

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held August 15, 2017 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

**PLEDGE OF ALLEGIANCE:**

Councilman Brett Granville led the Town Board in the Pledge of Allegiance. The invocation was led by Laurie Bolten, co-pastor of New Testament Christian Church.

**PROCLAMATIONS DELETIONS ADDITIONS TO THE AGENDA:**

Supervisor Reilich presented two proclamations this evening. The first proclamation was awarded to the Bishop Kearney Varsity Girls Softball team for winning the Section 5 title, and for being ranked number one in the State in the final polls. Also, the team was unanimously chosen as "Team of the Year" with a final record of 25-2 and 22 straight victories.

The second proclamation was awarded to Emily Phelan who was named the New York State Player of the Year. She had pitched three perfect games, had 9 no-hitters 358 strikeouts, and had a .42 earned run average, all of which were Bishop Kearney records.

**PUBLIC FORUM:**

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

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

WHEREAS, Sweetwaters Lodge, 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, for a waiver of the requirements for a special use permit to operate an existing restaurant, known as Lodge on the Green, on property located at 2888 Ridgeway Avenue, 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 an existing party house (the "Premises") in a manner that is substantially similar to the existing operation. The Proposal includes preparation and service of hot and cold foods for private events (e.g., weddings and wedding receptions; bridal and baby showers; birthday, retirement, graduation, and anniversary parties; sports banquets; family and school reunions; seminars; church functions; luncheons/banquets for clubs and civic organizations; etc.), and alcoholic and non-alcoholic beverages, for consumption on the Premises. Weather permitting, some events (e.g., wedding ceremonies) occasionally will occur outdoors. The Proposal does not include 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) are provided indoors 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 hours of availability to clients are: Sundays through Saturdays, 8:00 a.m. to 2:00 a.m. Vehicular access to the Premises is via an unsignalized driveway at Ridgeway Avenue (Monroe County Route 111, a 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 a Type II action under SEQRA. (See § 617.5(c)(26) of the SEQRA Regulations).
3. According to SEQRA, Type II actions have been determined to have no significant adverse impact on the environment and are not subject to further review under SEQRA.

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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

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

WHEREAS, Sweetwaters Lodge, 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, for a waiver of the requirements for a special use permit to operate an existing restaurant, known as Lodge on the Green, on property located at 2888 Ridgeway Avenue, 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 an existing party house (the "Premises") in a manner that is substantially similar to the existing operation. The Proposal includes preparation and service of hot and cold foods for private events (e.g., weddings and wedding receptions; bridal and baby showers; birthday, retirement, graduation, and anniversary parties; sports banquets; family and school reunions; seminars; church functions; luncheons/banquets for clubs and civic organizations; etc.), and alcoholic and non-alcoholic beverages, for consumption on the Premises. Weather permitting, some events (e.g., wedding ceremonies) occasionally will occur outdoors. The Proposal does not include 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) are provided indoors 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 hours of availability to clients are: Sundays through Saturdays, 8:00 a.m. to 2:00 a.m. Vehicular access to the Premises is via an unsignalized driveway at Ridgeway Avenue (Monroe County Route 111, a two-lane urban minor arterial).
2. The Proposal is in substantial conformity with the nature, duration, and intensity of the existing operation.
3. 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.
4. Public utility service and vehicular access are adequate for the Proposal.
5. The size and shape of the Premises are adequate for the Proposal.
6. 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 the Town Board does not object to the Applicant's application to the State of New York for a modification of an existing liquor license at the Premises and hereby waives the 30-day notification and comment period provided for such application; and be it

FURTHER RESOLVED that, based on the aforementioned information, testimony, documentation, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, the request submitted by Sweetwaters Lodge, LLC (the "Applicant") for a waiver of the requirements for a special use permit to operate an existing restaurant, known as Lodge on the Green, on property located at 2888 Ridgeway Avenue, 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

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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 agents, designees, 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 Sweetwaters Lodge, 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

#177 - 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 adjustments and transfers as per the list attached.

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

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

RESOLVED that this Town Board grant authorization to accept a letter of credit in the amount of \$108,138 from Bill Gray's related to the public improvements associated with the development of the new Bill Gray's restaurant.

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

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

RESOLVED that this Town Board grant authorization to accept a certified check in lieu of a Letter of Credit in the amount of \$5,310 from Timberland Development to guarantee the public improvements associated with the development of Avery Park section 7.

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

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

WHEREAS the Town of Greece has made application to receive comments on the town's application for Flood Relief Grant Funds from New York State.

NOW THEREFORE, BE IT

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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 19<sup>th</sup> day of September, 2017 at 6:15 p.m., to consider the Town's proposed application for Flood Relief Grant Funds from New York State.

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

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

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

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

RESOLVED that this Town Board grant authorization to renew an agreement with Cut and Trim Lawn Service for general maintenance of fields at Carter Park. Further, authorization for the Supervisor to execute all necessary documentation.

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

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

RESOLVED that, pursuant to the requirements of section 103 of the General Municipal Law, sealed bids will be received at the Town Clerk's Office, Town of Greece, 1 Vince Tofany Boulevard, Greece, New York 14612, 3:00 p.m., September 12, 2017, at which time they will be publicly opened and read aloud for the following:

- Purchase and Installation of a Salt Storage Facility located in the Department of Public Works

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

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

RESOLVED that this Town Board grant authorization to extend the 2015 Street Lighting Maintenance-Electrical for an additional six (6) months with no changes in contract specifications.

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

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

RESOLVED that this Town Board grant authorization to renew the Town contract with Waterwise of America for Chemical Water Treatment and Legionella Testing of Cooling Towers for an additional one year period, per same terms and conditions. Further authorize the Supervisor to execute all necessary documents. This will be the 5th and final year of this contract with the final expiration date of April 23rd 2018.

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

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

RESOLVED that this Town Board grant authorization to award the Library Paludarium Service Contract to ABC Aquarium, with the only quote in the amount of \$10,104.00 annually. Furthermore authorize the Supervisor to execute all related documents. Other companies that were called did not submit a quote.

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

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

RESOLVED that this Town Board grant authorization to the attached list from the Greece Public Library and Community & Senior Center as scrap.

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

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

RESOLVED that this Town Board grant authorization to renew the annual support and maintenance contract with Bibliotheca, LLC for software and hardware associated with the Greece Public Library self-check service and library materials security system.

BE IT FURTHER

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

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

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

RESOLVED that this Town Board grant authorization to adopt a local law to amend Chapter 188, Taxation, of the code of the Town of Greece to establish Article VII to grant assessment relief in the Town of Greece under the New York State Lake Ontario and Connected Waterways Assessment Relief Act.

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

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

RESOLVED that this Town Board grant authorization to appoint David Goehring to the position of citizen representative on the Traffic Advisory Committee (term to expire April 17, 2020).

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

Meeting adjourned at 6:50 p.m.

August 25, 2017 Cheryl M. Rozzi  
Date Cheryl M. Rozzi, Town Clerk

Action	Account	Description	Amount
<b>1 Adjustment for bonding costs.</b>			
Transfer From	A.1320.0000.419	Audit.Professional Services	\$ (20,351.00)
Transfer To	A.1310.0000.419	Finance.Professional Services	\$ 20,351.00
<b>2 Adjustment for New York State DCJS Grant for Protective Clothing.</b>			
Increase Appropriation	A.3120.0010.445	Police.Grant (Protective Clothing)	\$ 37,340.00
Increase Revenue	A.3389.0000.000	NYS Grants for Public Safety	\$ 37,340.00
<b>3 Adjustments for Debt Service and Capital Transfers (per 2017 Operating Budget)</b>			
Increase Appropriation	H.9901.0000.997	Capital.Transfer to Debt Service	\$ 119,394.00
Increase Revenue	H.2710.0000.000	Premium on Obligations	\$ 119,394.00
Increase Appropriation	V.9901.0000.000	Debt Service.Transfer to Operating Funds	\$ 341,905.19
<b>4 Adjustments for installation of new streetlights on Harvest Drive.</b>			
Transfer From	SL.5182.0000.292	Streetlighting.Buildings	\$ (220,000.00)
Transfer From	SL.5182.0000.291	Streetlighting.Infrastructure	\$ (70,000.00)
Transfer To	SL.5182.0000.997	Streetlighting.Transfers	\$ 290,000.00
Increase Appropriation	H.0554.5182.291	2017 Road Program.Lighting	\$ 290,000.00
Increase Revenue	H.0554.5182.503	2017 Road Program.Lighting	\$ 290,000.00
<b>5 Adjustment for 2016-2017 Bullet Proof Vest grant from USDOJ.</b>			
Increase Appropriation	A.3120.0007.445	Police.Grant (Bullet Proof Vests)	\$ 9,548.00
Increase Revenue	A.4320.0000.000	Fed Grant.Public Safety	\$ 9,548.00
<b>6 Adjustment for building maintenance at Public Works facility.</b>			
Transfer From	A.5132.0000.292	Highway Garage.Building Improvements	\$ (10,000.00)
Transfer To	A.5132.0000.404	Highway Garage.Building Maintenance	\$ 10,000.00
<b>7 Adjustment for erecting a security fence for equipment at the Transfer Station.</b>			
Transfer From	A.5132.0000.292	Highway Garage.Building Improvements	\$ (16,820.00)
Transfer To	A.8160.0000.292	Transfer Station.Building Improvements	\$ 16,820.00

CSC Scrap Items:

Quantity: 381

Item: Stackable Chairs from Community Center

Purchased: 2005

Reason: Replaced with ergonomical (for senior citizens) and efficient chair. Chairs can now be used for regular programs and fitness classes. Missing stoppers and scratching floors.

Quantity: 228

Item: Stackable classroom chair used in Lodges

Purchased: 2000 or earlier

Reason: Chairs do not match, some are missing stoppers, scratching floors.

Quantity: 26

Item: Stackable classroom chair used in Lodges

Purchased: 2000 or earlier

Reason: Tables outdated, falling apart, broken. Being replaced.

Library Scrap Items:

Computers

Dell Opti 390

S/N

92890R1

August 2011

Dell Opti 390

92BBOR1

August 2011

Dell Opti 390

928BPOR1

August 2011

Dell Opti 390

92BHOR1

August 2011

Dell Opti 390

5L4VMM1

July 2010

Laptops

Lattitude E6430

D40JMX1

July 2013

Lattitude E6400

CBPMLL1

Dec. 2009

Apple Ipad 16GB

DYTHVN6EDFW

Apple Ipad 16GB

DMPNVMOGGSVJ

Hard Drives

Seagate

9VYDE3HS

Seagate

9VYDEV4

Seagate

9VYDE3L3

Seagate

9VDEXW6

HGST

OCR6FK-48746-36G-1RKJ-A00

WD

WXGOAA962255

WD

WCAV3A214366

C&SC August Items:

- Ernie Capone, 26 Bitterroot Tr, Hilton, NY 14468; Contract to provide entertainment for the Oktoberfest Party on September 21 in the amount of \$150.00.
- Geoff Clough 18 Woodbine Park, Geneseo, NY 14454; Contract to provide entertainment for the Meal Time Music program on July 27 in the amount of \$85.00.
- Alex Vine, 225 Ashbourne Rd, Rochester, NY 14618; Contract to provide entertainment for the Friends and Fun Program on September 14 in the amount of \$100.00
- Zuperbounce, 3900 Buffalo Rd, Rochester, NY 14624; Contract to provide inflatables for splash pad events in an amount not to exceed \$975.00
- Marion Bradley, 143 Johnson Rd, Rochester, NY 14616; Contract to provide painting instruction for various classes at the Community Center from September through December 2017 in the amount of \$30 per person.

Parks

- Authorization to renew an agreement with Cut and Trim Lawn Service for general maintenance of fields at Carter Park. Further, authorization for the Supervisor to execute all necessary documentation.