PENFIELD TOWN BOARD AGENDA
Wednesday, September 18, 2013, 7:30 PM
Supervisor R. Anthony LaFountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Public Hearing #1 - To Allow a 64 Square Foot Addition for Ice Cream Service and a 120 Square Foot Deck Addition at 1794 Penfield Road, in the Four Corners (FC) Zoning District

Public Hearing #2 - To Allow the Construction of a 1,280 Square Foot Office Building at 2041 Penfield Road, in the Planned Development (PD) Zoning District

Public Hearing #3 – To Consider Final Subdivision and Site Plan Approval for the Development of 10 Residences in Phase I-D of the Abbington Place Subdivision at 1229 Fairport Nine Mile Point Road in Rural Residential 1 (RR-1) Zoning District

III Communications and Announcements

IV Public Participation

V Additions and Deletions to Agenda

VI Approval of Minutes – August 7, 2013

VII Petitions

VIII Resolutions by Function

Law and Finance

13T-175 2013 Budget Amendment – Community Development Block Grant Fund
13T-176 2013 Budget Amendment – Repair and Renovation Reserve Funds
13T-177 Re-Appointment of Town Assessor
13T-178 Setting a Public Hearing for a Conditional Use Permit to Allow an Apartment at 1865 Penfield Road – 139.06-4-14 – Octay Ozen
13T-179 Authorization to Maintain Properties and Assess the charges to the 2014 Property Tax Bills
13T-180 Establishing Lead Agency relating to the proposed Parkview Drive/White Village Drive Area Sewer Project
13T-181  Authorization for Deuel Archaeology to conduct a Phase -1B (Subsurface Field Investigation) in relation to the Parkview/White Village Drive Area Sewer Project

13T-182  Adopting a Negative Declaration of Environmental Significance related to the proposed Parkview Drive/White Village Drive Area Sewer Project

13T-183  Setting a Public Hearing for the Establishment of Extension 56 to the Penfield Consolidated Sanitary Sewer District – Parkview Drive/White Village Drive Area Sewer Project

Public Works – None

Public Safety – None

Community Services

13T-184  Authorization for Supervisor to Sign Contract for Dayton’s Corners School Coordinator

13T-185  Authorization for Supervisor to Sign Recreation Contracts

IX  Old Business

X  New Business

XI  Public Participation

XII  Adjournment
The Regular meeting of the Penfield Town Board was held on Wednesday, September 18, 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  
Robert Quinn  Councilman

Also Present:  Amy Steklof  Town Clerk  
Richard Horwitz  Town Attorney  
Jim Costello  Director of Developmental Services  

Absent:  Andrew Moore  Councilman

Supervisor LaFountain called the meeting to order – Pledge of Allegiance

Public Hearing #1 To Allow a 64 Square Foot Addition for Ice Cream Service and a 120 Square Foot Deck Addition at 1794 Penfield Road, in the Four Corners (FC) Zoning District (See Resolution #13T-171)

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on September 5, 2013 and was posted on the Town Clerk Bulletin Board and Website. 21 postcards were mailed and three (3) Homeowners Associations were notified.

Gary Brockler, 173 Whitney Road, stated he owns Penfield Hots and would like to add an 8’ x 8’ addition to the front of the building so as to be able to serve soft ice cream and would also like to build a 10’ x 12’ deck on the back of the building to accommodate additional outdoor seating. The hours of operation will stay the same, 10:00 AM to Midnight on weekdays and 10:00 AM to 2:00 AM on the weekends. Patrons will have to order food and ice cream from inside the building only. They can then bring their food outside to sit on the deck if they would like. There will be no impact to parking and no impact to traffic flow. Mr. Brockler will speak with the Town Code Enforcer and the Director of Developmental Services prior to adding additional signage. No speakers will be placed outside on the deck.

Public Participation – None

Hearing closed.

Public Hearing #2 To Allow the Construction of a 1,280 Square Foot Office Building at 2041 Penfield Road, in the Planned Development (PD) Zoning District (See Resolution #13T-169)

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on September 5, 2013 and was posted on the Town Clerk Bulletin Board and Website. 72 postcards were mailed and three (3) Homeowners Associations were notified.

Neeraj Shah, 8 Shelter Creek, Fairport, NY stated his parents Lalit and Surekha Shah are owners of the property. Mr. Shah stated he would like to move his Law and CPA practice out of Gates and into the Town of Penfield at 2041 Penfield Road. Mr. Shah gave perspective on the location of the property, which is on the south side of Penfield Road between NYS RTE 250 and Baird Road, and is approximately 2.79 acres. He stated that they would like to construct a one (1) story office building with dimensions of 32 feet by 42 feet which is approximately 1,344 sq. ft., to be placed south of the existing building. The plan also calls for the removal of an existing small garage to make room for a more uniform parking design. A dumpster will be located in that area. The application has already been presented to the Planning Board and Staff have been directed to prepare an approval resolution.
Mr. Shah stated that the proposed building will have the same look and feel of the existing building. The parking for the proposed building will be south of the existing parking lot and will accommodate approximately 18 spaces. The existing parking lot will be reconfigured to also allow for 18 spaces. Mr. Shah stated that the placement of the proposed building will screen a large portion of the parking lot from those areas that are located to the west of the property.

Mr. Shah stated that drainage of the site will be handled by a rain garden structure to the west of the proposed building. The building will access the sanitary sewer system at Sanders Farm Drive. Electrical service will be buried and accessed from electrical off of Penfield Road. The easement is labeled on the plan and landscaping is proposed. Mr. Shah stated that all site work such as grading and seeding will be done at the same time to save money and minimize the impact to the neighbors.

Supervisor LaFountain inquired if the access point during construction will be at Sanders Farm Road.

Mr. Shah said yes.

Supervisor LaFountain asked Mr. Shah to elaborate on the topic of drainage.

Mr. Shah stated he would talk to the architect and get back to him with the information.

Supervisor LaFountain asked Jim Costello to forward to the Town Board all information he receives from the Shahs pertaining to this application as well as PRC comments.

Councilman Quinn inquired whether there will be any buildings designated for on-site storage.

Mr. Shah replied no.

Councilwoman Metzler inquired whether there was a discussion with the Project Review Committee (PRC) in reference to change in traffic volume?

Mr. Shah stated traffic will be minimal due to the fact that most of his business is done through mail, e-mail and phone.

Public Participation

John Trowbridge, 44 Beacon Hills Drive North, owns 16 Sanders Farm Drive and asked for confirmation that once the project is completed the rain garden will be large enough to handle the drainage.

Supervisor LaFountain stated that the drainage should not be impacted and that the Town has criteria they follow.

Mr. Trowbridge also asked whether the 1,280 sq. ft. office building will always have only one (1) tenant?

Mr. Shah stated that is the intent.

Wendy Roche, 61 Willow Pond Way, stated she is concerned about an exit being located at Sanders Farm Drive leading to the possibility of extra traffic danger. She hopes the Transportation Committee, which she will be meeting with next week, and the Town Board will think the issue through and provide some safer options.
Ms. Roche also asked Mr. Shah to have the dumpster company change its hours of operation in the summer since it generates a lot of early morning noise. Ms. Roche also asked Mr. Shah to pinpoint the exact location the dumpsters will be placed. She worries that it will be unsightly.

Mr. Shah pointed at the location of the dumpster and stated that it should not impact her neighborhood.

Mr. Shah Senior stated the dumpster company is in the neighborhood after 7:00 AM. He also stated that he has been living at 2041 Penfield Road since 1986 and that he has not had any traffic problems. He also stated that the NYSDOT has provided a very wide entrance to the property to make it easier to travel in and out of the neighborhood. He does not believe people will be using Willow Pond Way as a cut through.

Councilman Quinn inquired whether there will be any signage at the west end of the access?

Mr. Shah stated there will be no signage by the access road.

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on September 5, 2013 and was posted on the Town Clerk Bulletin Board and Website. 62 postcards were mailed and three (3) Homeowners Associations were notified.

Mike Bogojevski, BME Associates stated that Marty Landau and Rudy Neufeld from Crosstown Construction are here to request final subdivision and site plan approval for Section 1-D of the Abbington Place Subdivision. The section is a continuation of the previous Section 1-C that extends Whispire Lane down to a cul-de-sac to the west. It consists of ten (10) lots on six (6) acres and will include an offsite grading area for the proposed storm water management facility. The lot standards have not changed from the preliminary approval and the plans have been prepared to be consistent with the overall plans that were approved in May of 2011. The storm sewer will be directed to the proposed storm water management facility.

Mr. Bogojevski stated that they have received Town Project Review Committee (PRC) comments and have supplied a response.

Supervisor LaFountain inquired if there are any outstanding items that have not been completed to date?

Mr. Bogojevski stated that the previous sections are still under construction. Sidewalks should be in by the end of the construction season.

Supervisor LaFountain also inquired about drainage.

Mr. Bogojevski stated that the main portion of the subdivision drains to the existing storm water management facility and a second storm water management facility needs to be put in to handle the drainage for this proposed section and the remaining sections. It will be located on the western side of the development. The drainage will be directed to the northwest corner.

Councilwoman Kohl asked when would the proposed construction take place?
Mr. Bogojevski stated this summer.

Councilwoman Kohl asked whether there will be more phases in the future?

Mr. Bogojevski stated yes.

Supervisor LaFountain reminded Mr. Bogojevski that final approvals will be needed for future phases.

Councilman Quinn asked if commercial and construction traffic will be accessing the area by Whitespire Lane?

Mr. Bogojevski stated yes.

Bill Vendel, 1267 Fairport Nine Mile Point Road, asked whether the water will drain to the south or will drainage all go to the north and to the west?

For clarification, Supervisor LaFountain asked how will the water be drained into the pond from the area of the proposed ten (10) lots?

Mr. Bogojevski stated that the drainage and stormwater system will drain to the proposed storm water management facility in the northwest corner.

Jim Costello, Director of Developmental Services stated that this phase is in great shape.

Mr. Vendel stated his wife is concerned about the access along the south side of the existing pond on NYS RTE 250 and hopes it will not be used for construction vehicles as an entrance and exit.

Supervisor LaFountain said that it has been stated by the Town Board that it would not be allowed.

Hearing closed.

Communications and Announcements

1. Last week the Town held another successful Passport Night. 20 passport applications were processed, 7 sets of passport photos were taken and many others came to the Town Hall to receive help in filling out renewal applications.

2. All commercial solicitors must apply for and receive a Solicitation Permit from the Town Clerk before beginning to solicit door-to-door in the Town of Penfield. Please check the Town website at www.penfield.org/townclerk for a list of solicitors that have received permits.

3. The Tax Office is still collecting the first installment of school taxes with a 1% interest fee until Friday, September 20, 2013. For more information contact the tax office at 340-8626.

4. Some people have been seen transporting captured wildlife and releasing the wildlife in Town Parks and on properties other than their own. This process is illegal under NYSDEC Law. Please contact an Animal Control Officer or a Nuisance Wildlife Operator to remove the animal. For more information visit Animal Control at www.penfield.org/animalcontrol or contact the ACO office at 340-8616.

5. The Penfield Fire Company will be holding an Open House on Tuesday, October 8, 2013 from 6:00 PM to 8:30 PM. For more information please visit www.penfieldfire.org.
6. The 11th Annual Family First Penfield 5K Challenge will be held Sunday, September 29, 2013 at the Penfield Community Center. For more information visit www.penfieldrec.org.

7. The Monroe County Sheriff’s Recruitment Unit is still accepting applications until September 27, 2013 for the Monroe County Sheriff Deputy Sheriff Road Patrol. The 2013 test exam will be held on Saturday, November 16, 2013. For more information visit www.monroecountysheriff.info.

8. Penfield Recreation will hold their first “RECreate Wellness Day” on Sunday, September 29, 2013 from 10:00 AM to 12:00 PM at the Penfield Community Center. The event will be held in conjunction with the annual Family First 5k Challenge. For more information please visit www.penfieldrec.org.

9. Councilwoman Metzler recently attended an area wide regional training on Disability Awareness which was put on by Niagara University. The focus of the training pertained to teaching and empowering local communities, to learn how to include and respond to people with disabilities. The presentation was made by David Whalen who is in charge of all of the Disability Awareness training for First Responders in NYS and Law Enforcement and is now bridging out to local municipalities and employees. The Town plans to implement some of the ideas from the training. The training was hosted by the Town of Penfield and held in the Town Hall Auditorium.

10. The Town Offices will be closed on Monday, October 14, 2013 in observance of Columbus Day.

11. Penfield’s Recycle Day will be held Saturday, October 5, 2013 from 9:00 AM to 3:00 PM at the Public Works Facility, 1607 Jackson Road.

12. Supervisor LaFountain recognized Mubarak Bashir, the Director of Faith Outreach at the Bait un Naseer Mosque Community. Mr. Bashir has reached out to Supervisor LaFountain two (2) years in a row to give blood in recognition of 9/11. The goal of their community was to collect more than 11,000 units of blood. Supervisor LaFountain thanked Mubarak Bashir for his efforts.

13. The Penfield Rotary Fall Euchre Tournament will be held on Sunday, October 6, 2012 at 2:00 PM. For more information please visit www.penfieldrotary.org.

14. The Town of Penfield and Penfield Rotary will hold their annual Community Bike Drop at the Penfield Community Center, 1985 Baird Road on Saturday, October 5, 2013 from 10:00 AM to 2:00 PM. For more information please visit www.rcommunitybikes.net.

Public Participation

Tim Murphy, 48 Corral Drive informed that tomorrow evening at the Penfield High School there will be a public information meeting pertaining to the facilities Capital Project. Mr. Murphy asked if there is an active Town Board Liaison to the Penfield School District.

Supervisor LaFountain stated that Councilwoman Kohl and he are both active liaisons to the Penfield School District. Councilwoman Kohl is the Town Board Liaison working with a School Board Member and Supervisor LaFountain works with the Superintendent’s Office in Penfield and in Webster.

Mr. Murphy pointed out that the facilities upgrade is approximately $2.8 million, and that it is a burden to the taxpayer of about $78 per Penfield resident without state aid.
Supervisor LaFountain stated that the cost impacts the Penfield residents that are in the Penfield School District only.

Mr. Murphy suggested that the Town Board vet out the operational costs. Mr. Murphy also stated that if the Facilities Capital Project comes up to vote he would like it to align with the School Budget vote in hopes of a larger voter turnout.

Mr. Murphy asked Supervisor LaFountain to take down his flag in Rothfuss Park, so that his family can send the flag down to his son who just took his first command down in Louisiana.

Supervisor LaFountain stated the flag will be taken down in the next couple of days.

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of August 7, 2013, Councilwoman Metzler seconded and all voted "Aye."

Petitions

A Petition was received from individuals that live on Peak Hill Drive and Littlewood East/West requesting support from the Town of Penfield for cleanup of the farm land that borders those streets and also requesting that the farmer refrain from driving his tractor through their residential area.

Supervisor LaFountain stated that he will make sure that the Town’s Code Enforcer and Department of Public Works (DPW) will receive the information.

Resolutions by Function

Law and Finance

#13T-175 2013 Budget Amendment - Community Development Block Grant Fund by Moore

WHEREAS, the Town Board authorized sidewalks along Empire Blvd during 2012 and $50,000 funds were received from the Community Development Office in fiscal year 2013, and

WHEREAS, the total cost of the project exceeded the Community Development Block Grant, and

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

NOW BE IT RESOLVED that the following Budget Amendment be approved as follows:

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<thead>
<tr>
<th>Description</th>
<th>Increase Amount</th>
<th>Revised Amount</th>
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<tr>
<td>Transfer from sidewalk escrow account $33,200</td>
<td>83,200</td>
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<tr>
<th>Description</th>
<th>Increase Amount</th>
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<tr>
<td>Empire Blvd Sidewalk Project</td>
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<td>03-8662-0004-4001</td>
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Moved: Quinn
Seconded: Metzler
(Resolution #13T-175 - Continued)

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

Adopted

#13T-176  2013 Budget Amendment – Repair and Renovation Reserve Funds
          by Moore

WHEREAS, during 2013, the Sewer Department did undertake various
improvement/repair projects which were not included in the 2013 Sewer
Operating Budget, and

WHEREAS, the total cost of the projects resulted in $25,000 district
expenses for pump station repairs, and

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

NOW THEREFORE, BE IT RESOLVED that the following Budget Amendment be
approved as follows:

Sewer Fund Revenues:

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<th>Description</th>
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<tr>
<td>Appropriated Reserve Funds</td>
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Community Development Appropriations:

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<th>Description</th>
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<th>Revised Amount</th>
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<tr>
<td>Pump Station Repairs</td>
<td>$25,000</td>
<td>$25,000</td>
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<td>13-8120-0003-3001</td>
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BE IT FURTHER RESOLVED that this 2013 budget transfer is subject to a
30-day Permissive Referendum.

Moved: Quinn
Seconded: Kohl

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

Adopted

#13T-177  Re-Appointment of Town Assessor by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby re-
appoints Ann Buck as Town Assessor for a term of (6) years commencing on
October 1, 2013 and ending on September 30, 2019 in accordance with
Section 310 of the New York State Real Property Tax Law, at an annual
salary established by the Town Board and in accordance with Town
Policies.

Moved: Quinn
Seconded: Metzler

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

Adopted
#13T-178 Setting a Public Hearing for a Conditional Use Permit to Allow an Apartment at 1865 Penfield Road SBL #139.06-4-14 – Octay Ozen 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-3-97 of the Code to allow an apartment at 1865 Penfield Road, located in the Four Corners (FC) 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 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 October 16, 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 an apartment at 1865 Penfield Road in the Four Corners (FC) 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: Quinn
Seconded: Kohl

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

Adopted

#13T-179 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 1399 Creek Street, SBL #093.19-2-18, 41 Daytona Avenue, SBL #093.19-2-38, 1603 Hermance Road, SBL #095.04-2-47 and 87 Ross Brook Drive, SBL #123.08-1-49 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.
Penfield Town Board, September 18, 2013

(Resolution #13T-179 - Continued)

Moved: Quinn
Seconded: Metzler

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

Adopted

#13T-180 Establishing Lead Agency relating to the Proposed Parkview Drive/White Village Drive Area Sewer Project by Moore

WHEREAS, in compliance with 6 NYCRR Part 617 and the SEQR Act the Town Board as project sponsor, has authorized the preparation of a Full Environmental Assessment Form and has listed this action as a Type I, and

WHEREAS, in accordance with SEQR Act Penfield Town Board has solicited all involved agencies for concurrence as to Lead Agency status; and after the required 30 day comment period the Town Board received no objection to their acting as Lead Agency in this action, and

NOW, THEREFORE, BE IT RESOLVED, that the Penfield Town Board after receiving no objection hereby designates itself as Lead Agency in the proposed action known as Parkview Drive/White Village Drive Area Sewer Project.

Moved: Metzler
Seconded: Kohl

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

Adopted

#13T-181 Authorization for Deuel Archaeology to conduct a Phase 1B (Subsurface Field Investigation) in relation to the Parkview/White Village Drive Area Sewer Project by Moore

WHEREAS, the Parkview/White Village Drive Area Sewer Project has been identified as an area of general archaeological sensitivity according to the State Historic Preservation Office (SHPO), and

WHEREAS, based on this determination (SHPO) has requested a Phase 1 Archaeological Survey, of which a Phase 1A (Literature Search) has been completed by Deuel Archaeology, which identified various archaeological sites of historic significance within one (1) mile of the project area, and

WHEREAS, the Town will now need to undertake a Phase-1B – (Subsurface Field Investigation), to complete the original (SHPO) request, and

WHEREAS, the Phase-1B – (Subsurface Field Investigation) requires conducting shovel test pits at 50 intervals over the proposed route of the sewer excavation as outlined by (SHPO) criteria, and

WHEREAS, Deuel Archaeology has previously concluded that 1/3 of the project area could be considered previously disturbed and not worthy of subsurface field investigation, and

WHEREAS, Deuel Archaeology has submitted a proposal, dated 5/23/2013 to conduct the Phase 1B (Subsurface Field Investigation) comprising of shovel test pits, logging and report in the amount of $15 per shovel test pit, and
NOW THEREFORE BE IT RESOLVED, that the Town of Penfield desires to complete the Phase 1 Archaeological Survey as originally requested by the State Historic Preservation Office (SHPO),

BE IT FURTHER RESOLVED, the Town Board hereby accepts the proposal presented by Deuel Archaeology, dated 5/23/2013 to conduct the Phase 1B (Subsurface Field Investigation) in the amount of $15 per shovel test pit, including logging and report, and

BE IT FURTHER RESOLVED, that the Town Supervisor be and hereby is authorized to sign and accept this proposal from Deuel Archaeology.

Moved: Metzler  
Seconded: Kohl

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Adopted

#13T-182  Adopting a Negative Declaration of Environmental Significance related to the proposed Parkview Drive/White Village Drive Area Sewer Project by Moore

WHEREAS, relating to the above stated action and in compliance with 6 NYCRR Part 617 and the SEQ Act the Town Board has authorized the preparation of a Full Environmental Assessment Form and has listed this action as Type I, and

WHEREAS, the Town Board had also authorized the preparation of an Engineering Report (MRB Group, PC, 2/2013) and a Phase 1A - Cultural Resource Investigation (Deuel Archaeology, 9/2013), and

WHEREAS, after soliciting all involved agencies for concurrence as to Lead Agency status; and receiving no objection to their acting as Lead Agency, the Town Board has established itself as Lead Agency in this action, and

WHEREAS, the Town Board has given careful review and consideration to potential environmental impacts outlined in Parts 1, 2 & 3 of the project EAF, Correspondence from NYS DEC, Engineering Report and (Phase-1A) Cultural Resource Investigation; and has also consulted with Town Council and Town Staff.

NOW, THEREFORE, BE IT RESOLVED, that having given careful review and consideration of potential environmental impacts related to this action, review of pertinent documents and consultation with Council & Staff, the Penfield Town Board acting as Lead Agency has determined that this action will not have a significant environmental impact and will not require the preparation of an Environmental Impact Statement, as is fully detailed in the Negative Declaration of Environmental Significance incorporated herein by reference, and

BE IT FURTHER RESOLVED, that the Penfield Town Board hereby authorizes Town Staff to file this Negative Declaration of Environmental Significance with all involved agencies, the Town Clerk and the Environmental News Bulletin (ENB).

Moved: Metzler  
Seconded: Kohl

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Adopted
WHEREAS, a written Petition has been received by the Penfield Town Board duly dated and verified and containing the required signatures, and having been presented to and filed with the Town Board of the Town of Penfield, Monroe County, New York for the establishment of Extension 56 to the Penfield Consolidated Sanitary Sewer District, located in the Town of Penfield, New York as more particularly to be bounded and described within said Petition, and

WHEREAS, the improvements proposed consist of sewer pipes, lines, pumping facilities, hardware and all necessary and usual appurtenances thereto for the purpose of constructing said sewer lines solely at the cost of Penfield Consolidated Sewer District as extended, and

WHEREAS, the maximum amount proposed to be expended for said improvements as stated in the petition is $2,440,000, and

WHEREAS, the cost to a “typical residence” within said extension are estimated to be as follows:

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<tr>
<th>Description</th>
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<tr>
<td><strong>Town of Penfield</strong></td>
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<tr>
<td>Debt Service</td>
<td>$79.56 annually (2014 Budget Year Estimate)</td>
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<td>Operation &amp; Maintenance</td>
<td>$39.79 annually (2014 Budget Year Estimate)</td>
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<td><strong>Monroe County Pure Waters</strong></td>
<td></td>
</tr>
<tr>
<td>Operation &amp; Maintenance</td>
<td>$1.29/1,000 gals. water consumption</td>
</tr>
<tr>
<td>Capital Charge</td>
<td>$27.39 annually</td>
</tr>
</tbody>
</table>

Sewer Entrance Fee - A one (1) time Sewer Entrance Fee of $500 shall be charged to a “typical residence” within said extension upon connection to the sewer system.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield, shall hold a Public Hearing at the Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on Wednesday October 16, 2013 at 7:30 PM on said date to consider said Petition and to hear all persons interested in the subject thereof and concerning the same, and for such other action on the part of the Town Board with relation to said Petition as may be required by Law, and

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

Moved: Metzler
Seconded: Kohl

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

Adopted
Penfield Town Board, September 18, 2013

Public Works  - None

Public Safety  - None

Community Services

#13T-184 Authorization for Supervisor to Sign Contract for Dayton’s Corners School Coordinator by Kohl

BE IT RESOLVED, that the Town Supervisor be authorized to sign a contract with Barbara Quinn, 68 Harwood Circle, Rochester, New York 14625 as Coordinator of the Dayton’s Corners School from September 1, 2013 through December 31, 2013 at a monthly fee adopted in the 2013 budget.

Moved: Kohl
Seconded: Quinn

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

Adopted

#13T-185 Authorization for Supervisor to Sign Recreation Contracts by Kohl

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

Dick Seils, 23 Brookshire Lane, Penfield, NY 14526, Instructor for Beginning Euchre, Beginning Pickleball classes 10/21 – 12/21/13 and 10/21 – 11/25/13 for a fee of 70% of total program revenue. Voucher to be submitted on 11/20/13


Donovan Shilling, 1765 Five Mile Line Rd., Penfield, NY 14526, Instructor for the Marvels and Myths of Rochester Series on 9/11, 10/2, 11/13, 12/11/13 for a fee of 70% of total program revenue. Vouchers to be submitted at the end of each month.

Amy Coppola, 30 Tyburn Way, Rochester, NY 14610, Instructor for An Intro to Irish Dance 10/7 – 11/4 for a fee of 70% of total program revenue. Voucher to be submitted on 10/16/13

Joyce Bossard, 841 Corwin Rd., Rochester, NY 14610, Instructor for Beginning Knitting on 10/21 – 12/2/13 for a fee of $7.00 per registered student. Voucher to be submitted on 11/20/13

Joseph Meli, 2600 Dewey Avenue Apt. 3, Rochester, NY 14616, Guest Speaker for Lecture series World War I on 10/17/13, for a fee of $35. Voucher to be submitted on 10/2/13

Jane June, 641A Preservation Trail, Webster, NY 14580, Instructor for 3 Dimensional Figure Felt class 9/24 – 10/15/13 for a fee of 70% of total program revenue. Voucher to be submitted on 10/2/13

Karen Noske, 626 Adeline Dr., Webster, NY 14580, Facilitator of Hollywood Makeover Programs on 9/24 and 9/28/13 for a fee of $25 per registered participant. Voucher to be submitted 10/2/13

(Resolution #13T-185 - Continued)

Edith Lank, 240 Hemingway Dr., Rochester, NY 14620, Guest Speaker for the Thursday Lecture Series on 10/24/13 for a fee of $60. Voucher to be submitted on 10/16/13.

Christopher Bensch, One Manhattan Square, Rochester, NY 14607, Guest Speaker for Thursday Lecture series on 10/10/13 for a fee of $75. Voucher to be submitted on 10/2/13.


Dorothy Brenneis, 28 Woodside Dr., Penfield, NY 14526, Instructor for A Harvest of Healthy Fun, 9/13 - 9/27/13, for a fee of 70% of total revenue. Voucher to be submitted on 10/2/13.

Mark Vogt, 3217 Pine View Dr., Walworth, NY 14568, Co-Instructor for Sports ABCs for Tots, 10/5 - 10/26/13, for a fee of 35% of total revenue. Voucher to be submitted on 11/6/13.

Ed Porto, 97 Keyel Dr., Rochester, NY 14625, Co-Instructor for Sports ABCs for Tots, 10/5 - 10/26/13, for a fee of 35% of total revenue. Voucher to be submitted on 11/6/13.

Cathy Downs, 2120 Clover St., Rochester, NY 14618, Instructor for Sporty Sprouts, 9/19 - 10/24/13 & 10/31 - 12/19/13 for a fee of 70% of program revenue per session. Vouchers to be submitted on 11/6/13 and 12/18/13.

Moved: Kohl  
Seconded: Metzler

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

Adopted

Old Business - None

New Business - None

Public Participation - None

Adjournment

Supervisor LaFountain adjourned the meeting at 9:10 PM.

Amy Steklof, RMC  
Town Clerk