



# TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

## TOWN BOARD LEGISLATIVE AGENDA

Wednesday, February 5, 2025 6:30 PM

Supervisor Leenhouts, presiding

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- I. Call to Order - Pledge of Allegiance - Roll Call
- II. Communications and Announcements
- III. Public Hearing #1: To Consider Proposed Local Law to Amend Chapter 90 (Animals) of the Town Code to Modify Regulations pertaining to Animal Control Enforcement.  
Public Hearing #2: To Consider Revisions to the Proposed Local Law to Amend Section 250-6.1 (Environmental Overlay Districts) and other Related Sections of the Town Code  
Public Hearing #3: To Consider Proposed Modifications to the Town's Firearm Discharge Map to Classify Certain Developed Neighborhoods as "Firearm Discharge Prohibited" Areas
- IV. Public Participation
- V. Additions and Deletions to Agenda
- VI. Approval of Minutes - January 8, 2025
- VII. Petitions
- VIII. Resolutions by Function

### Law and Finance

- 25T-048 Authorization to Maintain Properties & Assess Charges to 2026 Property Tax Bill
- 25T-049 Budget Amendment to 2024 in the Library Fund for Gift & Memorial Activity
- 25T-050 Budget Transfers for the General, Lighting, Sewer & Sewer Debt Service Fund
- 25T-051 Authorize Supervisor to sign a Professional Service Agreement with Three + One Co., Inc. for Cash Vest.
- 25T-052 Authorize Supervisor to Sign a Professional Service Contract Amendment with Bergmann PC for Design Services on the Clark House
- 25T-053 SEQRA Review & Determination for 47 Willow Pond Way
- 25T-054 Grant Special Use Permit to Allow Change of Use in Willow Pond PD

### Public Works

- 25T-055 Authorize Purchase of One Bobcat Sweeper Bucket (72")
- 25T-056 Authorize Purchase of a 2025 T86 T4 Compact Track Loader
- 25T-057 Authorize Purchase of a 2024 John Deere 75P Excavator
- 25T-058 Authorize Purchase of a 2026 International HV607 6-Wheel Dump Truck w/Plow & Wing
- 25T-059 Authorize Purchase of (2) 2026 International HX620 10-Wheel Dump Truck w/Plow & Wing
- 25T-060 Award Contract for Site Work Service to Construct Clark House Reno Project
- 25T-061 Award Contract for Plumbing Service to Construct Clark House Reno Project
- 25T-062 Award Contract for Electric Service to Construct Clark House Reno Project
- 25T-063 Award Contract for HVAC Service to Construct Clark House Reno Project
- 25T-064 Award Contract for General Construction Service to Construct Clark House Reno Project

**TOWN BOARD LEGISLATIVE AGENDA**

**Public Safety - None**

**Community Services**

25T-065 Authorize Supervisor to Sign Recreation Contracts

25T-066 Authorize Supervisor to Sign Recreation Contracts

- IX. Old Business
- X. New Business
- XI. Public Participation
- XII. Executive Session
- XIII. Next Meeting: March 5, 2025
- XIV. Adjournment

*This meeting will be video recorded and broadcast LIVE via the town's website [www.penfield.org](http://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. 25T- 048** \_\_\_\_\_ **DATE :** February 5, 2025

**BY** Councilperson Lee

Law and Finance Committee

**NAME** Authorization to Maintain Properties and Assess the Charges to the 2026 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     | 2203 Five Mile Line Rd. SBL# 139.10-1-28 |
| 2454 Browncroft Blvd SBL#123.09-1-28.1  | 1503 Creek St. SBL# 108.11-1-4.1         |
| 124 Beacon Hills Dr. S. SBL#109.05-2-48 | 59 Random Knolls SBL#125.03-4-31         |

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 2025 season also be charged to the 2026 property tax bill for the subject properties.

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

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

Vote:

|           |       |
|-----------|-------|
| Berry     | _____ |
| Lee       | _____ |
| Leenhouts | _____ |
| Ockenden  | _____ |
| Teglash   | _____ |

PENFIELD TOWN BOARD RESOLUTION NO. 25T-049 DATE: February 5, 2025

BY: Councilperson Lee COMMITTEE: Law and Finance

NAME: **Budget Amendment to 2024 in the Library Fund for Gift & Memorial Activity**

WHEREAS, at their monthly meetings, the Library Board recognized revenue in 2024 totaling \$2,677.61 in the Gift & Memorial Fund for use on operational expenses, and

WHEREAS, at their monthly meetings, the Library Board approved expenses in 2024 totaling \$36,386.48 from the Gift & Memorial Fund, and

WHEREAS, the Town Board desires to have an up-to-date budget in relation to current appropriations and revenues,

NOW BE IT RESOLVED that the following 2024 budget amendments be approved:

| <u>Revenue</u>  | <u>Amount</u> | <u>Appropriations</u>                          | <u>Amount</u> |
|---|---------------|--|---------------|
| L00-1000-2401-0003<br>Gift & Memorial Interest          | \$2,292.61    | L00-7410-0004-4043<br>Gift & Memorial Expenses | \$36,386.48   |
| L00-1000-2705-0002<br>Gift & Memorial Gifts & Donations | \$ 385.00     |  |               |
| L00-1000-6000-0000<br>Budgeted Surplus                  | \$33,708.87   |  |               |

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

BY: Councilperson Lee COMMITTEE: Law and Finance

NAME: **Budget Transfers for the General, Lighting, Sewer and Sewer Debt Service Fund**

WHEREAS, the Town Board desires to have an up-to-date budget in relation to current income and expenditures,

NOW BE IT RESOLVED that the following 2024 budget transfers be approved:

| <b>TRANSFERS</b>   |                     |                      |                     |
|--------------------|---------------------|----------------------|---------------------|
| <b>From</b>        | <b>Amount</b>       | <b>To</b>            | <b>Amount</b>       |
| A00-3620-0001-1011 | \$ 3,500.00         | A00-3620-0004-4035   | \$ 3,500.00         |
| BLDG FTE           |                     | GASOLINE             |                     |
| SL0-5182-0004-4036 | \$ 7,000.00         | SL1-5184-0004-4061   | \$ 7,000.00         |
| MAINTENANCE        |                     | ELECTRICITY          |                     |
| S10-8120-0003-3000 | \$ 12,906.75        | S10-8120-0004-4060   | \$ 1,000.00         |
| PUMP STATION RENO  |                     | RGE PUMP STATION     |                     |
|                    |                     | S10-8120-0004-4061   | \$ 500.00           |
|                    |                     | RGE OPERATIONS       |                     |
|                    |                     | S10-8120-0004-4062   | \$ 800.00           |
|                    |                     | RGE EMPIRE BLVD      |                     |
|                    |                     | S20-9710-0006-6192   | \$ 10,000.00        |
|                    |                     | COLLINGSWORTH DR     |                     |
|                    |                     | S20-9710-0007-7019   | \$ 0.38             |
|                    |                     | EXT #19 PUMP STATION |                     |
|                    |                     | S20-9710-0007-7020   | \$ 0.12             |
|                    |                     | QUALTROUGH RD        |                     |
|                    |                     | S20-9710-0007-7192   | \$ 606.25           |
|                    |                     | COLLINGSWORTH DR     |                     |
|                    | <u>\$ 23,406.75</u> |                      | <u>\$ 23,406.75</u> |

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T-051 \_\_\_\_\_ DATE: February 5, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: **Authorization for Supervisor to sign a Professional Services Agreement with Three + One Company, Inc. for CashVest.**

BE IT RESOLVED, that the Supervisor is hereby authorized to sign a contract, not to exceed \$14,900.00 for services with Three + One Company, Inc, to provide CashVest, a liquidity and treasury analysis service. This resolution and the Professional Services Agreement submitted by Three + One Company, Inc. shall constitute the contract. This agreement has been reviewed and approved by the Town Attorney.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T- 052  
BY Councilperson Lee

DATE February 5, 2025  
Law & Finance COMMITTEE

NAME: Authorization for Town Supervisor to Sign a Professional Service Contract Amendment with Bergmann PC for Design Services on the Clark House.

WHEREAS, on October 4, 2023, Bergmann PC, was awarded a contract for the design of the Clark House renovation project, by resolution 23T-200; and

WHEREAS, additional design services beyond the contracted scope were required to complete the project and Bergmann submitted a letter summarizing the additional costs incurred; and

WHEREAS, the Board reviewed said letter at its worksession on January 22, 2025, and agreed to authorize the Supervisor to sign the contract amendment; and

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to sign a contract amendment, not to exceed \$78,825.00 with Bergmann, 280 East Broad Street, Suite 200, Rochester, NY 14604, for professional design services for the Clark House rehabilitation project. This resolution and the proposal submitted by Bergmann shall constitute the contract. This agreement to be reviewed and approved by the Town Attorney.

BE IT FURTHER RESOLVED, the Town Board approves appropriation of \$78,825.00 from the Assigned General Fund Balance as an amendment to the 2025 budget for these design services.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

BY: Councilperson Lee

Committee: Law and Finance

NAME State Environmental Quality Review Act (SEQRA) Review and Determination Associated with the Special Use Permit Application for 47 Willow Pond Way (Tax ID 139.08-2-1.21)

WHEREAS, an application was received by the Penfield Town Board for the issuance of a Special Permit in accordance with Section 250-5.4 of Penfield Town Code (Planned Development District). The Special Use Permit is required to allow a change in use at 47 Willow Pond Way (Tax ID 139.08-2-1.21) from the currently approved development plan to the proposed 88-unit multi-family development comprised of two buildings with 44 units each, parking garage units, and associated site improvements; and

WHEREAS, the action was classified as an unlisted action pursuant to State Environmental Quality Review Act (SEQRA), and the Town Board, acting as Lead Agency in an uncoordinated review

WHEREAS, the action was classified as an unlisted action pursuant to the SEQRA; and

WHEREAS, the Town Board has considered the action, reviewed the Environmental Assessment Form, thoroughly analyzed any relevant areas of environmental concern associated with this action and determined that no significant adverse environmental impacts will result from granting a Special Use Permit.

NOW, THEREFORE, BE IT RESOLVED, the Town Board makes a negative declaration for the purposes of SEQRA, and authorizes the Supervisor to sign Part 3 of the EAF, thus concluding its environmental review.

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

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

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



PENFIELD TOWN BOARD RESOLUTION NO. 25T- 054 DATE: February 5, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Granting a Special Use Permit to 47 Willow Pond Way (Tax ID 139.08-2-1.21) to Allow a Change in Use in the Willow Pond PD

WHEREAS, an application was received by the Penfield Town Board for the issuance of a Special Permit in accordance with Section 250-5.4 of Penfield Town Code (Planned Development District). The Special Use Permit is required to allow change in use at 47 Willow Pond Way (Tax ID 139.08-2-1.21) from the currently approved development plan to the proposed 88-unit multi-family development comprised of two buildings with 44 units each, parking garage units, and associated site improvements; and

WHEREAS, the action was classified as an unlisted action pursuant to State Environmental Quality Review Act (SEQRA), and the Town Board, acting as Lead Agency in an uncoordinated review, made a negative declaration, which concluded the SEQRA review process; and

WHEREAS, a public hearing was held on December 4, 2025 to consider the application and to hear all persons interested in providing comment in the matter; and

WHEREAS, the Town Board continued review of the proposed change in use at two subsequent Work Session Meetings on December 18, 2024 and January 22, 2025 to review public comments received and discuss the application materials, reports, and memos associated with the proposed project; and

WHEREAS, the applicant submitted a memo prepared by Passero Associates, dated December 13, 2024, which is attached hereto, that outlined the traffic and transportation improvements voluntarily offered by the applicant. The proposed improvements included crosswalk striping, in-street pedestrian crossing signs, and speed feedback signs, all of which the Town agreed upon. Additionally, the memo offered the installation of speed cushions, which will require further analysis and input from Town staff and the Penfield Transportation Committee; and

WHEREAS, the Town Board has reviewed and considered all submitted application materials and corresponding legal, technical and agency reviews.

NOW, THEREFORE, BE IT

RESOLVED, the applicant's request for a SPECIAL USE PERMIT is hereby GRANTED subject to the following conditions:

1. The applicant shall obtain a SPECIAL USE PERMIT from the Town Clerk and pay the appropriate fee. The SPECIAL USE PERMIT is non-transferable to future tenants or other businesses, unless determined otherwise by the Town and/or its Attorney.

2. The applicant must obtained Final Site Plan approval through the Planning Board, pursuant the requirements set forth in Section 250-5.4 of Penfield Town Code.
3. The applicant will provide the transportation enhancements outlined in the Passero Memo (December 13, 2024) in accordance with the methods prescribed by the Town, as approved by the Town Engineer and Director of Public Works.
4. The applicant shall obtain any permits required by the Penfield Building Department and comply with the occupancy requirements established for the property by the Penfield Fire Marshal in accordance with the New York State Uniform Code.
5. The applicant will operate the business in accordance with the information submitted in the application and testimony provided at the public hearing; and
6. The applicant shall obtain any permits, approvals and/or inspections required by Monroe County and/or New York State agencies.
7. The use and operation of the site will conform with approval granted by the Town Board and all applicable provisions of the Penfield Town Code.
8. This development shall comply with all Federal, State, County and Town laws, regulations and codes.
9. Failure to comply with the conditions set forth hereinabove may result in the revocation of this Special Permit pursuant to the requirements of Chapter 250 of the Penfield Town Code.

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

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

Vote:

- Berry \_\_\_\_\_
- Lee \_\_\_\_\_
- Leenhouts \_\_\_\_\_
- Ockenden \_\_\_\_\_
- Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T- 055

DATE: February 5, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Authorize purchase of One (1) Bobcat Sweeper Bucket (72")

WHEREAS, the Director of Public Works desires to purchase a Bobcat Sweeper Bucket (72"), through New York State Contract #PC69396, from Bobcat of the Finger Lakes, 7216 Pittsford-Palmyra Road, Fairport, NY 14450, for a cost of \$5,582.56; and

WHEREAS, total funds of \$5,582.56 for said purchase are budgeted in the 2025 Highway Department Budget (DA0-5130);

NOW, THEREFORE, BE IT RESOLVED, that the Director of Public Works be, and hereby is, authorized to purchase said bobcat sweeper bucket.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T- 056

DATE: February 5, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Authorizing Purchase of a 2025 Bobcat T86 T4 Compact Track Loader

WHEREAS, the Director of Public Works desires to purchase a 2025 Bobcat T86 T4 Compact Track Loader, through Sourcewell Contract #020223-CEC, from Bobcat of the Finger Lakes, 7216 Pittsford-Palmyra Road, Fairport, NY 14450, for a cost of \$149,684.00; and

WHEREAS, total funds of \$149,684.00 for said purchase are budgeted in the 2025 Highway Department Budget (SDO-8540);

NOW, THEREFORE BE IT RESOLVED, that the Director of Public Works be, and hereby is, authorized to purchase said compact track loader.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T- 057

DATE: February 5, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Authorizing Purchase of a 2024 John Deere 75P Excavator

WHEREAS, the Director of Public Works desires to purchase a 2024 John Deere 75P excavator through Sourcewell Contract #032119-JDC, from Five Star Equipment Inc, 60 Paul Road, Rochester NY 14624, for a cost of \$134,824.86; and

WHEREAS, total funds of \$134,824.86 for said purchase are budgeted in the 2025 Highway Department Budget (DA0-5130);

NOW, THEREFORE BE IT RESOLVED, that the Director of Public Works be, and hereby is, authorized to purchase said excavator.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T- 058  
2025

DATE: February 5,

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Authorizing the Purchase of One (1) 2026 International HV607 6-Wheel Dump Trucks with Plow and Wing

WHEREAS, the Director of Public Works desires to purchase one 2026 International HV607 SBA (HV607) cab and chassis trucks with dump bodies, plows, and wings, from NYSOGS Contract # PC68946, Proposal # 14488-03 from Regional International Corporation, 1007 Lehigh Station Road, Henrietta NY, for a cost of \$274,693.97; and

WHEREAS, total funds of \$274,693.97 for said purchase are budgeted in the 2024 Highway Department Budget (DA0-5130);

NOW, THEREFORE BE IT RESOLVED, that the Director of Public Works be, and hereby is, authorized to purchase said trucks with dump body, plow, and wing attachments.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T- 059  
2025

DATE: February 5,

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Authorizing Purchase of Two (2) 2026 International HX620 10-Wheel Dump Truck with Plow and Wing

WHEREAS, the Director of Public Works desires to purchase two (2) 2026 International HX620 SBA 6x4 (HX620) cab and chassis truck with dump body, plow, and wing, from NY SOGS Contract # PC68946, Proposal # 16352-01 from Regional International Corporation, 1007 Lehigh Station Road, Henrietta NY, for a cost of \$327,586.16 each; and

WHEREAS, total funds of \$655,172.32 for said purchase are budgeted in the 2024 Highway Department Budget (DA0-5130);

NOW, THEREFORE, BE IT RESOLVED, that the Director of Public Works be, and hereby is, authorized to purchase said truck with dump body, salter, plow, and wing attachment.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T- 060      DATE: February 5, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Awarding the Contract for Site Work Services for the Construction of the Clark House Renovation Project

WHEREAS, the Clark House Rehabilitation and Addition project (the “Project”) includes the rehabilitation of the original historic home, selective demolition of the remainder of the existing building, rehabilitation of the historic structure in accordance with the Certificate of Appropriateness and construction of a new addition that will provide a new town lodge space with outdoor patio and related site improvements; and

WHEREAS, this project was classified as a Type II action under the State Environmental Quality Review Act, per 617.5 C (25) and requires no further environmental analysis; and

WHEREAS, in accordance with NYS Wicks Law, the Project was divided into five (5) prime contracts: General Construction, Site Work, Plumbing, HVAC, and Electrical; and

WHEREAS, in accordance with Section 103 of Article 5-A of the General Municipal Law, sealed bids were sought and requested to furnish the Town of Penfield a bid to provide the Town of Penfield with Site Work Contract for services associated with the construction of the Project; and

WHEREAS, on December 20, 2024, at 10:00 AM local time, the following sealed bids for Site Work were received, opened, and read publicly from the following list of bidders:

Bayside Paving Contractor, Inc  
Genesee Construction Services

AND WHEREAS, the architect/engineer hired by the Town of Penfield for the Project, Bergmann/Colliers, reviewed the bids for each of the five (5) prime contracts (i.e., General Construction, Site Work, Plumbing, HVAC, and Electrical), interviewed the apparent low bidders with Town staff, prepared bid tabulations, and provided the Town of Penfield with its analysis of the bids prior to the Town Board work session on January 22, 2025; and

WHEREAS, the Town Board reviewed the submitted bids and the analysis provided and determined that it is in the best interest of the Town of Penfield to accept the low bid for Site Work; and

WHEREAS, Bayside Paving Contractor, Inc. was the lowest responsible and responsive bidder to meet the expectations and specifications of the bid package for a total cost of \$1,240,400.00; and

WHEREAS, the Town Board agreed to finance the Project using Town funds available from the Assigned Fund Balance in the in the Town’s General Fund.



NOW, THEREFORE, BE IT RESOLVED, that a contract is hereby awarded to Bayside Paving Contractor, Inc. to provide Site Plan Contract services in accordance with the Contract Documents for the Project for the total amount not to exceed \$1,240,400.00. This resolution and the bid submitted by Bayside Paving Contractor, Inc. shall constitute the contract; and

BE IT FURTHER RESOLVED, that said award is subject to submission and approvals of appropriate Bonds and Insurance documents, and Town of Penfield required contractual documents, which will be subject to the Town Attorney's approval. Once all Town reviews and approvals associated with the contract have been completed the contractor will be given Notice to Proceed with this contract; and

BE IT FURTHER RESOLVED, the Town Board authorizes the transfer of funds from the General Fund Assigned Fund Balance to Capital Account H86-1000-5031-0000 to pay for the services associated with this contract, not to exceed the amount of \$1,240,400.00

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T-061 DATE: February 5, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Awarding the Contract for Plumbing Contract Services for the Construction of the Clark House Renovation Project

WHEREAS, the Clark House Rehabilitation and Addition project (the “Project”) includes the rehabilitation of the original historic home, selective demolition of the remainder of the existing building, rehabilitation of the historic structure in accordance with the Certificate of Appropriateness and construction of a new addition that will provide a new town lodge space with outdoor patio and related site improvements; and

WHEREAS, this project was classified as a Type II action under the State Environmental Quality Review Act, per 617.5 C (25) and requires no further environmental analysis; and

WHEREAS, in accordance with NYS Wicks Law, the Project was divided into five (5) prime contracts: General Construction, Site Work, Plumbing, HVAC, and Electrical; and

WHEREAS, in accordance with Section 103 of Article 5-A of the General Municipal Law, sealed bids were sought and requested to furnish the Town of Penfield a bid to provide the Town of Penfield with Plumbing Contract for services associated with the construction of the Project; and

WHEREAS, on December 20, 2024, at 10:00 AM local time, the following sealed bids for Plumbing were received, opened, and read publicly from the following list of bidders:

DG Messmer Corp.  
Nairy Mechanical, LLC

AND WHEREAS, the architect/engineer hired by the Town of Penfield for the Project, Bergmann/Colliers, reviewed the bids for each of the five (5) prime contracts (i.e., General Construction, Site Work, Plumbing, HVAC, and Electrical), interviewed the apparent low bidders with Town staff, prepared bid tabulations, and provided the Town of Penfield with its analysis of the bids prior to the Town Board work session on January 22, 2025; and

WHEREAS, the Town Board reviewed the submitted bids and the analysis provided and determined that it is in the best interest of the Town of Penfield to accept the low bid for Plumbing; and

WHEREAS, DG Messmer Corp. was the lowest responsible and responsive bidder to meet the expectations and specifications of the bid package for a total cost of \$384,000.00; and

WHEREAS, the Town Board agreed to finance the Project using Town funds available from the Assigned Fund Balance in the in the Town’s General Fund.

NOW, THEREFORE, BE IT RESOLVED, that a contract is hereby awarded to DG Messmer Corp. to provide Plumbing Contract services in accordance with the Contract Documents for the Project for the total amount not to exceed \$384,000.00. This resolution and the bid submitted by DG Messmer Corp. shall constitute the contract; and

BE IT FURTHER RESOLVED, that said award is subject to submission and approvals of appropriate Bonds and Insurance documents, and Town of Penfield required contractual documents, which will be subject to the Town Attorney's approval. Once all Town reviews and approvals associated with the contract have been completed the contractor will be given Notice to Proceed with this contract; and

BE IT FURTHER RESOLVED, the Town Board authorizes the transfer of funds from the General Fund Assigned Fund Balance to Capital Account H86-1000-5031-0000 to pay for the services associated with this contract, not to exceed the amount of \$384,000.00.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T- 062 DATE: February 5, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Awarding the Contract for Electrical Contract Services for the Construction of the Clark House Renovation Project

WHEREAS, the Clark House Rehabilitation and Addition project (the “Project”) includes the rehabilitation of the original historic home, selective demolition of the remainder of the existing building, rehabilitation of the historic structure in accordance with the Certificate of Appropriateness and construction of a new addition that will provide a new town lodge space with outdoor patio and related site improvements; and

WHEREAS, this project was classified as a Type II action under the State Environmental Quality Review Act, per 617.5 C (25) and requires no further environmental analysis; and

WHEREAS, in accordance with NYS Wicks Law, the Project was divided into five (5) prime contracts: General Construction, Site Work, Plumbing, HVAC, and Electrical; and

WHEREAS, in accordance with Section 103 of Article 5-A of the General Municipal Law, sealed bids were sought and requested to furnish the Town of Penfield a bid to provide the Town of Penfield with Electrical Contract for services associated with the construction of the Project; and

WHEREAS, on December 20, 2024, at 10:00 AM local time, the following sealed bids for Electrical were received, opened, and read publicly from the following list of bidders:

Kaplan Schmidt Electrical

AND WHEREAS, the architect/engineer hired by the Town of Penfield for the Project, Bergmann/Colliers, reviewed the bids for each of the five (5) prime contracts (i.e., General Construction, Site Work, Plumbing, HVAC, and Electrical), interviewed the apparent low bidders with Town staff, prepared bid tabulations, and provided the Town of Penfield with its analysis of the bids prior to the Town Board work session on January 22, 2025; and

WHEREAS, the Town Board reviewed the submitted bids and the analysis provided and determined that it is in the best interest of the Town of Penfield to accept the low bid for Electrical; and

WHEREAS, Kaplan Schmidt Electrical was the lowest responsible and responsive bidder to meet the expectations and specifications of the bid package for a total cost of \$760,000.00; and

WHEREAS, the Town Board agreed to finance the Project using Town funds available from the Assigned Fund Balance in the in the Town’s General Fund.

NOW, THEREFORE, BE IT RESOLVED, that a contract is hereby awarded to Bayside Paving Contractor, Inc. to provide Electrical Contract services in accordance with the Contract

Documents for the Project for the total amount not to exceed \$760,000.00. This resolution and the bid submitted by Kaplan Schmidt Electrical shall constitute the contract; and

BE IT FURTHER RESOLVED, that said award is subject to submission and approvals of appropriate Bonds and Insurance documents, and Town of Penfield required contractual documents, which will be subject to the Town Attorney's approval. Once all Town reviews and approvals associated with the contract have been completed the contractor will be given Notice to Proceed with this contract; and

BE IT FURTHER RESOLVED, the Town Board authorizes the transfer of funds from the General Fund Assigned Fund Balance to Capital Account H86-1000-5031-0000 to pay for the services associated with this contract, not to exceed the amount of \$760,000.00.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T-063 DATE: February 5, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Awarding the Contract for HVAC Contract Services for the Construction of the Clark House Renovation Project

WHEREAS, the Clark House Rehabilitation and Addition project (the “Project”) includes the rehabilitation of the original historic home, selective demolition of the remainder of the existing building, rehabilitation of the historic structure in accordance with the Certificate of Appropriateness and construction of a new addition that will provide a new town lodge space with outdoor patio and related site improvements; and

WHEREAS, in accordance with NYS Wicks Law, the Project was divided into five (5) prime contracts: General Construction, Site Work, Plumbing, HVAC, and Electrical; and

WHEREAS, in accordance with Section 103 of Article 5-A of the General Municipal Law, sealed bids were sought and requested to furnish the Town of Penfield a bid to provide the Town of Penfield with HVAC Contract for services associated with the construction of the Project; and

WHEREAS, on December 20, 2024, at 10:00 AM local time, the following sealed bids for HVAC were received, opened, and read publicly from the following list of bidders:

Nairy Mechanical, LLC  
Bell Mechanical Contractor, Inc.

AND WHEREAS, the architect/engineer hired by the Town of Penfield for the Project, Bergmann/Colliers, reviewed the bids for each of the five (5) prime contracts (i.e., General Construction, Site Work, Plumbing, HVAC, and Electrical), interviewed the apparent low bidders with Town staff, prepared bid tabulations, and provided the Town of Penfield with its analysis of the bids prior to the Town Board work session on January 22, 2025; and

WHEREAS, the Town Board reviewed the submitted bids and the analysis provided and determined that it is in the best interest of the Town of Penfield to accept the low bid for HVAC; and

WHEREAS, Nairy Mechanical LLC was the lowest responsible and responsive bidder to meet the expectations and specifications of the bid package for a total cost of \$575,700.00; and

WHEREAS, the Town Board agreed to finance the Project using Town funds available, and assigned for this project, in the Town’s General Fund.

NOW, THEREFORE, BE IT RESOLVED, that a contract is hereby awarded to Nairy Mechanical LLC to provide HVAC Contract services in accordance with the Contract Documents for the Project for the total amount not to exceed \$575,700.00. This resolution and the bid submitted by Nairy Mechanical LLC shall constitute the contract.

BE IT FURTHER RESOLVED, that said award is subject to submission and approvals of appropriate Bonds and Insurance documents, and Town of Penfield required contractual documents, which will be subject to the Town Attorney's approval. Once all Town reviews and approvals associated with the contract have been completed the contractor will be given Notice to Proceed with this contract; and

BE IT FURTHER RESOLVED, the Town Board authorizes the use of funds from H86-1000-5031-0000 to pay for the services associated with this contract, not to exceed the amount of \$575,700.00

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T- 064 DATE: February 5, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Awarding the Contract for General Construction Contract Services for the Construction of the Clark House Rehabilitation and Addition Project

WHEREAS, the Clark House Rehabilitation and Addition project (the “Project”) includes the rehabilitation of the original historic home, selective demolition of the remainder of the existing building, rehabilitation of the historic structure in accordance with the Certificate of Appropriateness and construction of a new addition that will provide a new town lodge space with outdoor patio and related site improvements; and

WHEREAS, this project was classified as a Type II action under the State Environmental Quality Review Act, per 617.5 C (25) and requires no further environmental analysis; and

WHEREAS, in accordance with NYS Wicks Law, the Project was divided into five (5) prime contracts: General Construction, Site Work, Plumbing, HVAC, and Electrical; and

WHEREAS, in accordance with Section 103 of Article 5-A of the General Municipal Law, sealed bids were sought and requested to furnish the Town of Penfield a bid to provide the Town of Penfield with a General Construction Contract for services associated with the construction of the Project; and

WHEREAS, on December 20, 2024, at 10:00 AM local time, the following sealed bids for General Construction were received, opened, and read publicly from the following list of bidders:

Loyal Nine Development Corp.  
Genesee Construction Services, Inc.

AND WHEREAS, the architect/engineer hired by the Town of Penfield for the Project, Bergmann/Colliers, reviewed the bids for each of the five (5) prime contracts (i.e., General Construction, Site Work, Plumbing, HVAC, and Electrical), interviewed the apparent low bidders with Town staff, prepared bid tabulations, and provided the Town of Penfield with its analysis of the bids prior to the Town Board work session on January 22, 2025; and

WHEREAS, the Town Board reviewed the submitted bids and the analysis provided and determined that it is in the best interest of the Town of Penfield to accept the low bid for General Construction; and

WHEREAS, Loyal Nine Development Corp was the lowest responsible and responsive bidder to meet the expectations and specifications of the bid package for a total cost of \$2,939,900.00; and

WHEREAS, the Town Board agreed to finance the Project using Town funds available from the Assigned Fund Balance in the in the Town’s General Fund.



NOW, THEREFORE, BE IT RESOLVED, that a contract is hereby awarded to Loyal Nine Development Services to provide General Construction Contract services in accordance with the Contract Documents for the Project for the total amount not to exceed \$2,939,900.00. This resolution and the bid submitted by Loyal Nine Development Services shall constitute the contract; and

BE IT FURTHER RESOLVED, that said award is subject to submission and approvals of appropriate Bonds and Insurance documents, and Town of Penfield required contractual documents, which will be subject to the Town Attorney's approval. Once all Town reviews and approvals associated with the contract have been completed the contractor will be given Notice to Proceed with this contract; and

BE IT FURTHER RESOLVED, the Town Board authorizes the transfer of funds from the General Fund Assigned Fund Balance to Capital Account H86-1000-5031-0000 to pay for the services associated with this contract, not to exceed the amount of \$2,939,900.00.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 25T-065                      DATE 2/5/2025

BY LINDA TEGLASH    COMMUNITY SERVICES COMMITTEE

NAME AUTHORIZATION FOR SUPERVISOR TO SIGN RECREATION CONTRACTS

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following recreation contracts:

The Center for Youth EarthWorks Program, 905 Monroe Avenue, Rochester, NY 14620, instructor for youth outdoor education programs, 2/4/25-12/31/25, for a fee of 70% of total program revenue. Vouchers to be submitted at the conclusion of each program.

Soccer Shots, 95 Allens Creek Road, Bldg. 1, Suite 315, Rochester, NY 14618, instructor for youth soccer programs, 1/14/25-12/31/25, for a fee of 70% of total program revenue. Vouchers to be submitted at the conclusion of each program.

Jodi Marcello, 20 Falcon Trail. Pittsford, NY 14534, instructor for youth dance programs 01/30/25-12/20/25, for a fee of 70% of total program revenue. Vouchers to be submitted at the conclusion of each program.

Bravo! Creative Arts, 12 George St. Fairport, NY 14450, instructor for youth drama programs, 01/11/25-12/31/25, for a fee of 70% of total program revenue. Vouchers to be submitted at the conclusion of each program.

Mary Slaughter, 345 Lyndon Rd. Fairport, NY 14450, instructor for youth fitness programs, 01/20/25-12/20/25, for a fee of 70% of total program revenue. Vouchers to be submitted at the conclusion of each program.

Victory Fitness, 52 Depew St. Rochester, NY 14611, instructor for adult fitness programs, 01/14/25-12/20/25, for a fee of 70% of total program revenue. Vouchers to be submitted at the conclusion of each program.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_



PENFIELD TOWN BOARD RESOLUTION NO .25T-066 \_\_\_\_\_ DATE 2/5/2025

BY LINDA TEGLASH \_\_\_\_\_ COMMUNITY SERVICES COMMITTEE

NAME AUTHORIZATION FOR SUPERVISOR TO SIGN RECREATION CONTRACTS

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following recreation contracts:

The Center for Youth EarthWorks Program, 905 Monroe Avenue, Rochester, NY 14620, instructor for youth outdoor education programs, 2/4/25-12/31/25, for a fee of 70% of total program revenue. Vouchers to be submitted at the conclusion of each program.

Soccer Shots, 95 Allens Creek Road, Bldg. 1, Suite 315, Rochester, NY 14618, instructor for youth soccer programs, 1/14/25-12/31/25, for a fee of 70% of total program revenue. Vouchers to be submitted at the conclusion of each program.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_