PENFIELD TOWN BOARD AGENDA
Wednesday, May 15, 2013, 7:30 PM
Supervisor R. Anthony LaFountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Public Hearing #1 - To Allow the Construction of an Outdoor Dining Area at 1785 Penfield Road, in the Four Corners (FC) Zoning District
Public Hearing #2 - To Allow a Dog Grooming Business at 1850 Penfield Road, in the Four Corners (FC) Zoning District
Public Hearing #3 – To consider Request for reduction of a Conservation Easement at 32, 36, 40, 44, 48, 64 and 68 Willow Bridge Trail in Phase III of Windham Woods Subdivision

III Communications and Announcements

IV Public Participation

V Additions and Deletions to Agenda

VI Approval of Minutes – April 17, 2013

VII Petitions

VIII Resolutions by Function

Law and Finance
13T-121 Authorization for MRB Group, P.C. to provide Final Design & Engineering Service relating to Installation of Sanitary Sewers within the Parkview Drive/White Village Drive Area
13T-122 Authorization for Release of a Portion of a Drainage Easement at 6 Bainbridge Lane
13T-123 Authorized Bond Council and Financial Consultant to Finance the Parkview/White Village Area Sewer Construction Project
13T-124 Setting a Joint Public Information Meeting for the Consideration of the Development of 33 Single Family Attached Homes and Two Apartment Buildings with a total of 36 Units on 32.67 +/- acres pursuant to NYS Town Law 278 at 1185 Empire Blvd., 1121 Empire Blvd., and 41 Woodhaven Drive.
Public Works – None

Public Safety
13T-125 Authorization for Town Supervisor to Sign Contracts for Town Rabies Clinic on June 1, 2013

Community Services
13T-126 Authorization for Supervisor to Sign Recreation Contracts
13T-127 Authorization to Adopt Update to the Town of Penfield Recreation Department Master Plan

IX Old Business

X New Business

XI Public Participation

XII Adjournment
The Regular meeting of the Penfield Town Board was held on Wednesday, May 15, 2013 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
Jim Costello Director of Developmental Services
Mark DiFrancesco Superintendent of Sewers
Kathy Kanauer Town Historian

Supervisor LaFountain called the meeting to order – The Pledge of Allegiance was led by members of The Penfield Volunteer Ambulance.

Councilman Rob Quinn called upon Tom Tracy from the Penfield Ambulance Base to give tribute to Malcolm “Bunk” Bill, Charter Member of the Penfield Volunteer Ambulance who passed away May 11, 2013. Mr. Tracy stated it was his honor to present the “last call” to Mr. Bill and broadcasted by the 911 dispatcher at 12:10 PM today. Councilman Quinn asked for a moment of silence in Mr. Bill’s honor.

Councilman Quinn informed everyone that May 19 – 25, 2013 is National Emergency Medical Services (EMS) Week. Councilman Quinn read a proclamation as well as recognized the volunteers of the Penfield Volunteer Emergency Ambulance. In the month of April PVEA covered 93% of all incoming calls.

On behalf of the Penfield Volunteer Emergency Ambulance, Charlie Callear thanked the Town Board for this recognition.

The 3rd Annual Penfield Business Association Golf Tournament to benefit Shepherd Home and sponsored by Family First Federal Credit Union will be held on Monday, July 15, 2013 at Penfield Country Club, 1784 Jackson Road. Jeff Chapman of the Penfield Business Association (PBA), Kate Haywood of Family First and Marie Cinti of Shepherd Home presented details on the upcoming event. For more information please visit www.penfieldbusiness.org, or call (585) 348-8360. Marie Cinti thanked the Town of Penfield for giving them the opportunity to address the Town Board.

Kathy Cummins and Fran Cardella gave an update on the Penfield Ecumenical Food Shelf which was established in 1997 and has provided 16 years of service to the residents of Penfield. Recently, the food shelf relocated from the First Baptist Church at 1862 Penfield Road to its present location at 1618 Jackson Road. The food shelf exists entirely on donated food and monetary donations and provides emergency food assistance to Penfield residents of the 14625 and 14526 zip codes. To “Adopt a Shelf” call (585) 234-0799, or email penfieldfoodshelf@gmail.com.

Councilwoman Paula Metzler, liaison to the Town of Penfield Historic Preservation Board, presented the Jeffrey S. Crane Award to the DiPrima Family for their restoration and preservation of the properties at 2124 – 2126 Five Mile Line Road. An award also went to the Baroodys for their efforts in preserving and restoring their property at 1823 Penfield Road. Long time Historic Preservation Board Member, Beverly Vaughan and Town Historian Kathy Kanauer were in attendance for the award presentation.

Mrs. Baroody thanked the Town Board and the Historic Preservation Board for the award and hopes that people will continue to support the Four Corners.
Penfield Town Board, May 15, 2013

Supervisor LaFountain recognized Ray Tierney formerly on the Brighton Town Board. Mr. Tierney stated that Penfield Town Resident Dick Agnello passed away last week and recognized Mr. Agnello as a special man who was an advocate for his neighborhood.

Boy Scout Javier Perez, from Troop 260 is working toward his Eagle Scout project. On June 1 he will hold the First Annual “Run of Gratitude 5k and One Mile Family Fun Run” at 9:30 AM to benefit St. Joseph’s School. To preregister go to www.sjspenfield.com/runofgratitude5k.

Public Hearing #1 - To Allow the Construction of an Outdoor Dining Area at 1785 Penfield Road, in the Four Corners (FC) Zoning District (see Resolution #13T-105)

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on May 2, 2013 and was posted on the Town Clerk Bulletin Board and Website. 36 postcards were mailed and three (3) Homeowners Associations were notified.

Stephanie Wilkinson, owner of Signatures at the Humphrey House, stated that the business is doing well. She would now like to put a wrap-around porch back on to the existing building for covered outdoor seating. The porch will be on the north and east side of the building with access from the dining room and bar area, and a handicapped ramp will be added on the east side of the porch. Food and drinks will be served on the patio. There will be no live music, but music will be piped out onto the deck which will not extend past the perimeter of the porch. Ms. Wilkinson stated that they plan to add approximately ten tables with approximately 40 seats. The porch will be approximately 864 sq. ft.

Ms. Wilkinson also stated that the hours will continue to be 11:00 AM to Midnight every night. The porch, however, will only be open from May until the bad weather occurs.

There will be landscaping surrounding the porch, but will not extend to the sidewalk. From the Dining Room to the extension of the bar is eight (8) feet and sixteen feet on the side of the building.

Jim Costello, Director of Developmental Services, stated that the building on the east side is currently 30 feet from the property line so there will be plenty of room on the side of the building. The existing building where the bar juts out is currently 28 feet from the front property line.

Ms. Wilkinson stated that the materials they plan to use for building the porch will be tongue and groove boards that require no maintenance and will create a flat wood surface so that nothing will fall through the cracks. Ceiling fans with lights will be added as well as lighting around the perimeter. There will be no impact on current parking.

Public Participation - None

Hearing closed.

Public Hearing #2 - To Allow a Dog Grooming Business at 1850 Penfield Road, in the Four Corners (FC) Zoning District (see Resolution #13T-106)

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on May 2, 2013 and was posted on the Town Clerk Bulletin Board and Website. 22 postcards were mailed and three (3) Homeowners Associations were notified.

Jaime Bunting and Brooke Childs would like to open a dog grooming business at 1850 Penfield Road. The site is a free standing building, approximately 850 sq. ft., and located behind the Enchanted Rose Garden. The business will be called “Hounds of Love Grooming Salon.” Ms. Bunting and Ms. Childs will be the only groomers for the business.
Penfield Town Board, May 15, 2013

(Public Hearing #2 – Continued)

The dog grooming business will be open six (6) days a week and will operate between 8:30 AM to 6:00 PM. They would like to place a sign under the Enchanted Rose Garden’s sign with their name and logo.

There are approximately 18-20 parking spaces in the parking lot. Grooming appointments will be booked between 1 ½ and 2 hours apart per groomer, averaging 10 client cars per day. They do not plan on boarding animals.

Ms. Bunting stated that since there will be no dumpster on site they plan to bag the fur and bring it off site. Discussions are planned with the owner of the Enchanted Rose Garden to possibly have garbage pick-up. There will be no structural changes. Both women have previous dog grooming experience.

Public Participation - None

Hearing closed.

Public Hearing #3

To Consider Request for Reduction for a Conservation Easement at 32, 36, 40, 44, 48, 64 and 68 Willow Bridge Trail in Phase III of Windham Woods Subdivision (see Resolution #13T-104)

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on May 2, 2013 and was posted on the Town Clerk Bulletin Board and Website. 8 postcards were mailed and three (3) Homeowners Associations were notified.

Michael Cavalcanti, 4 Beverly St., Rochester, representing Don Laudadio, 44 Witherspoon Lane, Penfield; Don is the sole member of Windham Woods Subdivision, LLC and owner of Windham Woods Subdivision on 1380 Five Mile Line Road in Penfield. Mr. Cavalcanti stated that Windham Woods Subdivision, LLC is requesting a 12.5 ft. reduction of the Conservation Easement on lots 308, 309, 310, 312 and 313 and a reduction of a Conservation Easement of 20 ft. on lots 316 and 317, but not to evade the wetland delineation as shown on the map that is on file in the Town Clerk's office. This reduction would make it possible to sell the affected area to future homeowners. Mr. Cavalcanti continued to say that the subdivision was approved on July 19, 2006 and amended on May 16, 2007 and also amended on February 16, 2011 with various design modifications which included the removal of two (2) cul-de-sacs to create a loop road to more efficiently handle snow removal and to allow for a loop water system and removal of some private drives. The developer then created a Conservation Easement for protecting as many existing trees that would not interfere with public utilities and construction of residential homes. However, the 25 ft. Conservation Easement has rendered the backyards of lots 308-312 and 316 and 317 making it unusable for backyard activities. Also lots 308-312 now have a drainage swale adjacent to the Conservation Easement further limiting the use of the backyards.

Councilwoman Metzler asked what is planned if the reduction is granted.

Mr. Cavalcanti stated that there is room on the lots for landscaping and they would work with Mr. Costello and the neighbors to find a solution to accommodate everyone’s needs.

Supervisor LaFountain asked what hardships would occur if the request is not granted?

Mr. Cavalcanti stated that the seven (7) lots could potentially go vacant or trying to sell the lots would cause much smaller homes to be built than what is currently being built.

Supervisor LaFountain also inquired about additional landscaping or buffering ideas.
Mr. Cavalcanti stated there is an existing buffer that 12.5 ft. would be invaded, but there would still be 12.5 ft. of trees left. Unfortunately, most of the trees are scrub. He suggested that pine trees could be planted.

Public Participation

Terry Lee, 28 Willow Bridge Trail, lot 307 stated he is happy to be living in the Town of Penfield. Mr. Lee informed the Board that his lot is not included in the revised easement and that he was aware of this when he purchased the property, but for consistency would like his lot included in the revised easement. He further stated he would like all of the lots along the southern perimeter be included in the same procedures.

Erica Baumbach, 17 Crossbow Drive, stated she is concerned that the trees that used to block her view of Windham Woods Subdivision have been chopped down in order to make room for a catch basin. She is worried that the catch basin won’t do the job it was designed to do and therefore her backyard may flood. She also stated that nothing has been done since last October and had hoped the project would have been completed by now. Ms. Baumbach is also concerned with losing 12 ½ feet of her property.

Supervisor LaFountain stated Mr. Cavalcanti’s proposal is to take out 12 ½ feet of trees to make room for a larger yard and to use the other 12 ½ feet for additional landscaping.

Lee Zambito, 19 Crossbow Drive stated that the original plan called for less trees to be removed but now the developer’s plan proposes to take down more trees than what was communicated to the neighbors. She thinks the plan should remain as is and that more trees should not be removed.

Francis Cardinell, 15 Crossbow Drive stated that the Windham Woods Subdivision is a higher elevation than Crossbow Drive. He believes that when it rains the water will run onto his and his neighbor’s property. He does not believe that the catch basin is adequate. He also does not think that any more concessions should be given to the developer.

Mr. Cavalcanti clarified that the 20 ft. easement from the Monroe County Water Authority is on Mr. Cardinell’s property and not on any part of Windham Woods. He also stated that the catch basin is on the Windham Woods property and not encroaching on Crossbow Drive.

Dominic Cordello, 11 Crossbow Drive, stated his lot was most affected by the new development with three (3) parcels touching his property line. He feels that no additional trees should be taken down and feels more trees should be planted to act as a barrier between Crossbow Drive and the new subdivision. Mr. Cordello passed out photographs to the Town Board of the trees in the Conservation Easement and the properties affected.

Donna Cordello, 11 Crossbow Drive, stated they do not have any privacy in their backyard because of the new development behind their home and its higher elevation. She also wishes more pine trees would be planted as a barrier between the two (2) developments. She encourages the Town Board to read the history of NVR, Inc. the parent company of Ryan Homes. Windham Woods is a Ryan Homes Development.

Jim Costello, Director of Developmental Services explained that discussions have occurred between the Town Board, developer and property owners. The Town Staff had looked at options on further minimizing impact to the neighbors. They had looked at the possibility of planting trees on the neighbor’s property but there is a 20 inch transmission water line running east to west in the backyards immediately adjacent to the property line. If trees are planted over an easement area and they have to come out, there is no guarantee they will go back in.
The Town Board had discussed with Mr. Cavalcanti that if trees were to be removed, the opportunity to plant additional trees would be discussed if needed. Mr. Costello stated he believes there is money in a Letter of Credit that the Town is holding for the developer for development of the site that would allow the additional planting of trees. He also stated there is not a lot of area to plant additional trees unless they could embellish the 12 ½ ft. area and keep the easement where it is now.

Hearing closed.

Communications and Announcements

1. The Mobile DMV has been cancelled for Tuesday, May 28, 2013 due to Assessment Grievance Hearings. DMV services will resume the following Tuesday, June 4, 2013.

2. The Town Assessor will be in attendance with the Tentative Assessment roll in the Assessor’s office, Thursday, May 16, 9:00 AM to 1:00 PM and Saturday, May 18, 8:00 AM to 12:00 PM. Please call 340-8610 for an appointment time.

3. The Town of Penfield is hosting its annual free Rabies Clinic on Saturday, June 1, 2013 from 10:00 AM to 12:00 PM at the Public Works Complex, 1607 Jackson Road. For more information call Town Clerk Amy Steklof at 340-8629.

4. Councilwoman Metzler presented a Proclamation and recognized Mark DiFrancesco, Superintendent of Sewers, for National Public Works Week, May 19 – 25, 2013. The Town Board thanked Mr. DiFrancesco for his hard work and dedication.

5. The Town of Penfield will hold a Jazz and Food Rodeo at the Penfield Amphitheater and Kiwanis Stage on Friday, May 31, 2013, 4:30 PM to 7:00 PM. For more information, please visit www.penfieldrec.org.

6. The Dayton’s Corners Pie Social will be held on Sunday, June 9, 2013 from 2:00 PM to 4:00 PM at the corner of Creek Street and Plank Road.

7. The Town of Penfield Annual Memorial Day Ceremony of Remembrance will be held Monday, May 27, 2013 at 10:30 AM at the Penfield Amphitheater and Kiwanis Stage. To honor a veteran in the Presentation of Roses, please call or email Sabrina Renner at srenner@penfield.org or call (585) 340-8651.

8. Penfield Town offices and the Penfield Library will be closed on May 27, 2013 for the Memorial Day Holiday.

9. The 10th Annual Ride of Silence was held this evening, May 15, 2013 at 6:20 PM. Rochester area cyclists honored those who have died while riding. There were close to 130 cyclists participating in the nine (9) mile ride. The Town Board thanked Andy Steward for organizing the event.

10. To participate in the Penfield Recreation’s June Walking Challenge, stop by the Recreation office and pick up a Walking Challenge packet prior to June 1, 2013. For more information please visit www.penfieldrec.org.

11. The Penfield Rotary will be hosting a golf tournament at Shadow Lake Golf Club on Monday, June 3, 2013 beginning at 11:00 AM. To register or for more information please visit www.penfieldrotary.org.
Councilwoman Kohl’s next community chat will be held Tuesday, May 21, 2013 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Baird Road.

Public Participation - None

Additions and Deletions to Agenda

Councilman Moore moved to add Resolutions #13T-128 and #13T-129, Councilwoman Kohl seconded.

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of April 17, 2013, Councilman Quinn seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#13T-121 Authorization for MRB Group, P.C. to provide Final Design & Engineering Service relating to Installation of Sanitary Sewers within the Parkview Drive/White Village Drive Area

WHEREAS, the Town Board through an informal resident survey, public information meeting(s) and correspondence is aware of a significant level of resident support for the construction of sanitary sewers within the Parkview Drive / White Village Drive area, and

WHEREAS, the Town Board based on this indication of support did decide to initiate a formal Petition process to accurately document this level of support for such a project and comply with NYS Town Law, and

WHEREAS, the Petition contains a detailed description of the project area and incorporates by reference a Map, Plan and Engineers Report that is on file in the Town Clerks office, and

WHEREAS, of the date of this Resolution the number of resident owners that have duly signed this Petition, affirming that they are in favor of the Town Board moving ahead with this project, currently stands at approximately 62%, and continues to rise, and

WHEREAS, the Town Board having this Petition containing signatures of resident owners in excess of the minimum 51% required, and also representing more than 51% of the total assessed value of the proposed extension; and seeing that number continue to grow is now prepared to move ahead with final engineering & design service for this project, and

WHEREAS, provided in a proposal dated 11/13/2012, from MRB Group, PC, the total professional engineering services for this project is proposed to be $189,000, including Planning, District Formation, Survey & Mapping, Design, Bidding & Construction Admin., and

WHEREAS, Town Board Resolution 13T-079 previously authorized MRB Group to undertake the first phase of this work, in an amount not to exceed $8,000, to prepare a Map, Plan and Engineers Report to support the Petition Process,

WHEREAS, based on the original engineering proposal less previous authorization the remaining amount of professional engineering service to complete this project is an amount not to exceed $181,000.
NOW THEREFORE BE IT RESOLVED, that based on the demonstrated level of support and desire to continue to support this process through required engineering & design service the Town Board hereby authorizes MRB Group, P.C. to provide the remaining professional engineering service, as based in their proposal dated 11/13/2012, less the previously authorized first phase, in an amount not to exceed $181,000, and

BE IT FURTHER RESOLVED, that this expense shall be advanced through the Town’s General Fund until such time when the sewer district extension has been formed and this expense shall be reimbursed through project funding.

Moved: Moore
Seconded: Kohl

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

Adopted

#13T-122 Authorization for Release of a Portion of a Drainage Easement at 6 Bainbridge Lane by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a Release of Easement to permit a release of a portion of an existing drainage inspection easement at 6 Bainbridge Lane, as shown on an instrument survey map prepared by James R. Zerkel, P.L.S. dated August 26, 2010 as the applicant would like to construct a pool shed adjacent to said easement and a portion of a proposed pool house will encroach into said easement in an area that does not effect the Town's ability to inspect the private Stormwater control facility situated on it; and

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

Moved: Moore
Seconded: Quinn

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

Adopted

#13T-123 Authorized Bond Council and Financial Consultant to Finance the Parkview/White Village Area Sewer Construction Project by Moore

WHEREAS, the Town of Penfield is in need of financial consulting services and assistance from bond counsel in conjunction with the proposed borrowing up to $2,440,000 for the Parkview/White Village Area Sewer Construction Project in the Consolidated Sewer District, and

BE IT RESOLVED, that the Town Board accept the proposal from Bernard P. Donegan as of May 8th 2013 for an amount not to exceed $35,000, and

BE IT RESOLVED, that the Town Board accept the proposal from Timothy R. McGill, Attorney at Law, as of May 8th 2013 for an amount not to exceed $25,000, and

BE IT FURTHER RESOLVED, that the Supervisor be authorized to enter into a contract for these services, subject to legal review by the Town Attorney. Funding for these services will be reimbursed by the proposed borrowing of these funds during 2013 and 2014.
(Resolution #13T-123 - Continued)

Moved: Moore
Seconded: Metzler

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

Adopted

#13T-124 Setting a Joint Public Information Meeting for the Consideration of the Development of 33 Single Family Attached Homes and Two Apartment Buildings with a total of 36 Units on 32.67 +/- acres pursuant to NYS Town Law 278 at 1185 Empire Blvd., 1121 Empire Blvd., and 41 Woodhaven Drive by Moore

WHEREAS, Robert K. Winans P.E., 40 Cedarfield Commons, Rochester, New York 14612 on behalf of Midlakes Development and Construction, LTD, requests an Informal Discussion with the Town Board and the Planning Board regarding the possible construction of 33 single family attached homes and two (2) apartment buildings with a total of 36 units on 32.67 +/- acres. The parcels are located 1185 Empire Blvd., 1211 Empire Blvd., and 41 Woodhaven Drive. The property is owned by Howitt-Bayview, LLC, and is zoned LLD and R-1-20. Appl #12P-0017. SBL# 108.05-2-8.5, 108.05-2-8.33, and 108.10-1-1.11

NOW, THEREFORE, BE IT RESOLVED, that the Town Board and the Planning Board of the said Town of Penfield shall hold a joint Public Informational Meeting at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on June 5, 2013, at 7:30 PM on said date, to consider the said conceptual plan and to hear all persons interested on the question of the possible construction of 33 single family attached homes and two (2) apartment buildings with a total of 36 apartment units on 32.67 +/- acres located at 1185 Empire Blvd., 1211 Empire Blvd., and 41 Woodhaven Drive; and be it further

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the Town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the date set for said Hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law.

Moved: Moore
Seconded: Kohl

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

Adopted

Public Works - None

Public Safety

#13T-125 Authorization for Town Supervisor to Sign Contracts for Town Rabies Clinic on June 1, 2013 by Quinn

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following contracts for the Penfield Rabies Clinic on Saturday June 1, 2013, 10:00 AM - 12:00 PM:

Denise Kurtz, DVM, 117 N. Main Street, Fairport, NY 14450 for veterinarian services for a fee of $150.00.

Stacy Crippen, LVT, 117 N. Main Street, Fairport, NY 14450, for Veterinarian Technician services for a fee of $75.00
Moved: Quinn
Seconded: Metzler

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

Adopted

Community Services

#13T-126 Authorization for Supervisor to Sign Recreation Contracts

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

Donovan Shilling, 1765 Five Mile Line Rd., Penfield, NY 14526, Instructor for the Marvels and Myths of Rochester Series 6/26/13, 7/31/13, 8/28/13 for a total of 70% of total revenue. Vouchers to be submitted on 8/7/13 and 9/4/13.

April Roods, 1093 Wickerton Lane, Webster, NY 14580, lecture facilitator for summer reading series Emerson and Thoreau 7/11/13 – 8/15/13 for a total fee of $180. Voucher to be submitted on 8/7/13.

Joyce Bossard, 841 Corwin Rd., Rochester, NY 14610, Instructor for Beginning Knitting 5/13 – 6/24 for a fee of $7.00 per registered student. Voucher to be submitted on 6/19/13.

Kathy Marsh, 205 Forest Hills, Rochester, NY 14625, instructor for Writing Enrichment classes 8/12/13 – 8/16/13 for a fee of 70% of total revenue. Voucher to be submitted on 8/21/13.

David Puls, 271 Westfield St., Rochester, NY 14610, Basic Animation Instructor for three classes 8/12, 8/13, 8/16 for a fee of $35 for each registered participant. Voucher to be submitted 8/21/13.

Kelly Bilow, 738 Gasberry Lane, Webster, NY 14580, instructor for Girls Instructional Softball program 5/7/13 – 6/4/13 for a fee of 70% of total revenue. Voucher to be submitted on 6/05/13.

Moved: Kohl
Seconded: Quinn

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

Adopted

#13T-127 Authorization to Adopt Update to the Town of Penfield Recreation Department Master Plan by Kohl

WHEREAS, the Penfield Town Board Resolution on May 2, 2012 authorized the 2007 Parks and Recreation Comprehensive Master plan Five Year Update,

AND, WHEREAS, the Master Plan Update Committee, and the Recreation Director have reviewed and now recommended the final draft be approved by the Town Board as submitted by the committee,

NOW, THEREFORE BE IT RESOLVED, the Penfield Town Board adopts the final Parks and Recreation Comprehensive Master plan Five Year Update.
Penfield Town Board, May 15, 2013

(Resolution #13T-127 - Continued)

Moved: Kohl
Seconded: Metzler

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

Adopted

Old Business - None

New Business

#13T-128 Authorization to Maintain Properties and Assess the Charges to the 2014 Property Tax Bills by Moore

WHEREAS, on October 2, 1996, the Town Board of the Town of Penfield adopted Article IV-4-28 of the Penfield Zoning Ordinance entitled “Property Maintenance”; and

WHEREAS, the purpose of Article IV-4-28 of the Penfield Zoning Ordinance is to prevent the gradual encroachment of blight, deterioration, unsightliness and property devaluation and to assure that all premises within the Town of Penfield are maintained in a manner that will assure the health, safety and welfare of the general public; and

WHEREAS, the property owners of 50 Braunston Drive, SBL# 140.01-4-34.14, 54 Braunston Drive, SBL #140.01-4-34.12, 48 Chippenham Drive, SBL #125.03-1-2.183, 71 Chippenham Drive, SBL #125.03-1-2.129, 1800 Clark Road, SBL #123.08-2-64, 81 Keyel Drive, SBL #108.16-1-52, 9 Meadow View Drive, SBL #139.07-3-14, 11 Meadow View Drive, SBL #139.07-3-15, 11 Meadowlark Drive, SBL #125.03-3-32, 5 Renwick Run, SBL #110.01-1-58 and 140 Timberbrook Lane, SBL #124.11-2-55, have failed to maintain the lawns and exterior areas at the subject properties which continues to be a concern for the health, safety and welfare of the surrounding neighbors; and

WHEREAS, the Town staff has continually requested the property owners to maintain at these locations with no result:

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Fire Marshal & Building/Zoning & Code Compliance Supervisor to have the properties appropriately maintained; and

BE IT FURTHER RESOLVED, that the Town Board further authorizes that the cost of said maintenance and any necessary subsequent maintenance during the 2013 season also be charged to the 2014 property tax bill for the subject properties.

Moved: Moore
Seconded: Kohl

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

Adopted
Penfield Town Board, May 15, 2013

#13T-129 Setting a Public Hearing for a Conditional Use Permit to Allow the Sale of Concessions on Irondequoit Bay Based From 1350 Empire Boulevard – SBL #108.05-2-7 – Ryan Chapell by Moore

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Conditional Use Permit pursuant to Article III-3-94 of the Code to allow the sale of concessions on Irondequoit Bay based from 1350 Empire Blvd., located in the LaSalle’s Landing Development (LLD) zoning district;

NOW, THEREFORE, BE IT RESOLVED, that the Penfield Town Board is best suited to act as “lead agency” within the meaning of the State Environmental Quality Review Act (SEQRA) and thus does hereby designate itself as “lead agency” pursuant to SEQRA; and be it further

RESOLVED, that the subject application is determined to be a Type II action pursuant to the State Environmental Quality Review Act (SEQRA); and be it further

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 June 5, 2013, at 7:30 PM on said date, to consider the said application and to hear all persons interested on the question of the issuance of a Conditional Use Permit to allow the sale of concessions on Irondequoit Bay based from 1350 Empire Blvd., in the LaSalle’s Landing Development (LLD) zoning district; and be it further

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the Town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the date set for said Hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law.

Moved: Moore
Seconded: Quinn

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

Adopted

Public Participation

Ed Lindskoog, 18 High School Drive reported back from the Trails Committee stating that the trail under NYS RTE 286 is in need of repair. It is a safety hazard at this time.

Mr. Lindskoog also reported that the trails at Harris Whalen Park have had excessive use. The Trails Committee encourages the school districts and those at cross country meets to have students stay on the trails.

Mr. Lindskoog informed the Town Board that the next Trails Committee meeting will be held on Tuesday, June 4, 2013 at 5:00 PM in the Penfield Community Center.

Mr. Lindskoog thanked the Town Board for placing a tote at Schaufelberger Park.

Adjournment

Supervisor LaFountain adjourned the meeting at 9:35 PM.

Amy Steklof
Town Clerk, RMC