### TOWN BOARD LEGISLATIVE AGENDA

Wednesday, June 7, 2023, 6:30PM Supervisor Debbie Drawe, presiding

- I. Call to Order Pledge of Allegiance Roll Call
- II. Public Hearing: To Allow the Construction of a 3,400 SF (+/-) New Building to House a Pets at Peace Facility located at 1401 Empire Blvd in the LaSalles Landing Development (LLD) Zoning District
- III. Communications and Announcements
- IV. Public Participation
- V. Additions and Deletions to Agenda
- VI. Approval of Minutes April 5, 2023 and May 3, 2023
- VII. Petitions
- VIII. Resolutions by Function

#### Law and Finance

- 23T-124 Authorization to Maintain Properties and Assess the Charges to the 2024 Property Tax Bills
- 23T-125 Authorizing Bond Counsel and Municipal Advisor for Financing of the DPW Facility Project
- 23T-126 Authorization for the Supervisor to Execute Small Contracts
- 23T-127 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Fence within a Drainage Easement at 14 Middleton Lane
- 23T-128 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Fence within a Sidewalk Easement at 13 Hickory Pond Drive
- 23T-129 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Fence within a Storm Sewer Easement at 135 Farm Brook Drive
- 23T-130 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Fence within a Storm Sewer Easement at 19 Stoneledge Way
- 23T-131 2023-2024 Property and General Liability and Pollution Liability Insurance Policy Acceptance
- 23T-132 Setting a Public Hearing for the Draft 2023 Comprehensive Plan Update
- 23T-133 Recognition of a Donation to Youth Soccer Program

#### **Public Works**

- 23T-134 Authorization for Supervisor to Sign a Contract with Foundation Design, P.C. for Professional Services to Aid in the Design of a New DPW Garage Facility
- 23T-135 Authorization for Supervisor to Sign a Contract with Diehlux for Professional Services to Aid in the Design of a New DPW Garage Facility
- 23T-136 Authorization for Supervisor to Sign a Contract with Campus Construction Management Group Inc. for Professional Services to Aid in the Budget Development Process and Design of a New DPW Garage Facility
- 23T-137 Purchase of one 2023 Chevrolet Bolt EV
- 23T-138 Purchase of one 2023 Chevrolet Trailblazer

## TOWN BOARD LEGISLATIVE AGENDA

- 23T-139 Authorization for Supervisor to Sign a Contract with Watts Architects & Engineers for Professional Services to Aid in the Design of a New DPW Garage Facility
- 23T-140 Advertising for Bids for Renovation Services in the Braman Room at the Penfield Community Center
- 23T-141 Awarding a Construction Administration Contract for the Allen's Creek Stream Restoration Project to Barton and Loguidice
- 23T-142 Awarding a Special Inspection Contract for the Veterans Park Bathroom Facility Project to the Whitestone Associates Engineering & Geology NY, PLLC

# **Public Safety - None**

# **Community Services**

- 23T-143 Authorization for Supervisor to Sign Recreation Contracts
- IX. Old Business
- X. New Business
- XI. Executive Session
- XII. Next Meeting: July 5, 2023
- XIII. Adjournment

This meeting will be video recorded and broadcast LIVE via the town's website www.penfield.org and the Town's Government Access Cable Channel 1303.

Questions regarding video coverage contact Penfield TV at (585) 340-8661.

PENFIELD TOWN BOARD RESOLUTION NO. 23T-124 DATE: June 7<sup>th</sup> 2023
BY Councilman Ockenden Law and Finance Committee
NAME Authorization to Maintain Properties and Assess the Charges to the 2024 Property Tax
Bills

WHEREAS, on December 16, 2015, the Town Board of the Town of Penfield adopted a resolution to enact Local Law #3 of 2015 entitled "A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF PENFIELD INTO A MUNICIPAL CODE TO BE DESIGNATED THE CODE OF THE TOWN OF PENFIELD; and

WHEREAS, the purpose of the Code of the Town of Penfield includes, among other things, to provide for the safety, health protection and general welfare of persons and property in the Town of Penfield by requiring the maintenance of all such properties within the Town; and

**WHEREAS**, the property owners of 50 Jackson Rd. Ext. SBL#124.02-1-34 42 Pen-Web Pk. SBL#093.15-3-19 124 Beacon Hills Dr. S. SBL#109.05-2-48

43 Longsworth Dr SBL# 108.11-2-4

have failed to maintain the subject properties in accordance with the applicable code requirements, which is resulting in concerns for the safety, health protection and general welfare of surrounding persons and properties; and

WHEREAS, the town staff has continually requested the maintenance of the subject properties by the owners thereof with no result:

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Penfield hereby authorizes the Building/Code Compliance Inspector 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 2023 season also be charged to the 2024 property tax bill for the subject properties.

Moved:		
Seconded:		
Vote:		
	Drawe	
	Kohl	
	Lee	
	Ockenden	

PENFIELD T	OWN BOARD RESOLUTION NO.	23T-125	DATE: <u>June 7, 2023</u>
BY: Council	person Kohl	_COMMITTEE:	Law and Finance
NAME: <u>Auth</u> <u>Facility Proje</u>	orizing Bond Counsel and Municip	oal Advisor for Fi	nancing of the DPW
bond counsel	the Town of Penfield is in need of final in conjunction with the proposed born to be located on the existing site at 1	rowing estimated a	at \$20,000,000 for the new
	the Town Board has received a scope to exceed \$50,000, and	of services letter f	rom Bernard P. Donegan for
·	the Town Board received a proposal f exceed \$30,000,	rom Timothy R. M	AcGill, attorney at Law, for an
services, subje	RESOLVED, that the Supervisor is au ect to legal review by the Town Attor From the Assigned General Fund Bala	ney. Funding for t	
Moved:			
Seconded:			
Vote:	Drawe		
	Kohl		
	Lee		
	Ockenden		

PENFIELD TOWN BOARD RESOLUTION NO. <u>23T-126</u>	DATE: <u>June 7, 2023</u>
BY: Councilperson_Kohl COMM	MITTEE: <u>Law and Finance</u>
NAME: _Authorization for the Supervisor to Execute Small C	ontracts
WHEREAS, the Town routinely enters into small contra	acts for various contractual services and,
WHEREAS, a significant number of such contracts are	for amounts totaling less than \$5,000.00 and,
WHEREAS, the Town Board endeavors for efficient an operations,	d timely processing of transactions for day-to-day
BE IT RESOLVED, the Town Board hereby grants the contracts up to \$5,000.00.	Town Supervisor authorization to execute
Moved:	
Seconded:	
Vote:	
Drawe	
Kohl	
Lee	
Ockenden	

PENFIELD IC	OWN BOARD R	RESOLUTION NO231-1	<u>.21</u>	DATE: <u>06/07/2023</u>
BY:_Councilpe	erson Drawe_		COMMITTEE: <u>La</u>	nw Finance
NAME: Autho	rization for Supe	ervisor to Sign a License a	nd Hold Harmless Aş	greement to Allow a Fence
Within a Drain	age Easement at	t 14 Middleton Lane – SBI	_#109.09-1-14	
sign a License Middleton Lan	and Hold Harm e, to permit a p	nless Agreement with John	n and Sarah Simmon each into the Drainag	authorizes the Supervisor to so, owners of property of 1 ge easement to the Town of the Town Attorney.
Moved:				
Seconded:		_		
Vote:	Drawe Kohl			
Seconded:	Drawe			

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DATE:<u>06/07/2023</u>

PENFIELD TOWN BOARD RESOLUTION NO. 23T-128

PENFIELD TO	OWN BOARD RI	ESOLUTION NO23T-	129	DATE: <u>06/07/2023</u>
BY:_Councilpe	erson Drawe		COMMITTEE: <u>Law</u>	Finance
NAME: Author	rization for Supe	rvisor to Sign a License a	and Hold Harmless Agre	eement to Allow a Fence
Within a Storm	Sewer Easemen	t at 135 Farm Brook Driv	ve – SBL#123.11-1-35_	
sign a License Farm Brook Dr	and Hold Harm rive, to permit a p	less Agreement with Ga	ary and Linda Jones, or coach into the Storm Sev	chorizes the Supervisor to wners of property of 135 wer easement to the Town to the Town Attorney.
Moved:				
Seconded:				
Vote:	Drawe			
	Kohl			
	Lee			

PENFIELD	TOWN BOARI	O RESOLUTION NO23T	-130	DATE: <u>06/07/2023</u>
BY:_Counc	eilperson Drawe_	_	COMMITTEE: <u>La</u>	w Finance
NAME: <u>Au</u>	thorization for S	upervisor to Sign a License	and Hold Harmless Ag	greement to Allow a Fence
Within a Sto	orm Sewer Easer	ment at 19 Stoneledge Way	- SBL#124.01-5-27	
sign a Lice Stoneledge	nse and Hold H Way, to permit a	e Town Board of the Tow farmless Agreement with F a portion of a fence to encro ledge Way in a form and su	Eric and Amy Rimkus ach into the Storm Sew	, owners of property of 19 ver easement to the Town of
Moved:		_		
Seconded:_				
Vote:	Drawe			
	Kohl			
	Lee			

PENFIELD TOWN BOARD RI	ESOLUTION NO. <u>23T-131</u>	DATE: <u>June 7, 2023</u>
BY: Councilperson Kohl	COMMITTEE:	Law and Finance
NAME: 2023-2024 Property a Policy Acceptance	and General Liability and Pollution	on Liability Insurance
	erage firm worked with the Town's lity insurance, and Beazley for Polli icy year, and	
	consultant to the Town, reviewed the oviders, for coverage effective June on's best interest,	
coverage with U.S Specialty, Tra	tal insurance quote of \$182,132.05 to avelers and Beazley is approved as ance needs for the 2023-2024 insura	they meet the specifications
INSURANCE TYPE	INSURANCE CARRIER	AMOUNT
Property	U.S. Specialty	\$29,290.00
General Liability	U.S. Specialty	\$53,213.00
Employee Benefits Liability	U.S. Specialty	\$87.00
Emp. Practices Liability		
Law Enf. Liability	U.S. Specialty	\$7,320.00 \$1,553.00
Automobile	U.S. Specialty	\$42,868.00
Inland Marine	U.S. Specialty	\$10,741.00
Public Officials	U.S. Specialty	\$6,854.00
Crime	Travelers	\$1,526.00
Umbrella	U.S. Specialty	\$20,316.00
Owners Cont. Protective	U.S. Specialty	\$1,000.00
Pollution	Beazley	\$6,515.63
Other Fees	NYS Motor Vehicle Fee	\$680.00
	NYS Fire Fees	<u>\$168.42</u>
Moved:		Total: \$182,132.05
Seconded:		
Vote:		
Drawe		

Kohl

Lee

PENFIELD T	TOWN BOARD	RESOLUTION	NO. <u>23T-132</u>	DATE: <u>June 7, 2023</u>
BY: <u>Counci</u>	lperson Kohl		COM	MITTEE: Law and Finance
NAME: <u>Setti</u>	ng a Public Hea	ring for the Draf	t 2023 Comprehensi	ve Plan Update
	ve Plan Steering			appoint members of a to prepare a comprehensive
		mprehensive Pla w York State To		repared for the public's review
WHEREAS, review.	the Town has de	eclared its intent	to serve as Lead Ago	ency in this Type I SEQRA
NOW, THER	EFORE, BE IT			
Penfield Tow	n Hall, 3100 At	lantic Avenue, ir	the Town of Penfie	hall hold a public hearing at the eld, New York on July 5, 2023, in the matter; and be it further
official newsp date set for sa	paper of the tow	n not less than to	en (10) nor more than	ished at least once in the n twenty (20) days before the shall be available at the Town
Moved:				
Seconded:				
Vote:	Drawe			
	Kohl			
	Lee			

PENFIELD TOWN	N BOARD RESOLUTION	NO. <u>23T-133</u> DATE:	June 7,2023
BY: Councilpe	erson Kohl	COMMITTEE:	Law and Finance
NAME: Recogniti	on of a Donation to Youth	Soccer Program	
-	the Recreation Department 1 1,550 in memory of Tom G	received a donation to suppor ordon, and	t our Youth Soccer Program
Whereas, said fund	ds will be utilized for the 20	23 soccer programs, and	
Whereas, the Town expenditures,	n Board desires to have an u	np-to-date budget in relation to	o current income and
Now, Be It Resolv	ed that the following 2023 b	oudget amendment be approve	ed:
Revenue	Amount	Appropriations	Amount
A00-1000-6000-00 Budgeted Surplus	\$1,550	A00-7140-0004-4031 Youth Soccer League	\$1,550
Moved:			
Seconded:			
Vote:			
Dra	we		
Koh	ıl		
Lee			
Ock	enden		

PENFIELD TOWN BOA	RD RESOLUTION NO.	23T-134	DATE: <u>June 7. 2023</u>
BY: Councilperson Lee		COMM	IITTEE: Public Works
NAME: <u>Authorization for</u> services to aid in the design			Design, P.C. for professional
WHEREAS, the Town Bo DPW garage facility at 16		p to provide professio	onal design services for a new
	•		rofessional services, to be e development of the project
for services with Foundat	ion Design, P.C., 335 Col ch will aid in the design oundation Design, P.C., sh	fax Street, Rochester, of a new DPW garage	facility. This resolution and the
BE IT FURTHER RESO! General Fund Balance as	· · · · · · · · · · · · · · · · · · ·		of \$9,750.00 from the Assigned fessional services.
Moved:			
Seconded:			
Vote:			
Drawe _			
Kohl _			
Lee			
Ockenden _			

PENFIELD TOWN BO	ARD RESOLUTION NO	D. <u>23T-135</u>	DATE: <u>June 7. 2023</u>
BY: Councilperson Lee		COM	MITTEE: Public Works
NAME: <u>Authorization f</u> the design of a new DPV		ontract with Diehlux fo	or professional services to aid in
	Board has hired MRB Gr 1607 Jackson Road; and	oup to provide profess	ional design services for a new
			professional services, to be the development of the project
for services with Diehlu wetlands and watercour	ex, 2434 County Road 39 se delineation services w proposal submitted by Di	, East Bloomfield, NY hich will aid in the des	contract, not to exceed \$2,150.00 14469, to provide freshwater sign of a new DPW garage facility. the contract. This agreement to be
	OLVED, the Town Board as an amendment to the 20		on of \$2,150.00 from the Assigned rofessional services.
Moved:			
Seconded:			
Vote:			
Drawe			
Kohl			
Lee			
Ockenden			

PENFIELD TOWN BOARD RESOLUTION NO. $\underline{231}$	DATE: <u>June 7. 2023</u>
BY: Councilperson Lee	COMMITTEE: Public Works
NAME: Authorization for Supervisor to sign a contract Inc. for professional services to aid in the budget development facility	
WHEREAS, the Town Board has hired MRB Group to DPW garage facility at 1607 Jackson Road; and	provide professional design services for a new
WHEREAS, the proposal submitted by MRB Group id performed by independent companies, that would be redesign;	
BE IT RESOLVED, that the Supervisor is hereby author for services with Campus Construction Management G NY 14534, to provide cost estimating services which we design of a new DPW garage facility. This resolution a Construction Management Group Inc., shall constitute approved by the Town Attorney.	roup Inc., 1241 Pittsford-Victor Road, Pittsford, vill aid in the budget development process and nd the proposal submitted by Campus
BE IT FURTHER RESOLVED, the Town Board approach Assigned General Fund Balance as an amendment to the	** *
Moved:	
Seconded:	
Vote:	
Drawe	
Kohl	
Lee	
Ockenden	

PENFIELD TO	OWN BOARD	RESOLUTION NO. 23	Т-137	DATE: <u>June 7, 2023</u>		
BY: Councilperson Lee COMMITTED			MITTEE: Public Works			
NAME: Purch	ase of one 202	3 Chevrolet Bolt EV				
of Yonkers pig	WHEREAS, the Director of Public Works desires to purchase one 2023 Chevrolet Bolt EV, from the City of Yonkers piggyback Contract # 6910, from DeNooyer Chevrolet, 127 Wolf Road, Albany NY, for a total cost of \$31,817.50; and					
		cated in the 2022 Assesses, the vehicle was unable		udget (A00-1355) for said vehicle and		
				om the Unassigned General Fund A00-1355) to fund this purchase in		
	EFORE, BE IT ourchase said v		irector of Public	Works be, and hereby is,		
Moved:						
Seconded:						
Vote:	Drawe					
	Kohl					
	Lee					

PENFIELD TO	OWN BOARD F	RESOLUTION NO. 237	Γ-138	DATE: <u>June 7, 2023</u>		
BY: Councilperson Lee COM			COM	MITTEE: Public Works		
NAME: Purch	ase of one 2023	Chevrolet Trailblazer				
Albany County	WHEREAS, the Director of Public Works desires to purchase one 2023 Chevrolet Trailblazer, from Albany County piggyback Contract # 2023-058, from DeNooyer Chevrolet, 127 Wolf Road, Albany NY for a total cost of \$30,920.00; and					
		ted in the 2021 Building the vehicle was unable		dget (A00-3620) for said vehicle and		
WHEREAS, the Town Board approves appropriation of \$30,920.00 from the Unassigned General Fund Balance as an amendment to the 2023 Building Department Budget (A00-3620) to fund this purchase in full;						
NOW, THEREFORE, BE IT RESOLVED, that the Director of Public Works be, and hereby is, authorized to purchase said vehicle.						
Moved:	<del></del>					
Seconded:						
Vote:	Drawe					
	Kohl					
	Lee					

PENFIELD TOWN BO	ARD RESOLUTION NO	). <u>23T-139</u>	DATE: <u>June 7. 2023</u>
BY: Councilperson Lee COMMITTEE: Public Works			
	or Supervisor to sign a coaid in the design of a new	ontract with Watts Archited DPW garage facility	ets & Engineers for
	Board has hired MRB Gro 1607 Jackson Road; and	oup to provide professiona	l design services for a new
	•	oup identified specific profile to aid in the control of the required to aid in the control of t	fessional services, to be development of the project
for services with Watts provide a regulated buil DPW garage facility. The	Architects & Engineers, 3 ding materials survey and his resolution and the project	510 Clinton Square, Suite : I design services which wi	ract, not to exceed \$30,000.00 510, Rochester, NY 14604, to ll aid in the design of a new Architects & Engineers shall Town Attorney.
		approves appropriation of at to the 2023 budget for the	
Moved:			
Seconded:			
Vote:			
Drawe			
Kohl			
Lee			
Ockenden			

PENFIELD	TOWN BOARD	RESOLUTION NO. 23T-140	DATE: <u>June 7, 2023</u>
BY: Counci	lperson Lee		COMMITTEE: Public Works
NAME: <u>Ad</u> <u>Center</u>	vertising for Bids	for Renovation Services in the	e Braman Room at the Penfield Community
			and hereby is authorized to advertise in the e Town of Penfield with the following:
Renovation	Services in the Br	raman Room at the Penfield C	ommunity Center
specification of the Town	ns prepared by the	Director of Public Works. Se	service contract shall be in accordance with caled proposals are to be received in the office and there and then to be opened and read
Moved: _			
Seconded: _	· · · · · · · · · · · · · · · · · · ·		
Vote:	Drawe		
	Kohl		
	Lee		
	Ockenden		

PENFIELD '	TOWN BOA	ARD RESOLUT	ION NO. <u>23T-14</u>	DATE: June 7, 2023
BY <u>Council</u>	person Lee			Public Works COMMITTEE
NAME <u>Awa</u> Project to the	_		stration Contract for	or the Allen's Creek Stream Restoration
years on the	studies, stre		the plans for the s	ton and Loguidice Engineers for many stabilization project and has authorized
		d Loguidice has quired soil testing		wn with a quote for the construction
	t be, and her			ruction administration contract for the aidice for the total amount not to exceed
BE IT FURT provided.	THER RESC	DLVED, that the	Town Supervisor is	s authorized to execute the contract as
Moved:				
Seconded:				
Vote:	Drawe			
	Kohl			
	Lee			

Ockenden \_\_\_\_\_

PENFIELD 7	TOWN BOA	RD RESOLUTION 1	NO. <u>23T-142</u>	DATE: June 7, 2023
BY Councilp	erson Lee			Public Works COMMITTEE
		al Inspection Contrac Engineering & Geol		Park Bathroom Facility Project to
		oard has been workin w bathroom at Veter	•	Group P.C. to design and oversee k; and
WHEREAS, and	they have re	ecommended hiring	a special inspectio	on testing agency for the project;
		Associates Engineerir il testing, concrete tes		PLLC has provided the town with nspections; and
project be, an	nd hereby is, a			ions testing contract for the above neering & Geology NY, PLLC for
BE IT FURT provided.	HER RESOI	LVED, that the Town	Supervisor is author	orized to execute the contract as
Moved:				
Seconded:				
Vote:	Drawe			
	Kohl			
	Lee			
	Ockenden			

PENF	TIELD TOWN BOARD RESOLUTION NO. 23T-143 DATE 6/7/2023
BY	LINDA KOHL COMMUNITY SERVICES COMMITTEE
NAM	E <u>AUTHORIZATION FOR SUPERVISOR TO SIGN RECREATION CONTRACTS</u>
BE IT	RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following recreation acts:
	Sokolowski, 175 Fairhaven Road, Rochester, NY 14610, referee for summer youth soccer league s, 6/6 – 12/30/23, for a fee of \$32.00 per game worked. Vouchers to be submitted on a monthly
	Sokolowski, 175 Fairhaven Road, Rochester, NY 14610, referee for summer youth soccer league s, 6/6 – 12/30/23, for a fee of \$32.00 per game worked. Vouchers to be submitted on a monthly
-	Zimmermann, 115 Fairhaven Road, Rochester, NY 14610, referee for summer youth soccer league s, $6/6 - 12/30/23$ , for a fee of \$32.00 per game worked. Vouchers to be submitted on a monthly
	Vithall, 14 Snowberry Circle, Penfield, NY 14526, referee for summer youth soccer league games, 12/30/23, for a fee of \$32.00 per game worked. Vouchers to be submitted on a monthly basis.
	n Vallow, 40 Knolltop Drive, Rochester, NY 14610, referee for summer youth soccer league games, 12/30/23, for a fee of \$32.00 per game worked. Vouchers to be submitted on a monthly basis.
	Heise, 48 Knolltop Drive, Rochester, NY 14610, referee for summer youth soccer league games, 6/6 80/23, for a fee of \$32.00 per game worked. Vouchers to be submitted on a monthly basis.
Move	d:
Secon	nded:
Vote:	
	Kohl
	Lee