

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held October 18, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

PRESENT:

William D. Reilich	Supervisor
Mike Barry, Jr.	Councilman
Andrew J. Conlon	Councilman
Diana Christodaro	Councilwoman
Brett Granville	Councilman

Cheryl M. Rozzi, Town Clerk
Brian Marianetti, Town Attorney

PLEDGE OF ALLEGIANCE:

Councilman Mike Barry led the Town Board in the Pledge of Allegiance. The invocation prayer was led by Pastor Gary Pfeiffer of MorningStar Christian Fellowship.

PROCLAMATIONS DELETIONS ADDITIONS TO THE AGENDA:

There were two proclamations awarded by the Town Board. The first was awarded to Raymond Mannhardt for earning the rank of Eagle Scout. The second was awarded to Kenneth Bowers for his quick action in responding to a man in distress and for preventing what could have been a fatal accident.

Next Supervisor Reilich invited Chief Patrick Phelan forward to administer the Oaths of Office to three (3) Greece Police Officers: Daniel Conway, David Murphy and Jacob Phelan.

PUBLIC FORUM:

An Open Forum was conducted to allow speakers the opportunity to address the Town Board. Two speakers addressed the Town Board and the Open Forum concluded at 6:25 p.m.

6:15 p.m. — Public hearing to consider the request submitted by The Home Depot to rezone 9± acres from BR (Restricted Business) to BG (General Business), on property located at 1250 West Ridge Road.

Supervisor Reilich declared the public hearing open at 6:15 p.m. to consider the request submitted by The Home Depot to rezone 9± acres from BR (Restricted Business) to BG (General Business), on property located at 1250 West Ridge Road.

Proof of publication in the Daily Record on Tuesday, October 4, 2016 was read and received. Representatives from The Home Depot presented an overview of the project. There were no speakers who addressed the Town Board and the hearing concluded at 6:34 p.m.

#308A- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, The Home Depot (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 1250 West Ridge Road; and

WHEREAS, having considered carefully all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. In summary, the Applicant/Project Sponsor's proposal (the "Proposal") is to rezone 9± acres of real property (the "Premises") from BR (Restricted Business) to BG (General Business). The Applicant/Project Sponsor proposes to lease approximately eight trucks from the Premises, a use which is not permitted in the BR zoning district. The Premises currently are occupied by a home improvement center, which consists of a building, a semi-enclosed area for garden and landscaping merchandise, and the parking lot for this use; the current use will remain. The Applicant/Project Sponsor proposes to store the trucks for rent in existing parking spaces, and proposes to use existing space within the building for the administration of the rental operation; no site modifications are proposed. The Premises are part of an existing commercial site (which includes 5.9± acres in addition to the Premises), which contains a various retail uses, a motor vehicle service facility, and paved parking for these uses. The proposed vehicular access for the Premises is via an existing signalized driveway at West Ridge Road (New York State Route 104, a seven-lane urban principal arterial street) and an unsignalized driveway at Mount Read Boulevard (Monroe County Route 150, a four-lane urban minor arterial); the remainder of the commercial site also

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has vehicular access via an unsignalized driveway at West Ridge Road. Existing land uses in the vicinity consist of single-family houses, apartment buildings, retail uses, offices, and motor vehicle sales, leasing, and service.

2. Upon review of the Proposal, the Town Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the Proposal constitutes an Unlisted action under SEQRA.
3. On October 18, 2016 at 6:15 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
5. The Town Board has carefully considered environmental information that was prepared by the Applicant/Project Sponsor's representatives or the Town's staff, which included but was not limited to: a project narrative; conceptual plans of the site; aerial photographs; and Part 1 of an Environmental Assessment Form (the "EAF"), which was prepared in part by using the New York State Department of Environmental Conservation's (the "NYDEC") online EAF Mapper application (collectively, the "Environmental Analysis").
6. The Town Board also has included in the Environmental Analysis and has carefully considered additional information submitted by the Applicant/Project Sponsor's representatives, including but not limited to: oral or written descriptions of the Proposal and the Project; maps and other drawings of the Proposal and the Project; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant/Project Sponsor's representatives.
7. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to: the Monroe County Department of Planning and Development; the Monroe County Department of Transportation (the "MCDOT"); the New York State Department of Transportation (the "NYSDOT"); and the Town's own staff.
8. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Town Board as of October 18, 2016.
9. The Town Board has carefully considered the Environmental Analysis, which examined the potential effects of the Proposal and the Project on the following principal relevant issues: vehicular traffic; storm water management; and compatibility with nearby uses. A summary of the analyses of these issues and the Town Board's reasoned elaboration supporting its determination of environmental significance follows.
10. Vehicular traffic.
 - a. Description of analysis and impacts. The Proposal consists of renting approximately eight trucks from the Premises, which is an existing commercial site. The trucks for rent, and the vehicles of the persons who come to the Premises to rent them, will not add a significant amount to the existing traffic volumes.
 - b. Design elements. The principal vehicular access for the Premises is at a signalized intersection.
 - c. Conclusions. The existing transportation network can accommodate the projected vehicular traffic from the Proposal.
11. Storm water management.
 - a. Description of analysis and impacts. The Premises consist of existing buildings, paved driveways and parking spaces, and landscaped areas. Because the Applicant/Project Sponsor proposes to store the trucks for rent in existing parking spaces, there is no increase to impervious surfaces, and no decrease to pervious surfaces.

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- b. Design elements. No changes to the Premises are proposed or required.
- c. Conclusions. The Proposal will not degrade existing storm water conditions on the Premises or on adjacent properties.

12. Compatibility with nearby uses.

- a. Description of analysis and potential impacts. The Premises currently consist of a home improvement center building, with a semi-enclosed area for garden and landscaping supplies, and the parking lot for this use. Existing land uses in the vicinity consist of single-family houses, apartment buildings, retail uses, offices, and motor vehicle sales, leasing, and service. The Applicant/Project Sponsor proposes to store the trucks for rent in existing parking spaces, and proposes to use existing space within the building for the administration of the rental operation; no site modifications are proposed. The proposed parking for the trucks is south of the building; the houses that are located closest to the Premises are north of the building.
- b. Design elements. The proposed parking of rental trucks is located away from as many existing houses as practicable.
- c. Conclusions. The Proposal will not have a significant adverse effect on the existing character of the surrounding area.

13. The Town Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.

14. The Town Board has met the procedural and substantive requirements of SEQRA.

15. The Town Board has carefully considered each and every criterion for determining the potential significance of the Proposal and the Project upon the environment, as set forth in SEQRA.

16. The Town Board has carefully considered (that is, has taken the required "hard look" at) the Proposal and the Project and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis and all additional information submitted.

17. The Town Board concurs with the information and conclusions contained in the Environmental Analysis.

18. The Town Board has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Town Board's determination is supported by substantial evidence, as set forth herein.

19. To the maximum extent practicable, the Proposal and the Project as originally designed or as voluntarily modified by the Applicant/Project Sponsor will minimize or avoid potential adverse environmental impacts that were revealed in the environmental review process.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Town Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Town Board determines that the Proposal and the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#308B- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, The Home Depot (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 1250 West Ridge Road; and

WHEREAS, having carefully considered all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

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1. In summary, the Applicant's proposal (the "Proposal") is to rezone 9± acres of real property (the "Premises") from BR (Restricted Business) to BG (General Business). The Applicant proposes to lease approximately eight trucks from the Premises, a use which is not permitted in the BR zoning district. The Premises currently are occupied by a home improvement center, which consists of a building, a semi-enclosed area for garden and landscaping merchandise, and the parking lot for this use; the current use will remain. The Applicant proposes to store the trucks for rent in existing parking spaces, and proposes to use existing space within the building for the administration of the rental operation; no site modifications are proposed. The Premises are part of an existing commercial site (which includes 5.9± acres in addition to the Premises), which contains a various retail uses, a motor vehicle service facility, and paved parking for these uses. The proposed vehicular access for the Premises is via an existing signalized driveway at West Ridge Road (New York State Route 104, a seven-lane urban principal arterial street) and an unsignalized driveway at Mount Read Boulevard (Monroe County Route 150, a four-lane urban minor arterial); the remainder of the commercial site also has vehicular access via an unsignalized driveway at West Ridge Road. Existing land uses in the vicinity consist of single-family houses, apartment buildings, retail uses, offices, and motor vehicle sales, leasing, and service.
2. Proof was had of the notice of a public hearing on a resolution proposing to amend said Official Zoning Map by rezoning 9± acres from BR (Restricted Business) to BG (General Business), relative to property located at 1250 West Ridge Road.
3. On October 18, 2016 at 6:15 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing.
6. The Premises are surrounded by the following zoning districts and land uses:

North: R1-E (Single-Family Residential)—single-family houses; RMH (Multiple-Family Residential)—apartment buildings.
Northwest: RMH (Multiple-Family Residential)—apartment buildings.
South: BG (General Business)—motor vehicle sales and leasing dealership; BP-2 (Professional Office)—single-family houses that are used as residences or have been converted to office uses.
East: PL (Public Land)—the highway right-of-way for Mount Read Boulevard; further east, RMH (Multiple-Family Residential)—apartment buildings.

West: BR (Restricted Business)—retail uses and a motor vehicle service center (tire sales and service).
7. The proposed zoning, use, density, and conceptual development plan for the Premises are consistent and compatible with the land uses that adjoin the Premises.
8. The size and shape of the Premises are suitable for the Proposal.
9. Public utility service and vehicular access are adequate for the Proposal.
10. The Proposal is consistent with general recommendations in the Town's 2001 Community Master Plan Update (the "Master Plan Update," completed September 18, 2001). The Proposal is located in the West Ridge Road Corridor Overlay Planning District in the Master Plan Update (p. IV-11; Figures 5 & 6). The Master Plan Update did not make specific recommendations for development or redevelopment in the eastern part of the West Ridge Road Corridor. However, the Master Plan Update (p. II-5, p. IV-11) noted that West Ridge Road is the most active commercial corridor in the Town, and is the Town's primary commercial corridor. The Proposal is consistent with the commercial character of the West Ridge Road Corridor.
11. On October 18, 2016, in accordance with the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), the Town Board issued a Negative Declaration for the Proposal and the Project (the "SEQRA Negative Declaration"). The SEQRA Negative Declaration indicated that, to the maximum extent practicable, the Proposal and the Project as originally designed or as voluntarily modified by the Applicant will minimize or avoid potential adverse environmental impacts that were revealed in the environmental review process. The SEQRA Negative Declaration is incorporated herein by reference as if fully set forth, as findings of the Town Board in its decision on the Proposal and the Project.

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NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the Official Zoning Map of the Town of Greece, New York, hereby be and the same is amended to change the zoning classification of 9± acres from BR (Restricted Business) to BG (General Business), relative to property located at 1250 West Ridge Road, as more particularly identified in the description attached hereto, subject to the following conditions:

1. The Applicant shall submit a request to the Town of Greece Planning Board for site plan and subdivision approval in order to address the details of site development issues, including but not limited to: landscaping and buffering; lighting; parking; vehicular and pedestrian access for the Premises; on-site vehicular and pedestrian circulation; utilities; grading; storm water management; and architectural appearance.
2. In the event of any conflict among the oral or written descriptions of the Proposal or the requirements or restrictions of this resolution, the Town Board, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.
3. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
4. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
5. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

6:16 p.m. — Public hearing to consider the request submitted by Hi-Style Development Corporation to rezone 10.86± acres from R1-18 (Single-Family Residential) to R1-8 (Single-Family Residential), on property located at 849± Flynn Road.

Supervisor Reilich declared the public hearing open at 6:35 p.m. to consider the request submitted by Hi-Style Development Corporation to rezone 10.86± acres from R1-18 (Single-Family Residential) to R1-8 (Single-Family Residential), on property located at 849± Flynn Road.

Proof of publication in the Daily Record on Tuesday, October 4, 2016 was read and received. Representatives from Hi-Style Development Corporation presented an overview of the project. There were five speakers who addressed the Town Board and the hearing concluded at 7:12 p.m.

Based on the information provided, Supervisor Reilich asked for a Motion to Reserve Decision on this application.

#309- Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board **RESERVE DECISION AT THIS TIME.**

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

6:17 p.m. — Public hearing to consider the application and proposed franchise agreement for Frontier Telephone of Rochester, Inc. to offer cable/video service in the Town of Greece.

Supervisor Reilich declared the public hearing open at 6:35 p.m. to consider the application and proposed franchise agreement for Frontier Telephone of Rochester, Inc. to offer cable/video service in the Town of Greece.

Proof of publication in the Daily Record on Tuesday, October 4, 2016 was read and received. Representatives from Frontier Telephone of Rochester, Inc. presented an overview of the project. There were five speakers who addressed the Town Board and the hearing concluded at 7:12 p.m.

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Based on the information provided, Supervisor Reilich asked for a Motion to Reserve Decision on this application.

#310- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board **RESERVE DECISION AT THIS TIME.**

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#311- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization for the Supervisor to enter into a contract between the Town of Greece and Lifespan of Greater Rochester, Inc., for professional services related to administration of the Home Safe Home program in the town, in an amount not to exceed \$10,000.00 (to be paid from the Town's 2016-2017 Community Development Block Grant funds), and

BE IT FURTHER

RESOLVED that the Supervisor is authorized to execute all related documents.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#312- Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to reappoint Thomas Wills III to a five-year term as a member of the Town of Greece Board of Assessment Review, effective October 1, 2016 (term to expire September 30, 2021).

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#313- Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to make various budget adjustments and transfers as per the list provided.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#314- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization for the Supervisor to enter into an agreement with IMS Inc. to provide pre-sort first class mail services for the town.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#315- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to accept a Letter of Credit in the amount of \$81,016.68 from Sciortino Homes to guarantee the public improvements associated with Lantana Station – Section 2.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#316- Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Barry:

BOND RESOLUTION DATED OCTOBER 18, 2016.

A RESOLUTION AUTHORIZING IMPROVEMENTS AT THE BRADDOCK BAY MARINA IN AND FOR THE TOWN OF GREECE, MONROE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,300,000 AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$1,300,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant environmental effects; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Greece, Monroe County, New York, as follows:

Section 1. Improvements at the Braddock Bay Marina in and for the Town of Greece, Monroe County, New York, including new docks, resurfacing parking areas and incidental improvements, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$1,300,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,300,000 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Greece, Monroe County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein

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and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the Greece Post, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

William Reilich VOTING Aye
Councilman Barry VOTING Aye
Councilman Granville VOTING Aye
Councilman Conlon VOTING Aye
Councilwoman Christodaro VOTING Aye

The resolution was thereupon declared duly adopted.

#317- Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant acceptance of an LISC Grant for vacant properties remediation and prevention in the amount of \$175,000.

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BE IT FURTHER,

RESOLVED that the Supervisor is authorized to sign all related documents.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#318- Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization to enter into various agreements (list attached) for programs associated with the operation of the Greece Community and Senior Center; further authorization for the Supervisor to execute said agreements.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#319- Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

Whereas, Ralph Honda proposes to construct a sidewalk, fill type retaining wall and fence on the south side of New York State Route 104 in the Town of Greece as shown on the approved NYSDOT Highway Work Permit plans prepared by T·Y·Lin International, and

Whereas, the State of New York will only allow the sidewalk, fill type retaining wall and fence to be constructed if the Town of Greece accepts responsibility for all maintenance and repairs of the sidewalk, fill, retaining wall, fence and appurtenances, and

Whereas, NYSDOT shall not be liable for any damage or injury to the applicant / property owner, its agents, employees, or to any other person, or to any property covered by the Highway Work Permit.

Now, therefore, be it resolved:

- Section 1. That upon construction of the sidewalk, fill type retaining wall and fence, the Town of Greece agrees to maintain and repair the sidewalk, fill, retaining wall, fence and appurtenances on the south side of Route 104 as shown on the approved plans for NYSDOT Highway Work Permit No. 2016045419.
- Section 2. To the fullest extent permitted by law, the Town of Greece agrees to defend, indemnify and hold harmless the State of New York, NYSDOT and their agents from and against all claims, damages, losses and expenses, including but not limited to, claims for personal injuries, property damage, wrongful death, and/or environmental claims and attorney fees arising out of any such claim, that are in any way associated with the applicants's / property owner's, activities or operations covered by the Highway Work Permit.
- Section 3. That this resolution shall take effect immediately.
- Section 4. That the Town Clerk is hereby directed to transmit two (2) certified copies of the foregoing resolution to the New York State Department of Transportation, 1530 Jefferson Road, Rochester, New York, 14623, Attn. David Goehring, Regional Traffic Engineer.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#320- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization for the Supervisor to enter into a contract with O'Brien & Gere Engineers, Inc., 400 Andrews, Suite 710, Rochester, NY 14604, to conduct an Engineering Analysis on the Town's four dams in an amount not to exceed \$66,610 and

BE IT FURTHER

RESOLVED that the Supervisor to execute all related documents.

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ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#321- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization for the Supervisor to enter into a contract with Wendel Engineering, 100 Chestnut Street, Suite 1110, Rochester, NY 14604, to conduct the streetlight system design for Harvest Drive in an amount not to exceed \$19,500 and

BE IT FURTHER

RESOLVED that the Supervisor is authorized to execute all related documents.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#322- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to extend the contract for Street Lighting Maintenance-Electrical for an additional six (6) months with no changes in pricing and contract terms with Powers and Construction Group, Inc., PO Box 30, Scottsville, NY 14546.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#323- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

WHEREAS, this Board has previously resolved to invite sealed bids for the Purchase of Two (2) 2017 Ford Fusions to Webster Ford, Inc. DBA Henderson Ford, 810 Ridge Road, Webster, New York in the amount of \$17,320.00. One other bid was received in the amount of \$17,800.00

WHEREAS on Tuesday August 9, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Webster Ford, Inc. DBA Henderson Ford	\$17,320.00
Genesee Valley Ford	\$17,800.00

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid to Webster Ford, Inc. DBA Henderson Ford, 810 Ridge Road, Webster, New York in the amount of \$17,320.00. Estimate of \$449,489.54.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Webster Ford, Inc. DBA Henderson Ford.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
 Nays 0

#324- Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that, pursuant to the requirements of section 103 of the General Municipal Law, sealed bids will be received at the Town Clerk's Office, Town of Greece, One Vince Tofany Boulevard, Greece, New York 14612, until 3:00 p.m., November 7, 2016, at which time they will be publicly opened and read aloud for the following:

- Sale of a Used Wegner Mobile Stage

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held October 18, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

All bids must be endorsed, with the title of purchase to which they relate, the name and address of the bidder, and shall be in conformity with the bidding sheets and specifications, which will be furnished by the Town Clerk and are now available, and be it further

RESOLVED, that the Town Board reserves the right to reject any and all bids received.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#325- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization to approve a contract with One Step Software for hosted application services. It is a three year contract not to exceed \$31,948.00.

BE IT FURTHER,

RESOLVED that the Supervisor is authorized to execute said agreement.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#326- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

WHEREAS, this Board has previously resolved to invite sealed bids for the Purchase of 2017 Ford Police Vehicles to Webster Ford, Inc. DBA Henderson Ford, 810 Ridge Road, Webster, New York in the amounts of \$26,789.00 - Ford Police Interceptor Utility; \$31,348.00- Ford F-150 SSV; \$32,219.00- Ford Expedition SSV. Two other bids were received, Genesee Valley Ford in the amount of \$27,211.00 – Ford Police Interceptor Utility; \$31,830.00 - Ford - F150 SSV; \$ 32,347.00 – Ford Expedition SSV. West Herr Ford in the amount of \$28,043.00- Ford Police Interceptor Utility; \$36,058.00; Ford – F150 SSV; \$33,715.00 - Ford Expedition SSV.

WHEREAS on Tuesday October 11, the following bids were received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Webster Ford, Inc. DBA Henderson Ford	\$26,789.00
	\$31,348.00
	\$32,219.00
Genesee Valley Ford	\$27,211.00
	\$31,830.00
	\$32,347.00
West Herr	\$28,043.00
	\$36,058.00
	\$33,715.00

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid to Webster Ford, Inc. DBA Henderson Ford, 810 Ridge Road, Webster, New York in the amounts of \$26,789.00, 31,348.00 and \$32,219.00.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Webster Ford, Inc. DBA Henderson Ford.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
Nays 0

#327- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that, pursuant to the requirements of section 103 of the General Municipal Law, sealed bids will be received at the Town Clerk's Office, Town of Greece, One Vince Tofany Boulevard, Greece, New York

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held October 18, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.
14612, until 3:00 p.m., November 7, 2016, at which time they will be publicly opened and read aloud for the following:

- 2017 Ford Explorers

All bids must be endorsed, with the title of purchase to which they relate, the name and address of the bidder, and shall be in conformity with the bidding sheets and specifications, which will be furnished by the Town Clerk and are now available, and be it further

RESOLVED, that the Town Board reserves the right to reject any and all bids received.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#328- Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to declare the following Library and Senior and Community Center items as scrap as per list attached.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#329- Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to enter into a contract with Healthy Vends to provide vending services at the Greece Public Library, to include the dispensing of K-cups coffee, tea and hot chocolate, as well as the capability to dispense cold drinks and snacks. This contract is for a period of one year.

BE IT FURTHER,

RESOLVED that the Supervisor is authorized to execute any necessary documents.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#330- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to appoint Justin Anderson as Special Police.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#331- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to settle the matter of *Miller v. Town of Greece, et al*; Case no. 11-CV-6219 incident date, December 20, 2009.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#332- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

WHEREAS the Proposed Budget of the Town of Greece for the fiscal year beginning January 1, 2017 has been prepared by the budget officer; and

WHEREAS, pursuant to Section 108 of Town Law, the Town Board is required to hold a public hearing to present and receive comments on the Proposed Budget;

NOW THEREFORE, BE IT

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held October 18, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

RESOLVED that pursuant to Section 108 of the Town Law, a Public Hearing will be held at the Greece Town Hall, One Vince Tofany Blvd., in said Town of the 7th day of November, 2016 at 5:30 p.m. for the purpose of hearing and considering any objections which may be made to the said Proposed Budget, and be it further

RESOLVED that a notice of such hearing be published in the official newspaper of the Town of Greece on Thursday, October 27, 2016, posted on the Town Clerk signboard.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
Nays 0

#333- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to appoint Justin Caccamise to the full time position of Motor Equipment Operator Trainee in the Department of Public Works, effective October 22, 2016.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#334- Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization to appoint Lauree Heise to the full time position of Receptionist in the Building Services Department, effective November 7, 2016.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#335- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

WHEREAS, this Board has previously resolved to invite sealed bids for the Purchase and Installation of Aluminum Floating docks to Robco Manufacturing Inc., P.O. Box 2600, Henderson, North Carolina and

WHEREAS, Robco had the low base bid meeting specifications of \$503,836.00. Two other bids were received, one from Northern Lights Docks for a base bid of \$516,768.00 and the second from Technidock Inc. for a base bid of \$544,277.00.

WHEREAS on Tuesday October 11, the following bids were received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Robco Manufacturing Inc.	\$503,836.00
Northern Lights Docks	\$516,768.00
Technidock Inc.	\$544,277.00

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid to Robco Manufacturing, Inc., P.O. Box 2600, Henderson, North Carolina in the amount of \$503,836.00.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Robco Manufacturing, Inc.

ADOPTED: Ayes 5 Reilich, Barry, Conlon, Christodaro, Granville
Nays 0

Meeting adjourned at 7:50 p.m.

November 9, 2016 Cheryl M. Rozzi
Date Cheryl M. Rozzi, Town Clerk

Town of Greece
 2016 Budget Modifications
 Town Board Agenda

October, 2016

	Action	Account	Description	Amount
1)	Transfers to reallocate funding for Stop DWI enforcement.			
	Transfer From	A.3315.0000.201	Stop DWI, Equipment	\$ (6,000.00)
	Transfer From	A.3315.0000.406	Stop DWI, Conferences	\$ (1,000.00)
	Transfer To	A.3315.0000.102	Stop DWI, Overtime	\$ 7,000.00
2)	To correct accounting codes for interfund transfers.			
	Transfer From	H.9950.0000.411	Interfund Transfer, Contracts	\$ (5,000,000.00)
	Transfer To	H.9950.0000.997	Interfund Transfer from Capital	\$ 5,000,000.00
	Transfer From	SS.9950.0000.291	Interfund Transfer, Infrastructure	\$ (338,688.28)
	Transfer To	SS.9950.0000.997	Interfund Transfer from Sewer	\$ 338,688.28
3)	Transfer to fund Code Enforcement Management System implementation.			
	Transfer From	A.3620.0000.101	Inspection, Salaries	\$ (15,000.00)
	Transfer To	A.3620.0000.412	Inspection, Software	\$ 10,739.00
	Transfer To	A.3620.0000.217	Computerware	\$ 4,261.00
4)	Transfer to purchase a second vehicle for Town Hall vehicle pool.			
	Transfer From	A.1620.0000.292	Building Services, Building Improvements	\$ (18,000.00)
	Transfer To	A.3620.0000.203	Inspection, Vehicles	\$ 18,000.00
5)	Transfer to fund Fire Marshal Inspection System for remote mobile operation.			
	Transfer From	A.3620.0000.101	Inspection, Salaries	\$ (35,000.00)
	Transfer To	A.3620.0000.217	Inspection, Computerware	\$ 3,052.00
	Transfer To	A.3620.0000.412	Inspection, Software	\$ 31,948.00
6)	To reclassify revenue to correct code.			
	Transfer From	A.2650.0000.000	Sale of Scrap	\$ (21,645.00)
	Transfer To	A.2665.0000.000	Sale of Equipment	\$ 21,645.00
7)	Transfer to fund equipment purchases.			
	Transfer From	DA.5130.0000.429	Machinery, Fuel	\$ (22,821.76)
	Transfer To	DA.5130.0000.203	Machinery, Vehicles	\$ 22,821.76
8)	To recognize the interest portion of the street lighting inter fund loan.			
	Transfer From	SL.9795.0000.601	Interfund Loans, Principal	\$ (45,000.00)
	Transfer To	SL.9795.0000.701	Interfund Loans, Interest	\$ 45,000.00
9)	To recognize an increase in Nutrition Program aid through the County.			
	Increase Appropriation	A.6772.0000.201	Nutrition Program, Equipment	\$ 5,000.00
	Increase Revenue Estimate	A.4772.0000.000	Federal USDA Aid	\$ 5,000.00
10)	To fund property maintenance activities through code enforcement.			
	Increase Appropriation	A.3650.0000.102	Property Maintenance, Overtime	\$ 10,000.00
	Increase Appropriation	A.3650.0000.411	Property Maintenance, Contracted Services	\$ 30,000.00
	Increase Appropriation	A.3650.0000.802	Property Maintenance, Social Security	\$ 500.00
	Increase Appropriation	A.3650.0000.804	Property Maintenance, Health Insurance	\$ 1,250.00
	Increase Appropriation	A.3650.0000.807	Property Maintenance, Medicare	\$ 250.00
	Increase Revenue Estimate	A.1570.0000.000	Code Enforcement Fees	\$ 42,000.00

Greece Library and CSC Scrap Items:

(3) Wood hardtop tables that are missing electrical boxes/cords.

(1) Upholstered wooden chair, broken arm and leg.

(20) red fitness mats--Very dirty

(5) Mini basketball hoops for kids--Broken

(4) Mini PVC Soccer goals--Broken

(1) Toddler roll around hoop--Broken

(5) Stiga Table Tennis Barriers--Broken

(2) Blue fitness floor Mats--Very Dirty

(6) 3 wheel big wheels--Broken

(16) Youth spectrum basketballs--Will not hold air

(1) Indoor soccer ball--will not hold air

(1) RCA Sound system-- Does not work

(2) AIWA Sound systems--Does not work

October CSC Items

- Vermont Systems Inc. , 12 Market Place, Essex Junction, VT 05452; Contract renewal for activity registration and facility reservation software.
- Dan Reardon, 525 Winona Blvd, Rochester, NY 14617; Contract to provide a presentation for the Time Out for Women program on November 9, 2016 in the amount of \$40.00.
- Christine Simons, PO Box 625, Webster, NY 14580; Contract to provide a presentation for the Time Out for Women program on November 2, 2016 in the amount of \$65.00.
- Geoff Clough, 18 Woodbine Park, Geneseo, NY 14454; Contract to provide entertainment for Meal Time Music program on October 26 in the amount of \$85.00.
- Johnny Matt Band, 792 Hightower Way, Webster, NY 14580; Contract to provide entertainment for the Thanksgiving Party on November 17, 2016 in the amount of \$350.00.
- John De Volder, 166 Haley Rd, Ontario, NY 14519; Contract to provide a presentation for the Time Out for Women program on November 16, 2016 in the amount of \$100.00.
- Richard Fantauzzo, 103 Kinmont Drive, Rochester, NY 14612; Contract to provide entertainment for the Friends and Fun program on October 27, 2016 in the amount of \$125.00.
- Joanne Crossman, 2538 Skelly Rd, Caledonia, NY 14423; Contract to provide presentation and materials for the Friends and Fun program on November 3, 2016 in the amount of \$170.00.
- Rick Ventura, 948 Edgemere Drive, Rochester, NY 14612; Contract to provide dj services for the CSC Family Halloween party on Friday October 28, 2016 in the amount of \$115.00.
- Traveling Cabaret, Phyllis Kravetz, 20 Onyx Drive, Penfield, NY 14526; Contract to provide entertainment for Senior Center on December 7 from 12:30-1:30pm in the amount of \$300.00