



# TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

## TOWN BOARD LEGISLATIVE AGENDA

Wednesday, December 4, 2024 6:30PM

Supervisor Jeff 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 a Proposed Multi-Family Development Consisting of Two (2) Apartment Buildings with 44-units to be located at 47 Willow Pond Way in the Willow Pond Planning Development District  
Public Hearing #2: To Consider a Proposed Local Law to Amend Town Code Chapter 250 to Establish Renewable Energy Systems Regulations
- IV. Public Participation
- V. Additions and Deletions to Agenda
- VI. Approval of Minutes -10/30/24 and 11/6/24
- VII. Petitions
- VIII. Resolutions by Function

### **Law and Finance**

24T-177 Appointment of Deputy Receiver of Taxes

24T-178 Authorize the Supervisor to Sign Lease Agreement with the Penfield Symphony Orchestra

24T-179 Authorizing Use of Remaining Funds From American Rescue Plan Act (ARPA) Allocated By Monroe County to Address Senior and Youth Projects

24T-180 Awarding a Contract for the Construction Related to the Replacement of the Channing Philbrick Park Pedestrian Bridge

24T-181 Authorization for Supervisor to Sign a Contract with the MRB Group for Construction Administration and Observation Services for the New Channing Philbrick Park Pedestrian Bridge Replacement Project

24T-182 Budget Amendment for the Construction of DPW Facility

24T-183 Budget Transfers for the General Fund and Budget Amendments in the General Fund

### **Public Works - None**

### **Public Safety - None**

### **Community Services**

- IX. Old Business : 24T-167 Parks & Rec Master Plan
- X. New Business - None
- XI. Executive Session
- XII. Next Meeting: January 8, 2024 (Organizational)
- XIII. Adjournment

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

**TOWN BOARD LEGISLATIVE AGENDA**

*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. 24T-167

DATE 12/4/2024

BY LINDA TEGLASH

COMMUNITY SERVICES COMMITTEE

NAME AUTHORIZATION TO ADOPT UPDATE TO THE TOWN OF PENFIELD RECREATION AND PARKS MASTER PLAN.

WHEREAS, the Penfield Town Board Resolution on September 6, 2023 authorized the 2024 Recreation and Parks Master Plan Five Year Update,

AND, WHEREAS, the Master Plan Update Committee, Parks & Recreation Advisory Board, and the Recreation Director have reviewed and now recommended the final draft be approved by the Town Board as submitted by the committee,

NOW, THEREFORE BE IT RESOLVED, the Penfield Town Board adopts the final 2024 Penfield Recreation and Parks Master Plan Five Year Update.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 24T- 177

DATE: December 04, 2024

BY Councilperson Lee

Law & Finance COMMITTEE

NAME Appointment of Deputy Receiver of Taxes

BE IT RESOLVED, that The Town of Penfield hereby appoints M&T Bank, 3 City Center, Suite 700, 180 S. Clinton Avenue, Rochester, NY 14604 as Deputy Receiver of Taxes for Town of Penfield.

NOW, THEREFORE, BE IT RESOLVED, that this resolution appoints M&T Bank Deputy Receiver of Taxes effective January 1, 2025.

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

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

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

PENFIELD TOWN BOARD RESOLUTION NO. 24T-178

DATE December 4, 2024

BY: Councilperson Lee

COMMITTEE: Law and Finance

Name: Authorize the Supervisor to sign Lease Agreement with the Penfield Symphony Orchestra

WHEREAS, the Town of Penfield desires to renew a Lease Agreement with the Penfield Symphony Orchestra to provide office space in the Don Mack Building, 1587 Jackson Road, Penfield;

NOW, BE IT RESOLVED, that the Supervisor is authorized to sign a Lease Agreement with the Penfield Symphony Orchestra for Office Space located in the Don Mack Building, 1587 Jackson Road, Penfield beginning on January 1, 2025 and ending on December 31, 2027.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 24T -179

DATE: December 4, 2024

BY: Councilperson Lee

Law and Finance Committee

NAME Authorizing Use of Remaining Funds from American Rescue Plan Act (ARPA) Allocated by Monroe County to Address Senior and Youth Projects

WHEREAS, the Town of Penfield received a total of \$431,712 in ARPA funds allocated by Monroe County to support senior and youth congregate projects and programs and previously allocated \$296,500 to address priority projects (Resolution 24T-166); and

WHEREAS, the Town Board has identified the replacement of the Channing Philbrick Park pedestrian bridges as a priority project that serves youth and seniors and wishes to apply the remaining \$135,212 in County-provided ARPA funding.

NOW THEREFORE BE IT RESOLVED, the Town Board authorizes the expenditure of the County-allocated funds to the project outlined above;

AND BE IT FURTHER RESOLVED, that Town Board recognizes the allocated funding amounts are estimates and authorizes the Town Comptroller to reassign the \$431,712 in ARPA funds among the project specified above and in the projects previously approved, as may be needed;

AND BE IT FURTHER RESOLVED, these projects will be completed in accordance with the Town’s procurement policies and all applicable federal and state regulations and guidelines.

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

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

Vote: Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 24T-180

DATE: December 4, 2024

BY Councilperson Lee

Law & Finance COMMITTEE

NAME Awarding a Contract for the Construction Related to the Replacement of the Channing Philbrick Park Pedestrian Bridge

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WHEREAS, the Town of Penfield is supportive of trails, hiking and interconnections between other communities; and

WHEREAS, the existing pedestrian bridges in Channing Philbrick Park has reached the end of their useful life and need to be replaced; and

WHEREAS, the town worked with the MRB Group to design a single aluminum pedestrian bridge to replace three smaller bridges within the park, along Irondequoit Creek; and

WHEREAS, sealed proposals were sought and duly advertised for the project as outlined within the plans and specifications on file with the Penfield Town Clerk; and

WHEREAS, on November 8, 2024, at 11:00 am the sealed bids for said project were received, opened and read publicly by the Town Clerk, see attached Appendix "A"; and

WHEREAS, the bid submitted by CMI Structural Solutions Inc was evaluated and was found to be the lowest responsible and responsive bidder for the specified improvements, and has met the Town's bidding requirements for this project; and

WHEREAS, the Town Board discussed the bids at its worksession on November 20, 2024, and voted to award the project to CMI Structural Solutions Inc; and

WHEREAS, via resolution, the Town Board allocated \$135,212 of funds received through the State and Local Fiscal Recovery Funds (SLFRF) Allocation Under the American Rescue Plan Act (ARPA) towards this project; and

WHEREAS, the Town Board hereby authorizes an appropriation from the General Assigned Fund balance in the amount of \$650,188 and further authorizes an amendment to the 2024 Adopted Budget to fund this project; and

NOW, THEREFORE, BE IT RESOLVED that the contract for the above project be, and hereby is, awarded to CMI Structural Solutions Inc for the total amount not to exceed \$785,400; and

BE IT FURTHER RESOLVED, that the 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 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.

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

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

Vote: Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_



PENFIELD TOWN BOARD RESOLUTION NO. 24T-181

DATE: December 4, 2024

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: Authorization for Supervisor to Sign a Contract With the MRB Group for Construction Administration and Observation Services for the New Channing Philbrick Park Pedestrian Bridge Replacement Project

BE IT RESOLVED, that the Supervisor is hereby authorized to sign a contract, not to exceed \$100,000 for services with MRB Group, 145 Culver Road, Suite 160, Rochester, NY 14620, to provide professional construction administration and observation for the new Channing Philbrick Park Pedestrian Bridge Replacement Project. This resolution and the proposal submitted by MRB Group shall constitute the contract. This agreement shall be reviewed and approved by the Town Attorney.

BE IT FURTHER RESOLVED, the Town Board approves the appropriation of \$100,000.00 from the Assigned General Fund Balance as an amendment to the 2024 budget for these administrative services.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 24T- 182 DATE: December 4, 2024

BY: Councilwoman Lee COMMITTEE: Law and Finance

NAME: **Budget Amendment for the Construction of DPW Facility**

Whereas, per resolution 23T-207, the Town Board, by the favorable vote of not less than two-thirds of all of the members of such Board; authorized the issuance of Bond Anticipation Notes in contemplation of General Obligation Serial Bonds to finance certain capital improvements consisting of the construction of a new DPW Facility; and

The plan for financing of said purpose is to provide (i) up to \$5,000,000 from such assigned general fund balance, and (ii) up to \$25,000,000 of such maximum cost by issuance of obligations as herein authorized; and

Additional temporary appropriations of \$2,500,000 are necessary prior to the anticipated date of issuance; and

It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Whereas, this project is the construction of the DPW Facility, the Board hereby authorizes the appropriation of \$2,500,000 from the General Fund Balance; and

Now Be it Resolved, the following 2024 budget amendment is hereby approved:

<u>Asset</u>	<u>Amount</u>	<u>Appropriations</u>	<u>Amount</u>
A00-1310-2401-0001	\$2,500,000	H86-5132-0004-4003	\$2,500,000
General Fund Conserved Balance		Recovery & Investment – DPW Facility	

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

PENFIELD TOWN BOARD RESOLUTION NO. 24T-183

DATE: December 4, 2024

BY: Councilperson Lee

COMMITTEE: Law and Finance

NAME: **Budget Transfers for the General Fund and Budget Amendments in the General Fund**

Whereas, transfers of funds are necessary for anticipated expenditures and reconciliations as the year end approaches; and

Whereas, amendments are necessary within the Recreation accounts due to enrollment changes and anticipated year end programming; and

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 attached 2024 budget transfers and amendments be approved.

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

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

Vote:

Berry \_\_\_\_\_

Lee \_\_\_\_\_

Leenhouts \_\_\_\_\_

Ockenden \_\_\_\_\_

Teglash \_\_\_\_\_

GENERAL FUND TRANSFERS					
TO	DESC.	AMOUNT	FROM	DESC.	AMOUNT
A00-7020-0004-4001	CC PROCESSING FEES	\$ 20,000.00	A00-7020-2665-0000	REC. SALE OF EQUIPMENT	\$ 20,000.00
A00-7020-0004-4185	RECREATION PRINTING	\$ 20,000.00	A00-7020-2705-0000	REC BROCHURE ADS	\$ 3,000.00
			A00-7140-2001-0018	YOUTH SPORTS	\$ 17,000.00
A00-7140-0001-1013	PLAYGROUNDS SEASONAL	\$ 70,000.00	A00-7140-2001-0025	PLAYGROUND REVENUE	\$ 45,000.00
			A00-7140-2001-0024	SWIM INSTRUCTION	\$ 25,000.00
A00-7140-0004-4017	YOUTH SPORTS	\$ 20,000.00	A00-7140-2001-0018	YOUTH SPORTS REVENUE	\$ 20,000.00
A00-7140-0004-4021	JUDO	\$ 6,000.00	A00-7140-2001-0008	JUDO REVENUE	\$ 6,000.00
A00-7140-0004-4022	PLAYGROUND SUPPLIES	\$ 1,000.00	A00-7140-2001-0025	PLAYGROUND REVENUE	\$ 1,000.00
A00-7140-0004-4026	EXCURSIONS	\$ 10,500.00	A00-7140-2001-0015	EXCURSIONS REVENUE	\$ 10,500.00
A00-7140-0004-4031	SOCCER LEAGUE	\$ 13,000.00	A00-7140-2001-0011	SOCCER LEAGUE REVENUE	\$ 13,000.00
A00-7140-0004-4032	YOUTH SPECIALTY	\$ 20,000.00	A00-7140-2001-0019	YOUTH SPECIALTY REVENUE	\$ 20,000.00
A00-7551-0004-4008	BAND CONCERTS	\$ 2,500.00	A00-7551-2001-0008	BAND CONCERT REVENUE	\$ 2,500.00
A00-7620-0004-4030	ADULT FITNESS	\$ 4,000.00	A00-7620-2001-0009	ADULT FITNESS REVENUE	\$ 4,000.00
A00-1220-0001-1011	SUPERVISOR FTE	\$110,700.00	A00-1220-0002-2100	AUTOMOBILE	\$ 3,200.00
			A00-1310-0001-1012	FINANCE PTE	\$ 4,600.00
			A00-1410-0004-4051	LEGAL NOTICES	\$ 3,100.00
			A00-1430-0004-4032	CONSULTANT SERVICES	\$ 2,500.00
			A00-1430-0004-4042	BOOKS & SUBSCRIPTIONS	\$ 500.00
			A00-1410-0001-1011	TOWN CLERK FULL TIME EMP	\$ 4,000.00
			A00-1440-0001-1013	ENGINEERING SEASONAL	\$ 10,000.00
			A00-1680-0001-1011	FULL TIME EMPLOYEES	\$ 49,200.00
			A00-1680-0002-2001	COPIER	\$ 20,000.00
			A00-3410-0001-1011	FIRE MARSHAL FULL TIME EMP	\$ 13,600.00
A00-1310-0001-1011	FINANCE FTE	\$ 7,000.00	A00-1310-0001-1012	FINANCE PTE	\$ 7,000.00
A00-1310-0004-4032	CONTRACTUAL SERVICES	\$ 6,000.00	A00-1310-0001-1012	FINANCE PTE	\$ 6,000.00
A00-1355-0004-4089	MISCELLANEOUS EXPENSES	\$ 10,500.00	A00-1355-0001-1011	ACCESSOR FTE	\$ 10,500.00
A00-1410-0001-1013	TOWN CLERK SEASONAL	\$ 250.00	A00-1410-0001-1011	TOWN CLERK FULL TIME EMP	\$ 250.00
A00-1620-0001-1014	FACILITIES OVERTIME	\$ 6,000.00	A00-1620-0001-1013	FACILITIES SEASONAL EMP	\$ 3,000.00
			A00-1620-0001-1011	FACILITIES FULL TIME EMP	\$ 3,000.00
A00-1620-0003-3009	BUILDING EQUIPMENT/REPAIRS	\$173,000.00	A00-1620-0003-3001	ROOF REPLACEMENTS	\$ 30,000.00
			A00-1620-0003-3005	REPLACE HVAC UNIT	\$ 60,000.00
			A00-3510-0001-1012	ANIMAL CONTROL PART TIME EMP	\$ 11,500.00
			A00-3620-0001-1012	BUILDING PART TIME EMP	\$ 20,600.00
			A00-3620-0002-2100	LIGHT DUTY EQUIPMENT	\$ 4,200.00
			A00-5010-0001-1012	HIGHWAY ADMIN PART TIME EMP	\$ 20,900.00
			A00-5010-0004-4077	SCHOOL & CONFERENCES	\$ 6,700.00
			A00-5010-0001-1011	HIGHWAY ADMIN FULL TIME EMP	\$ 19,100.00
A00-3510-0001-1014	ANIMAL CONTROL OVERTIME	\$ 8,280.00	A00-3510-0001-1012	ANIMAL CONTROL PART TIME EMP	\$ 8,280.00
A00-5410-0004-4001	SIDEWALK MAINTENANCE	\$ 20,000.00	A00-5410-0003-3015	NEW SIDEWALK INSTALLATION	\$ 20,000.00
A00-3410-0001-1012	FIRE MARSHAL PART TIME EMP	\$ 12,000.00	A00-3410-0001-1011	FIRE MARSHAL FULL TIME EMP	\$ 12,000.00
A00-1620-0004-4032	CONTRACTUAL SERVICES	\$ 10,000.00	A00-1620-0003-3010	TOWNWIDE SECURITY IMPROVEMENT	\$ 10,000.00
A00-1620-0004-4023	MAINTENANCE ACTIVITY	\$ 30,000.00	A00-5410-0003-3015	NEW SIDEWALK INSTALLATION	\$ 30,000.00
A00-1670-0004-4047	POSTAGE	\$ 8,000.00	A00-1680-0002-2200	EQUIPMENT COMPUTER	\$ 8,000.00
A00-8989-0001-1012	PCTV PTE	\$ 6,500.00	A00-8989-0001-1011	PCTV FTE	\$ 9,900.00
A00-8989-0001-1013	PCTV SEASONAL	\$ 3,400.00			
<b>Total Increases to Budget</b>		<b>\$598,630.00</b>	<b>Total Decreases to Budget</b>		<b>\$598,630.00</b>