



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

TOWN BOARD ORGANIZATIONAL MEETING AGENDA

Wednesday, January 8, 2025 6:30 PM

Supervisor Jeff Leenhouts, presiding

- I. Call to Order - Pledge of Allegiance - Roll Call
- II. Communications and Announcements
- III. Public Participation
- IV. Additions and Deletions to Agenda
- V. Approval of Minutes – November 20 & December 4, 2024
- VI. Petitions
- VII. Resolutions by Function

Law and Finance:

- 25T-001 Adoption of Town Board Rules and Procedures for 2025
- 25T-002 Adoption of Wage and Salary Schedule and Appointment of Officials and Employees for 2025
- 25T-003 Setting Holidays for Non-Union Employees for 2025
- 25T-004 Setting Holidays for Union Employees for 2025
- 25T-005 Monthly Reports to Town Board
- 25T-006 Designation of Official Newspapers for 2025
- 25T-007 Town Membership to Various Organizations for 2025
- 25T-008 Continuation of Petty Cash and Cash Drawer Funds
- 25T-009 Banking Arrangements for the Town of Penfield 2025
- 25T-010 Setting 2025 Salary for Chairs and Members of Planning, Zoning, Energy and Environmental Conservation Committee and Historic Preservation Boards
- 25T-011 Bonding of Town Officials and Employees
- 25T-012 Authorization for Contract for Legal Services
- 25T-013 Naming of Labor Relations Consultants of the Town of Penfield
- 25T-014 Naming of GIS Support Services by MRB Group to the Town of Penfield
- 25T-015 Authorization for Town Supervisor to Sign a Professional Service Contract With Barton & Loguidice for Environmental Services to the Town of Penfield for 2025-2026
- 25T-016 Authorization for the Supervisor to Execute Small Contracts
- 25T-017 Appointment of Chair to the Zoning Board of Appeals
- 25T-018 Appointment to Zoning Board of Appeals
- 25T-019 Appointments to the Planning Board
- 25T-020 Appointment of Chair to the Planning Board
- 25T-021 Authorize the Town Supervisor to Sign Contractual Agreement with Braman Post 1220 of the American Legion

TOWN BOARD ORGANIZATIONAL MEETING AGENDA

- 25T-022 Authorization for the Supervisor to Execute Change Orders
- 25T-023 Authorization to Sign Contracts with Court Stenographer
- 25T-024 Naming of an Architectural Consultant to the Town of Penfield
- 25T-025 Authorization for Town Supervisor to Sign a Professional Service Contract with Bruce Zaretsky & Associates for Landscape Consultant to the Town of Penfield for 2025-2026
- 25T-026 Authorization for Town Supervisor to Sign a Professional Service Contract with Costich Engineering for a Survey Consultant to the Town of Penfield for 2025-2026

Public Works:

- 25T-027 Setting Sewer Entrance Fees for 2025
- 25T-028 Authorization for Supervisor to Sign a Contract for Beaver Trapping Services with Donald C. Newcomb
- 25T-029 Appointment to Historic Preservation Board
- 25T-030 Appointment of Chair to Historic Preservation Board
- 25T-031 Appointments to Watershed Management Committee

Public Safety:

- 25T-032 Appointments to the Energy & Environmental Conservation Committee (EECC)
- 25T-033 Authorization for Supervisor to Sign a Contract for Security Services with Intercept Security Inc.
- 25T-034 Court Enforcement Officer Appointments
- 25T-035 Authorization of Temporary Assignment of Judges
- 25T-036 Appointments to the Transportation Committee

Community Services:

- 25T-037 Authorization for Supervisor to Sign Contract for Dayton's Corners School Coordinator
- 25T-038 Appointment of Local History Room Advisory Committee
- 25T-039 Appointments to the Parks and Recreation Advisory Board and Trails Committee
- 25T-040 Appointments to the Library Board

- VIII. Old Business
- IX. New Business
- X. Executive Session
- XI. Next Legislative Meeting: February 5, 2025
- XII. 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. _____

DATE January 8, 2025

BY Councilperson Lee

COMMITTEE: Law and Finance

NAME Adoption of Town Board Rules of Procedure for 2025

WHEREAS, pursuant to New York State Law, the Town Board has the ability to establish Rules of Procedure for their meetings;

NOW, BE IT RESOLVED, that the Rules of Procedure annexed hereto are hereby adopted, and

BE IT FURTHER RESOLVED, that a copy of the Rules of Procedure be available to the public on request from the Town Clerk, and that the Town Clerk will have available prior to each Town Board meeting a copy of the Rules of Procedure for review and inspection.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law & Finance

NAME Adoption of Wage and Salary Schedule and Appointment of Officials and
Employees for 2025

BE IT RESOLVED, that the Town Board hereby adopts the Wage and Salary Schedules effective for all pay dates on or after January 1, 2025. A listing of all Town Board approved positions for 2025, appointed officials, employees and their salaries is available in the Human Resources Department.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law & Finance

NAME: Setting Holidays for Non-Union Employees for 2025

BE IT RESOLVED, that the following dates are to be observed as holidays in 2025 for Non-Union employees in accordance with the policy on holidays as written in the Employee's Handbook.

Wednesday, January 1	New Year's Day
Monday, January 20	Martin Luther King Day
Monday, February 17	President's Day
Friday, April 18	Good Friday
Monday, May 26	Memorial Day
Thursday, June 19	Juneteenth
Friday, July 4	Independence Day Holiday
Monday, September 1	Labor Day
Monday, October 13	Columbus Day
Tuesday, November 11	Veterans Day
Thursday, November 27	Thanksgiving
Friday, November 28	Day After Thanksgiving
Thursday, December 25	Christmas

BE IT FURTHER RESOLVED, that one floating holiday will be observed on Friday, December 26, 2025.

Moved: _____

Seconded: _____

Vote:

Berry	_____
Lee	_____
Leenhouts	_____
Ockenden	_____
Teglash	_____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law & Finance

NAME: Setting Holidays for Union Employees for 2025

BE IT RESOLVED, that the following dates are to be observed as holidays in 2025 for Union employees in accordance with the collectively bargained agreement between the union (CSEA) and the Town.

Wednesday, January 1	New Year's Day
Monday, January 20	Martin Luther King Day
Monday, February 17	President's Day
Friday, April 18	Good Friday
Monday, May 26	Memorial Day
Thursday, June 19	Juneteenth
Friday, July 4	Independence Day Holiday
Monday, September 1	Labor Day
Monday, October 13	Columbus Day
Tuesday, November 11	Veterans Day
Thursday, November 27	Thanksgiving
Friday, November 28	Day After Thanksgiving
Thursday, December 25	Christmas

BE IT FURTHER RESOLVED, that one floating holiday will be observed on Monday, July 7, 2025.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law & Finance

NAME: Monthly Reports to Town Board

BE IT RESOLVED, that departments with financial receipts should submit a Monthly Report to the Town Board by the 10th of each following month. The reporting departments include Finance, Town Clerk and Tax Receiver. Reports should summarize progress in accomplishing approved priorities and goals and identify areas that may warrant special attention by the Town Board. Reports should also include a brief summary of major activities.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Designation of Official Newspapers for 2025

BE IT RESOLVED, that the Webster Herald, be designated as the official newspaper for the Town of Penfield for publication of notices, resolutions, local laws and ordinances. Additionally, the Democrat & Chronicle and/or the Daily Record may be designated as the official newspaper from time to time, for publication of notices, resolutions, local laws and ordinances.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Town Membership in Various Organizations in 2025

BE IT RESOLVED, that the following memberships for the Town of Penfield are hereby authorized for 2025 at the current annual dues:

1. Alliance for Community Media – Northeast, New York and US
2. American Planning Association
3. American Public Works Association
4. American Society of Civil Engineers
5. Association of Public Historians of New York State
6. Association of Towns
7. Cooperative Extension of Monroe County
8. Finger Lakes Building Officials Association
9. Genesee Valley Parks and Recreation Society
10. GIS/SIG Genesee/Finger Lakes Region
11. Government Appointed Historians of Western NY
12. Government Finance Officers Association
13. International Institute of Municipal clerks (IIMC)
14. International Association of Assessing Officers
15. Landmark Society of Western New York
16. Monroe County Assessors Association
17. Monroe County Town Clerks, Tax Receivers and Collectors Association
18. Monroe County Association of Town Superintendents of Highways
19. Monroe County Court Clerks Association
20. Monroe County Fire Marshals and Inspectors Association
21. Monroe County Historians Association
22. Monroe County Magistrates Association
23. Monroe County Storm Water Coalition
24. Monroe County Supervisors Association
25. National Association of Telecommunications Officers and Advisors
26. National Government Finance Officers Association
27. National Notary Association
28. National Public Employees Labor Relations Association
29. National Fire Protection Association
30. National Recreation and Parks Association
31. National Trust for Historic Preservation
32. New York Association of Local Government Records Officers
33. New York State Archives
34. New York State Assessors Association
35. New York State Association of Conservation Commissions
36. New York State Association of Tax Receivers and Collectors
37. New York State Association of Town Highway Superintendents
38. New York State Association of Towns
39. New York State Building Officials Conference
40. New York State Court Clerks Association

41. New York State Fire Marshals and Inspectors Association
42. New York State Institute of Assessing Officers
43. New York State Government Finance Officers Association
44. New York State Magistrates Association
45. New York State Recreation and Park Society
46. New York State Public Employees Labor Relation Association
47. New York State Town Clerks Association
48. New York State Turf Grass Association
49. New York State Water Environment Association
50. New York State Wildlife Management Association
51. New York State Floodplain & Storm Water Managers Association
52. Penfield Business Chamber
53. ROBEX – Rochester Builders Exchange
54. Society of Broadcast Engineers
55. Society for Human Resource Management
56. Youth Services Quality Council of Rochester & Monroe County
57. Western New York Chapter Appraisal Institute

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Continuation of Petty Cash and Cash Drawer Funds

BE IT RESOLVED, that the following petty cash funds are authorized in 2025 as follows:

Comptroller	\$200.00 Petty Cash
Town Clerk	\$275.00 Cash Drawer
Receiver of Taxes	\$275.00 Cash Drawer

AND, BE IT FURTHER RESOLVED, that the policy established by the Town Board Resolution #66 of February 4, 1980 and last revised on July 17, 2019, with the adoption of this resolution, continues to apply and all persons affected should have a copy of that Policy so they may be familiar with it to insure compliance.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE January 8, 2025

BY Councilperson Lee

COMMITTEE: Law and Finance

NAME Banking Arrangements for the Town of Penfield for 2025

BE IT RESOLVED, that the various accounts and other banking arrangements as listed below be continued:

CHECKING ACCOUNTS

Town Justice Account (2)	M&T Bank
General Consolidated Account (including amounts for other funds)	M&T Bank
Trust and Agency Account	M&T Bank
Debt Service Fund & Capital Account	M&T Bank
Town Clerk Account	M&T Bank
Town Clerk Account #2	M&T Bank
Receiver of Taxes Account	M&T Bank
Receiver of Taxes Refund Account	M&T Bank
Town of Penfield Checking Account	Key Bank
Property Management & Bid Deposit	M&T Bank

SAVINGS ACCOUNTS

F.F. Hagreen Bequest	M&T Bank
Town of Penfield Money Market	M&T Bank
Town of Penfield Money Market	Key Bank
Town of Penfield Investment Fund	NYCLASS

Moved: _____

Seconded: _____

Vote:

Berry	_____
Lee	_____
Leenhouts	_____
Ockenden	_____
Teglash	_____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE January 8, 2025

BY Councilperson Lee

COMMITTEE: Law & Finance

NAME Setting 2025 Salary for Chairs and Members of the Planning, Zoning, Energy and Environmental Conservation Committee and Historic Preservation Boards

BE IT RESOLVED, that the following annual salaries to be paid in twelve (12) equal monthly installments be in force for 2025:

Chair, Planning Board	\$3,702
Member, Planning Board	\$2,739
Chair, Zoning Board	\$3,136
Member, Zoning Board	\$2,172
Chair, Energy and Environmental Conservation Committee	\$1,919
Member, Energy and Environmental Conservation Committee	\$935
Chair, Historic Preservation Board	\$1,484
Member, Historic Preservation Board	\$518

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY Councilperson Lee

Committee: Law and Finance

NAME Bonding of Town Officials and Employees

BE IT RESOLVED, that the following be bonded as to form, amount and sufficiency as to the surety for the year 2025.

Supervisor	\$500,000
Receiver of Taxes	\$500,000
Town Comptroller	\$500,000
Town Clerk and Deputy Town Clerk	\$100,000
All other Town employees and officials	\$100,000
Blanket coverage per claim	\$400,000

AND, BE IT FURTHER RESOLVED, that the Supervisor is authorized and directed to insure that this coverage is in force with the carrier currently engaged by the Town.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Authorization for Contract for Legal Services

WHEREAS, the Town desires to continue with the law firm of McConville, Considine, Cooman & Morin, P.C. (the "Firm"), as Counsel to the Town and pay the Firm a retainer for the duties specified and to pay an additional hourly fee for representing the Town in actions and proceedings against various Town Boards, Officials and Employees; and

NOW, BE IT RESOLVED, that the Supervisor is authorized to sign a contract with McConville, Considine, Cooman & Morin, P.C., for one year, ending December 31, 2025 under the following conditions:

1. To be covered by a retainer to be paid in equal monthly installments:
 - a. Attend Town Board, Planning Board and Zoning Board of Appeals meetings as needed and/or requested by the Chairperson/Supervisor;
 - b. Prepare/assist in preparation of resolutions of the Town Board, Planning Board, and Zoning Board of Appeals;
 - c. Assist in ordinance and local law preparation and review.
 - d. Render legal advice to the Supervisor, Town Board, Planning Board, Zoning Board of Appeals, Historical Preservation Board and Conservation Board, and other Town Staff as requested by the Supervisor; and
 - e. Assume all duties of the Town Attorney as set forth in the Code of the Town of Penfield.

2. Additional work may be assigned by the Town Board and/or the Town Attorney. Cases may include tax certiorari, civil service, labor, Article 78/Declaratory Judgment and all court action against Town Boards, officials, and employees.

3. Said fees provided during his term as Town Attorney and this contract shall be approved by the Supervisor.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Naming of a Labor Relations Consultants to the Town of Penfield

BE IT RESOLVED, Bolanos Lowe, PLLC and Harris Beach, PLLC, be named Labor Relations Consultants for the Town of Penfield, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign contracts with the following consultants for an agreed upon fee depending on the nature of services rendered, to be approved by the Town Attorney; and

Bolanos Lowe, PLLC
Attorneys at Law
19 S. Main Street
Pittsford, NY 14534

Harris Beach, PLLC
Attorneys at Law
99 Garnsey Road
Pittsford, NY 14534

BE IT FURTHER RESOLVED, that the Town Board reserves the option to assign specific Labor Relation Consulting to internal staff and to other qualified Labor Consultants in addition to Bolanos Lowe and Harris Beach, necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2025 at an agreed upon fee depending on the nature of the services performed.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T - 014 DATE: January 8th, 2025

BY Councilperson Lee

COMMITTEE: Law and Finance

NAME Naming of GIS Support Services by MRB Group, to the Town of Penfield

BE IT RESOLVED, that MRB Group, 145 Culver Road, Suite 160, Rochester, NY 14620 be named GIS Support Services for the Town of Penfield and

BE IT FURTHER RESOLVED that the Supervisor is authorized to sign a contract with MRB Group, for various services provided by MRB Group, as GIS Support Services to the Town of Penfield for 2025.

BE IT FURTHER RESOLVED that the Town Board reserves the option to assign specific projects to internal staff and to other qualified GIS firms in addition to MRB Group, as necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2025 at an agreed upon fee depending on the nature of the services performed.

Moved: _____

Seconded: _____

Vote: Berry _____

 Lee _____

 Leenhouts _____

 Ockenden _____

 Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T - 015 DATE: January 8th, 2025

BY Councilperson Lee

COMMITTEE: Law and Finance

NAME Authorization for Town Supervisor to Sign a Professional Service Contract with Barton & Loguidice for Environmental Services to the Town of Penfield for 2025 thru 2026.

BE IT RESOLVED, that Barton and Loguidice, D.P.C., 443 Electronic Parkway, Liverpool NY 13088 be named a consultant for environmental projects with the Town of Penfield, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with Barton and Loguidice, D.P.C., for various services provided by Barton and Loguidice, D.P.C., as an Environmental Consultant to the Town of Penfield for the years 2025 thru 2026, and

BE IT FURTHER RESOLVED, that the Town Board reserves the option to assign specific projects to internal staff and to other qualified firms in addition to Barton and Loguidice, D.P.C., as necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2025 and 2026 at an agreed upon fee depending on the nature of the services performed.

Moved: _____

Seconded: _____

Vote: Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-016

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Authorization for the Supervisor to Execute Small Contracts

WHEREAS, the Town routinely enters into small contracts for various contractual services and,

WHEREAS, a significant number of such contracts are for amounts totaling less than \$10,000.00 and,

WHEREAS, the Town Board endeavors for efficient and timely processing of transactions for day-to-day operations,

BE IT RESOLVED, the Town Board hereby grants the Town Supervisor authorization to execute contracts up to \$10,000.00.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. ____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Appointment of Chair - Zoning Board of Appeals

BE IT RESOLVED, that Daniel DeLaus be appointed Chair of the Zoning Board of Appeals, for the year 2025 at an annual salary as established by the Town Board.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilman Lee

COMMITTEE: Law and Finance

NAME: Appointment to Zoning Board of Appeals

BE IT RESOLVED, that Daniel DeLaus and Andris Silins be appointed to the Zoning Board of Appeals for a three year term expiring December 31, 2027, at an annual salary as established by the Town Board.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY Councilperson Lee

COMMITTEE: Law & Finance

NAME Appointments to the Planning Board

BE IT RESOLVED, that Jim Burton be appointed to the Penfield Planning Board, for a three year term expiring December 31, 2027 at an annual salary as established by the Town Board.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Appointment of Chair to the Planning Board

BE IT RESOLVED, that Allyn Hetzke, Jr. be appointed Chair of the Planning Board for the year 2025, at an annual salary as established by the Town Board.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME Authorize the Town Supervisor to Sign Contractual Agreement with Braman Post 1220 of the American Legion

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign an Agreement with Braman Post 1229 of the American Legion, PO Box 4, Penfield, NY for 2025, and

BE IT FURTHER RESOLVED, that said Agreement shall be reviewed and acceptable to the Town Attorney.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Authorization for the Supervisor to Execute Change Orders

WHEREAS, the Town Board desires for projects to be completed in the most efficient and timely manner possible and,

WHEREAS, unforeseen issues may arise during the course of a project which require additional funding and Town pre-approval,

BE IT RESOLVED, the Town Board hereby grants the Town Supervisor the authority to execute change orders up to 10% of the Board awarded contract amount up to a maximum of \$10,000.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Lee

COMMITTEE Law and Finance

NAME: Authorization to Sign Contracts with Court Stenographer

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with Forbes Court Reporting Services, LLC as Court Stenographer for Bench and Jury Trials effective January 1, 2025 to December 31, 2025, unless earlier terminated by either of the parties. Form of contract to be acceptable to Town Attorney. Funds are appropriated in the 2025 Budget.

Moved: _____

Seconded: _____

Vote: Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-024 DATE: January 8, 2025

BY Councilperson Lee

COMMITTEE: Law and Finance

NAME Naming of an Architectural Consultant to the Town of Penfield

BE IT RESOLVED, that PLAN Architectural Studio, P.C., 250 South Avenue, Suite 100, Rochester, NY 14604 be named an Architectural Consultant for the Town of Penfield; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with PLAN Architectural Studio, P.C., as outlined in its letter, on file with the Town Clerk, which includes a schedule of fees for various services provided by PLAN Architectural Studio, P.C., as Architectural Consultant to the Town of Penfield for 2025-2026; and

BE IT FURTHER RESOLVED, that the Town Board reserves the option to assign specific projects to internal staff and to other qualified architectural firms in addition to PLAN Architectural Studio, P.C. as necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2025-2026 at an agreed upon fee depending on the nature of the services performed.

Moved: _____

Seconded: _____

Vote: Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T - 025

DATE: January 8th, 2025

BY Councilperson Lee

COMMITTEE: Law and Finance

NAME Authorization for Town Supervisor to Sign a Professional Service Contract with Bruce Zaretsky & Associates for Landscape Consultant to the Town of Penfield for 2025 thru 2026.

BE IT RESOLVED, that Bruce Zaretsky & Associates, 1965 Watson Hulbert Road, Macedon, NY 14502 be named a Landscape Consultant with the Town of Penfield for 2025 thru 2026, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with Bruce Zaretsky & Associates for various services provided by Bruce Zaretsky & Associates as a Landscape Consultant to the Town of Penfield for the years 2025 thru 2026, and

BE IT FURTHER RESOLVED, that the Town Board reserves the option to assign specific projects to internal staff and to other qualified firms in addition to Bruce Zaretsky & Associates as necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2025 and 2026 at an agreed upon fee depending on the nature of the services performed.

Moved: _____

Seconded: _____

Vote: Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T -026 DATE: January 8th, 2025

BY Councilperson Lee

COMMITTEE: Law and Finance

NAME Authorization for Town Supervisor to Sign a Professional Service Contract with Costich Engineering for a Survey Consultant to the Town of Penfield for 2025 thru 2026.

BE IT RESOLVED, that Costich Engineering, 217 Lake Avenue, Rochester, NY 14608 be named a survey consultant with the Town of Penfield, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with Costich Engineering for various services provided by Costich Engineering as a Survey Consultant to the Town of Penfield for the years 2025 thru 2026, and

BE IT FURTHER RESOLVED, that the Town Board reserves the option to assign specific projects to internal staff and to other qualified firms in addition to Costich Engineering, as necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2025 and 2026 at an agreed upon fee depending on the nature of the services performed.

Moved: _____

Seconded: _____

Vote: Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Setting Sewer Entrance Fees for 2025

WHEREAS, the Town Board established a Sewer Entrance Fee schedule for the Town of Penfield by adoption of Resolution #184 of 1979, and

WHEREAS, the Town of Penfield will collect a portion of these Sewer Entrance Fees for Monroe County Pure Waters, and

WHEREAS, these Sewer Entrance Fees shall be used to offset administrative expenses incurred through setting up new sewer accounts,

NOW, THEREFORE, BE IT RESOLVED, that the current Sewer Entrance Fee rate of **\$500** for residential properties and **\$600** for commercial properties will be extended through 2025, and

BE IT FURTHER RESOLVED, that the Town will remit **\$250** for each residential property and **\$350** for each commercial property to Monroe County Pure Waters.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-028

DATE: January 8, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Authorization for Supervisor to Sign a Contract for Beaver Trapping Services with Donald C. Newcomb

WHEREAS, from time to time, positive drainage is affected by Dams built by Beavers that cause flooding and property damage; and

WHEREAS, the Town of Penfield desires to eliminate flooding and property damage by removal of said Dams and Beavers from drainage ways; and

WHEREAS, Donald C. Newcomb is licensed by the NYS DEC to handle Nuisance Wildlife; and

NOW, THEREFORE BE IT RESOLVED, that the Town Supervisor, be and hereby is authorized to sign a one-year contract, beginning January 1, 2025 through December 31, 2025, with Donald C. Newcomb to trap and remove Beavers as directed by the Director of Public Works. The contract shall be in a form and substance acceptable to the Town Attorney; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that Donald C. Newcomb will be responsible to obtain any permits required from the NYS DEC for the trapping and removal of said Beavers and supply a copy of his NWCO license and copy of any required permits to the Town of Penfield with an invoice for services rendered.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Appointment to Historic Preservation Board

BE IT RESOLVED, that the following be appointed to the Historic Preservation Board for the terms listed below. An annual salary will be paid as established by the Town Board.

	<u>Term</u>
Charles Fox	25-29

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. _____

DATE: January 8, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Appointment of Chair to Historic Preservation Board

BE IT RESOLVED, that Thomas J. Combs, be appointed Chair of the Historic Preservation Board for the year 2025 at an annual salary as established by the Town Board.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-031

DATE: January 8, 2025

BY: Councilperson Ockenden

COMMITTEE: Public Works

NAME: Appointments to Watershed Management Committee

WHEREAS, the Town of Penfield has established a Watershed Management Committee to identify maintenance needs and erosion issues for its network of open watercourses, and

NOW, THEREFORE, BE IT RESOLVED, that the following persons be appointed to this committee for a term expiring December 31, 2025:

Mark Valentine, Chair	Town of Penfield Engineer
Linda Teglash	Town Board Liaison
Bob Mohr	Town of Penfield DPW
Mike O'Connor	Town of Penfield Engineering Dept.
Aimee Owens	Town of Penfield Engineering Dept.
Patrick Urckfitz	Town of Penfield DPW
Edward Freeman	
Michael Guyon	
Mike Simon	
Al Broccolo	
Donna Spinella	

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-032

DATE January 8, 2025

BY: Councilperson Berry

COMMITTEE: Public Safety

NAME: Appointments to the Energy & Environmental Conservation Committee (EECC)

BE IT HEREBY RESOLVED, that the following be appointed to the Energy & Environmental Conservation Committee for a term to expire December 31, 2025:

Chairperson: Cynette Cavaliere

Members: Arianna Cheremeteff
Stephen Daly
Roy Green
Katie Rygg
Pat Schichler

Town Board Liaisons: Kevin Berry

Town of Penfield Staff:

Mark Valentine, Town Engineer
Matt Prinzing, Planning Dept.
Sarah Waterman, Engineering Dept.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-033 DATE: January 8, 2025

BY: Councilperson Berry

COMMITTEE: Public Safety

NAME: Authorization for Supervisor to Sign a Contract for Security Services with Intercept Security Inc

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign a contract for Security Services with Intercept Security Inc, 1900 Empire Blvd #250, Webster, NY 14580, through December 31, 2025, to provide personnel security services to the Town. Said services are necessary to support public safety within and around the Town Justice Courts. The contract shall be in a form and substance acceptable to the Town Attorney.

Moved: _____

Seconded: _____

Vote: Berry _____

 Lee _____

 Leenhouts _____

 Ockenden _____

 Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-034

DATE January 8, 2025

BY Councilperson Berry

COMMITTEE: Public Safety

NAME Court Enforcement Officer Appointments

WHEREAS, Town Board Resolution #148 of February 5, 1999 established the position of Town of Penfield Court Enforcement Officer (Process Server),

NOW, BE IT RESOLVED, that Sandy Macaluso, PO Box 67164, Rochester, NY 14617 be appointed Town of Penfield Court Enforcement Officers for a term to expire December 31, 2025 at no salary and that duties and fees will be approved by the Town Board and Town Administrative Judge.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-035

DATE: January 8, 2025

BY: Councilperson Berry

COMMITTEE: Public Safety

NAME: Authorization of Temporary Assignment of Judges

BE IT RESOLVED, that the Town Board consents to the temporary assignment of Town of Penfield Justices to preside in other city/town/village and family courts in the Seventh Judicial District as need arises during the year 2025, and

BE IT FURTHER RESOLVED, that the Town Board approves the temporary assignment of Judges from other city/town/village and family courts in the Seventh Judicial District to the Penfield Justice Court as the need may arise during the year 2025.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-036

DATE January 8, 2025

BY: Councilperson Berry

COMMITTEE: Public Safety

NAME: Appointments to the Transportation Committee

BE IT HEREBY RESOLVED, that the following be appointed to the Penfield Transportation Committee for a term to expire December 31, 2025:

Laurie Enos
Tim Freiler
Mary Sweeney
Jason Ebbs

Captain Kevin Schoepfel
Lieutenant Bryan McCarthy
Monroe County Sheriff's Dept.

Dan McCusker
New York State Dept. of Transportation

Aimee Owens
Sarah Waterman
Mark Valentine, Chairman
Town of Penfield Engineering Department

Bob Mohr
Town of Penfield Department of Public Works

Jeff Leenhouts, Liasion
Town of Penfield

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

BY: Councilperson Teglash

COMMITTEE: Community Services

NAME: Authorization for Supervisor to Sign Contract for Dayton's Corners School Coordinator

BE IT RESOLVED that the Town Supervisor be authorized to sign a contract with Barbara Quinn as Coordinator of the Dayton's Corners School from January 1, 2025 through December 31, 2025 for a fee of \$4,100.00. Vouchers to be submitted monthly.

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-038

DATE: January 8, 2025

BY: Councilperson Teglash

COMMITTEE: Community Services

NAME: Appointment of Local History Room Advisory Committee

BE IT RESOLVED, that the following be appointed to the Local History Room Advisory Committee for a one (1) year term expiring December 31, 2025:

Jan Braman

Tom Kanaley

Linda Kohl

Lynne Marus

Mindy MacLaren

Diane Dayton Riley

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-039

DATE: January 8, 2025

BY: Councilperson Teglash

COMMITTEE: Community Services

NAME: Appointments to the Parks and Recreation Advisory Board and Trails Committee

BE IT RESOLVED, the following be appointed to the Parks and Recreation Advisory Board for a term ending December 31, 2025.

Chairman: William Lutomski

Vice-Chairman Don Hoyler

Members: J. Michael Allen
Ben Evenhouse
Julie Henrichs
Steve Van Hall

Town Staff Liaison Andrew Urckfitz
Tim Masterton

Town Board Liaison Linda Teglash

Trails Committee
Liaison Bob Ansaldi

WHEREAS, the Trails Committee is a sub-committee of the Parks and Recreation Advisory Board and will report as such,

BE IT RESOLVED, the following be appointed to the Trails Committee for a term ending December 31, 2025.

Chairman: Don Hoyler

Members: Bob Ansaldi
Peggy Ansaldi
Eleanor Hartquist
Liz Hoyler
Ed Lindskoog
Aileen Reis
Dawn Schafer
Denny Tripp
Richard Vaughn

Town of Penfield Staff: Joel Freeman
Town Board Liaison Linda Teglash

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

PENFIELD TOWN BOARD RESOLUTION NO. 25T-040

DATE: January 8, 2025

BY: Councilperson Teglash

COMMITTEE: Community Services

NAME: Appointments to the Library Board

BE IT HEREBY RESOLVED, that following be appointed to the Penfield Public Library Board of Trustees for the term as listed below:

Justin Araki	<u>Term</u>
Amanda Wickham	2025-2029
	2025-2029

Moved: _____

Seconded: _____

Vote:

Berry _____

Lee _____

Leenhouts _____

Ockenden _____

Teglash _____

CONTRACTUAL SERVICE AGREEMENT

THIS AGREEMENT, made the _____ day of _____ 2025 at Penfield, New York, by and between the TOWN OF PENFIELD, a municipal corporation with offices on 3100 Atlantic Avenue, Penfield, NY (hereinafter referred to as the "Town"), and

Donald C. Newcomb, 532 Kirk Road, Rochester, NY 14612 (hereinafter referred to as the "Service Provider").

WITNESSETH:

WHEREAS, the Town does desire to retain the services of the Service Provider for a specific purpose and duration, and such is the desire of the Service Provider, and the parties do desire to set forth the terms of their agreement and their relationship;

1. Nature and Plan of Services:

The Town does hereby retain the services of the Service Provider as a Beaver Trapper/Removal at Penfield, New York. The Service Provider does hereby accept and agree to perform such services, including the following:

Remove beavers from designated areas in Town of Penfield.

In addition, the Service Provider shall perform all such duties as are customarily performed, by undertaking the above-described service.

2. Term of Agreement:

The term of agreement shall be for a period as follows:

COMMENCING ON:	January 1, 2025
TERMINATING ON:	December 31, 2025

This agreement, however, shall be subject to prior termination by the Town for cause, such as, but not limited to, the non-performance of the contractual duties hereinabove described by the Service Provider.

3. Insurance:

The "Service Provider" agrees to procure and maintain insurance of the kinds and amounts herein after set forth on the Certificate of Liability Insurance annexed to the Agreement as Exhibit A. Further, the Service Provider agrees to indemnify and save harmless the Town, it's officers, employees, and agents against any and all claims, loss, damage, expenses, including reasonable attorney's fees and all other costs of litigation arising out of the services of the "Service Provider" hereunder

4. Payment and Reimbursement:

The Town shall pay the Service Provider as and for the above described service rendered, the sum of:

\$125 set up fee and \$95.00 per beaver removed

5. Nature of Relationship:

The parties agree and acknowledge that the Service Provider is an independent contractor and not an employee of the Town of Penfield. There shall be no benefits of any kind that shall accrue to the Service Provider, other than those specifically set forth in this Agreement. The Service Provider shall not have the authority to, nor shall undertake to, bind the Town to any contract, agreement, or liability of any nature.

IN WITNESS WHEREOF, the Parties have signed this Agreement at Penfield, New York.

TOWN OF PENFIELD

Date: _____ BY _____
Service Provider

Date: _____ BY _____
Jeff Leenhouts
Town Supervisor

CONTRACTUAL SERVICE AGREEMENT

THIS AGREEMENT, made the _____ day of _____, 2025 at Penfield, New York, by and between the TOWN OF PENFIELD, a municipal corporation with offices on 3100 Atlantic Avenue, Penfield, NY (hereinafter referred to as the "Town"), and the Braman Post 1229 of the American Legion, PO Box 4, Penfield, NY 14526, (hereinafter referred to as the "Service Provider"), (Federal Employer ID No. 194723.

WITNESSETH:

WHEREAS, the Town does desire to retain the services of the Service Provider for a specific purpose and duration, and such is the desire of the Service Provider, and the parties do desire to set forth the terms of their agreement and their relationship;

1. Nature and Plan of Services:

The Town does hereby retain the services of the Service Provider and the Service Provider does hereby accept and agree to perform such services, including but not limited to the following:

To provide flags to mark the graves of local veterans in cemeteries located in the Town of Penfield.

To provide and maintain lighting for the flagpole in Oakwood Cemetery.

To participate in the Memorial Day Ceremony at Veterans Memorial Park and provide general maintenance in said park.

To establish and maintain a Veterans Memorial Garden at Smith Cemetery.

In addition, the Service Provider shall perform all such duties as are customarily performed, by undertaking the above-described service.

2. Term of Agreement:

The term of agreement shall be for a period as follows:

COMMENCING ON:	January 1, 2025
TERMINATING ON:	December 31, 2025

This agreement, however, shall be subject to prior termination by the Town for cause, such as, but not limited to, the non-performance of the contractual duties hereinabove described by the Service Provider.

3. Compensation :

The Town shall pay the Service Provider the sum of One Thousand Dollars, (\$1,000.00), which sum shall be for all services rendered pursuant to this Agreement.

4. Nature of Relationship:

The parties agree and acknowledge that the Service Provider is an independent contractor and not an employee of the Town of Penfield. There shall be no benefits of any kind that shall accrue to the Service Provider, other than those specifically set forth in this Agreement. The Service Provider shall not have the authority to, nor shall undertake to, bind the Town to any contract, agreement, or liability of any nature.

5. Indemnification:

To the fullest extent permitted by law, the Service Provider shall indemnify and hold harmless the Town and its agents and employees from and against all claims, damages, losses, and expenses, including but not limited to reasonable attorney's fees, arising out of, relating to or resulting from the performance of services rendered.

IN WITNESS WHEREOF, the Parties have signed this Agreement at Penfield, New York.

TOWN OF PENFIELD

Date: _____

BY _____
Jeff Leenhouts
Town Supervisor

BRAMAN POST 1229 OF THE AMERICAN LEGION

Date: _____

BY _____
Post Commander

CONTRACTUAL SERVICE AGREEMENT

THIS AGREEMENT, effective the 1st day of January, 2025, at Penfield, New York, by and between the TOWN OF PENFIELD, a municipal corporation with offices at 3100 Atlantic Avenue, Penfield, New York (hereinafter referred to as the “Town”) and the Law firm of McConville, Considine, Cooman & Morin, hereinafter referred to as the “Service Provider” or the “Firm”:

WITNESSETH:

WHEREAS, the Town desires to continue with the law firm of McConville, Considine, Cooman & Morin, PC as General Counsel to the Town and to pay the firm a retainer for the duties specified and to pay an additional hourly fee for representing the Town in actions against various Town Boards, Officials and Employees, said fees to be approved by the Town Supervisor; and

WHEREAS, the Town desires the Scope of Service Provider’s services to include the services previously provided by the Town Attorney;

NOW THEREFORE, in consideration of the mutual promises made herein, and for other good and valuable consideration, the adequacy and receipt of which each party acknowledges by its signature below, the parties agree as follows:

1. The Firm shall provide legal services to the Town under the terms and conditions set forth herein.
2. **General Retainer.** The following legal services shall be covered by a retainer to be paid in equal monthly installments:
 - a. Attend meetings of the Planning Board, the Zoning Board of Appeals, and the Town Board as needed and/or requested by the Chairperson and Supervisor;
 - b. Prepare and/or assist in the preparation of resolutions of the Planning Board, the Zoning Board of Appeals, and the Town Board;
 - c. Assist in ordinance and local law preparation and review;
 - d. Render legal advice to the Supervisor, Town Board, Planning Board, Zoning Board of Appeals, Historical Preservation Board, Conservation Board, and other Town Staff as requested by the Supervisor; and
 - e. Assume all duties of the Town Attorney as set forth in the Code of the Town of Penfield.

3. **Hourly Retainer.** Additional work as may be assigned by the Town Board and/or the Supervisor and will be paid per hour. Cases may include tax certiorari, civil service, labor, Article 78/Declaratory Judgment and all court actions against Town Boards, officers, and employees.
4. **Term of Agreement.** The term of this Agreement shall be for one year, ending December 31, 2025. This Agreement, however, shall be subject to prior termination by the Town for cause, such as, but not limited to nonperformance of the contractual duties hereinabove described by the Service Provider.
5. **Payment and Reimbursement.** The Town shall pay the Service Provider in equal monthly installments of \$9,500 per month upon receipt of proper voucher. In addition, the Town shall pay **\$250.00** per hour to the Service Provider for any legal work assigned by the Town Supervisor, as the case may be. Payment shall be by monthly voucher, and shall include reasonable and necessary disbursements for filing fees, fees for service of process, and other necessary disbursements.
6. **Nature of Relationship.** The parties agree and acknowledge that the Service Provider is an independent contractor with the Town of Penfield. There shall be no benefits of any kind, which shall accrue to the Service Provider. The Service Provider shall not have the authority to, nor shall it undertake, to bind the Town to any contract, agreement or liability of any nature.

IN WITNESS WHEREOF, the parties have signed this Agreement at Penfield, New York.

Dated: _____

**McCONVILLE, CONSIDINE,
COOMAN & MORIN, P.C.**

TOWN OF PENFIELD

By: _____
Peter J. Weishaar, Esq.
President

By: _____
Jeff Leenhouts, Supervisor



November 5, 2024

Mr. Mark Valentine, PE
Planning Department Head
Town of Penfield
3100 Atlantic Avenue
Penfield, New York 14526

Re: **Consulting Services for the Town of Penfield – 2025-2026 (two-year term)**

Dear Mark:

It has certainly been a pleasure working with the Town of Penfield, and we look forward to the continuation of providing consulting services. Per your request, the following is a proposal for continued design review services for the Town for the years 2025 through 2026:

PLAN Architectural Studio, P.C. (PLAN Studio) is pleased to submit this proposal to provide architectural consulting services for development submissions in the Town of Penfield, according to the following work scope:

General Typical Project Scope of Work

- Review Drawings and/or Narrative Information Submitted by Development Applicant.
- Discuss Key Issues with the Town of Penfield Officials.
- Provide a Review and Recommendations Report that Outlines Element of Conformance and Non-Conformance utilizing the applicable Town Design Standards.

Typical Fee

We estimate that the following time will be required by our staff for a typical submission:

Principal Architect/Planner	6 hours @ \$180	<u>\$1,080</u>
Architectural Staff Level II	2 hours @ \$100	<u>\$200</u>

We propose to provide the above scope of services on an hourly basis for a fee not-to-exceed ONE THOUSAND TWO HUNDRED & EIGHTY (\$1,280.00). We reserve the right to propose and negotiate an increase in fee in the event a large and/or complex project is submitted, or if extensive documentation is required to be reviewed.

Payment

PLAN Studio will invoice on a bi-weekly basis for services and request payment in full within 30 days of the date of the invoice.

PLAN Architectural Studio, P.C.
250 South Avenue, Suite 100
Rochester, New York 14604
p 585-454-4230



Intellectual Property

PLAN shall maintain the rights and authorship of all work that is produced under the laws of the United States (title 17, U.S. Code).

Mark, we appreciate the opportunity to provide consulting services for you and we look forward to the continued success of the Town of Penfield. If the preceding proposal is acceptable please sign the enclosed copy and return it to us.

Respectfully,

A handwritten signature in blue ink, appearing to be 'C. Lopez', is written over a faint horizontal line.

Christopher P. Lopez, AIA, AICP, Principal
PLAN Architectural Studio, P.C.

Accepted for the Town of Penfield:

NAME _____

TITLE _____

DATE _____



PLAN ARCHITECTURAL STUDIO, P.C. - RATE SCHEDULE

FOR THE PERIOD:

JANUARY 1, 2025 THROUGH DECEMBER 31, 2025

**** RATE FOR THIS AGREEMENT (NOTE: PLAN STUDIO WILL HOLD THE 2025 FEE RATES FOR THE TOWN OF PENFIELD THROUGHOUT THE AGREEMENT PERIOD - DEC. 31, 2026)***

<u>PLAN STUDIO - CLASSIFICATIONS</u>	<u>* HOURLY BILLING RATE</u>
Principal – Architect	\$180.00
Principal – Planner	\$180.00
Principal – Asbestos Project Designer	\$180.00
Senior Associate	\$150.00
Associate / Senior Project Manager	\$145.00
Senior Project Manager	\$130.00
Project Manager	\$120.00
Project Architect / Field Architect	\$120.00
Architect	\$115.00
Architectural Staff – Level II	\$100.00
Architectural Staff - Level I	\$95.00
Architectural Staff	\$90.00
Interns & Support Staff	\$75.00

RULES OF PROCEDURE
FOR
PENFIELD TOWN BOARD MEETINGS, PUBLIC HEARINGS
AND PUBLIC INFORMATION MEETINGS

I. TOWN BOARD MEETINGS & PUBLIC HEARINGS

A. TIME, DATE & PLACE

1. Regular Meetings:

Penfield Town Board shall regularly meet the first Wednesday of each month at 6:30 PM in the Penfield Town Hall, Penfield, New York. The primary purpose of these meetings is for legislative actions. When such date falls on a legal holiday, the Town Board may set an alternate date and time of said meeting, or may dispense with said meeting. For good cause shown, the Supervisor is authorized to cancel Town Board meetings subject to rescheduling thereof.

Pursuant to Town Law §63, the Supervisor shall preside at the meetings of the Town Board. In the absence of the Supervisor, the Deputy Supervisor shall preside, or if no Deputy Supervisor has been appointed, or in the event the Deputy Supervisor is absent, then the other members of the Town Board shall designate one of their members to act as temporary Chairperson. A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn. It is the obligation of every member of the Board to vote on every issue, except where, in the judgement of the Board member, he/she has a potential conflict of interest in which case an abstain vote is in order. Such vote shall be taken by “ayes”, or “yes” and “nays”, or “no”, and the name of every member present and their vote shall be entered in the Minutes. Every act, motion or resolution shall require for its adoption the affirmative vote of a majority of all members of the Town Board.

2. Public Hearings:

Penfield Town Board shall regularly hold Public Hearings as required at the Penfield Town Hall, Penfield, New York. The primary purpose shall be to conduct Public Hearings required to be held by and before the Penfield Town Board.

3. Special Meetings:

Special meetings may be called by the Supervisor from time to time. The Supervisor shall call a special meeting within 10 days if requested in writing to do so, by not less than two (2) Town Board members. The time and date of the special meeting may be set at the discretion of the Supervisor. Said meetings scheduled less than one week in advance must be preceded by the same forms of notice given “to the extent practicable” at a reasonable time prior to the meeting. Said notice shall contain the proposed agenda items to be contemplated by said special meeting.

B. REGULAR AGENDA

The regular agenda shall be prepared by the Town Clerk and shall be available by 4:00 PM on the Friday before the scheduled Town Board Legislative Meeting. Said agenda shall be tentative only as to Town Board meetings, but shall be firm as to Public Hearings. Said agenda for Town Board meetings shall be tentative only, and items may be added, deleted or altered at the pleasure of the Town Board.

As nearly as possible, said agenda shall follow the following points and order:

1. Call to Order, Pledge of Allegiance, Roll Call
2. Communications and Announcements
 - a) From the Supervisor
 - b) From the Town Board Members
 - c) From the Town Clerk and Town Attorney
3. Public Participation
4. Consent Agenda
5. Additions and Deletions to Agenda
6. Approval of Minutes of Prior Meeting

7. Petitions Received
8. Resolutions by Function
 - a) Law & Finance
 - b) Public Works
 - c) Public Safety
 - d) Community Services

9. Old Business

10. New Business

11. Adjournment

C. FUNCTIONAL COMMITTEES

1. Standing Functional Committees:

The following shall be designated as areas of responsibility of the Penfield Town Board and shall be standing committees of the Penfield Town Board:

- a) Law and Finance
- b) Public Works
- c) Public Safety
- d) Community Services

2. Ad Hoc Committees:

Pursuant to Town Law, the Supervisor may designate ad hoc committees and appoint the members thereof at times and from time to time as the need may arise.

3. Composition Formation of Functional Committee:

Pursuant to Town Law, it is the prerogative of the Supervisor to appoint all committees, and the Supervisor shall appoint chairpersons to all standing functional committees and also the composition of each committee, which shall be not less than the chairperson, and the rest of the Town Board, thereon.

D. RESOLUTIONS

1. Pursuant to the Town Law, any Town Board member or the Supervisor may offer a resolution for consideration by the Town Board. All resolutions shall be presented to the Town Clerk, who shall time stamp each resolution in consecutive number as received and list each resolution on the agenda under the appropriate function heading, as requested by the author of each resolution, in the order received in each function heading.

2. Routine requests for resolutions by Town staff members or by the Supervisor, and any proposed resolutions from Town staff, the Supervisor or Town Board members may be directed through the office of the Supervisor to the appropriate function chairperson. Review of such resolutions and requests for resolutions shall be by the function chairperson alone, or the Town Supervisor, or with the full Town Board, depending on the nature of the resolution and at the discretion of the function chairperson. The function chairperson shall author or cause to be authored all resolutions from requests for resolutions.

3. All resolutions shall be submitted to the Town Clerk by 12:00 noon of the Friday, or in the case of a holiday, shall be submitted the Thursday before, preceding the next regular Town Board Legislative Meeting, and unless so submitted, may not be acted upon at the discretion of the Town Board, unless of a serious and urgent matter. All proposed resolutions tabled from prior meetings shall be carried under "Old Business". Proposed resolutions received too late to be listed under functional committees, may be considered as "New Business".

E. PARLIAMENTARY PROCEDURE & VOTING

1. Voting by the Town Board on each issue shall be by alphabetical roll call vote.

2. Except where inconsistent with the Laws of New York, or any other rules adopted by the Penfield Town Board, procedural questions shall be resolved by "Robert's Rules of Order". The Town Attorney shall serve as Parliamentarian.

II. MEETINGS OF STANDING COMMITTEES OF THE TOWN BOARD

A. TIME, DATE & PLACE

The Town Board shall meet in Work Session on the third Wednesday of each month at 6:30 PM at the Penfield Town Hall. Business will be conducted for each functional committee including Law and Finance, Public Works, Public Safety and Community Service.

When the scheduled date for such meeting falls on a legal holiday, the Town Board may set an alternate date and time of said meeting or may dispense with said meeting. Pursuant to New York State Law, all committee meetings of the Town Board shall be open to the public; however, pertaining to certain business, as may be appropriate and permitted by State law, portions of such meetings may be closed to the public in so-called "Executive Sessions". For an Executive Session to occur, a motion to go to Executive Session must be made, seconded and carried by not less than three (3) members present and the purpose for the Executive Session must be clearly stated and recorded in the minutes of the committee meeting. No minutes of the Executive Session will be maintained except where a decision is made.

B. AGENDA

There will be a formal agenda for committee/work sessions, which shall be prepared by the Supervisor and Town Clerk. This agenda may include consent agenda items and shall be available and distributed by the end of the day of the preceding Friday or in case of a holiday shall be submitted the Thursday before the scheduled committee meeting.

Each Committee Chairperson and Supervisor will submit agenda items to the Town Clerk by end of day Thursday prior to each scheduled work session. The agenda will include: a call to order, approval of minutes and functional committees broken down by (1) Action Items; (2) Information Items and (3) Held Items. If needed, there may be an Executive Session.

Items to be covered at any time, and from time to time, shall include:

1. Reports from standing committee chairperson;
2. Meetings with various appointed boards and committees in the Town;
3. Meetings with department heads, the Town Engineer and other consultants;
4. Items referred to the committee by the Town Board;

5. Communications and other pertinent business relating to the standing committee;
6. Executive Sessions as set forth herein above.

III. PUBLIC HEARINGS

Public Hearings shall be held as prescribed by law and conducted on the dates scheduled therefore by the Penfield Town Board. The Supervisor, Town Attorney, and/or Department Head shall give a concise statement of the purpose of the Public Hearing after the Town Clerk has read the notice thereof.

The purpose of a Public Hearing is to hear the public. No Town Board member, nor the Supervisor shall engage in prolonged discussion with any speaker, but shall listen to what each speaker has to say.

IV. CONDUCT OF THE PUBLIC

- A. Any person recognized by the Supervisor shall give name, address and the nature of his or her business, briefly.
- B. No such person has the right to demand an answer to a specific question from a member of the Board. All such questions should be directed to the Supervisor.
- C. No member of the public shall engage in any demonstration, booing, hand clapping or otherwise disrupt the formality of the Town Board meeting.
- D. No signs are permitted in the auditorium, for the safety of everyone.
- E. No member of the public shall be permitted to address the Town Board unless recognized by the Supervisor.
- F. Any person speaking to the Town Board with the consent of the Supervisor shall address his remarks to the Town Board, not to other members of the audience in the form of a debate.
- G. A Town Board meeting is an important Legislative session and it is expected that all members of the public will conduct themselves in a civil manner.
- H. Any person wishing to speak at a Public Hearing may, prior to the start of said hearing, complete an "Intent to Speak" form available from the Town Clerk. The completed form shall be given to the Town Clerk who will recognize the speakers as the hearing progresses. Additionally, the Supervisor will

recognize certain interests at the start of the hearing if such action will facilitate a more orderly and logical discussion of the subject of the hearing. In fairness to all members of the public, speakers are encouraged to focus on the facts of the matter at hand. Persons who have not indicated their intent to speak by completing the available form, may also have an opportunity to speak after all those who have signed forms have spoken. The public may also submit statements in writing. A speaker may be permitted to speak a second time by the Supervisor at his or her discretion, but only after everyone who wishes to speak a first time has spoken. During public hearings and public participation, the Supervisor may limit the time of participants to five (5) minutes per speaker.

I. Penfield Town Board agendas provide a segment of time for citizens to speak during legislative sessions, which is clearly defined early on the agenda. Persons may speak on any subject related to the Town and are not confined to items on the agenda. During public participation, the Supervisor may limit the time of participants to five (5) minutes per speaker.

J. No request for a show of hands or a "vote" of persons present on any matter is allowed.

K. Rules Letters "A", "B", "C", "D", "E", "F" "G" and "H" apply to Public Hearings, as well as to Town Board Meetings. A Public Hearing is not a legislative session.

L. To the extent members of the public or news media wish to photograph, record, or broadcast a meeting, such conduct shall be permitted unless it is obtrusive, disruptive, or interferes with the deliberative process or the right of persons in attendance to observe or listen to the proceedings. This determination may be made in the sole discretion of the Town Board.

V. CONSENT AGENDA

A. Items requiring a decision that are expected to require no discussion or debate may, at the Supervisor's option, be placed on the agenda under the heading "Consent Agenda." Such items may include, but are not limited to: approval of minutes; acceptance of departmental reports; budget transfers and related items; the establishment of committees and appointments to committees; the assessment of cost and expenses and the levy upon real property tax bills for property maintenance remediations; the delegation of authority to

grant or deny conditional use permits pursuant to the Penfield Town Code; and seasonal appointments and reappointments to positions in Town departments.

B. Items may be moved out of the consent agenda section at the request of any member of the Town Board prior to approval of the agenda. No motion or vote of the Town Board is required with respect to a request to move an item out of the consent agenda.

C. When a member of the Town Board requests that an item be moved out of the consent agenda section, the Supervisor shall decide where to place that item on the agenda.

D. Approval of the consent agenda by the Town Board shall be unanimous by those members present, and shall constitute approval of each of the items listed under the consent agenda portion of the meeting. No separate vote to approve items set forth in the consent agenda portion shall be required.

E. Items on the consent agenda, including any supporting documents, shall be distributed to board members and reviewed in advance of the meeting. When preparing the minutes, the Clerk shall include the full text of the resolutions, reports or recommendations that were adopted as part of the consent agenda.

VI. MISCELLANEOUS PROVISIONS

A. FILE OF COMMUNICATIONS AND PROPOSED RESOLUTIONS

In order to enable the citizens of the Town of Penfield to be apprised of proposed resolutions and of communications received by the Town, and in order to reduce the need for reading of routine communications during Town Board meetings, the Town Clerk shall prepare, or cause to be prepared, a file of all proposed resolutions to be acted upon at a Town Board meeting. A copy of the Rules of Procedure and said file shall be available for inspections by the public, one-half hour before, in a convenient place within the meeting hall.

B. SAVINGS CLAUSE

In the event that any clause, paragraph or portion of these Rules shall be deemed to be invalid by any Court or any governmental agency or authority having jurisdiction hereof, the balance of these Rules shall continue nevertheless in full force and effect and shall survive such determination.

C. EXECUTIVE ORDER COMPLIANCE

From time-to-time, meetings may be conducted remotely as may be permitted or required by applicable law and/or executive order, and such meetings will be recorded and broadcast live on the Town of Penfield website at www.penfield.org and on the Town's Government Access Channel 1303, together with any other procedures or requirements mandated by applicable law and/or executive order.

Effective: January 8, 2025