



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

TOWN BOARD LEGISLATIVE AGENDA

Wednesday, July 1, 2026 6:30 PM

Supervisor Berry, presiding

- I. Call to Order - Pledge of Allegiance - Roll Call
- II. Communications and Announcements
- III. Public Hearing: To Consider a Special Use Permit to Operate a Microbrewery Operation with Small Restaurant on First Floor and Possible Future Office Space on Second Floor at 1221 Empire Blvd in the LaSalle's Landing Development District
- IV. Public Participation
 - a. Penfield Forward: Tomorrow's Town Spaces
 - b. General Topics
- V. Additions and Deletions to Agenda
- VI. Approval of Minutes - June 3, 2026
- VII. Petitions
- VIII. Resolutions by Function

Law and Finance

26T-122 Authorization to Settle DiMarco Brandt Point, LLC Tax Certiorari Proceedings

26T-123 Authorization of 2026 Budget Amendments for the Library Fund

26T-124 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Fence within a Storm Sewer Easement at 65 Samala Circle

26T-125 Appointment of Part-Time Animal Control Officer

26T-126 Appointment of Full-Time Laborer- Sewer Division

26T-127 Support for the Town of Penfield to Seek Grants Funding Via the NYS Consolidated Fund Application (CFA) Process

26T-128 Handbook Revisions

Public Works - None

Public Safety - None

Community Services - None

- IX. Old Business:
- X. New Business
- XI. Public Participation
- XII. Next Meeting: August 5, 2026
- 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.

Town of Penfield, 3100 Atlantic Avenue, Penfield, NY 14526-9798

TOWN BOARD LEGISLATIVE AGENDA

PENFIELD TOWN BOARD RESOLUTION NO. 26T-122 DATE: July 1, 2026

BY: Councilperson Getz COMMITTEE Law and Finance

NAME: Authorization to Settle DiMarco Brandt Point, LLC
Tax Certiorari Proceedings

WHEREAS, DiMarco Brandt Point LLC, heretofore commenced proceedings against the Assessor and the Board of Assessment Review and other respondents for a review of the Assessment for the roll year 2025 for the premises located at 1990 Brandt Point Dr., (tax map #093.02-1-25.11) located within the Town of Penfield, and

WHEREAS, negotiations have been had between the Attorney for the Town and the Attorneys for the Petitioner in an attempt to settle and compromise Petitioner's claim, and

WHEREAS, after such negotiations, tentative agreement has been reached between all parties on the terms of a proposed settlement subject to the approval of the Town Board and to the approval of the Supreme Court of the State of New York, which terms of settlement are set forth in the stipulations on file in the Office of the Town Assessor, and

WHEREAS, upon due consideration of all facts and circumstances, the Town Board finds that the proposed compromise and settlement is fair and reasonable and should be approved.

THEREFORE, BE IT RESOLVED, that the proposed settlement of the Tax Certiorari proceedings brought by DiMarco Brandt Point LLC, for the roll year 2025 be and hereby are approved.

BE IT FURTHER RESOLVED, that the Attorney representing the Town be and hereby is directed to make application to the Supreme Court of the State of New York for approval of such settlement and that upon obtaining such approval, the Assessor of the Town of Penfield be and he hereby is directed to make the necessary adjustments in the Assessment Rolls for the Town of Penfield to reflect the terms of such settlement.

Moved: _____

Seconded: _____

Vote:

Berry _____

Dean _____

Getz _____

Lang _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 26T-123

DATE: 7/1/2026

BY: Councilperson Getz COMMITTEE: Law and Finance

NAME: **Authorization of 2026 Budget Amendments for the Library Fund.**

WHEREAS, the Town Board desires to have a 2026 budget that ensures the continued provision of services for Penfield residents; and

WHEREAS, the Penfield Public Library has received a grant of \$30,000 from Assemblyperson Lunsford to support the purchase of new soft furniture; and

WHEREAS additional appropriations and budget revenue adjustments have been identified as necessary to provide for the purchase of new materials;

NOW BE IT RESOLVED that the following 2026 budget revenue amendments and additional budget appropriations be approved:

DESCRIPTION	CURRENT BUDGET	PROPOSED	VAR.	
GIFTS AND DONATIONS - REVENUE	\$ -	\$ 30,000.00	\$ (30,000.00)	\$ (30,000.00)
EQUIPMENT - LIBRARY	\$ -	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
			TOTAL	\$ -

Moved: _____

Seconded: _____

Vote:

Berry _____

Dean _____

Getz _____

Lang _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 26T-124

DATE: July 1, 2026

BY: Councilperson Getz

COMMITTEE: Law and Finance

NAME: Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Fence Within a Storm Sewer Easement at 65 Samala Circle – SBL#108.15-1-47.

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a License and Hold Harmless Agreement with Andrew Sgarlato and Lia Pizzicato, owners of property of 65 Samala Circle, to permit a portion of a fence to encroach into the storm sewer easement to the Town of Penfield located at 65 Samala Circle in a form and substance acceptable to the Town Attorney.

Moved: _____

Seconded: _____

Vote:

Berry _____

Dean _____

Getz _____

Lang _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 26T- 125 DATE: July 1, 2026

BY Councilperson Getz

COMMITTEE: Law & Finance

NAME Appointment of Part-Time Animal Control Officer – Public Works

WHEREAS, The Town of Penfield has a vacancy for Animal Control Officer Part-time; and

WHEREAS, The Town Supervisor and Town Board have reviewed and considered all candidates who applied for this position; and

WHEREAS, all Monroe County Civil Service and Town of Penfield fair hiring procedures have been followed; and

NOW, THEREFORE, BE IT RESOLVED, that Timothy Wensel, be given a probationary appointment as Animal Control Officer part-time in the Public Works Department (Animal Control) at an hourly rate established by the Town Board and in accordance with Town Policies effective July 7, 2026.

Moved: _____

Seconded: _____

Vote:

Berry _____

Dean _____

Getz _____

Lang _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 26T- 126 DATE: July 1, 2026

BY Councilperson Getz

COMMITTEE: Law & Finance

NAME Appointment of Full-Time Laborer - Sewer Division – Public Works

WHEREAS, The Town of Penfield has a vacancy for Sewer Laborer Full-time; and

WHEREAS, The Town Supervisor and Town Board have reviewed and considered all candidates who applied for this position; and

WHEREAS, all Monroe County Civil Service and Town of Penfield fair hiring procedures have been followed; and

NOW, THEREFORE, BE IT RESOLVED, that Nickolas Giuffrida, be given a probationary appointment as Laborer full-time in the Public Works Department (Sewer Division) at an hourly rate established by the Town Board and in accordance with Town Policies effective July 7, 2026.

Moved: _____

Seconded: _____

Vote:

Berry _____

Dean _____

Getz _____

Lang _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 26T-127 DATE: July 1, 2026

BY: Councilperson Getz

COMMITTEE: Law and Finance

NAME: Support for the Town of Penfield to Seek Grants Funding Via the NYS Consolidated Funding Application (CFA) Process

WHEREAS, the New York State Consolidated Funding Application (CFA) 2026 round is currently open and grant programs have been announced, and

WHEREAS, the Town of Penfield has identified a grant program through the New York State Department of Conservation (NYSDEC) that aligns with Town goals and priorities and will help achieve compliance with New York State requirements; and

WHEREAS, the Town Board is aware of the local match requirements associated with the grant program and has the funds available to make cash matches should the grant be awarded.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board supports participation in the 2026 NYS CFA and instructs staff to apply following the guidance provided by the New York State Department of Conservation.

Moved: _____

Seconded: _____

Vote:

Berry _____

Dean _____

Getz _____

Lang _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 26T-128 Date: July 1, 2026

BY: Councilperson Getz

Committee: Law & Finance

Name: 2026 Employee Handbook Revision – Vacation Leave

Whereas, the Penfield Town Board adopted an Employee Handbook on January 3, 1989, and the Board committed to keeping this information up to date,

NOW, THEREFORE, BE IT RESOLVED, that the attached addition for vacation leave is approved for inclusion in the Employee Handbook effective July 1, 2026.

Moved: _____

Seconded: _____

Vote:

Berry _____

Dean _____

Getz _____

Lang _____

Teglash _____

700 EMPLOYEE BENEFITS

702 Vacation Leave

New Employees – Eligible employees commencing work prior to ~~June 1st~~ **October 1st** must complete ~~six (6) months~~ **three (3) months** of employment before using vacation. Vacation time will be granted as follows:

Month Hired	Vacation Days Accrued
January	9 days
February	8 days
March	7 days
April	6 days
May	5 days

Month Hired	Vacation Days Accrued
January	12 Days
February	11 Days
March	10 Days
April	9 Days
May	8 Days
June	7 Days
July	6 Days
August	5 Days
Sept	4 Days

Eligible employees commencing work on or after ~~June 1st~~ **October 1st** are not eligible for any vacation in that calendar year. They will be granted fifteen (15) working days of vacation leave during the next calendar year, however, that vacation may not be taken until after the completion of ~~six (6) months~~ **three (3) months** of employment.