that the Committee shall be assisted by appropriate staff and resources to complete its charge of providing the Town Board with a recommendation for updating the Open Space Plan.

Moved: Kohl
Seconded: Metzler

Vote:

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

#12T-076 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:

Music Rochester, Inc., PO Box 12732, Rochester, NY 14612, to provide Gap Mangione and New Blues Band Tuesday, July 10, 2012 for a fee of $1,100 and Gap Mangione and his big band to perform Saturday, August 4, 2012 at Penfield Amphitheater for a fee of $2700.00. Voucher to be submitted on 6/20/12 and 7/4/12.

Rod Blumenau, 38 Brantley Way, Penfield, NY 14526, to provide entertainment “Rod Blumenau Quintet” Tuesday, July 17, 2012 for “Cool Jazz” 7:00 – 9:00 PM for a fee of $750.00. Voucher to be submitted on 6/20/12.

Mark Cassara, 51 Stablegate Drive, Webster, NY 14580 to provide entertainment “Mark Cassara Group” Tuesday, July 24, 2012 for “Cool Jazz” 7:00 – 9:00 PM for a fee of $750.00. Voucher to be submitted on 6/20/12.

Aleksandar Disljenkovic, 23 Grenadier Road West, Scottsville, NY 14546 to provide entertainment “The White Hots” Tuesday, July 31, 2012 for “Cool Jazz” 7:00 – 9:00 PM for a fee of $700.00. Voucher to be submitted on 6/20/12.

Jamie Cosco, 1615 Waterford Road, Walworth, NY 14568 to provide musical entertainment Ruby Shooz Saturday, July 14, 2012 Amphitheater Music Program for a fee of $1,200.00. Voucher to be submitted on 6/20/12.

Dinner Dogs c/o Dick Leschorn, PO Box 92514, Rochester, NY 14692, to provide entertainment “Dinner Dogs” for “Kids Fest,” 7/12/12, for a fee of $500.00. Voucher to be submitted on 6/20/12.

Mike Kornrich, 59 Culver Parkway, Rochester, NY 14609, provide the musical entertainment “The Mike Kornrich Band” for “Kids Fest” 8/2/12 for a fee of $500.00. Voucher to be submitted on 7/4/12.
Resolution #12T-076 – Continued

John Giotto, PO Box 423, Penfield, NY 14526 to provide sound engineering at the Penfield Amphitheater 6/1/12 – 9/15/12 for a fee of $100.00 per worked event. Vouchers to be submitted on 9/19/12.

Jim Orefice, 81 Penn Lane, Rochester, NY 14625 to provide sound engineering at the Penfield Amphitheater 6/1/12 – 9/15/12 for a fee of $100.00 per worked event. Vouchers to be submitted on 9/19/12.

Footnote Productions, c/o Keith Welch, PO Box 602, Pittsford, NY 14534 to provide Dog House music entertainment for Penfield Independence Holiday Celebration 6/30/12 for a fee of $1,200. Voucher to be submitted on 6/6/12.

Brian Williams, PO Box 32, Ionia, NY 14475 to provide Bobby Henrie & the Goners entertainment for Penfield Independence Holiday Celebration 6/30/12 for a fee of $600.00. Voucher to be submitted on 6/6/12.

Northeastern Productions Systems, Inc., PO Box 23199, Rochester, NY 14692, provide stage, sound, lighting, engineering and crowd control stage barriers for the Town of Penfield Independence Holiday Celebration, June 30, 2012 for a fee of $3,770.00. Voucher to be submitted on 6/6/12.

Art Whitfield, Wind Works Design, 251 Drumcliff Way, Rochester, NY 14612, design, maintenance of lighting and sound equipment for 2012. Voucher will be submitted on an as needed basis with an itemized invoice.

Mark Vogt, 3217 Pine View Drive, Walworth, NY 14568, Co-Director of ABC Sports for Tots, 3/10/12 – 3/31/12, for the fee of 37.5% of program revenues after all expenses have been deducted. Voucher to be submitted 3/21/12.

Ed Porto, 97 Keyel Drive, Rochester, NY 14625, Co-Director of Sports ABC’s for Tots Program, 3/10/12 – 3/31/12, for the fee of 37.5% of program revenues after all expenses have been deducted. Voucher to be submitted 3/21/12.

Jeffrey Peyton Goff, 2369 Old Browncroft Blvd., Rochester, NY 14625, Director of Wrestling Program, 1/05/12 – 2/16/12, for the fee of 70% of program revenues after all expenses have been deducted. Voucher to be submitted 3/07/12.

Moved: Kohl
Seconded: Moore

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

Adopted

Old Business – None

New Business – None

Public Participation – None

The Spanganberg Family donated a watercolor painting titled “Silent Wheels” to the Town to be hung in the Town Hall. The watercolor painting is of an undeveloped section of Ellison Park, painted by Cliff Spanganberg. The painting is valued at $1,000.
Adjournment

Supervisor LaFountain adjourned the meeting at 9:00 PM.

Amy Steklof
Town Clerk