

PENFIELD TOWN BOARD RESOLUTION NO. 18T-089

DATE March 28, 2018

BY Councilman Moore

Law & Finance COMMITTEE

NAME Adoption of Local Law No. 1 of 2018, to be Known as "A Local Law Extending the  
Moratorium and Prohibition Within the Town of Penfield of Public Golf Course Redevelopment"

WHEREAS, the Town Board of the Town of Penfield wishes to adopt proposed Local Law No. 1 of 2018 which would extend a moratorium and prohibition within the Town of Penfield of redevelopment of public golf courses for a period of approximately one (1) year; and

WHEREAS, the Penfield Town Board has designated itself as "lead agency" within the meaning of the State Environmental Quality Review Act (SEQRA) and has designated itself as "lead agency" pursuant to SEQRA; and

WHEREAS, the subject application has been determined to be a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), and no additional environmental review of this action is deemed necessary; and

WHEREAS, the Town Board of the said Town of Penfield held a public hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on March 21, 2018, at 7:00 PM on said date, to consider the said proposal and to hear all persons interested on the question of the adoption of Local Law No. 1 of 2018, and the public hearing was closed and decision was reserved;

NOW, THEREFORE, BE IT

RESOLVED, AND HEREBY IS ENACTED BY THE TOWN BOARD OF THE TOWN OF PENFIELD AS FOLLOWS: Local Law No. 1 of 2018, hereinafter set forth:

**TOWN OF PENFIELD  
LOCAL LAW NO. 1 OF 2018**

**A LOCAL LAW  
EXTENDING  
THE MORATORIUM ON AND PROHIBITION OF  
PUBLIC GOLF COURSE REDEVELOPMENT  
WITHIN THE TOWN OF PENFIELD**

Be it enacted by the Town Board of the Town of Penfield as follows:

**Section 1.** The Local Law to effect a Moratorium on and Prohibition of Redevelopment of Public Golf Courses in the Town of Penfield, originally enacted as Local Law No.

1 of 2016, subsequently extended by Local Law No. 1 of 2017, and by this resolution Local Law No. 1 of 2018 is hereby extended until March 31, 2019, or until a duly enacted repeal of said Local Law No. 1 of 2018 as so extended, whichever shall first occur.

**Section 2.** If any word, phrase, sentence, part, section, subsection, or other portion of this Local law, or the application thereof to any person or to any circumstance, is adjudged or declared invalid or unenforceable by a court or other tribunal of competent jurisdiction, then, and in such event, such judgment or declaration shall be confined in its interpretation and operation only to the provision of this Local Law that is directly involved in the controversy in which such judgment or declaration is rendered, and such judgment or declaration of invalidity or unenforceability shall not affect or impair the validity or enforceability of the remainder of this Local law or the application hereof to any other persons or circumstances. If necessary as to such person or circumstances, such invalid or unenforceable provision shall be and be deemed severed herefrom, and the Town Board of the Town hereby declares that it would have enacted this Local law, or the remainder thereof, even if, as to particular provisions and persons or circumstances, a portion hereof is severed or declared invalid or unenforceable.

**Section 3.** This Local Law shall take effect immediately.

Moved: \_\_\_\_\_

Seconded: \_\_\_\_\_

Vote: Kohl \_\_\_\_\_

LaFountain \_\_\_\_\_

Metzler \_\_\_\_\_

Moore \_\_\_\_\_

Quinn \_\_\_\_\_



# TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

## LEGAL NOTICE OF ADOPTION OF LOCAL LAW

PLEASE TAKE NOTICE, that at a meeting of the Penfield Town Board held at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York on Wednesday, March 28, 2018 at 7:00 p.m. the Town Board adopted a resolution adopting local law #1 of 2018 as summarized below:

WHEREAS, the Town Board of the Town of Penfield wishes to adopt proposed Local Law No. 1 of 2018 which would extend a moratorium and prohibition within the Town of Penfield of redevelopment of public golf courses for a period of approximately one (1) year; and

WHEREAS, the Penfield Town Board has designated itself as "lead agency" within the meaning of the State Environmental Quality Review Act (SEQRA) and has designated itself as "lead agency" pursuant to SEQRA; and

WHEREAS, the subject application has been determined to be a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), and no additional environmental review of this action is deemed necessary; and

WHEREAS, the Town Board of the said Town of Penfield held a public hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on March 21, 2018, at 7:00 PM on said date, to consider the said proposal and to hear all persons interested on the question of the adoption of Local Law No. 1 of 2018, and the public hearing was closed and decision was reserved;

NOW, THEREFORE, BE IT

RESOLVED, AND HEREBY IS ENACTED BY THE TOWN BOARD OF THE TOWN OF PENFIELD AS FOLLOWS: Local Law No. 1 of 2018, hereinafter set forth:

## **TOWN OF PENFIELD LOCAL LAW NO. 1 OF 2018**

**A LOCAL LAW  
EXTENDING  
THE MORATORIUM ON AND PROHIBITION OF**



**PUBLIC GOLF COURSE REDEVELOPMENT  
WITHIN THE TOWN OF PENFIELD**

Be it enacted by the Town Board of the Town of Penfield as follows:

**Section 1.** The Local Law to effect a Moratorium on and Prohibition of Redevelopment of Public Golf Courses in the Town of Penfield, originally enacted as Local Law No. 1 of 2016, subsequently extended by Local Law No. 1 of 2017, and by this resolution Local Law No. 1 of 2018 is hereby extended until March 31, 2019, or until a duly enacted repeal of said Local Law No. 1 of 2018 as so extended, whichever shall first occur.

**Section 2.** If any word, phrase, sentence, part, section, subsection, or other portion of this Local law, or the application thereof to any person or to any circumstance, is adjudged or declared invalid or unenforceable by a court or other tribunal of competent jurisdiction, then, and in such event, such judgment or declaration shall be confined in its interpretation and operation only to the provision of this Local Law that is directly involved in the controversy in which such judgment or declaration is rendered, and such judgment or declaration of invalidity or unenforceability shall not affect or impair the validity or enforceability of the remainder of this Local law or the application hereof to any other persons or circumstances. If necessary as to such person or circumstances, such invalid or unenforceable provision shall be and be deemed severed herefrom, and the Town Board of the Town hereby declares that it would have enacted this Local law, or the remainder thereof, even if, as to particular provisions and persons or circumstances, a portion hereof is severed or declared invalid or unenforceable.

**Section 3.** This Local Law shall take effect immediately.

Dated: March 29, 2018

Amy M. Steklof, RMC/CMC  
Town Clerk  
Town of Penfield