February 7, 2014

Pursuant to Section 62 of the New York State Town Law, I am hereby scheduling a Town Board Legislative Session to be held on Wednesday, February 12, 2014 at 7:30 PM in the auditorium. This meeting will be a regular Legislative Session to conduct all business that may come before the Board.

R. Anthony LaFountain
Town Supervisor
Call to Order - Pledge of Allegiance - Roll Call

Public Participation

Additions and Deletions to Agenda

Approval of Minutes – January 8, 2014

Petitions

Resolutions by Function

Law and Finance
14T-057  Contract for Services
14T-058  Government Access TV Channel Operating Policies Revision
14T-059  Authorization for Supervisor to Sign an Agreement with Southpoint Cove, LLC, providing for Sewer Capacity Improvements within Sewer District No. 12 (Empire Blvd)

Public Works
14T-060  Advertising for Bids for Department of Public Works; Compact Track Loader

Public Safety - None

Community Services
14T-061  Authorization to Attend NYSRPS Annual Conference
14T-062  Authorization for Supervisor to Sign Recreation Contracts

Old Business

New Business

Public Participation

Adjournment
The Special Legislative meeting of the Penfield Town Board was held on Wednesday, February 12, 2014 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

Absent: Richard Horwitz  Town Attorney

Supervisor LaFountain called the meeting to order - Pledge of Allegiance

Supervisor LaFountain stated that this meeting was carried over from the original Town Board meeting that was scheduled for February 5 but was cancelled due to the weather.

Public Participation - None

Additions and Deletions to Agenda - None

Approval of Minutes

Councilman Quinn moved to approve the Minutes of January 8, 2014 Councilman Moore seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#14T-057  Contract for Services by Moore

WHEREAS, it is important under Section 305 of the New York State Real Property Law to maintain uniform and equitable records; and

WHEREAS, due to the record high number of building permits over the last three (3) years and reduced staffing in the Assessor’s Office additional services are necessary; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign a professional services contract with KLW Group, 246 Cayuga Road, Buffalo, NY for data collection services at a price not to exceeded $7,000.00. Monies are budgeted in the 2014 budget; and

BE IT FURTHER RESOLVED that said contract is to be approved by the Town Attorney.

Moved: Moore
Seconded: Kohl

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

Adopted

#14T-058  Government Access TV Channel Operating Policies Revision by Moore

WHEREAS, the Penfield Town Board adopted the Town of Penfield Government Access Channel Operating Policies dated May 17th, 2006 and approved revisions May 2nd, 2007 for inclusion in the Town’s Policy Book, and
WHEREAS, Town of Penfield Town Board has identified the need for following revisions

1. Section 3-1.a Public Meeting Coverage
To include: (legislative and work sessions)
“The Government Access Channel is responsible for providing television coverage of all regular and special meetings of the Penfield Town (legislative and work sessions) Board and the Penfield Planning and Zoning Board of Appeals, Town Public Hearings, Community Informational meetings and Supervisor’s Address. Coverage of these meetings and addresses shall be the programming priority of the Channel.”

2. Section 3-2.a Electronic Participation
To include: (legislative meetings)
“Penfield resident and PCTV viewers are provided opportunity to participate in public participation in person or electronically from home during the public participation portion of the advertised meeting agenda. E-Participation (Electronic-Participation) is accepted at Penfield Town Board legislative meetings, Public Hearings, and Informational Meeting or as designated by the meeting moderator or chairpersons. Individuals wishing to speak should be considerate of other speakers by; raising hand, using microphone, limiting comments to items related to discussion or meeting agenda, allow others opportunity to speak before adding additional question.”

3. Section 3-2.a-iii E-Participation – Online
To include: (or other designated internet services) (electronically) and (near)
Remove: (online) and (by)
“Viewers from home have opportunity to submit questions or comments via the Town of Penfield’s website www.penfield.org or other designated internet services. Comments and questions received electronically online are forwarded to a printer located near by the board or moderator for reading.”

4. Section 3-2.a (**) E-Participation – Online
To include: (submitted)
Remove: (text) and (via www.penfield.org)
“Electronic text submitted questions and comments received via www.penfield.org are shared with the meeting moderator. There are no guarantees that your question or comments will be read in full during live broadcast. Questions or comments that are received and not answered during the live TV broadcast will be shared with the appropriate town staff and elected officials.”

5. Section 5-5 and 5-5.a – 5-5.e of Program Eligibility
Remove all items contained within 5-5 and 5-5.a – 5-5.e as it contains language to legacy non-supported video formats.
5) The programming shall meet technical quality standards including, but not limited to:
   a) Master Copies of programs and PSAs must be on one of the following formats or an equivalent format: Mini DV, DV-Cam, DVD-R, or Super VHS.
   b) Copies of programs or PSAs submitted to air on PCTV Government Access Channel must be on Mini DV, DV-Cam, DVD-R, MPEG II or Super VHS
   c) Each video recording should have at least sixty seconds of color bars and tone at the head of the video recording.
   d) At the conclusion of each program or PSA, there should be at least ten seconds of black on the media.
   e) The Video and Audio levels must meet professional technical standards.
(Resolution #14T-058 – Continued)

To be replaced with:

“The programming shall meet all technical and quality standards, and shall be submitted on a facility supported electronic or media video format.”

WHEREAS, these revisions bring the Town of Penfield Government Access Channel policies in to current operating and Town technology standards

NOW, THEREFORE, BE IT RESOLVED, that the Penfield Town Board hereby approves amending the above changes to the Town of Penfield Government Access Television Channel Operating Policies.

Moved: Quinn
Seconded: Metzler

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

Adopted

#14T-059 Authorization for Supervisor to Sign an Agreement with Southpoint Cove, LLC, providing for Sewer Capacity Improvements within Sewer District No. 12 (Empire Blvd)

By Moore

WHEREAS, the Penfield Town Board, through its Resolution #12T-219 of October 17, 2012, approved the Southpoint Cove Apartment project located at 1420 and 1440 Empire Boulevard, SBL #108.06-1-8.1 and #108.06-1-8.2, consisting of 358 Apartments and a Clubhouse, and

WHEREAS, this project is served by the Sanitary Sewer District No. 12, which through its establishment assigned certain sanitary sewer flow allocations to each property within said District, and

WHEREAS, during review of the Southpoint Cove project it was determined that projected sanitary flow rates would exceed the flow allocations originally assigned to the two (2) aforementioned properties, and

WHEREAS, the Town Board, as commissioners of the District, have an obligation to preserve sufficient capacity for remaining properties within the District, as was originally allocated, and

WHEREAS, through review of available engineering design data Town officials, South Point Cove, LLC and their Engineers have developed a plan outlining required district facility improvements which when complete will fully mitigate the increase in sewer flow rate associated with the project, as well as provide additional reserve capacity for future development projects, and

WHEREAS, an Agreement has been drafted which sets forth the responsibilities of South Point Cove, LLC towards design and construction of these facility improvements as well as timing; said Agreement has been reviewed by Town Council and shall be in a form and substance which meets with his approval prior to ratification.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Penfield acting as Commissioners of Penfield Sanitary Sewer District #12 does hereby approve entering into an Agreement with South Point Cove, LLC, for the purpose of providing design and construction of certain sewer facility capacity improvements; said Agreement shall be in a form and substance which meets the approval of Town Council, and

BE IT FURTHER RESOLVED, that Penfield Town Supervisor, R. Anthony LaFountain be and hereby is authorized to execute said Agreement with South Point Cove, LLC for said action pending final approval of Council.
Penfield Town Board, February 12, 2014

(Resolution #14T-059 – Continued)

Moved: Moore
Seconded: Quinn

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

Adopted

Public Works

#14T-060 Advertising for Bids for Department of Public Works; Compact Track Loader by Metzler

BE IT RESOLVED, that the Director of Public Works, be and hereby is authorized to advertise in the manner prescribed by law for sealed proposals to furnish the Town of Penfield Department of Public Works the following:

One Compact Track Loader compatible with the Department of Public Works current Bobcat accessories and controls.

BE IT FURTHER RESOLVED, that the Compact Track Loader covered by such proposals shall be in accordance with specifications prepared by the Director of Public Works. Sealed proposals are to be received in the office of the Town Clerk until February 27th at 11:00 AM Local time and there and then are to be opened by the Town Clerk.

Moved: Metzler
Seconded: Moore

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

Adopted

Public Safety - None

Community Services

#14T-061 Authorization to Attend NYSRPS Annual Conference by Kohl

WHEREAS, the Recreation Department staff are members of the New York State Recreation and Park Society, and

WHEREAS, the annual conference will provide professional training and C.E.U. credits that will benefit the Town of Penfield,

NOW, BE IT RESOLVED, that the following recreation staff be hereby authorized to attend the 74th annual New York State Recreation and Park Society Conference and Business Expo from 3/23/14 - 3/25/14 in Saratoga Springs, NY:

   Linanne Conroy

Funds are provided in the 2014 budget. Expenses include registration fees, meals, lodging, transportation (gas, tolls, parking), and related expenses.

Moved: Kohl
Seconded: Quinn

(Resolution #14T-061 – Continued)
Penfield Town Board, February 12, 2014

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

Adopted

#14T-062 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:

Dave Coin, 280 Liberty Ave., Rochester, NY 14622, Director for Youth Instructional Sports program, 1/18/14 - 3/15/14 for the fee of $35.00 per session. Voucher to be submitted 2/5/14.

Dave Coin, 280 Liberty Ave., Rochester, NY 14622, Scorekeeper for Adult Basketball league, 1/19/14 - 4/13/14 for the fee of $14.00 per game. Voucher to be submitted 3/19/14.

Drew Coviello, 90 Alpine Dr., Rochester, NY 14618, On Site Supervisor for Basketball League, 1/19/14 - 4/13/14 for a fee of $440.00. Voucher to be submitted 2/5/14.

Music Rochester, Inc., P.O. Box 12732, Rochester, NY 14612, to provide Gap Mangione and his Big Band to perform Saturday, August 2, 2014 at Penfield Amphitheater for a fee of $2800.00. Voucher to be submitted on 7/2/14.

John Giotto, PO Box 423, Penfield, NY 14526, to provide sound engineering at the Penfield Amphitheater 6/2/14 – 9/20/14 for a fee of $100.00 per worked event. Vouchers to be submitted on 9/17/14.

Jim Orefice, 81 Penn Ln., Rochester, NY 14625, to provide sound engineering at the Penfield Amphitheater 6/2/14 – 9/20/14 for a fee of $100.00 per worked event. Vouchers to be submitted on 9/17/14.

Mike Kornrich, 59 Culver Parkway, Rochester, NY 14609, to provide the musical entertainment "The Mike Kornrich Band" for "Kids Fest" 7/24/14 for a fee of $500.00. Voucher to be submitted on 7/2/14.

Dinner Dogs c/o Dick Leschorn, PO Box 92514, Rochester, NY 14692, to provide entertainment "Dinner Dogs" for "Kids Fest", 7/31/14, for a fee of $500.00. Voucher to be submitted on 7/2/14.

Dady Brothers, 256 Lake Road East Fork, Hamlin, NY 14464, entertainment for "Kids Fest", July 17, 2014 for a fee of $500.00. Voucher to be submitted on 6/18/14.

Mark Cassara, 51 Stablegate Drive, Webster, NY 14580, to provide entertainment "Mark Cassara Group" Tuesday, August 5, 2014 for "Cool Jazz" 7:00 PM – 9:00 PM for a fee of $750.00. Voucher to be submitted on 7/2/14.

Dan Schmitt, 380 Electric Ave., Rochester, NY 14612, to provide entertainment "Dan Schmitt & The Shadows" Tuesday, July 22, 2014 for "Cool Jazz" 7:00 PM – 9:00 PM for a fee of $750.00. Voucher to be submitted on 7/2/14.

Bill Tiberio, 1650 East Avenue Apt. 7B, Rochester, NY 14610, to provide entertainment "Bill Tiberio Band" Tuesday, July 15, 2014 for "Cool Jazz" 7:00 PM – 9:00 PM for a fee of $750.00. Voucher to be submitted on 6/18/14.

(Resolution #14T-062 - Continued)
Mike Fusare, 6 Chamberlain Road, Honeoye Falls, NY 14472, Youth Volleyball, 2/1/14 - 3/1/14 and 3/15/14 - 4/5/14, for a fee of 70% of the total program revenue after all other program expenses are deducted. Voucher to be submitted 4/2/14.

JJ Schrembri, 18 Winterset Drive, Rochester, NY 14625, provider of all instruction and supervision of the Penfield Recreation Instructional Youth Lacrosse Program 1/4/14 - 2/1/14, for the fee of 75% of the program revenue after all expenses have been deducted. Voucher to be submitted 2/5/14.

Moved: Kohl  
Seconded: Metzler

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

Adopted

Old Business - None

New Business - None

Councilwoman Metzler stated she attended a day long seminar on SEQR and how it plays into various processes within municipalities such as competitive bidding, public construction projects and public works projects. Councilwoman Metzler mentioned that during the Seminar a number of speakers mentioned the Town of Penfield’s Planning Department and previous Town Planner, Doug Fox. The comments pertained to how thorough the Town of Penfield’s processes are in regards to SEQR. They specifically mentioned the Town Of Penfield as being a front runner and leader in the community with respect to the way the Town reviews applications, especially as it relates to SEQR.

Supervisor LaFountain stated he appreciates it and asked Mark Valentine, Planning Department Head to inform the Planning staff and Town Attorneys Pete Weishaar and Joe Platania of this.

Public Participation - None

Adjournment

Supervisor LaFountain adjourned the meeting at 7:44 PM.