

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 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
Brett Granville	Councilman
Andrew J. Conlon	Councilman
Diana Christodaro	Councilwoman

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

EXCUSED:

None

PLEDGE OF ALLEGIANCE:

Councilman Mike Barry led the Town Board in the Pledge of Allegiance. Supervisor Reilich held a Moment of Silent prayer.

PROCLAMATIONS DELETIONS ADDITIONS TO THE AGENDA:

(Note: Supervisor Reilich took Items 33 and 34 out of Regular Agenda Order.)

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

RESOLVED that this Town Board grant authorization to appoint Marie McGowan to the position of Police Officer effective March 26, 2016.

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

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

RESOLVED that this Town Board grant authorization to appoint Greece Police Officer Andrew Potter to Sergeant effective March 26, 2016.

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

There were several proclamations awarded by Supervisor Reilich and the Town Board. Brenden Michael Ebertz received a proclamation, the first of its kind, as the Town of Greece Eagle Scout Recognition Award. His project was preparing and assembling a 12' x 20' shed for the Ronald McDonald house and included the efforts of three dozen builders and over four hundred hours of volunteer time.

Jennifer Preisser received a proclamation for being the recipient of the 2016 Pied Piper Award. The Pied Piper Award recognizes excellence in the creation of promotional materials for a library program or the creation of an individual program that promotes service to the young people of New York State Libraries.

She was also recognized for submitting her "1,000 Books Before Kindergarten and Baby Bugs Reading Program 2015". Her work was considered an outstanding example of programming for the Youth of the New York State and the Greece Community.

Jeremiah and Joshua West received a proclamation for going door-to-door in their neighborhood collecting bottled water and water filters to help the residents of Flint, Michigan who were in a state of emergency due to high levels of lead in the water. They collected over a thousand pounds of water which filled a school bus to be sent and distributed to the residents of Flint.

Supervisor Reilich then asked Chief Patrick Phelan to come forward to administer the Oaths of Office to Greece Police Officer Marie McGowan and Sergeant Andrew Potter.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

PUBLIC FORUM:

An Open Forum was conducted to allow speakers the opportunity to address the Town Board. Five speakers addressed the Town Board and the Open Forum concluded at 6:40 p.m.

PUBLIC HEARINGS:

6:15 p.m. - Public hearing to consider the request submitted by LIL Ridgecrest Plaza, LLC to rezone 0.76± acres from R1-E (Single-Family Residential) to BR (Restricted Business), on property located at 24, 32, 44 & 52 Newton Road.

Supervisor Reilich declared the public hearing open at 6:40 p.m. The representatives provided an overview of the project. There were 11 speakers and the hearing concluded at 7:15 p.m.

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

WHEREAS, LIL Ridgecrest Plaza, LLC (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 24, 32, 44, and 52 Newton 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 0.76± acres of real property from R1-E (Single-Family Residential) to BR (Restricted Business), and combine that land with an existing commercial site at 1978 West Ridge Road (collectively, the Premises"). The Premises consist of a former gas station, a vacant lot, and three houses. The Applicant/Project Sponsor proposes to construct on the Premises a commercial building (one story; 4000± square feet), with related site improvements (the "Project"). The proposed vehicular access to the Premises is via an unsignalized driveway at Newton Road (a Town-owned, two-lane, subdivision road), which connects to West Ridge Road (New York State Route 104, a seven-lane urban principal arterial street) at an unsignalized intersection; the Premises also would have access to an adjoining commercial plaza to the east. Existing land uses in the vicinity include but are not limited to: single-family houses; retail; and restaurants.
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 March 15, 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 were 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; a conceptual site plan; 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; maps and other drawings of the Proposal; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant/Project Sponsor's representatives.
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 New York State Department of Transportation; the Monroe County Department of Planning and Development; the Monroe County Department of Public Health; and the Town's own staff.

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 owners of nearby properties or other interested parties, and all other relevant comments submitted to the Town Board as of March 15, 2016.
8. The Town Board has carefully considered the Environmental Analysis, which examined the potential effects of the Proposal 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.
9. Vehicular traffic.
 - a. Description of analysis and impacts. The nature, location, and size/intensity of the Project do not warrant a traffic impact study; therefore, the Project is not likely to have a significant adverse effect on the existing transportation network.
 - b. Mitigation measures. No mitigation measures are required at this time.
 - c. Conclusions. The existing transportation network can accommodate the projected vehicular traffic from the Project without mitigation measures.
10. Storm water management.
 - a. Description of analysis and potential impacts. The Premises currently consist of three single-family houses and their driveways and lawns (at 32, 44, and 52 Newton Road); a vacant, grass-covered residential lot (at 24 Newton Road); and an abandoned gasoline dispensing station (at 1978 West Ridge Road) on which the New York State Department of Environmental Conservation is conducting a soil contamination cleanup effort. The Project includes the construction of a building and paved driveways and parking lots. Although there already is a significant amount of impervious surface cover on the Premises (rooftops and pavement), the Project has the potential for altering drainage patterns and volumes in the area by the construction of additional impervious surfaces and changes to the drainage characteristics of the area. The Project would create a need for on-site management of storm water runoff quality and quantity. The proposed changes to the Premises must comply with applicable federal, state, and local regulations, including the most recent storm water management guidelines promulgated by the NYSDEC.
 - b. Mitigation measures.
 - i. The Project will include provision of storm water management facilities on the Premises, to be designed to limit peak storm water discharge to rates that are below the pre-development level for precipitation events up to and including the 100-year storm. In order to manage storm water quantity and quality, the Applicant/Project Sponsor will construct one or more surface or subsurface detention facilities and will include "green infrastructure" practices. The storm water management facilities will be designed to include water quality improvement features consistent with the most recent guidelines promulgated by the NYSDEC.
 - ii. Standard construction procedures will be followed to control storm water runoff, erosion, and sedimentation during construction in accordance with all applicable regulations.
 - c. Conclusions.
 - i. The Project will not degrade existing storm water conditions on the Premises or on adjacent properties, and may present an opportunity to improve drainage conditions for adjacent properties.
 - ii. The Project will include features that are designed to improve storm water quality before runoff leaves the Premises.
 - iii. The proposed storm water management facilities will avoid or minimize potential adverse impacts on storm water runoff quantity and quality.

11. Compatibility with nearby uses

- a. Description of analysis and potential impacts. The Premises are located adjacent to existing residential and retail uses. A commercial plaza is located on the adjoining lot to the east. Single-family residences are located immediately to the north.
 - b. Mitigation measures. The Planning Board will require buffering for the residents that live nearby, and will require limitations on site lighting.
 - c. Conclusions. The Proposal will not have a significant adverse effect on existing character of the surrounding area.
12. The Environmental Analysis examined the relevant issues associated with the Proposal.
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 relevant 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, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant/Project Sponsor’s voluntary incorporation of mitigation measures that were identified as practicable.

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, Granville, Conlon, Christodaro
 Nays 0

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

WHEREAS, LIL Ridgecrest Plaza, LLC (the “Applicant”) 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 24, 32, 44, and 52 Newton 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’s proposal (the “Proposal”) is to rezone 0.76± acres of real property from R1-E (Single-Family Residential) to BR (Restricted Business), and combine that land with an existing commercial site at 1978 West Ridge Road (collectively, the Premises”). The Premises consist of a former gas station, a vacant lot, and three houses. The Applicant proposes to construct on the Premises a commercial building (one story; 4000± square feet), with related site improvements (the “Project”). The proposed vehicular access to the Premises is via an unsignalized driveway at Newton Road (a Town-owned, two-lane, subdivision road), which connects to West Ridge Road (New York State Route 104, a seven-lane urban principal arterial street) at an unsignalized intersection; the Premises also would have

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

access to an adjoining commercial plaza to the east. Existing land uses in the vicinity include but are not limited to: single-family houses; retail; and restaurants.

2. Proof was had of the notice of a public hearing on a resolution proposing to amend said Official Zoning Map by rezoning 0.76± acres from R1-E (Single-Family Residential) to BR (Restricted Business), relative to property located at 24, 32, 44, and 52 Newton Road.
3. On March 15, 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 residences.
South: R1-12 (Single-Family Residential)—a cemetery; BR (Restricted Business) and BG (General Business)—a variety of retail uses.
East: BR (Restricted Business)—a commercial plaza.
West: BR (Restricted Business)—vacant land and small commercial buildings; and R1-E (Single-Family Residential)—single-family residences.
7. The proposed zoning and use of the Premises are consistent and compatible with the zoning and uses that are adjacent to 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 Premises are located in the West Ridge Road corridor. The Town's 2001 Community Master Plan Update (the "Master Plan Update," completed September 18, 2001) noted that West Ridge Road is the Town's principal commercial corridor, and recommended that that continue.
11. On March 15, 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 (the "SEQRA Negative Declaration"). The SEQRA Negative Declaration indicated that, to the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant's voluntary incorporation of mitigation measures that were identified as practicable. 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.

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 0.76± acres from R1-E (Single-Family Residential) to BR (Restricted Business), relative to property located at 24, 32, 44, and 52 Newton 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 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, the site development plans for 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.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

4. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, successors, and assigns.
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, Granville, Conlon, Christodaro
Nays 0

6:16 p.m. — Public hearing to consider the request submitted by Ronald J. Berardi rezone 6.94± acres from R1-44 (Single-Family Residential) to RMS (Multiple-Family Residential – Senior Citizen), on property located at 839 North Greece Road.

Supervisor Reilich declared the public hearing open at 7:15 p.m. The representatives provided an overview of the project. There were 13 speakers and the hearing concluded at 8:35 p.m.

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

RESOLVED that this Town Board adopt a Motion to Reserve Decision on the above-stated application.

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

6:17 p.m. — Continuation of the public hearing to consider the request submitted by Indus Real Estate II, Inc. for a special use permit to operate a restaurant, to be known as Starbucks, on property located at 2585 West Ridge Road and 1271 Long Pond Road.

Supervisor Reilich declared the public hearing open at 8:35 p.m. The representative provided an overview of the project. There was 1 speaker and the hearing concluded at 8:57 p.m.

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

WHEREAS, Indus Real Estate II, Inc. (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, for a special use permit to operate a restaurant, to be known as Starbucks, on property located at 2585 West Ridge Road and 1271 Long Pond Road, in a BR (Restricted Business) Zoning District; 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 operate a restaurant in part of a new building that is to be constructed on the sites of two former commercial buildings, which have been or will be demolished (the “Premises”). The Proposal includes preparation, service, and sale of hot and cold beverages (principally coffee) and food (principally baked goods and breakfast and lunch items), for consumption on the Premises and for takeout, including a drive-up service window (with outdoor loudspeakers for ordering at the drive-up service window), along with retail sales of coffee and related merchandise. Weather permitting, outdoor seating for consumption of food and beverages will be provided on a limited basis in an area that is adjacent to the restaurant; in this area, an unattended sound system will play prerecorded music at low volume on outdoor loudspeakers. The Proposal does not include outdoor cooking or delivery service. Background music and live entertainment (as these terms are defined in the Town’s zoning ordinance) will not be provided on a recurring basis. Background music, live entertainment, and the Applicant/Project Sponsor’s sponsorship of, affiliation with, permission for, or participation in one-time or recurring special or promotional events on the Premises will be subject to the requirements and restrictions of the Code of the Town of Greece, New York, Chapter 175 (Special Events). The proposed hours of availability to the public are: Mondays through Sundays, 5:00 a.m. to 10:00 p.m. Vehicular access for the Premises is via unsignalized driveways at West Ridge Road (New York State Route 104, a seven-lane urban principal arterial street) and Long Pond Road (Monroe County Route 136, a one-way, two-lane urban minor arterial).
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.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

3. On January 19, 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. However, the Applicant/Project Sponsor had requested a continuation of the Hearing, and the Town Board therefore continued the Hearing to February 18, 2016.
4. On February 18, 2016 at 6:16 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. However, the Applicant/Project Sponsor again had requested a continuation of the Hearing, and the Town Board therefore continued the Hearing to March 15, 2016.
5. On March 15, 2016 at 6:17 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.
6. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
7. 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; a conceptual site plan; aerial photographs; illustrations of the exterior of the proposed building; 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 online EAF Mapper application; (collectively, the "Environmental Analysis").
8. 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; maps and other drawings of the Proposal; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant/Project Sponsor's representatives.
9. 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 New York State Department of Transportation (the "NYSDOT"); the Monroe County Department of Planning and Development; the Monroe County Department of Transportation (the "MCDOT"); the Monroe County Department of Public Health; the Town's Planning Board (the "Planning Board"); the Town's Board of Zoning Appeals (the "Board of Zoning Appeals"); and the Town's own staff.
10. 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 March 15, 2016.
11. The Town Board has carefully considered the Environmental Analysis.
12. The Environmental Analysis examined the relevant issues associated with the Proposal.
13. The Town Board has met the procedural and substantive requirements of SEQRA.
14. The Town Board has carefully considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.
15. The Town Board has carefully considered (that is, has taken the required "hard look" at) the Proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Information.
16. The Town Board concurs with the information and conclusions contained in the Environmental Information.
17. 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.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

18. To the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant/Project Sponsor's voluntary incorporation of mitigation measures that were identified as practicable.

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 will not have a significant adverse impact on the environment, which constitutes a negative declaration.

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

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

WHEREAS, Indus Real Estate II, Inc. (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, for a special use permit to operate a restaurant, to be known as Starbucks, on property located at 2585 West Ridge Road and 1271 Long Pond Road, in a BR (Restricted Business) Zoning District; 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's proposal (the "Proposal") is to operate a restaurant in part of a new building that is to be constructed on the former sites of two commercial buildings, which have been or will be demolished (the "Premises"). The Proposal includes preparation, service, and sale of food (principally baked goods and breakfast and lunch items) and hot and cold beverages (principally coffee), for consumption on the Premises and for takeout, including a drive-up service window (with outdoor loudspeakers for ordering at the drive-up service window), along with retail sales of coffee and related merchandise. Weather permitting, outdoor seating for consumption of food and beverages will be provided on a limited basis in an area that is adjacent to the restaurant; in this area, an unattended sound system will play prerecorded music at low volume on outdoor loudspeakers. The Proposal does not include outdoor cooking or delivery service. Background music and live entertainment (as these terms are defined in the Town's zoning ordinance) will not be provided on a recurring basis. Background music, live entertainment, and the Applicant's sponsorship of, affiliation with, permission for, or participation in one-time or recurring special or promotional events on the Premises will be subject to the requirements and restrictions of the Code of the Town of Greece, New York, Chapter 175 (Special Events). The proposed hours of availability to the public are: Mondays through Sundays, 5:00 a.m. to 10:00 p.m. Vehicular access for the Premises is via unsignalized driveways at West Ridge Road (New York State Route 104, a seven-lane urban principal arterial street) and Long Pond Road (Monroe County Route 136, a one-way, two-lane urban minor arterial).
2. Proof was had of the notice of public hearing on a resolution proposing to permit the Proposal.
3. On January 19, 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. However, the Applicant/Project Sponsor had requested a continuation of the Hearing, and the Town Board therefore continued the Hearing to February 18, 2016.
4. On February 18, 2016 at 6:16 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. However, the Applicant/Project Sponsor again had requested a continuation of the Hearing, and the Town Board therefore continued the Hearing to March 15, 2016.
5. On March 15, 2016 at 6:17 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.
6. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

7. At the conclusion of the Hearing, the Town Board closed the Hearing.
8. Access to the Premises and the size and shape of the Premises are adequate for the Proposal.
9. Public utility service and vehicular access are adequate for the Proposal.
10. On March 15, 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 (the "SEQRA Negative Declaration"). The SEQRA Negative Declaration indicated that, to the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant's voluntary incorporation of mitigation measures that were identified as practicable. 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.
11. Based on the Town Board's review of relevant documentary, testimonial, and other evidence, the location, nature, duration, and intensity of the Proposal: (a) will not adversely affect the orderly pattern of the development in the area; (b) will be in harmony with nearby uses; (c) will not alter the essential character of the nearby neighborhood, nor be detrimental to the residents thereof; (d) will not create a hazard to health, safety, or the general welfare; (e) will not be detrimental to the flow of traffic; and (f) will not place an excessive burden on public improvements, facilities, services, or utilities.
12. Having considered the Proposal and all additional information that may be relevant to the Proposal, it is in the public interest to grant the requested special use permit.

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 pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the request submitted by Indus Real Estate II, Inc. (the "Applicant") for a special use permit to operate a restaurant, to be known as Starbucks, on property located at 2585 West Ridge Road and 1271 Long Pond Road, in a BR (Restricted Business) Zoning District, hereby be and the same is approved and granted, subject to the following conditions:

1. The Applicant shall operate this restaurant in conformity with all details of the Proposal as presented in the written descriptions and site development plans of the Proposal, as orally described at the Hearing, and as set forth herein. In the event of any conflict among the oral or written descriptions of the Proposal, the site development plans 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.
2. The maximum occupancies in this restaurant shall be the limits established by the Town's Fire Marshal pursuant to the New York State Uniform Fire Prevention and Building Code.
3. The Applicant shall comply with all applicable federal, state, county, and Town laws, ordinances, codes, rules, and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code and all applicable requirements for the installation/maintenance of a grease trap. Failure to comply with such requirements may be grounds for revocation of this special use permit.
4. The Applicant shall provide vehicular cross access for the property at 1273 Long Pond Road.
5. The Applicant shall obtain Planning Board approval of a site plan 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; architectural appearance; and cross access with the property at 1273 Long Pond Road.
6. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
7. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
8. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any superseding or succeeding authority.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

9. Upon the sale or other transfer of controlling interest in this restaurant to any person or entity other than Indus Real Estate II, Inc., its wholly owned subsidiaries, its franchisors or its franchisees, a new application for a special use permit must be submitted to the Town Board.

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

6:18 p.m. — Public Hearing to consider the adoption of a proposed local law to amend Part II, Chapter 157, § 157-7, Vacant Structures, of the code of the Town of Greece, which would require owners of vacant structures to register with the Town, would require banks or lenders to provide a bond to secure maintenance of a property upon commencing foreclosure proceedings and would create increased penalties for repeated noncompliance with the Property Maintenance Code.

Supervisor Reilich declared the public hearing open at 9:02 p.m. Town Attorney Brian Marianetti provided an overview of the project. There was 1 speaker and the hearing was left open.

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

RESOLVED that this Town Board adopt a Motion to Continue Public Hearing during the April 18, 2016 Town Board meeting.

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

6:19 p.m. — Continuation of the public hearing to consider the request submitted by 999 Long Pond, LLC to rezone 7.28± acres from R1-18 (Single-Family Residential) and A-R (Agricultural) to BP-2 (Professional Office), on property located at 995 and 999 Long Pond Road and 19 Mill Road.

Supervisor Reilich declared the public hearing open at 9:25 p.m. The representative provided an overview of the project. There were 3 speakers and the hearing concluded at 9:51 p.m.

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

WHEREAS, 999 Long Pond, LLC (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 995 and 999 Long Pond Road and 19 Mill 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 7.28± acres of real property (the "Premises"), from R1-18 (Single-Family Residential) and A-R (Agricultural) to BP-2 (Professional Office). The Applicant/Project Sponsor's proposed project (the "Project") is to construct an office building (two stories; 49,000± square feet), with related paved driveways and parking, utilities, grading, landscaping/buffering, and other site modifications. The proposed vehicular access for the Premises is via unsignalized driveways at Long Pond Road (Monroe County Route 136, a four-lane urban minor arterial) and at Mill Road (Monroe County Route 251, a two-lane urban minor arterial). Existing land uses in the vicinity include but are not limited to apartments and townhouses for rent, single-family houses, a senior citizen residential facility (assisted living and memory care), a comfort care home, a funeral home, and a nonmedical office.
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 January 19, 2016 at 6:17 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal. However, the Applicant/Project Sponsor had requested a continuation of the Hearing, and the Town Board therefore continued the Hearing to February 18, 2016.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

4. On February 18, 2016 at 6:17 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. However, the Applicant/Project Sponsor again had requested a continuation of the Hearing, and the Town Board therefore continued the Hearing to March 15, 2016.
5. On March 15, 2016 at 6:17 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.
6. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
7. 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; a conceptual site plan; aerial photographs; a preliminary engineering report (the "Engineering Report"); a traffic impact study (the "Traffic Impact Study"); a cultural resource investigation (the "Cultural Resource Investigation"); 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").
8. 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.
9. 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 New York State Office of Parks, Recreation and Historic Preservation, Division of Historic Preservation (the "SHPO"); the Monroe County Department of Planning and Development; the Monroe County Department of Transportation (the "MCDOT"); the Monroe County Department of Public Health; the Monroe County Water Authority; the Town's Board of Zoning Appeals; the Town's Planning Board (the "Planning Board"); and the Town's own staff.
10. 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 March 15, 2016.
11. 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; compatibility with nearby uses; and preservation/demolition of the house at 999 Long Pond Road. A summary of the analyses of these issues and the Town Board's reasoned elaboration supporting its determination of environmental significance follows.
12. Vehicular traffic.
 - a. Description of analysis and impacts. The Traffic Impact Study evaluated vehicular traffic volumes and turning movements for the Premises. The Traffic Impact Study first examined existing road network and vehicular traffic conditions (including but not limited to volumes, turning movements, distribution, roadway conditions, and sight distances) in the vicinity of the Premises. Based on the existing vehicular traffic conditions, the Traffic Impact Study then applied a growth factor in order to project future conditions without the Project in the year in which the Project would reach full development. The Traffic Impact Study then used standard, nationally recognized data and methods (from the informational report, *Trip Generation Manual, 9th Edition*; Institute of Transportation Engineers, 2012) to estimate the vehicular traffic volumes and turning movements that would be generated by the Project. These estimates then were combined with the projected future conditions without the Project to project the total future vehicular traffic conditions when the Project would be fully developed. The Traffic Impact Study concluded that the existing road network could assimilate the projected vehicular traffic volumes with no significant adverse impacts, and would function at acceptable levels of service. The MCDOT concurred with this conclusion.

- b. Mitigation measures. The MCDOT has determined that the existing northbound left-turn lane on Long Pond Road may have to be modified in order to accommodate vehicles entering the Premises. The Applicant/Project Sponsor will comply with the requirements of the MCDOT.
- c. Conclusions. The existing transportation network can accommodate the projected vehicular traffic from the Project with minor mitigation measures.

13. Storm water management.

- a. Description of analysis and impacts. The Premises currently consist of undeveloped land covered by grass and succession-growth trees that followed the use of the Premises for agriculture. A tributary of Round Pond Creek flows generally from south to north on the western edge of the Premises. The Project includes the construction of a building and paved driveways and parking lots. The Project has the potential for altering drainage patterns and volumes in the area by the construction of impervious surfaces and changes to the drainage characteristics of the area. The Engineering Report examined existing and proposed topography on the Premises and existing drainage patterns on the Premises and adjoining lands. The Engineering Report concluded that the Project would create a need for on-site management of storm water runoff quality and quantity. The proposed changes to the Premises must comply with applicable federal, state, and local regulations, including the most recent storm water management guidelines promulgated by the NYSDEC.
- b. Mitigation measures.
 - i. The Project will include provision of storm water management facilities on the Premises, to be designed to limit peak storm water discharge to rates that are below the pre-development level for precipitation events up to and including the 100-year storm. In order to manage storm water quantity and quality, the Applicant/Project Sponsor will construct one or more surface or subsurface detention facilities and will include “green infrastructure” practices. The storm water management facilities will be designed to include water quality improvement features consistent with the most recent guidelines promulgated by the NYSDEC.
 - ii. Standard construction procedures will be followed to control storm water runoff, erosion, and sedimentation during construction in accordance with all applicable regulations.
- c. Conclusions.
 - i. The Project will not degrade existing storm water conditions on the Premises or on adjacent properties, and may present an opportunity to improve drainage conditions for adjacent properties.
 - ii. The Project will include features that are designed to improve storm water quality before runoff leaves the Premises.
 - iii. The proposed storm water management facilities will avoid or minimize potential adverse impacts on storm water runoff quantity and quality.

14. Compatibility with nearby uses.

- a. Description of analysis and potential impacts. Existing land uses in the vicinity of the Premises include but are not limited to apartments and townhouses for rent, single-family houses, a senior citizen residential facility (assisted living and memory care), a comfort care home, a funeral home, and a nonmedical office. The Project consists of a two-story office building (49,000± square feet), with related paved driveways and parking, utilities, grading, landscaping/buffering, and other site modifications.
- b. Mitigation measures.
 - i. The proposed building is located away from as many existing houses as practicable. Placing the building at other locations on the Premises would put it closer to more houses.

- ii. Existing trees that are along the tributary of Round Pond Creek, on the west side of the Premises, will not be removed.
 - iii. A landscaped berm will be provided along the south side of the Premises to buffer the proposed parking lot from the residents to the south.
 - iv. Site lighting will be contained on the Premises, and light sources will be aimed and/or shielded to minimize intrusion on nearby residents.
 - v. The Planning Board will require additional buffering around the perimeter of the Premises.
- c. Conclusions. The Proposal will not have a significant adverse effect on existing character of the surrounding area.
15. Preservation/demolition of the house at 999 Long Pond Road.
- a. Description of analysis and potential impacts. The Project includes the proposed demolition of an existing house on the Premises, at 999 Long Pond Road. This house is eligible to be listed on the National Register of Historic Places, despite changes to the exterior of the house and to the site, and the removal of a barn. This house is on the Town's list of 101 sites of historical importance based in part on its being associated with the agricultural heritage of the Town ("An Architectural and Historical Survey of One Hundred and One Selected Sites in the Town of Greece, Monroe County, New York." The Landmark Society of Western New York, Inc. 1995). The Applicant/Project Sponsor is working with the SHPO to determine whether it is permissible to demolish the house. If the SHPO determined that the house must be preserved, the Applicant/Project Sponsor would comply with such decision. If the SHPO determined that the house may be removed/demolished, the Town would not object to such decision.
 - b. Mitigation measures. The Applicant/Project Sponsor has proposed, and the SHPO is evaluating, alternatives to retaining the house, including but not limited to: providing documentation (to the satisfaction of the SHPO) of the house and ancillary structures on the Premises; and preserving artifacts from the house.
 - c. Conclusions. If the house at 999 Long Pond Road is removed/demolished, mitigation measures proposed by the Applicant/Project Sponsor and approved by the SHPO will result in no significant adverse impact on the environment.
16. The Town Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
17. The Town Board has met the procedural and substantive requirements of SEQRA.
18. 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.
19. 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.
20. The Town Board concurs with the information and conclusions contained in the Environmental Analysis.
21. 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.
22. To the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant/Project Sponsor's voluntary incorporation of mitigation measures that were identified as practicable.

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

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

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, Granville, Conlon, Christodaro
Nays 0

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

WHEREAS, 999 Long Pond, LLC (the "Applicant") 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 995 and 999 Long Pond Road and 19 Mill Road; and

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

1. In summary, the Applicant's proposal (the "Proposal") is to rezone 7.28± acres of real property (the "Premises"), from R1-18 (Single-Family Residential) and A-R (Agricultural) to BP-2 (Professional Office). The Applicant's proposed project (the "Project") is to construct an office building (two stories; 49,000± square feet), with related paved driveways and parking, utilities, grading, landscaping/buffering, and other site modifications. The proposed vehicular access for the Premises is via unsignalized driveways at Long Pond Road (Monroe County Route 136, a four-lane urban minor arterial) and at Mill Road (Monroe County Route 251, a two-lane urban minor arterial). Existing land uses in the vicinity include but are not limited to apartments and townhouses for rent, single-family houses, a senior citizen residential facility (assisted living and memory care), a comfort care home, a funeral home, and a nonmedical office.
2. Proof was had of the notice of a public hearing on a resolution proposing to amend said Official Zoning Map by rezoning 7.28± acres from R1-18 (Single-Family Residential) and A-R (Agricultural) to BP-2 (Professional Office), relative to property located at 995 and 999 Long Pond Road and 19 Mill Road.
3. On January 19, 2016 at 6:17 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal. However, the Applicant/Project Sponsor had requested a continuation of the Hearing, and the Town Board therefore continued the Hearing to February 18, 2016.
4. On February 18, 2016 at 6:17 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. However, the Applicant/Project Sponsor again had requested a continuation of the Hearing, and the Town Board therefore continued the Hearing to March 15, 2016.
5. On March 15, 2016 at 6:17 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.
6. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
7. At the conclusion of the Hearing, the Town Board closed the Hearing.
8. The Premises are surrounded by the following zoning districts and land uses:

North: RML (Multiple-Family Residential), RMH (Multiple-Family Residential)—Mill Landing townhouses, Carriage Glen Apartments (further north); R1-18 (Single-Family Residential)—single-family houses.

Northeast: BP1 (Office)—a nonmedical office; R1-18 (Single-Family Residential)—single-family houses

South: R1-E (Single-Family Residential)—single-family houses.

East: R1-18 (Single-Family Residential)—single-family houses, a comfort care home, and a funeral home (via a use variance granted by the Town's Board of Zoning Appeals), and a place of worship (further east).

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

West: R1-E (Single-Family Residential)—single-family houses.

9. The proposed zoning, use, density, and conceptual development plan for the Premises are consistent and compatible with the land uses that adjoin the Premises.
10. The size and shape of the Premises are suitable for the Project.
11. Public utility service and vehicular access are adequate for the Project.
12. The Proposal is capable of providing buffering for the existing residences in the area.
13. On March 15, 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, as the lead agency for the coordinated environmental review of the Proposal and the Project, 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, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant's voluntary incorporation of mitigation measures that were identified as practicable. 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.

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 7.28± acres from R1-18 (Single-Family Residential) and A-R (Agricultural) to BP-2 (Professional Office), relative to property located at 995 and 999 Long Pond Road and 19 Mill 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
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

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

WHEREAS, Core of Greece, LLC (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece, Monroe County, New York (the "Town") for a waiver of the requirements for a new special use permit to operate a restaurant, formerly known as Panera Bread, now to be known as Core Life Eatery, on property located at 2373 West Ridge Road, in a BR (Restricted Business) Zoning District; and

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

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

1. In summary, the Applicant/Project Sponsor's proposal (the "Proposal") is to operate a restaurant within tenant space that previously was used as a restaurant in an existing multiple-tenant commercial building (the "Premises"). The Proposal includes preparation, service, and sale of hot and cold foods (for example, salads and soups) and non-alcoholic beverages for consumption on the Premises and for takeout. Weather permitting, outdoor seating for consumption of food and beverages will be provided on a limited basis on the sidewalk that is adjacent to the front of the restaurant. The Proposal does not include outdoor cooking, outdoor loudspeakers, delivery service, or a drive-up service window. Background music and live entertainment (as these terms are defined in the Town's zoning ordinance) will not be provided on a recurring basis. Background music, live entertainment, and the Applicant/Project Sponsor's sponsorship of, affiliation with, permission for, or participation in one-time or recurring special or promotional events on the Premises will be subject to the requirements and restrictions of the Code of the Town of Greece, New York, Chapter 175 (Special Events). The proposed hours of availability to the public are: Sundays through Mondays, 10:00 a.m. to 10:00 p.m. Vehicular access for the Premises is via an unsignalized driveway at West Ridge Road (New York State Route 104, a seven-lane, urban principal arterial street) and at an internal driveway in the Mall at Greece Ridge Center, which connects to West Ridge Road at signalized and unsignalized intersections.
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 a Type II action under SEQRA. (See § 617.5(c)(1), (2) & (26) of the SEQRA Regulations).
3. According to SEQRA, Type II actions have been determined not to have a significant adverse impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action relative to the Proposal.

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

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

WHEREAS, Core of Greece, LLC (the "Applicant") has submitted a request to the Town Board (the "Town Board") of the Town of Greece, Monroe County, New York (the "Town") for a waiver of the requirements for a new special use permit to operate a restaurant, formerly known as Panera Bread, now to be known as Core Life Eatery, on property located at 2373 West Ridge Road, in a BR (Restricted Business) Zoning District; 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's proposal (the "Proposal") is to operate a restaurant within tenant space that previously was used as a restaurant in an existing multiple-tenant commercial building (the "Premises"). The Proposal includes preparation, service, and sale of hot and cold foods (for example, salads and soups) and non-alcoholic beverages for consumption on the Premises and for takeout. Weather permitting, outdoor seating for consumption of food and beverages will be provided on a limited basis on the sidewalk that is adjacent to the front of the restaurant. The Proposal does not include outdoor cooking, outdoor loudspeakers, delivery service, or a drive-up service window. Background music and
2. live entertainment (as these terms are defined in the Town's zoning ordinance) will not be provided on a recurring basis. Background music, live entertainment, and the Applicant/Project Sponsor's sponsorship of, affiliation with, permission for, or participation in one-time or recurring special or promotional events on the Premises will be subject to the requirements and restrictions of the Code of the Town of Greece, New York, Chapter 175 (Special Events). The proposed hours of availability to the public are: Sundays through Mondays, 10:00 a.m. to 10:00 p.m. Vehicular access for the Premises is via an unsignalized driveway at West Ridge Road (New York State Route 104, a seven-lane, urban principal arterial street) and at an internal driveway in the Mall at Greece Ridge Center, which connects to West Ridge Road at signalized and unsignalized intersections.
3. The Proposal is in substantial conformity with the previous operator's description of the nature, duration, and intensity of the operation.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

4. Based on the Town Board's review of relevant documentary, testimonial, and other evidence, the location, nature, duration, and intensity of the previous restaurant operation: (a) did not adversely affect the orderly pattern of development in the area; (b) was in harmony with nearby uses; (c) did not alter the essential character of the nearby neighborhood, nor was it detrimental to the residents thereof; (d) did not create a hazard to health, safety, or the general welfare; (e) was not detrimental to the flow of traffic; and (f) did not place an excessive burden on public improvements, facilities, services, or utilities.
5. Public utility service and vehicular access are adequate for the Proposal.
6. The size and shape of the Premises are adequate for the Proposal.
7. Having considered the Proposal and all additional information that may be relevant to the Proposal, it is in the public interest to grant the requested waiver of the requirements to obtain a new special use permit.

NOW THEREFORE, be it

RESOLVED that, based on the aforementioned information, testimony, documentation, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the request submitted by Core of Greece, LLC (the "Applicant") for a waiver of the requirements for a new special use permit to operate a restaurant, formerly known as Panera Bread, now to be known as Core Life Eatery, on property located at 2373 West Ridge Road, in a BR (Restricted Business) Zoning District, hereby be and the same is approved and granted, subject to the following conditions:

1. The Applicant shall operate this restaurant in conformity with all details of the Proposal, as described in the written descriptions and various plans of the Proposal, and as set forth herein. In the event of any conflict among the written descriptions of the Proposal, the various plans 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.
2. The maximum occupancies in this restaurant shall be the limits established by the Town's Fire Marshal pursuant to the New York State Uniform Fire Prevention and Building Code.
3. The Applicant shall comply with all applicable federal, state, county, and Town laws, ordinances, codes, rules, and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code and all applicable requirements for the installation/maintenance of a grease trap. Failure to comply with such requirements may be grounds for revocation of this special use permit.
4. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
5. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, agents, and successors.
6. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any superseding or succeeding authority.
7. Upon the sale or other transfer of controlling interest in this restaurant to any person or entity other than Core of Greece, LLC, its wholly owned subsidiaries, or its franchisees, a new application for a special use permit must be submitted to the Town Board.

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

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

WHEREAS, Benderson Development Company, LLC has made application to rezone 15.19± acres from R1-18 (Single-Family Residential) and BR (Restricted Business) to BG (General Business), on property located at 4057-4231 West Ridge Road.

WHEREAS a special use permit to rezone 15.19± acres from R1-18 (Single-Family Residential) and BR (Restricted Business) to BG (General Business), on property located at 4057-4231 West Ridge Road can only be granted upon special application to and with the consent of the Town Board, pursuant to the requirements of Section 211 of the Code of the Town of Greece;

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

NOW THEREFORE, BE IT

ORDERED that a public hearing be held by the Town Board of the Town of Greece at the Town Hall, One Vince Tofany Boulevard, Rochester, New York, in and for said Town, on the 18th day of April 2016 at 6:15 p.m., to consider the application submitted by Benderson Development Company, LLC to rezone 15.19± acres from R1-18 (Single-Family Residential) and BR (Restricted Business) to BG (General Business), on property located at 4057–4231 West Ridge Road.

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

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

WHEREAS, Benderson Development Company, LLC (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 properties located at 4057–4231 West Ridge Road (the “Project”); and

WHEREAS, the Applicant/Project Sponsor has submitted to the Town Board an application for the Project, including but not limited to: a project narrative; Part 1 of a Full Environmental Assessment Form (“EAF”); a traffic impact study; a preliminary drainage analysis; a hydraulic analysis; an engineering report; a wetland delineation report; a cultural resources management report; and civil site plan set (collectively, the “Application”); and

WHEREAS, upon review of the Application, the Town Board has determined that the Project 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 Project constitutes a Type I action under SEQRA; and

WHEREAS, the Town Board intends to become the lead agency for the coordinated environmental review of the Project; and

WHEREAS, in accordance with the criteria in §617.6(b)(5)(v)(‘a’) of the SEQRA Regulations, the Town Board intends to become the lead agency because potential impacts from the Project primarily would be of local significance; and

WHEREAS, in order to establish a lead agency for coordinated environmental review of the Project, the Town Board requests that all involved agencies reply as soon as possible about whether they agree with the designation of the Town Board as the lead agency for the Project; and

WHEREAS, pursuant to §617.6(b)(3)(i) of the SEQRA Regulations, the Town Board will assume that it has received consent to become the lead agency if an involved agency does not send a written objection within thirty (30) calendar days of the date of filing a Notice of Intent to Become Lead Agency.

NOW, THEREFORE, be it

RESOLVED that the Town Board hereby makes the following determinations:

1. The Town Board intends to become the lead agency for the coordinated environmental review of the Project.
2. The Town Board hereby provides an opportunity of thirty (30) days from the date on which a Notice of Intent to Become Lead Agency is distributed to involved agencies for written comment on the Town Board’s intent to become lead agency.
3. If after thirty (30) days’ time an involved agency has not provided a written objection to the Town Board becoming lead agency, the Town Board shall assume that it has such involved agency’s consent.
4. The Town Board hereby directs the Town’s Director of Development Services to file a Notice of Intent to Become Lead Agency with all involved agencies, and to notify all such involved agencies of the deadline for acceptance of written objections to the Town Board’s intent, in accordance with SEQRA.
5. This resolution shall take effect immediately.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

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

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

RESOLVED that this Town Board grant authorization to enter into an out of district sanitary sewer agreement with Monroe County and DiRaimo Enterprises, LLC, whereby DiRaimo Enterprises will be permitted to connect a sanitary sewer located in the City of Rochester to a sanitary sewer lateral located in the Town of Greece, and whereby Monroe County will collect all sewer use and connection fees and remit all such payment to the Town of Greece.

BE IT FURTHER

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

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

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

RESOLVED that this Town Board grant authorization to install Turn signs, 15 MPH Advisory Speed Plaques, Chevrons, and/or One Direction Large Arrow signs in both directions for both curves on the east end of Sannita Drive as recommended by the Traffic Advisory Committee.

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

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

RESOLVED that this Town Board grant authorization to extend the Maintenance and Mowing Services of Storm Water Management Facilities for the first of three possible extensions with Garden Grove, 5138 West Ridge Road, Spencerport, New York 14559 with no changes in contract pricing and terms originally submitted.

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

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

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., April 11, 2016, at which time they will be publicly opened and read aloud for the following:

- 2016 Asphalt Repair and Replacement
- Precast Modular Concrete Block for Paddy Hill Creek Improvements

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

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

RESOLVED that this Town Board grant authorization for the Supervisor to sign the application to renew the NYSDEC permit to operate the Compost Facility which provides numerous environmental and economic benefits to the Town of Greece.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

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

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

WHEREAS, this Board has previously resolved to invite sealed bids for Construction of Braddock Bay Lodge located at Braddock Bay Park.

WHEREAS on Tuesday, March 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Stonewall Construction Co., Inc.	\$429,000

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the Construction of Braddock Bay Lodge located at Braddock Bay Park to the sole bidder, Stonewall Construction Co., Inc., Spencerport, NY 14559, in the amount of \$429,000.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Stonewall Construction Co., Inc.

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

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

WHEREAS, this Board has previously resolved to invite sealed bids for Rehabilitation of Existing Bathroom Facility at Badgerow Park South to the sole bidder, Stonewall Construction Co., Inc., Spencerport, NY 14559, in the amount of \$120,000.

WHEREAS on Tuesday, March 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Stonewall Construction Co., Inc.	\$120,000

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the Construction of Braddock Bay Lodge located at Braddock Bay Park to the sole bidder, Stonewall Construction Co., Inc., Spencerport, NY 14559, in the amount of \$120,000.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Stonewall Construction Co., Inc.

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

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

WHEREAS, this Board has previously resolved to invite sealed bids for 2016 Cold Milling of Asphalt Pavement and Mixed Composition to Donegal Construction Corp., 1235 Marguerite Lake Road, Greensburg, PA 15601, in the amount of \$0.49 per square yard.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

WHEREAS on Tuesday, March 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Donegal Construction Corp.	\$0.49
Villager Construction, Inc.	\$0.65

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the 2016 Cold Milling of Asphalt Pavement and Mixed Composition to Donegal Construction Corp., 1235 Marguerite Lake Road, Greensburg, PA 15601, in the amount of \$0.49 per square yard.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Donegal Construction Corp.

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

#127- 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 2016 Specifications for Concrete Crushing to the low bidder, D. Glatzel Trucking/Excavating, 89 Squire Hill Road, New Milford CT 06776, in the amount of \$4.80 per crushed ton. Two other bids were received in the amounts of \$4.95 and \$5.23 per crushed ton

WHEREAS on Tuesday, March 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
D. Glatzel Trucking/Excavating	\$4.80
Metzger Removal	\$4.95
Villager Construction, Inc.	\$5.23

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for 2016 Specifications for Concrete Crushing to the low bidder, D. Glatzel Trucking/Excavating, 89 Squire Hill Road, New Milford CT 06776, in the amount of \$4.80 per crushed ton.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with D. Glatzel Trucking/Excavating.

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

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

WHEREAS, this Board has previously resolved to invite sealed bids for 2016 Sale of Surplus Wood Chips, to the high bidder, Green Renewable Inc., 155 State Street, Manchester, NY 14504, in the amount of \$3.18 per cubic yard. One other bid was received in the amount of \$2.27 per cubic yard.

WHEREAS on Tuesday, March 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Green Renewable Inc.	\$3.18
Zoladz Construction Co., Inc.	\$2.27

NOW THEREFORE, be it

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

RESOLVED that this Town Board award the bid for 2016 Sale of Surplus Wood Chips to the high bidder, Green Renewable Inc., 155 State Street, Manchester, NY 14504, in the amount of \$3.18 per cubic yard.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Green Renewable Inc.

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

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

WHEREAS, this Board has previously resolved to invite sealed bids for the 2016 Heavy Equipment Rental and Construction Services to the sole bidder meeting specifications, C.P. Ward Inc., 100 W/ River Road, P.O. Box 900, Scottsville, NY 14546, in an amount not to exceed \$599,285.00. One other bid was received not meeting specifications.

WHEREAS on Tuesday, March 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
C.P. Ward Inc.	\$599,285.00
Monroe Tractor	\$ 88,511.00

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the 2016 Heavy Equipment Rental and Construction Services to the sole bidder meeting specifications, C.P. Ward Inc., 100 W/ River Road, P.O. Box 900, Scottsville, NY 14546, in an amount not to exceed \$599,285.00.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with C.P. Ward Inc.

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

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

WHEREAS, this Board has previously resolved to invite sealed bids for the Farm License Agreement to the sole bidder, Steven D. Bauman, 412 Peck Road, Spencerport, NY 14559, in the amount of \$3,150.00.

WHEREAS on Tuesday, March 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Steven D. Bauman	\$3,150.00

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the 2016 Heavy Equipment Rental and Construction Services to the sole bidder meeting specifications Steven D. Bauman, 412 Peck Road, Spencerport, NY 14559, in the amount of \$3,150.00.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Steven D. Bauman.

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

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

WHEREAS, this Board has previously resolved to invite sealed bids for the 2016 Concrete Repair and

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

Replacement to the low bidder, Campobello Construction Co., Inc., 23 Stratford Road, Buffalo, NY 14216, in the amount of \$1,959,370.00. One other bid was received in the amount of \$2,002,300.00.

WHEREAS on Tuesday, March 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Campobello Construction Co., Inc.	\$1,959,370.00
Sunshine Concrete	\$2,002,300.00

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the 2016 Concrete Repair and Replacement to the low bidder, Campobello Construction Co., Inc., 23 Stratford Road, Buffalo, NY 14216, in the amount of \$1,959,370.00.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Campobello Construction Co., Inc.

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

#132- 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 collision repair on Greece Police and other Town vehicles to the sole bidder, Woody's Collision Service Inc., 434 Elmgrove Road, Rochester, NY 14606.

WHEREAS on Tuesday, March 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Woody's Collision Service Inc.	
Labor Rate per hr. – sheet metal repair	\$ per/hr. 42.00
Labor rate per hr. – mechanical repair	\$ per/hr. 65.00
Hazardous Materials charge – 1 charge per repair	\$/ea. 2.50
Repair parts	
Labor Rate per hr. – paint materials	List price per invoice on file \$per/hr. 25.00

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the collision repair on Greece Police and other Town vehicles to the sole bidder, Woody's Collision Service Inc., 434 Elmgrove Road, Rochester, NY 14606

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Woody's Collision Service Inc.

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

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

RESOLVED that this Town Board grant authorization to make various budget amendments and transfers (list attached).

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

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

#134- Councilman Conlon 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 an agreement with the Monroe County Water Authority to extend a water main for the new Police Station in an amount not to exceed \$4,815.00.

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

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

BOND RESOLUTION DATED MARCH 15, 2016.

A RESOLUTION AUTHORIZING THE RECONSTRUCTION AND RESURFACING OF TOWN ROADS IN AND FOR THE TOWN OF GREECE, MONROE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,700,000 AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$1,700,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

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. The reconstruction and resurfacing of town roads in and for the Town of Greece, Monroe County, New York, including sidewalks, gutters, drainage, landscaping, grading or improving rights-of-way and other improvements and costs incidental thereto, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$1,700,000.

Section 2. **SEQR DETERMINATION:** It is hereby determined that the aforesaid purposes constitute Type II Actions under the regulations of the State of New York promulgated pursuant to the State Environmental Quality Review Act which, as such, will not have a significant adverse impact upon the environmental.

Section 3. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,700,000 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purpose 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 5. 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 6. 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 7. 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 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 8. 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 9. 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 10. 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 11. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

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

William D. Reilich	VOTING Aye
David M. Barry, Jr.	VOTING Aye
Brett Granville	VOTING Aye
Andrew Conlon	VOTING Aye
Diana Christodaro	VOTING Aye

The resolution was thereupon declared duly adopted.

* * * * *

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

BOND RESOLUTION DATED MARCH 15, 2016.

A RESOLUTION AUTHORIZING THE BRADDOCK BAY PARK PAVILION PROJECT IN AND FOR THE TOWN OF GREECE, MONROE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$600,000 AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$600,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

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. The Braddock Bay Park Pavilion Project in and for the Town of Greece, Monroe County, New York, including costs incidental thereto, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$600,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$600,000 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 specific object or purpose is fifteen years, pursuant to subdivision 19(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.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

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 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:

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

William D. Reilich	VOTING Aye
David M. Barry, Jr.	VOTING Aye
Brett Granville	VOTING Aye
Andrew Conlon	VOTING Aye
Diana Christodaro	VOTING Aye

The resolution was thereupon declared duly adopted.

* * * * *

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

RESOLVED that this Town Board grant authorization to use \$200,000 of Recreation Trust Funds to finance the construction of the Braddock Bay Park Pavilion.

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

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

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;

BE IT FURTHER

RESOLVED that the Supervisor is authorized to execute said agreements.

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

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

RESOLVED that the Town Board grant authorization to renew the contract with TruGreen for weed control for a total of \$2,976.00 for the year.

BE IT FURTHER

RESOLVED that the Supervisor is authorized to execute all necessary documentation.

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

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

RESOLVED that this Town Board grant authorization to enter into an agreement with Western NY Floor Co. to recoat and paint the pickle ball court lines at a cost not to exceed \$4,491.00.

BE IT FURTHER,

RESOLVED that the Supervisor is authorized to execute all necessary documentation.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

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

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

RESOLVED that this Town Board grant authorization to enter into a contract with Tellmorr International Translation Services to provide interpreter services at a cost of \$60.00 per hour.

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

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

RESOLVED that this Town Board grant authorization to approve upgrades to wireless presentation capacity in Welsh room and installation of monitor and presentation system in Frear room provided by Pro Audio Consulting in the amount of \$9,695.00 which 50% (\$4,847.50) is to be paid in advance as a down payment.

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

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

RESOLVED that this Town Board grant authorization to declare the following Greece Public Library items as Scrap and Surplus for the Greece Public Library per list attached.

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

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

RESOLVED that this Town Board grant authorization to re-appoint Robert Coffey to the Board of Assessment Review for a term of five years to expire September 30, 2021.

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

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

RESOLVED that this Town Board grant authorization to approve the following budget relative to the Police Headquarters and Court House Addition Project:

Police Headquarters	\$9,300,000
Court House Additions	<u>\$1,000,000</u>
Total	\$10,300,000

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

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

WHEREAS, WoodSpring Suites has made application for a special use permit to operate a hotel, to be known as WoodSpring Suites, on property located at 125 Bellwood Drive, in Canal Ponds Business Park.

WHEREAS a special use permit to operate a hotel, to be known as WoodSpring Suites, on property located at 125 Bellwood Drive, in Canal Ponds Business Park can only be granted upon special application to and with the consent of the Town Board, pursuant to the requirements of Section 211 of the Code of the Town of Greece;

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held March 15, 2016 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

NOW THEREFORE, BE IT

ORDERED that a public hearing be held by the Town Board of the Town of Greece at the Town Hall, One Vince Tofany Boulevard, Rochester, New York, in and for said Town, on the 18th day of April 2016 at 6:16 p.m., to consider the application submitted by WoodSpring Suites, on property located at 125 Bellwood Drive, in Canal Ponds Business Park.

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

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

RESOLVED that this Town Board grant authorization to appoint Kirstra Otto to the position of Librarian I, effective April 4, 2016.

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

Meeting adjourned at 10:39 p.m.

March 30, 2016
Date

Cheryl M. Rozzi
Cheryl M. Rozzi, Town Clerk

(S
E
A
L)

Town of Greece

2016 Budget Modifications

Town Board Agenda

March, 2016

	Action	Account	Description	Amount
1)	<i>Final reconciliation of 2015 Budget.</i>			
	Transfer From	A.1620.0000.001	Buildings, Payroll	\$ (9,078.00)
		A.1620.0000.008	Buildings, Benefits	\$ (17,426.76)
		A.1680.0000.004	Network Services, Contractual Expense	\$ (1,985.41)
	Transfer To	A.1610.0000.002	Central Services, Equipment/Capital	\$ 21,306.95
		A.1620.0000.004	Central Services, Contractual Expense	\$ 5,197.81
		A.1680.0000.002	Network Services, Equipment/Capital	\$ 1,985.41
2)	<i>Reconciliation of 2016 Stop DWI Grant.</i>			
	Appropriations	A.3315.0000.102	Stop DWI, Overtime	\$ (9,438.36)
		A.3315.0000.201	Stop DWI, Equipment	\$ 6,200.00
		A.3315.0000.406	Stop DWI, Training	\$ 3,000.00
		A.3315.0000.421	Stop DWI, Field Items/Supplies	\$ 800.00
		A.3315.0000.802	Stop DWI, Social Security	\$ (2,880.00)
		A.3315.0000.807	Stop DWI, Medicare	\$ (674.00)
	Revenues	A.3389.0000.000	NYS Revenue, Public Safety	\$ (2,992.36)
3)	<i>To re-appropriate unspent funds from grants begun in 2015, and expiring in 2016.</i>			
	Appropriations	A.3120.0002.445	2015-16 Police Vest Grant	\$ 14,487.90
		A.3315.0001.102	2015-16 Stop DWI Crackdown	\$ 3,726.54
		A.3640.0001.445	2015-16 Special Police Vest Grant	\$ 10,000.00
		A.3120.0004.445	Equitable Sharing Funds	\$ 104,850.15
	General Fund Balance			\$ (133,064.59)
4)	<i>To implement the 2015-16 Tobacco Sales Compliance Grant.</i>			
	Appropriations	A.3120.0009.102	2015-16 Tobacco Sales Compliance	\$ 4,130.00
		A.3120.0009.445	2015-16 Tobacco Sales Compliance	\$ 270.00
	Revenue	A.3389.0000.000	NYS Revenue, Public Safety	\$ 4,400.00
5)	<i>To recognize the transfer of committed capital improvement funds to the Police HQ project.</i>			
	Appropriations	A.9950.0000.292	General Fund Transfers to Other Funds	\$ 2,000,000.00
	Committed General Fund Balance			\$ (2,000,000.00)

Greece Public Library

SCRAP

1. (1) 6x3 Library Table, scratched, missing electrical components.
2. (2) Upholstered Chair, stained, worn threading.
3. (1) Book Shelving, rusted, not needed.
4. (2) 2 Desk Chairs, hydraulics are broken.
5. (1) Laminator (Fellows Saturn 2 125), does not work.
6. (1) Electric Cash Register (Sharp ER-A242, does not work.

SURPLUS

1. (1) Electric Cash Register (Royal 500dx) serial number 30404800, not needed.

- Cyndi Lovejoy, Stretch and Grow, 3631 DePew Rd, Canandaigua, NY 14424; Contract to provide instruction and materials for Together Time Zumba and Family Fitness in the amount of \$45 for each class.
- ZuperEventz, 3900 Buffalo Rd, Rochester, NY 14624; Contract to provide an inflatable obstacle course for 'Spring Break Activities' on March 28, 2016 in the amount of \$400.00.
- Trip to Horizon Fun Fx, 675 Ling Rd, Rochester, NY 14612; Trip on March 29, 2016 in the amount of \$11.00 per person with a maximum of 14 people.
- Dick Leschhorn, 50 Timberline Drive, Penfield, NY 14526; Contract to provide entertainment for the senior nutrition program on March 30, 2016 in the amount of \$100.00.
- Trip to Laser Quest Rochester, 2833 W. Ridge Rd, Rochester, NY; Trip on March 31, 2016 in the amount of \$14.00 per person with a maximum of 14 people.
- Charles LaBrake, 4496 Rt. 64, Canandaigua, NY 14424; Contract to provide karaoke entertainment for the 'Spring Break Activities' on March 31, 2016 in the amount of \$75.00.
- Donovan Schilling, 1765 Five Mile Line Rd, Penfield, NY 14526; Contract to provide a presentation for the Time Out for Women program in the amount of \$50.00.
- James Cieslinksi, 995 West Ridge Rd, Rochester, NY 14615; Contract to provide dj services and a photo booth for the Friends and Fun social program on April 7, 2016 in the amount of \$300.00
- Cyndi Lovejoy, Stretch and Grow, 3631 DePew Rd, Canandaigua, NY 14424; Contract to provide instruction and materials for Together Time Morning Mixer from April 9-May 21, 2016 in the amount of \$315.00.
- Cyndi Lovejoy, Stretch and Grow, 3631 DePew Rd, Canandaigua, NY 14424; Contract to provide instruction and materials for Together Time Zumba from April 9-May 21, 2016 in the amount of \$315.00
- Lynda Axelrod, 7 Hogan Court, Pittsford, NY 14534; Contract to provide a presentation for the Time Out for Women program on April 13, 2016 in the amount of \$175.00.
- Charles LaBrake, 4496 Rt. 64, Canandaigua, NY 14424; Contract to provide karaoke entertainment for the Friends and Fun program on April 14, in the amount of \$75.00.