PENFIELD TOWN BOARD AGENDA

Wednesday, June 6, 2012, 7:30 PM

Supervisor R. Anthony LaFountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Public Hearing #1 - To Allow a Restaurant with Outdoor Dining at 1778 Penfield Road, Located in the Four Corners (FC) Zoning District

Public Hearing #2 – To Allow a Mathematics Learning Center at 1802 Penfield Road, Located in the Four Corners (FC) Zoning District

Public Hearing #3 - To Allow the Development of a 358 Unit Apartment Complex and 3,500 Square Foot Clubhouse and Pool at 1420 and 1440 Empire Blvd.

III Communications and Announcements

IV Public Participation

V Additions and Deletions to Agenda

VI Approval of Minutes – May 2, 2012

VII Petitions

VIII Resolutions by Function

Law and Finance
# 12T-134 Appointment to the Library Board
# 12T-135 Authorization for Insurance Coverage 2012-2013
# 12T-136 Approval of Issuance of a Special Permit to Allow a Birding/Nature store and Energy Engineering Office at 1807 Penfield Road
#12T-137 Authorize the Supervisor to Sign an Intermunicipal Agreement with the County of Monroe
#12T-138 Authorizing Supervisor to Advertise a Request for Proposals for the Purpose of Contracting with a Consultant for the Preparation of the Route 250 Transit Supportive Mixed Use Development District and Supporting Documentation
#12T-139 Support for the Acceptance of the Genesee Transportation Council
UPWP Grant for the Preparation of the Route 250 Transit Supportive
Mixed Use Development District and Supporting Documentation

#12T-140 Appointment of Penfield Town Clerk, Amy M. Steklof, as Marriage Officer

Public Works
#12T-141 Rejecting Bids for New Heavy Duty Hydraulic Track Excavator

Public Safety
#12T-142 Authorization to Post Temporary NO PARKING Signs

Community Services
#12T-143 Authorization for Supervisor to Sign Recreation Contracts

IX Old Business
X New Business
XI Public Participation
XII Adjournment
Penfield Town Board, June 6, 2012

The Regular meeting of the Penfield Town Board was held on Wednesday, June 6, 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
             Geoff Benway     Town Engineer
             Jim Costello     Director of Developmental Services
             Mark Valentine   Planning Department Head

Supervisor LaFountain called the meeting to order - The Pledge of Allegiance was led by the Penfield High School Girls Varsity Lacrosse Team. Councilwoman Metzler and Councilman Quinn recognized Coach Wayne Smith and the Penfield High School Girls Varsity Lacrosse Team for winning Section V finals last week and presented a certificate to each member of the team for their accomplishments.

Public Hearing #1 To Allow a Restaurant with Outdoor Dining at 1778 Penfield Road, Located in the Four Corners (FC) Zoning District (see Resolution #12T-129)

The Town Clerk read the title Notice of Public Hearing, said Notice was published in the Penfield Post on May 17, 2012 and was posted on the Town Clerk Bulletin Board and Town Website.

Mr. Christofer Collard informed the Town Board of his background and gave an overview of his proposal to open and operate a restaurant at 1778 Penfield Road. He stated he would like to open the restaurant as a steakhouse and serve lunch and dinner Tuesday through Sunday. He would like to provide catering as well. He does not plan on providing takeout. The proposed hours of operation would be from 11:00 AM to 2:00 PM for lunch, and 4:30 PM to Midnight for dinner. There will be seating for 80 patrons inside the premises and patio seating for 32 patrons.

Mr. Collard stated he plans to employ 15-20 people, and is in the process of applying for a liquor license. Mr. Collard also stated he plans on utilizing the outside patio and pipe out music from the existing stereo system. The existing signs will have the new steakhouse name on them.

Mr. Collard informed the Town Board that the fence posts on the east side of the property are rotting and has plans to have it repaired.

Mr. Collard stated he plans on emptying the dumpsters on a regular basis.

Supervisor LaFountain suggested the dumpsters be emptied at least two (2) times per week to make sure there is no overflow.

Councilwoman Kohl asked when Mr. Collard anticipates opening the restaurant?

Mr. Collard stated he would like to open in July or August. He does not plan on opening before he receives a liquor license.

Betty Perkins-Carpenter, 1780 Penfield Road voiced her concerns in reference to the rotting fence and would like it fixed before the opening of the restaurant. She also expressed concern with the parallel parking issues occurring on Liberty Street and would like it resolved before an accident occurs.

Hearing closed.
Public Hearing #2  To Allow a Mathematics Learning Center at 1802 Penfield Road, Located in the Four Corners (FC) Zoning District (see Resolution #12T-119)

The Town Clerk read the title Notice of Public Hearing, said Notice was published in the Penfield Post on May 17, 2012 and was posted on the Town Clerk Bulletin Board and Town Website.

Ms. Aline Nguyen informed the Town Board of her background and gave an overview of her proposal to open a mathematics learning center where students entering 2nd grade through high school can go to sharpen their math skills. Ms. Nguyen plans to hire college graduates and retired teachers as instructors. She plans to hire a total of two (2) instructors at first, and add on more instructors as needed. The proposed hours of operation would be Monday through Thursday from 3:00 PM to 7:00 PM, and open on Saturdays for 3 to 4 hours. She plans the center to be closed on Fridays and Sundays. She plans to have office hours starting at 10:00 AM on the days the center is open to meet with parents.

Ms. Nguyen does not anticipate any parking issues since the children will be dropped off by their parents for instruction.

Ms. Nguyen also stated she would like to sponsor math related programs.

Supervisor LaFountain commended Ms. Nguyen for the application detail she provided.

Supervisor LaFountain inquired about the square footage of the property.

Ms. Nguyen answered that it is 2,000 square feet. Ms. Nguyen also stated she will be using the same signs that were used by the previous owner, but replacing them with her own signage wording. She plans to repaint and add carpeting. There will also be a break room for the instructors. Ms. Nguyen plans to open the business the weekend of July 21, 2012.

Hearing closed.

Public Hearing #3  To Allow the Development of a 358 Unit Apartment Complex and 3,500 Square Foot Clubhouse and Pool at 1420 and 1440 Empire Blvd. (see Resolution #12T-122)

The Town Clerk read the title Notice of Public Hearing, said Notice was published in the Penfield Post on May 17, 2012 and was posted on the Town Clerk Bulletin Board and Town Website.

John Caruso, Passero Associates on behalf of Southpoint Cove LLC, stated the project is a partnership between Bob Morgan of Morgan Development, The Daniele family of Focus Property Management, LLC, Rochester Waterfront Properties, LLC, and Alan Knauf of Upstate Brownfield Partners, LLC.

Mr. Caruso gave a presentation on the proposed application, Southpoint Cove Apartment Homes located at 1420 and 1440 Empire Boulevard in the LaSalle’s Landing District (LLD). The project will include construction of 358 apartment units in 10 three-story buildings. 33 units are proposed for one of the building types and approximately 37 units are proposed for the other building type. 60% will be two (2) bedroom units, 20% will be one (1) bedroom units and 20% will be three (3) bedroom units. All buildings will have a partial basement which will contain tenant parking, two (2) spots per unit. There will be parallel parking creating a village effect and an island will be added for enhancement. Additional project improvements will include a clubhouse with parking, pool, landscaping, pedestrian access, state highway improvements and storm water management.

The architecture and colors of the buildings were discussed as well as setbacks and SEQR issues.
Mr. Caruso stated that a Traffic Impact Study has been completed and that mitigation measures are proposed along Empire Boulevard including the addition of eastbound left turn lanes, a two-way left turn lane, a west bound deceleration lane and vegetation removal for sight distance improvements.

Mr. Caruso also stated it has been identified that the site contains steep slopes and other environmentally sensitive areas including an eagle’s nest which they have avoided. Mr. Caruso read from the Town’s Comprehensive Master Plan regarding (LLD) and the Irondequoit Bay Harbor Management Plan and stated they are honoring the plans. He also stated that in regard to enhancing the area, a nature trail has been added. Mr. Caruso, also stated that they have purchased 26 acres. 15 of the 26 acres are being developed. The other 11 acres are environmentally sensitive. They are proposing to donate those acres to Monroe County for conservation.

The project will be privately owned and maintained including all landscaping, snow plowing and infrastructure.

Mr. Caruso informed the Town Board that the existing pump station is not working to it’s full capacity so they are offering their expertise to fix the problem and add additional capacity as needed.

Refuse will be handled by giving residents individual totes which they will bring to an underground collection area. There will be no need for large regional dumpsters.

Supervisor LaFountain noted that in May 2012 DEC granted their consent for the Town of Penfield to be lead agency for the project under the SEQR Process.

Paul Lewis, Owner of Birds Unlimited, 1421 Empire Boulevard, stated his concern with the height of the project. He feels the buildings are too tall for the area and will block his view of the bay. Mr. Lewis is also concerned that the buildings will be too close to the road, and would like a farther setback. Mr. Lewis stated he is pleased with the idea of widening the road and adding turn lanes, but is concerned that it will cut into his property. Ultimately he would like the project scaled back.

Gordon Howe, 363 Panorama Trail, spoke in favor of the project and stated that he is pleased that the developers have taken into consideration the preservation of the environmentally sensitive areas around the bay and that the Brownfield site will be cleaned up. He believes the project will provide many jobs, add significantly to the tax base and will put the land back into productive use and will provide quality housing.

Councilman Quinn asked if the Brownfield site has already been cleaned up?

Alan Knauf, 2 State Street, Rochester, NY stated that the Brownfield site will be cleaned, as per of the requirements of DEC, during the construction of the project.

Gray Tronolone, Yaeger Rug and Furniture Cleaners, 1533 Empire Boulevard, stated his concern about the foot traffic on Empire Boulevard and wonders if there would be a way to safely accommodate pedestrians walking on Empire Boulevard. He inquired whether the proposed turning lanes could also be extended east for safety purposes?

Councilman Moore asked about the tax impact of the project?

Mr. Caruso replied that the project will generate significant tax revenue for the Town.
Mr. Caruso addressed Mr. Lewis’ concern about the set back of the buildings from the road, and stated that the closest building to the road would be 55 feet. He also addressed the height of the buildings which are 50 feet off the existing ground. Depending on the elevation of Mr. Lewis’ property he may be able to look over the top of the buildings to the bay.

Mr. Caruso also addressed Mr. Tronolone’s concern about the turning lanes and stated that they cannot be extended any further. In terms of finding a way to give access to pedestrians on Empire Boulevard to the trail system, they would be willing to grant access through the property for such purposes.

Councilman Moore asked who will be the manager of the apartment complex?

Mr. Caruso stated that Southpoint Cove, LLC will be managing the apartment complex.

Geoff Benway, Town Engineer stated he has had discussions with the developer in reference to storm water management and that he is confident in the design. Mr. Benway also stated that the sidewalk policy applies to this project.

Hearing closed.

Communications and Announcements

1. When soliciting within the Town of Penfield it is necessary to first apply for a selling permit from the Town Clerk’s office. The permit must be carried at all times during the soliciting period and the rules and regulations of the Penfield License Ordinance must be followed. Door to door soliciting hours in the Town of Penfield are from 10:00 AM to sunset.

2. The American Red Cross Blood Drive will be held Friday, June 22, 2012 from 2:00 PM to 7:00 PM at the Penfield Community Center, 1985 Baird Road.

3. A Penfield Pops Band Concert will be held Monday, June 11, 2012 at 7:00 PM. For more Amphitheater concert schedules please visit: www.penfield.org.

4. The Penfield High School class of 1962 will dedicate a plaque in memory of 2LT Tom King who died in Vietnam in 1967. The dedication will be held in Veteran’s Memorial Park on Saturday, June 23, 2012 at 2:00 PM.

5. The Town of Penfield’s annual Independence Day Celebration will be held on Saturday, June 30, 2012. The parade will begin at the Penfield High School at 10:00 AM and head south on Five Mile Line Road, turn east onto NYS Route 441 and then north on Baird Road ending at the Penfield Community Center. This year’s Parade Marshal is Mike Cooper, retired Director of the Penfield Recreation Department.

6. The Penfield Trail’s Committee will sponsor a free guided hike on Saturday, June 9, 2012 at the Genesee Land Trust’s Hipp Brook Preserve and at Veteran’s Memorial Park, beginning at 9:00 AM. To register and for more information call the Recreation office at 340-8655.

7. The Kiwanis Club and the Town of Penfield Charity Golf Tournament will be held Monday, June 18, 2012 starting at 10:00 AM at Shadow Lake Golf Club. For more information contact Penfield–Perinton Kiwanis, Robert Calabrese at (585) 746-2500 or Penfield Town Engineer, Geoff Benway at (585) 340-8683.
8. Councilwoman Kohl’s next Community Chat will be held on Tuesday, June 19, 2012 from 5:30 to 7:00 PM at the Penfield Library.

Public Participation

Don Poulin, 21 Alden Glen Drive stated he would like a regular mowing schedule to be put in place for the abandoned property in his neighborhood.

Supervisor LaFountain stated that he will direct the staff to implement a regular mowing schedule for the property in question.

Additions and Deletions to Agenda

Councilman Moore moved to add Resolution #12T-144 under New Business, Councilwoman Kohl seconded.

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of May 2, 2012, Councilman Quinn seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#12T-134 Appointment to the Library Board by Moore

BE IT RESOLVED, that Dorothea Y. Sanchez, 8 Piccadilly Square, Penfield NY, be appointed to the Penfield Library Board for a term expiring December 31, 2012.

Moved: Moore
Seconded: Kohl

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

Adopted

#12T-135 Authorization for Insurance Coverage 2012-2013 by Moore

WHEREAS, the Town Board requested that insurance quotes be obtained so that selection could be made for June 1st 2012 to May 31st 2013 insurance year, and

WHEREAS, the Municipal Insurance Consultants, Inc., acting as consultant to the Town has evaluated proposals for our insurance coverage’s for the 2012-2013 insurance year on our Penfield Property and Liability insurance renewal June 1, 2012, and

NOW, BE IT RESOLVED that the insurance quote of $112,358 from the First Niagara Risk Management Company for coverage with Houston Casualty and the Hartford Insurance Co. is approved as they met all the specifications for the Town of Penfield’s insurance needs for the 2012-2013 insurance years as follows:

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<th>INSURANCE TYPE</th>
<th>INSURANCE CARRIER</th>
<th>AMOUNT</th>
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<td>Property</td>
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<tr>
<td>General Liability</td>
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<td>Automobile</td>
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<td>Boiler</td>
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<tr>
<td>Public Officials</td>
<td>Houston Casualty (Included in the Property)</td>
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Penfield Town Board, June 6, 2012

(Resolution #12T-135 Continued)

Umbrella Houston Casualty (Included in the Property) $3,516
Crime Hartford Insurance Co. $3516
OCP (2) Houston Casualty $1,000
Other Fees NYS Motor Vehicle Fee $670
NYS Fire Fees $169
Total $117,713

Moved: Moore
Seconded: Quinn

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

Adopted

#12T-136 Approval of Issuance of a Special Permit to Allow a Birding/Nature Store and Energy Engineering Office at 1807 Penfield Road - SBL #139.09-1-23 - Conley 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 birding/nature store and energy engineering office at 1807 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 May 16, 2012, 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 birding/nature store and energy engineering office at 1807 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 birding/nature store and energy engineering office at 1807 Penfield Road is hereby GRANTED subject to the following conditions:

1. The applicant 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 applicant 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 parking shall be available at all times to accommodate the proposed businesses, as well as the existing businesses that operate from this site.

4. Prior to occupancy, the owner of the site shall enclose the existing dumpster in a location satisfactory to the Fire Marshal.

5. The applicant will submit a final sign package for the Board’s review and approval prior to the issuance of a sign permit for the business.

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

7. Failure to comply with the conditions set forth hereinabove may result in the revocation of this Special Permit pursuant to the requirements 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) and no additional environmental review of this application is required.

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

1. The applicant proposes to operate a birding and nature store in the one (1) story structure at 1807 Penfield Road with no additional employees. The business will include children’s nature programs, hiking programs and nature talks. In addition, she proposes to lease an area to her father for the purpose of allowing him to conduct his energy engineering business at this location. He will be the only person involved in the business and will occupy approximately 64 square feet of area.

2. The applicant is leasing approximately 936 square feet of space at the subject location. In addition to retail sales, the applicant proposes to conduct scheduled nature hikes along the Honey Creek Trail which is adjacent to the site and will have nature oriented birthday parties and general nature programs. There is more than adequate parking on the site and in the adjacent public parking lot to accommodate the proposed businesses, as well as the other businesses that currently operate at this location.

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: Metzler

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

Adopted

#12T-137 Authorize the Supervisor to Sign an Intermunicipal Agreement with the County of Monroe by Moore

WHEREAS, Monroe County, on behalf of the Sheriff, is desirous of obtaining certain refueling services of its vehicles from the Town of Penfield; and

WHEREAS, the Town Public Works Facility located 1607 Jackson Road includes a fueling depot and the parties have determined that the cooperative use of this fueling will afford mutual advantages in terms of convenience and cost efficiencies; and

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign an Intermunicipal Agreement with the County of Monroe for a term of September 1, 2012 through August 31, 2013.

Moved: Moore
Seconded: Kohl

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

Adopted
#12T-138 Authorizing Supervisor to Advertise a Request for Proposals (RFP) for the Purpose of Contracting with a Consultant for the Preparation of the Route 250 Transit Supportive Mixed Use Development District and Supporting Documentation by Moore

WHEREAS, on July 1, 2009 the Town Board adopted the Route 250 Corridor Land Use Analysis and Traffic Study which were also the subjects of a Generic Environmental Impact Statement Review; and

WHEREAS, on February 2, 2011, the Town Board adopted the 2012 Comprehensive Plan; and

WHEREAS, both the Route 250 Corridor Study and the 2010 Comprehensive Plan recommended the creation a mixed use zoning district for the Route 250 area; and

WHEREAS, the Town Board desires to commence the process of developing a zoning ordinance and associated design criteria for the recommended mixed use zoning district; and

WHEREAS, the Town of Penfield has received a grant from the Genesee Transportation Council to hire a consultant to prepare said zoning district and associated design criteria; and

WHEREAS, the Town Board is interested in obtaining quality services at the most affordable rate;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to advertise a Request for Proposals (RFP) for the purpose of selecting a consultant for the purpose of preparing a mixed use zoning district and associated design criteria as shown in Schedule “A” attached hereto.

Moved: Moore
Seconded: Metzler

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

Adopted

See Schedule “A” at end of Minutes

#12T-139 Support for the Acceptance of the Genesee Transportation Council UPWP Grant for the Preparation of the Route 250 Transit Supportive Mixed Use Development District and Supporting Documentation by Moore

WHEREAS, the Genesee Transportation Council has granted the Town of Penfield $25,000 for the preparation of a proposed Route 250 Transit Supportive Mixed Use Development District; and

WHEREAS, the Town of Penfield seeks to have prepared a mixed use zoning district and supporting documentation as proposed in its Unified Planning Work Program (UPWP) grant application; and

WHEREAS, the proposed mixed use zoning district and supporting documentation to said district were recommendations of the 2010 Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Penfield Town Board hereby fully supports the Genesee Transportation Council’s UPWP $25,000 grant for the preparation of the Route 250 Transit Supportive Mixed Use Development District and its supporting documentation.

Moved: Moore
Seconded: Quinn
Penfield Town Board, June 6, 2012

(Resolution #12T-139 - Continued)

Adopted

#12T-140 Appointment of Penfield Town Clerk, Amy M. Steklof, as
Marriage Officer by Moore

WHEREAS, Pursuant to Article 3, Section 11-c of the New York Domestic
Relations Law, a Public Official may be appointed as a Marriage Officer
by the governing body of any Village, Town or City; and

WHEREAS, Penfield Town Clerk, Amy M. Steklof has had requests to perform
marriage ceremonies from residents and others who do not want a member
of the clergy or the courts to solemnize a marriage; and

WHEREAS, the Town Board of the Town of Penfield would like to offer the
greatest flexibility to our residents and their families; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of such
Section 11-c of the Domestic Relations Law, Amy M. Steklof, Town Clerk
is hereby appointed a Marriage Officer for the Town of Penfield; and be
it further

RESOLVED, that this appointment shall take effect on June 7, 2012,
through December 31, 2013; and

BE IT FURTHER RESOLVED, that Town Clerk Steklof shall receive no
additional salary for said position, however, she may accept
remuneration up to $75.00 per ceremony at any ceremony at which she
officiates in accordance with Article 3, Section 11-c of the New York
Domestic Relations Law provided the ceremony is not performed during
normal Town business hours.

Moved: Moore
Seconded: Kohl

Adopted

Public Works

#12T-141 Rejecting Bids for New Heavy Duty Hydraulic Track Excavator
by Metzler

WHEREAS, sealed proposals were sought and requested in the manner
prescribed by law to furnish the Highway Department with a heavy duty
hydraulic track excavator, and

WHEREAS, on Thursday, April 18, 2012 at 11:00 AM local time, the
following sealed bids were received, opened, and read publicly by the
Town Clerk:

George & Swede     Hyundai    $165,435.00
Vantage Equipment LLC    Volvo 210C  $175,913.00
Anderson Equipment Co.   Komatsu 200LC-8  $198,729.00

WHEREAS, the Town Board reserves the right to reject all bids,
NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby rejects all the bids received.

BE IT FURTHER RESOLVED, that Resolution shall also serve as Notice to Proceed subject to submission and approval of appropriate liability insurance, performance and material payment bonds.

Amend: To strike the last paragraph of the Resolution. Town Attorney Horwitz confirmed that it was unnecessary.

Moved: Metzler
Seconded: Moore

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

Adopted

Public Safety

#12T-142 Authorization to Post Temporary NO PARKING Signs by Quinn

WHEREAS, it is the Town of Penfield’s responsibility to promote and maintain public safety on roads within the Town of Penfield and

WHEREAS, Pursuant to New York State Vehicle & Traffic Law, Section 1660, the Town Board is granted the authority to authorize the establishment of traffic control devices on Town highways within the Town of Penfield and,

WHEREAS, The Town of Penfield wishes to keep the neighborhoods around the Town’s Independence Day Celebration, parade route and festivities at Harris Whalen Park accessible to emergency vehicles.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes and establishes that “No Parking” will be established along both and/or one (1) side of all and/or parts of the following streets, for the duration of the Town’s Independence Day Celebration, parade and festivities at Harris Whalen Park; Baird Road (north of Penfield Road), Peachtree Road, Hotchkiss Circle, Wheelock Road, Kenmont Drive, Henderson Drive, Avonmore Way, Hidden Meadow, Hillrise Drive, Lazy Trail, Valley Green Drive, Valley Green Circle, Maple Hill Farm Road, Maple Leaf Circle, and,

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Director of Public Works to post said temporary “No Parking” signs along both and/or one side of said streets;

Moved: Quinn
Seconded: Metzler

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

Adopted

Community Services

#12T-143 Authorization for Supervisor to Sign Recreation Contacts by Kohl

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following Recreation Contracts:
Penfield Town Board, June 6, 2012

(Resolution #12T-143 – Continued)

Coupe de Villes Inc., 134 Twin Oak Dr., Rochester, NY 14606 to provide musical entertainment Coupe de Villes Saturday, July 21, 2012 Amphitheater Music Program for a fee of $850.00 voucher to be submitted on 6/20/12.

Teresa Stango-Listrani, 508 South Drive, Rochester, NY 14612, Awesome Art Camp Instructor, 8/20/12 – 8/23/12, and Science and Nature Jr. Explorers Camp Instructor, 8/27/12 – 8/30/12, for the fee of 75% of the program revenue after all supply costs have been deducted. Voucher to be submitted 9/05/12.

Ed Porto, 97 Keyel Drive, Rochester, NY 14625, Co-Director of Sports ABC’s for Tots Program, 8/20/12 – 8/24/12, for the fee of 35% of program revenues after all expenses have been deducted. Voucher to be submitted 9/05/12.

Mark Vogt, 3217 Pine View Drive, Walworth, NY 14568, Co-Director of Sports ABC’s for Tots, 8/20/12 – 8/24/12, for the fee of 35% of program revenues after all expenses have been deducted. Voucher to be submitted 9/05/12.

Amend Resolution #12T-108 to read: Dick Stacey, 87 Chappel Hill Dr., Rochester, NY 14617, to direct the Penfield Pops Band, 1/1/12 – 12/31/12, for a fee of $75.00 per service. Voucher to be submitted every two (2) months beginning 4/4/12.

The Hit Men Brass Band, c/o David Martin, 7149 Hertfordshire Way, Victor, NY 14564, Independence Day Parade, 6/30/12, for a fee of $850. Voucher to be submitted 6/6/12.

Moved: Kohl
Seconded: Quinn

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

Adopted

Old Business - None

New Business

#12T-144 Authorize the Supervisor to sign contract with Labor Ready for the Hire of Temporary Workers by Moore

WHEREAS, the Town of Penfield desires to enter into an Agreement with Labor Ready, Lyell Avenue, Rochester, NY to provide temporary labor for the Town of Penfield on an as needed basis;

NOW BE IT RESOLVED, that the Supervisor is authorized to sign the contract for the agreement of the terms with Labor Ready, Lyell Avenue, Rochester, NY for a term starting on June 7, 2012 and ending on December 31, 2012.

Moved: Moore
Seconded: Kohl

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

Adopted

Public Participation - None
Adjournment

Supervisor LaFountain adjourned the meeting at 10:23 PM.

Amy Steklof
Town Clerk
REQUEST FOR PROPOSALS

Mixed Use Development District for
NYS Route 250, Manitou Lake,
Four Corners, and LaSalle’s Landing

Town of Penfield
Monroe County, New York

Issue Date: June 8, 2012
Deadline: July 30, 2012

Project Contact

The Town of Penfield is issuing this Request for Proposals (RFP) on behalf of the Penfield Town Board. If there are questions pertaining to this RFP, they must be received by July 5, 2012, and be sent in writing to:

Katie Evans, Planner
Town of Penfield
3100 Atlantic Avenue
Penfield, New York 14536

or
planning@penfield.org

(Please reference "Mixed Use Development District RFP" in subject line.)

Responses will be posted on the Town of Penfield’s website (www.penfield.org) on the project’s webpage.

Study Purpose

The purpose of this study is to encourage mixed-use, pedestrian-oriented development in specific locations in the Town of Penfield, particularly along a section of NYS Route 250, through the creation of a zoning district with emphasis on interaction within the built environment rather than permitted use. The Town is seeking a qualified consultant to generate a mixed use development manual which is expected to be a central reference for all code requirements relating to mixed use development. The manual is proposed to include the following or similar components:

- design standards (written statements that identify the criteria, goals, or objectives of mixed use development)
• design guidelines (specific examples of techniques and materials that can be used to achieve design standards for placemaking and scale of the public and private realms within a specific geographic area)

• adoption ready Town of Penfield specific mixed use ordinance

The Town is requesting bids for three separate items each representing a different scope of work. The third includes the NYS Route 250 study area along with Manitou Lake, Four Corners and Lasaile’s Landing study areas.

The study is funded by the Town of Penfield and the Genesee Transportation Council’s Unified Planning Work Program. Study recommendations will be consistent with the Town of Penfield’s Comprehensive Plan and the Genesee Transportation Council’s Long Range Transportation Plan.

Study Area

The proposed study area for the Tier I and II bid is centered on NYS Route 250, also referred to as Fairport Nine Mile Point Road, extending from Penfield Center Road south to approximately the YMCA property north of Whalen Road. The study area includes the intersection of Atlantic Avenue (NYS Route 280)/Fairport Nine Mile Point Road and Sweets Corners Road/Fairport Nine Mile Point Road. See the attached map indicating the study area. The area is currently zoned Rural Agricultural (2 acres) and Limited Business. The district is bounded to the east and west by environmentally sensitive areas that include state wetlands, federal wetlands, water courses, floodplains, woodlots, and steep slopes. The project area loosely defined consists of about 400 acres of a mostly vacant palette. Of the 400 acres, 260 are currently for sale or are available for development. The Town has felt development pressure from property owners and developers and is motivated to act quickly on the adoption of this new district.

The proposed study area for the Tier III bid includes the above described study area as well as the three other proposed mixed-use districts included on the Future Land Use Map within the 2030 Comprehensive Plan. These areas include Manitou Lake (former Dolombe Redman Sand Plant accessed off of Old Penfield Road), the Four Corners (centered at the intersection of NYS Route 441/Penfield Road and County Road 18/Five Mile Line Road), and Lasaile’s Landing (centered along NYS Route 44/Empire Blvd. from the Frontenac/Penfield town line extending approximately 1 mile east). See the attached maps indicating the three study areas.

Background

The Town of Penfield recently completed its fifth comprehensive plan. During the public participation component of the planning process, the general public emphasized the need for residential options beyond the single family residence that is widely available all over town. Mixed use was identified as having a variety of residential development blended with community uses and neighborhood commercial. A safe transportation system offering options that can accommodate a spectrum of all people is desirable.

Other key observations and viewpoints from the Town’s planning processes that must be recognized as part of this project:
• Mixed use developments have proven to be the most sustainable communities compared to typical suburban conventionally zoned single use districts.

• A transit supportive district that provides for interconnected streets, realistic travel options, and equal consideration to all modes of travel is desired.

• A district that will promote a coordinated approach to access management, traffic circulation, safe multi-modal elements, appropriate interconnections, lighting, landscaping, and community character is desired.

• Well-designed, higher-density development is both more sustainable in terms of reducing the development footprint, and also more effectively uses costly infrastructure, reduces costs associated with energy use and transportation, and increases access to amenities.

• A future mixed use district will provide for careful consideration of the public environment and its interaction with privately occupied spaces.

• A spectrum of the general public including younger and older people, singles and families, and people with a range of income levels are expected to be accommodated.

• The built environment must be designed and maintained with Upstate New York’s four seasons in mind. Particular attention should be paid to design features that will encourage walkability even in inclement weather to the greatest degree possible.

• Housing market demands have shifted. There is a desire for neighborhood options that can offer alternatives to the isolated layout that conventional zoning encourages.

• There is an unmet need in the Town and region for alternatives to traditional suburban tract housing that enhances “quality of life,” with walkability, safety, proximity to jobs, services, and entertainment, and higher standards for design and layout.

• The commercial component of a future mixed use district is expected to be neighborhood scale and not anticipated to serve regional markets.

• Rent levels for multifamily, office, and retail are relatively high in Penfield compared with the rest of the region, a sign of relatively healthy demand.

• Projects with the highest and best use for a site/district will be solely supported by the market and therefore financially feasible.

• Mixed-use zoning must be sufficiently flexible to allow developers to respond to a variety of market conditions.

There has been a strong community focus on a new mixed-use/transportation supportive district along NYS Route 250, from Penfield Center Road to Sweeds Corners Road. This new district area was first discussed in the NYS Route 250 Corridor Study, which was accepted by
the Town Board in 2009. The 2010 Comprehensive Plan and the Corridor Study both identify
the desire for a mix of housing and transportation options within convenient distance of
employment, commercial and entertainment uses.

The NYS Route 250 corridor is a major urban arterial road that under current zoning has
development pressures that will drastically impact the functionality of the corridor if a
coordinated approach is not taken. The significant volumes and speeds of vehicles in this
region, coupled with the potential for future development presents a unique opportunity to
create a transit-supportive mixed use community. This new district will help to achieve a
compact mixed-use development while creating safe pedestrian and cycling options.

The 2010 Comprehensive Plan also identifies the three other proposed mixed-use districts
included on the Future Land Use Map. One of which is the former Dolerite Reefman Sand Plant
known as Manitou Lake. The Town recognizes the 90+ acre lake and surrounding areas offer a
unique opportunity for mixed use development. The Four Corners and LaSalle's Landing study
areas each have adopted area plans in 2000 and 1997 respectively with subsequent zoning
districts. The Town wishes to re-examine these areas to further encourage compact, efficient,
and appealing patterns of development.

As a Genesee Transportation Council Unified Planning Work Program funded project, the Mixed
Use Development Manual is expected to become a resource for other communities interested in
implementing mixed use development.

Study Participants

Key participants include the Town of Penfield, area businesses, neighborhood representatives,
Monroe County Department of Transportation, Monroe County Health Department, Monroe
County Department of Planning & Development, Monroe County Water Authority, New York
State Department of Transportation, New York State Department of Environmental
Conservation, and the Genesee Transportation Council. A Steering Committee of 10-15
stakeholders will be appointed by the Town Board to assist with the project.

Project Coordination

The Consultant will coordinate all project activities with the Town of Penfield Planning
Department, which will serve as project manager. The number of Consultant attended meeting
will vary based on the fees listed below. For meetings involving the Consultant, the Consultant
will supply agendas and other meeting materials to the Planning Department one week in
advance of scheduled meetings. The Consultant also must be available for informal project
management meetings, as necessary; these meetings may be in person or via conference calls.

One public information meeting will be held to introduce the project intent, mixed use
development components, and to seek input on the identification of goals, objectives, issues,
concerns, opportunities, etc. Steering Committee meetings will be scheduled as needed. The
Consultant will be expected to prepare a draft manual for the Steering Committee and
subsequent final "draft" product for the Town Board's review and consideration. A Town Board
public hearing will be held. Modifications are anticipated as directed by the Town Board following public input. Except where noted within Tier III, staff will conduct an environmental review pursuant to the State Environmental Quality Review Act. The Consultant will generate a final manual and a separately bound executive summary.

A project webpage will be established by staff on the Town's website to assist with public outreach. Throughout the study, the webpage will be updated to keep interested individuals engaged and updated to ensure easy information sharing.

Scope of Work

The following scope of work has been developed to complete the study successfully. The work described below should not be considered to represent a rigid structure for the study. It is expected, for example, that different tasks may take place concurrently. The Consultant is encouraged to propose alternate strategies for consideration by the consultant selection committee. The Consultant is requested to provide three separate price proposals for each Tier [I, II, and III] below. It should be noted that additional studies will not be undertaken unless the data is essential to the project and will utilize a minor amount of the project budget.

TIER I BID
NYS Route 250 Corridor Study Area ONLY
Staff Led, Consultant Assisted Project

TASK 1: INITIAL REVIEW AND ANALYSIS

A. Documentation: The Consultant will familiarize themselves with Town supplied documentation of the physical details of the study area including topography, view sheds and corridors, existing and proposed infrastructure, and built environment. The Consultant will review all pertinent resources (see list below).

B. Study Area Analysis: The Consultant will analyze and document the historic patterns of architecture and urbanism in Penfield and the surrounding region. The analysis need not be exhaustive but adequate to form the basis for zoning and design recommendations.

C. Scope of Issues: The Consultant will draft a scope of issues to be addressed with the Steering Committee and staff.

D. Public Meeting: The Consultant will assist staff with preparation of a public informational meeting to introduce the project intent, mixed use development components, and to seek guidance on the identification of goals, objectives, issues, concerns, opportunities, etc. The Consultant is not expected to attend the meeting, but familiarize themselves with the results of the meeting.

E. Steering Committee Meetings: The Consultant will participate in Steering Committee Meetings to aid in the preparation of the draft manual document. A visual preference survey, or similar technique will be conducted to formalize the committee's thoughts. The Consultant will tailor these meetings to maximize committee input.
TASK 2. DRAFT PRODUCTS

A. Design Standards and Guidelines: Following consultation with the Steering Committee and staff, the Consultant will draft design standards and guidelines concepts as part of the zoning ordinance to establish the placemaking and scale of the study area. The standards and guidelines will govern basic building form and placement to ensure that all buildings compliment neighboring structures and the street. They will also define design attributes and geometries of public spaces that balance the needs of motorists, bicyclists, and pedestrians while promoting a vital public realm. The Design Standards and Guidelines will also accommodate key observations and viewpoints identified within the "Background" section above. The Consultant will provide up to three concept alternatives for the Committee to consider.

B. Zoning Ordinance: The Consultant will draft a Mixed-Use Development District Ordinance to enable a mixture of uses including housing, retail, commercial, and office space which are consistent with the vision set forth in the community’s comprehensive plan. The Town desires an ordinance that moves away from a strict list of permitted uses and bulk area requirements and instead focuses on placemaking and scale. The Town does not desire a conventional zoning district based on automobile transportation and the separation of uses. The ordinance shall be adoption ready and expected to be included within the manual as a model ordinance.

Note: All components of the Mixed-Use Development District Ordinance must be integrated into Penfield’s existing zoning and development regulations in a manner that ensures procedural consistency, meshes with state and local legal requirements, provides clarity as to the applicability of existing regulations, and maximizes the effectiveness of the zoning code.

C. Mixed-Use Development Manual: The Consultant will compile the design and zoning recommendations into a stand-alone document that will be a reference for the Town of Penfield and a model of mixed-use development planning and regulations for other communities. The Mixed-Use Development Manual should have a well-designed format and appropriately utilize text, maps, and other visual aids to convey the recommendations concisely and effectively. The format should be straightforward for the average reader and policy maker.

D. Maps: The Consultant will generate necessary background maps as needed throughout the project. The Town of Penfield will provide base map information including geodatabase and shape file from Penfield’s Geographic Information System.

TASK 3. FINAL PRODUCTS

A. Revisions: The Consultant will revise the design standards, design guidelines, zoning ordinance and subsequent manual based on Steering Committee input. The Committee’s "final" draft will be submitted to the Town Board for review and consideration.
B. Public Hearing: At the Town Board's direction, a public hearing will be scheduled to consider the draft manual. The Consultant will assist staff with preparation of a public hearing to present the drafts document to the Town Board and public.

C. Final Revision: The Consultant will modify the revised drafts as directed by the Town Board following the public hearing.

D. Final Products: The Consultant will prepare adoption-ready final products for the Town Board. The Consultant will also prepare a separately-bound Executive Summary of the Mixed-Use Development Manual.

**TIER II BID**

NYS Route 250 Corridor Study Area ONLY
Consultant Lead, Staff Assisted Project

Tier II Bid includes all items listed within Tier I above, except where modified below.

**TASK 1. INITIAL REVIEW AND ANALYSIS**

A. Website and Mass Media: The Consultant will provide information for Penfield's website related to the project, such as narrative text, photos, maps, renderings, and other materials either created for this project, highlighting similar projects, or collected through the analysis of local conditions. The Consultant will also help develop media releases, as necessary.

B. Public Meeting: The Consultant will organize and lead a public informational meeting to introduce the project intent, mixed-use development components, and to seek guidance on the identification of goals, objectives, issues, concerns, opportunities, etc. The Consultant will tailor this to obtain maximum community input.

**TASK 3. FINAL PRODUCTS**

A. Public Hearing: At the Town Board’s direction, a public hearing will be scheduled to consider the draft manual. The Consultant will organize and lead a public hearing to present the drafts document to the Town Board and public.

**TIER III BID**

NYS Route 250 Corridor Study Area AND three additional Study Areas
Consultant Lead, Staff Assisted Project

Tier III Bid includes all items listed within Tier II above for the four study areas including NYS Route 250 Corridor, Manitou Lake, Four Corners, and LaSalle's Landing and any additional items listed.

**TASK 1. INITIAL REVIEW AND ANALYSIS**
A. Study Area Analysis: The Consultant will analyze and document the physical details of the study area including topography, view sheds and corridors, existing and proposed infrastructure and building environment, and the historical patterns of architecture and urbanism in the four study areas as needed to supplement Town provided documentation.

B. Steering Committee Meetings: The Consultant will organize and lead up to ten Steering Committee Meetings to aid in the preparation of the draft manual document. A visual preference survey, or similar technique, will be conducted to formalize the committee's thoughts. The Consultant will tailor these meetings to maximize committee input.

TASK 2: DRAFT PRODUCTS

A. Design Standards and Guidelines: Following consultation with the Steering Committee and staff, the Consultant will draft design standards and guidelines concepts as part of the zoning ordinance to establish the placemaking and scale of each of the four study areas. The Consultant will provide up to three concept alternatives for each study area the Committee to consider.

B. Mixed-Use Development Manual: The Consultant will compile the design recommendations for all four study areas and zoning recommendations into a stand-alone document that will be a reference for the Town of Penfield and a model of mixed-use development planning and regulations for other communities.

TASK 3: FINAL PRODUCTS

A. Environmental Review: The Consultant will be responsible for performing the mandatory state environmental review (SEQR) for the zoning changes (up to and including completing a long EAF). The environmental review will ensure that the final recommendations will not have an adverse environmental impact.

Project Deliverables

1. All materials for Consultant attended meetings.

2. Maps, drafts, and final products in both hard copy and electronic files. The electronic files shall be in PDF and in formats to allow the Town to make modifications to the documents as it moves toward implementation. All final maps, diagrams, and text shall be in town approved format.
   - Thirty (30) hard copies of the Final Mixed-Use Development Manual Executive Summary.
   - One (1) copy each of the Draft Manual, Final Manual, and Final Executive Summary in both PDF and town approved electronic/digital formats.
3. All documents necessary for compliance with the mandatory State Environmental Quality Review Act for Tier III only.

Resources Available

1. Route 250 Sewer Capacity Study, 2012
2. GTC-Approved NYS Route 250 Transit/Supportive Mixed Use Development District Scope of Work, 2012*
3. 2010 Comprehensive Plan, 2011*
5. Tree Preservation Guidelines, 2010*
6. Route 250 Corridor Land Use Analysis, 2009*
7. Route 250 Corridor Transportation Study, 2000*
8. Economic Development Action Plan, 2008*
9. Single Facilities Master Plan, 2008*
10. North Penfield Crossroads Area Plan, 2007*
11. Parks and Recreation Five Year Master Plan, 2007*
12. Open Space Update, 2006*
13. Browncroft/Mosey/Addison Neighborhood Plan, 2003*
15. Penfield Planning Board Design Guidelines, 2003*
16. Incentive Zoning Local Law, 2003*
17. Open Space Plan, 2001*
18. Four Corners Plan, 2000 (includes design guidelines)*
19. Route 206 Corridor Study, 2008*
20. Open Space Inventory, 1999*
21. Route 404 Corridor Study, 1999*
22. Panorama Area Plan, 1998*
23. LaSalle’s Landing Development Plan, 1997 (includes design guidelines)*
24. Townwide (Penfield) Strategic Traffic Study, 1997*
26. Long Range Transportation Plan for the Genesee-Finger Lakes Region 2035*
27. Highway Monitoring System Report, 1989*
28. Geographic Information System (ATLAS-GIS, ARC-VIEW) files**
29. Penfield Zoning Ordinance*
30. Design and Construction Specifications, 2010*
31. GTC, MC DOT, and NYSDOT Traffic Data (volumes, travel demand, accident data, etc.)*

*Document is available on the Town of Penfield website: www.penfield.org
**Some GIS information is available on the Town’s web-based GIS program. The rest is available as needed.

Desired Qualifications

The Town of Penfield seeks a Consultant or a team of Consultants with the following preferred skills and expertise, or any combination of skills that complement the scope of services in this...
RFP.

- Zoning Regulations: Expertise and skill evaluating and drafting zoning codes with an emphasis on mixed-use and sustainable development. Expertise and skill in all types of zoning codes from conventional to form-based.

- Design Standards: Expertise and skill evaluating and drafting design standards and guidelines with an emphasis on placemaking and scale of mixed-use development. The Town is seeking a Consultant who understands what works in mixed-use developments and why.

- Public Engagement: Expertise and skill engaging diverse stakeholders around regulatory code projects.

- Legal: An understanding of New York State land use law is preferred to ensure that defensible strategies are proposed.

Project Schedule

Notification to the successful firm is anticipated in August. The target completion date is July 2013. Below is a draft timeline for the project:

January 25, 2012
- Authorization from the Town Board to proceed with the project

March 15, 2012
- Received final confirmation of the $25,000 grant from GTC

April 3, 2012
- Submit Scope of Work to GTC for approval

April 12, 2012
- Present the Scope of Work to GTC Committee at meeting
- Scope of Work Approved

May 2012
- The Advisory Committee (Town Staff and GTC Representative) is established
- Prepare the RFP

June 2012
- Town Board resolution to accept GTC grant
- Town Board resolution to issue RFP

July 2012
- Receive and review the submitted proposals

August 2012


• Select a consultant
• Town Board to appoint the Steering Committee

September 2012
• Town Board resolution to authorized selected consultant to commence work
• Town Board to appoint the Steering Committee

September 2012 – April 2013
• Public Information Meeting
• Steering Committee Meetings
• Consultant will generate the draft documents

May 2013
• Schedule a Town Board public hearing on the Mixed Use Development Manual and proposed Mixed Use Zoning District

June 2013
• Complete SEQRA process

July 2013
• Consultant will generate the final documents
• Town Board adoption and implementation

Proposal Format / Requirements
All proposals shall include a table of contents and pages must be numbered. Proposals must not exceed 15 pages, not including the required forms.

The outside of the proposal package should be clearly marked “Mixed Use Development District”. The package should contain three separate envelopes, as follows:

Envelope 1 (Technical Proposal)
The technical proposal must be enclosed in a separate sealed envelope marked “Technical Proposal” with the name of the Consultant shown on the outside.

1. Project Understanding — a demonstration of the Consultant's understanding of the proposed project and its various tasks.
2. Project Approach — including a detailed description of the Consultant's proposed technical approach and scope of services for completing the project's tasks; proposed stakeholder/published participation process; proposed visits to study area. You may base your project approach on RFP identified Scope of Work, or suggest alternative tasks that could improve the ability of the project to meet its objectives. The Town of Penfield wants to allow maximum flexibility for the ideas, initiative and creativity of the Consultant. However, if significant departures from identified scope are proposed, they should be fully explained and justified.
3. Statement of firm's qualifications and experience with similar projects.
4. Names, positions, responsibilities, and resumes of key personnel, including subconsultants, involved in the project and estimated number of hours each will work on project.

5. Three recent references from similar projects, including contact names, telephone numbers, and email addresses.

6. Target schedule for project, including task deliverables.

7. Indication that Consultant is certified to do business in New York State and can comply with all federal and state contracting requirements.

8. Indication whether Consultant or Subconsultants are certified as minority/women-owned/disadvantaged businesses in New York State.

9. Availability to meet with the Consultant Selection Committee for an interview between August 13 and 24, 2012 at the Town of Penfield Town Hall.

Envelope 2 (Price Proposal)
The price proposal must be enclosed in a separate sealed envelope marked “Price Proposal” with the name of the Consultant shown on the outside. Price proposals shall be for a firm fixed price for services provided and should include three separate price fixed proposals for each Tier (I, II, and III).

1. Budget for the entire project, and where applicable, disaggregated by component. Payments will be tied to task deliverables that are considered complete and acceptable by the Town of Penfield.

2. Billing rate schedule.

Envelope 3 (Required Forms)
The required forms must be completed, signed, and enclosed in a separate envelope marked “Required Forms” with the name of the Consultant shown on the outside:

REQUIRED FORM A – Certification Regarding Lobbying
REQUIRED FORM B – Sub-Contractor(s) Information
REQUIRED FORM C – Acknowledgement of Authority to Submit Proposal
REQUIRED FORM D – Non-Collusion Affidavit
REQUIRED FORM E – Eligible Bidder Certificate
REQUIRED FORM F – Affidavit of Non-Discrimination
REQUIRED FORM G – NYSERDA Affirmative Action Program Questionnaire
REQUIRED FORM H – Offeror’s Information
REQUIRED FORM J – Certification of Lower-Tier Participants Regarding Debarment, Suspension and Other Ineligibility and Voluntary Exclusion
REQUIRED FORM K – Compliance Under Executive Order 1227 in New York State Finance Law Section 139k

Disadvantaged Business Enterprise (DBE)
In the event that subcontractors are utilized for this contract, Consultants shall make a good faith effort to utilize qualified DBE contractors for sub-consulting opportunities. Only those DBE firms that are certified by the New York State Department of Transportation as DBE firms qualify under this provision. In accordance with federal regulations, Consultants shall demonstrate and document their good faith efforts to utilize certified DBE firms. To obtain a
listing of certified DBE firms or information about the New York State Department of Transportation's DBE Certification Program, contact:

New York State Department of Transportation
Office of Equal Opportunity Development and Compliance
50 Wolf Road, 1st Floor
Albany, NY 12232
Phone: (518) 457-1129 or (518) 457-1134
Fax: (518) 457-9070

Submital of Proposal for Consultant Services

SEALED PROPOSALS for the "NYS Route 250 Transit Supportive Mixed Use Development District" will be accepted by Mark Valentine, Planning Department Head; Town of Penfield; 3100 Atlantic Avenue; Penfield, New York 14526 until 4:00 p.m., Friday, July 20, 2012. No fax or email submissions will be accepted.

Required submissions:

Envelope 1: The Consultant must provide 5 paper copies of the Technical Proposal and 1 electronic copy as pdf document on a CD.

Envelope 2: The Consultant must provide 5 paper copies of the Price Proposal and 1 electronic copy as pdf document on a CD.

Envelope 3: The Consultant must provide 1 set of the required forms and 1 electronic copy as pdf document on a CD.

The electronic submission should be placed on one CD with three folders representing each of the required envelopes listed above. The electronic submission should replicate the paper copy submission. A submission lacking the required electronic format will be considered incomplete and therefore rejected. The Town of Penfield reserves the right to reject any or all proposals and to negotiate with any firm submitting a proposal.

All proposals submitted to the Town of Penfield become the property of the Town and are subject to Public Information Policy. Any confidential information, if required by specifications, such as a company’s financial status shall be submitted in a separate sealed envelope with the word “Confidential” on the outside. All confidential materials submitted shall be clearly marked on the top of each page as “Confidential.”

Whether sent by mail, courier service, or personal delivery, the respondent assumes responsibility for having the proposal deposited on time at the location indicated in the Request for Proposals. Any proposal received after the designated time stated in the RFP will not be considered.

Evaluation Criteria

Consultant(s) will be evaluated based on the following ranked criteria:

2
- Proposal's ability to meet the purpose of the study.
- Firm's experience with similar projects.
- Staff's qualification and experience with similar projects and staff credentials.
- Proposal's responsiveness to providing the information requested in the RFP.
- Quality of past projects.
- Ability to meet schedule.
- Cost of services.
- Proposal is in the best interest of the Town of Penfield.
Study Area Maps
NYS Route 250 Mixed Use Study Area

Approximate Study Area

Study area is provided to demonstrate a general geographical area and is not intended to delineate a proposed mixed use district boundary.
LaSalle's Landing
Mixed Use
Study Area

Approximate Study Area**

*Study area is provided to demonstrate a general geographical area and is not intended to delineate a proposed mixed use district boundary.*