



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

TOWN BOARD LEGISLATIVE AGENDA

Wednesday, May 1, 2024 6:30PM

Supervisor Jeff Leenhouts, presiding

- I. Call to Order - Pledge of Allegiance - Roll Call
- II. Communications and Announcements
- III. Public Hearing #1: To Consider a Proposed Local Law to Establish a Moratorium on Future Applications for Non-Residential Solar Applications
Public Hearing #2: To Consider a Local Law to Amend the Town of Penfield Zoning Map to change the Zoning District Designations of Specified Parcels in Conformance with the Town of Penfield 2023 Comprehensive Master Plan
- IV. Public Participation
- V. Additions and Deletions to Agenda
- VI. Approval of Minutes - April 10, 2024
- VII. Petitions
- VIII. Resolutions by Function

Law and Finance

24T-095 Setting a Public Hearing to Consider Proposed Local Law to Amend Town Code Chapter 11, Article IV (Town of Penfield Residency Exemption Law)

24T-096 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Shed within a Storm Sewer Easement at 135 Farm Brook Dr.

Public Works - None

Public Safety

24T-097 Authorization to Post Temporary NO PARKING Signs

Community Services - None

- IX. Old Business
- X. New Business
- XI. Executive Session
- XII. Next Meeting: June 5, 2024
- 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.

BY: Councilperson Lee

Law & Finance Committee

NAME Setting a Public Hearing to Consider Proposed Local Law to Amend Town Code Chapter 11, Article IV (Town of Penfield Residency Exemption Law)

WHEREAS, the Town previously adopted and later amended the Town of Penfield Residency Exemption Law to ensure that the Town Board has flexibility in appointing the most qualified persons to hold appointed offices by permitting persons to be considered for such positions who reside in a broad geographical area surrounding the Town; and

WHEREAS, the current version of the law is limited to residency within Monroe County; and

WHEREAS, the Town adjoins Wayne County, and the Town Board believes it would be appropriate to expand the exemption area to also include the counties that adjoin Monroe County; and

WHEREAS, the proposed action has been classified the action is Type II action pursuant to Sections 617.5 (c) (26) and 617.5(c) (33) of the State Environmental Quality Review Act (SEQRA).

NOW, THEREFORE, BE IT

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 June 5, 2024, at 6:30 PM on said date, to consider the matter and to hear all persons interested in the adoption of the proposed local law, a copy of which is attached hereto as “Schedule A” and made a part hereof; and

BE IT FURTHER RESOLVED that the Town Clerk be and hereby is directed to publish and post a Notice of the Public Hearing on the official signboard of the Town in the manner prescribed by Law, the first publication thereof to be not less than five (5) days and not more than thirty (30) days before the date set for the said public hearing, as aforesaid.

Moved: _____

Seconded: _____

Vote: Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Taglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 24T-096

DATE: 05/01/2024

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Shed
Within a Storm Sewer Easement at 135 Farm Brook Dr – SBL#123.11-1-35

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 Linda and Gary Jones, owners of property of 135 Farm Brook Dr, to permit a portion of a shed to encroach into the Storm Sewer easement to the Town of Penfield located at 135 Farm Brook Dr in a form and substance acceptable to the Town Attorney.

Moved: _____

Seconded: _____

Vote:	Berry	_____
	Lee	_____
	Leenhouts	_____
	Ockenden	_____
	Teglash	_____

PENFIELD TOWN BOARD RESOLUTION NO. 24T- 097

DATE: May 1, 2024

BY: Councilperson Berry

COMMITTEE: Public Safety

NAME: Authorization to Post Temporary NO PARKING Signs

WHEREAS, it is the Town of Penfield’s responsibility to promote and maintain public safety on roads within the Town of Penfield; and

WHEREAS, pursuant to the New York State Vehicle and Traffic Law, Section 1660, the Penfield Town Board is granted the authority to authorize the establishment of traffic control devices on Town highways within the Town of Penfield; and

WHEREAS, The Town of Penfield wishes to keep the neighborhoods around the Town’s Independence Day Celebration, parade route and festivities at Harris Whalen Park accessible to emergency vehicles.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes and establishes that “NO PARKING” will be established along both and/or one side of all and/or parts of the following streets, for the duration of the Town’s Independence Day Celebration, parade and festivities at Harris Whalen Park: Baird Road (north of Penfield Road), Gebhardt Road, Peachtree Road, Hotchkiss Circle, Wheelock Road, Kenmont Drive, Henderson Drive, Avonmore Way, Hidden Meadow, Hillrise Drive, Lazy Trail, Valley Green Drive, Valley Green Circle, Maple Hill Farm Road, Maple Leaf Circle, Timber Glen Trail, Woodside Drive, Harmon Road, and Harris Whalen Park Road; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Director of Public Works to post said temporary “NO PARKING” signs along both and/or one side of said streets.

Moved: _____

Seconded: _____

Vote: Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

Schedule A

**Town of Penfield
Draft Local Law No. _____ of 2024**

**A LOCAL LAW
TO AMEND PENFIELD TOWN CODE
CHAPTER 11, ARTICLE IV
(TOWN OF PENFIELD RESIDENCY EXEMPTION LAW)**

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

Section 1. Purpose. In an effort to expand the flexibility of the Town Board in appointing the most qualified persons to hold appointed offices by permitting persons to be considered for such positions who reside in a broad geographical area surrounding the Town, this law will increase the geographical area beyond Monroe County to the counties adjoining Monroe County.

Section 2. Amendments. The following revisions, additions and deletions to the following Section of Chapter 11, Article IV of the Penfield Town Code are hereby made. New text is underlined and deleted text is marked with a strike-through:

§ 11-21 Exemption.

The provisions of any section of law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are to be exercised shall not prevent a person from holding any Penfield appointed public office, provided that such person resides in Monroe County or any county adjoining Monroe County. Notwithstanding the foregoing, members of the following boards shall not be included in the foregoing exemption and members thereof shall continue to be residents of the Town of Penfield: Planning Board, Zoning Board of Appeals, Conservation Board, Historic Preservation Board, Library Board, Board of Assessment Review, and any other board deemed appropriate by the Town Board.

Section 3. Severability. The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

Section 4. Effective Date. This local law shall take effect immediately upon filing in the office of the Secretary of State of New York as provided by law.