

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held September 15, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

PRESENT:

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

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

EXCUSED: None

Following the roll call of officers, the meeting was opened with the Pledge of Allegiance, led by Councilman Brett Granville. The invocation was offered by Reverend Anne O'Connor of Aldersgate United Methodist Church.

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 6:19 p.m.

PUBLIC HEARINGS:

6:15 p.m. — CANCELLED. Public hearing to consider the request submitted by Hillside Work-Scholarship Connection for a special use permit to operate a school-age child-care center, to be known as Hillside Work-Scholarship Connection, on property located at 751 Long Pond Road.

At the applicant's request, Supervisor Reilich announced that the above-stated public hearing was officially withdrawn from consideration by the Town Board.

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

BOND RESOLUTION DATED SEPTEMBER 15, 2015.

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW POLICE STATION IN AND FOR THE TOWN OF GREECE, MONROE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$9,000,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$9,000,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all proceedings required under the State Environmental Quality Review Act have been satisfied and it is now desired to approve the undertaking and financing of a new police facility;
NOW, THEREFOR,

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 construction of a new police station in and for the Town of Greece, Monroe County, New York, on the site of the Town Hall Complex, including grading and improvement of the site, original furnishings, equipment and costs incidental thereto, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$9,000,000.

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Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$9,000,000 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 thirty years, pursuant to subdivision 11(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

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

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

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

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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:

Supervisor Reilich	VOTING AYE
Councilman Barry	VOTING AYE
Councilman Granville	VOTING AYE
Councilman Conlon	VOTING AYE
Councilwoman Christodaro	VOTING AYE

The resolution was thereupon declared duly adopted.

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

WHEREAS, the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, has proposed to construct a new police headquarters building and to add a sally port to the Town court building (the "Project"); and

WHEREAS, the Town Board makes the following findings:

1. In summary, the Project is to: 1) construct a new police headquarters building (2 stories; 28,200± total square feet), with related paved driveways and parking (including a separate vehicle impoundment lot), grading, utilities, landscaping, and lighting; and 2) construct an addition (1 story; 1000± square feet) to an existing one-story court building, to serve as a sally port, at the Town's municipal services campus (the "Premises"). For more than 35 years, the police headquarters has been housed in a former sewage treatment plant building. The existing building is undersized, is poorly suited for police operations, is not in a centralized location, and is in deteriorated condition. The site of the existing building is in a 100-year floodplain, and the

access driveway crosses a creek that is subject to periodic flooding. The new site is on the main municipal campus, where other facilities (town hall, library, community center, court, public works) are located; in addition, the campus is near the geographic center of the Town. The sally port will provide a secure means of transferring prisoners to and from the court.

2. Upon review of the Project, the Town Board, as the project sponsor for this direct action, 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 an Unlisted action under SEQRA.
3. The Town Board has carefully considered environmental information that was prepared by the Town or its design consultants, which included but was not limited to: preliminary plans of the Project; aerial photographs of the Premises; Parts 1, 2, and 3 of an Environmental Assessment Form ("EAF"), which was prepared in part by using the New York State Department of Environmental Conservation (the "NYSDEC") online EAF Mapper application; and supplemental information about the Project from sources that included but were not limited to the United States Department of Agriculture Web Soil Survey, the NYSDEC Environmental Resource Mapper, the NYSDEC New York Nature Explorer, the New York State Historic Preservation Office Cultural Resource Information System Map, and a Geotechnical Evaluation of the Premises (Foundation Design, P.C., July 2015) (collectively, the "Environmental Analysis").
4. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to: the Monroe County Water Authority; and the Town's own staff.
5. 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 citizens, owners of nearby properties, or other interested parties, and all other relevant comments submitted to the Town Board as of September 15, 2015.
6. The Town Board has carefully considered the Environmental Analysis, which examined the potential effects of the Project on the following principal relevant issues: construction where depth to water table is less than three feet; soil disturbance in excess of one acre; management of storm water runoff quantity and quality; an increase in the amount of energy used on the Premises; site lighting. In the EAF, Part 3, each of said issues was thoroughly described and analyzed regarding magnitude of impact, duration of impact, likelihood of impact, and importance of impact. The descriptions and analyses in the EAF, Part 3, are incorporated herein by reference as if fully set forth, as findings of the Town Board in its decision on the environmental significance of the Project.
7. The Town Board has completed Parts 1, 2 and 3 of the EAF, and has carefully considered the information contained therein.
8. The Environmental Analysis examined the relevant issues associated with the Project.
9. The Town Board has met the procedural and substantive requirements of SEQRA.
10. The Town Board has carefully considered each and every criterion for determining the potential significance of the Project upon the environment, as set forth in SEQRA.
11. The Town Board carefully considered (that is, has taken the required "hard look" at) the Project and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis and all additional information submitted.
12. The Town Board concurs with the information and conclusions contained in the Environmental Analysis.

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

RESOLVED that this Town Board grant authorization to make various Budget Transfers and adjustments. The complete list is attached.

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

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

RESOLVED that this Town Board grant authorization to accept a Letter of Credit in the amount of \$420,408.00 from Benderson Development to guarantee the public improvements related to the extension of a Sanitary Sewer on West Ridge Road.

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

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

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

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

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

RESOLVED that this Town Board grant establishment of Affordable Care Act Measurement Periods:

Standard Periods for Ongoing Employees

WHEREAS, the Patient Protection and Affordable Care Act (the "Act") and the regulations promulgated thereunder authorize employers to utilize measurement, administrative, and stability periods to determine whether ongoing employees constitute full-time employees under the Act; and

WHEREAS, the Town of Greece wishes to adopt measurement, administrative, and stability periods for the purposes of determining whether ongoing employees constitute full-time employees under the Act.

NOW THEREFORE, BE IT RESOLVED, that the standard measurement period for ongoing employees shall be a period of twelve (12) months from October 3rd to October 2nd; and

BE IT FURTHER RESOLVED that the administrative period for ongoing employees shall be a period of ninety (90) days from October 3rd to December 31st; and

BE IT FURTHER RESOLVED that the stability period for ongoing employees shall be a period of twelve (12) months from January 1st to December 31st.

Initial Periods for New Variable Hour, Part-Time, and Seasonal Employees

WHEREAS, the Patient Protection and Affordable Care act (the "Act") and the regulations promulgated thereunder authorize employers to utilize initial measurement, administrative and stability periods to determine whether new variable hour, part-time, and seasonal employees constitute full-time employees under the Act; and

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WHEREAS, the Town of Greece wishes to adopt initial measurement, administrative, and stability periods for the purposes of determining whether new variable hour, part-time, and seasonal employees constitute full-time employees under the Act.

NOW THEREFORE, BE IT RESOLVED, that the initial measurement period for new variable hour, part-time, and seasonal employees shall be a period of twelve (12) months that commences on the first day of the calendar month following an employee's first day of work; and

BE IT FURTHER RESOLVED, that the administrative period for new variable hour, part-time, and seasonal employees shall commence on the day after the end of the employee's initial measurement period and continue until the last day of the first calendar month beginning on or after the first anniversary of the employee's start date; and

BE IT FURTHER RESOLVED, that the stability period for new variable hour, part-time, and seasonal employees shall be a period of twelve (12) months commencing on the day after the end of the employee's administrative period.

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

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

RESOLVED that this Town Board grant adoption of the 2015 Incident Response Plan, which provides guidelines in responding to threats to the safety and security of the Town's information and network systems.

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

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

RESOLVED that this Town Board grant authorization to declare the following items as computer scrap. A complete list is attached.

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

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

RESOLVED that this Town Board grant authorization to declare items from the Department of Public Works as surplus to be disposed of through a municipal auction to be held on October 3, 2015 at 9:00 a.m. (Complete list is attached.)

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

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

RESOLVED that this Town Board grant authorization to grant an easement to the County of Monroe on property at 400 Island Cottage Road, Town of Greece, New York, Tax Account No. 046.01-1-8 for maintenance of Monroe County fiber optic cables. Further, authorization for the Supervisor to execute all necessary documentation.

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

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#259- 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 approve the following traffic control markings requested by Monroe County Department of Transportation.

Center lane left turn only for southbound traffic on Long Pond Road, north of Latta Road at 135', 544', along with 50' and 195' north of Kentucky Crossing.

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

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

RESOLVED that this Town Board grant authorization to purchase a sewer maintenance utility truck using the Onondaga County Bid.

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

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

RESOLVED that this Town Board grant authorization to accept to accept the application for a sidewalk waiver for 3329 Edgemere Drive. The applicant has offered to pay \$756.00 and provide a sidewalk easement rather than constructing forty-two (42) feet of sidewalk along the right-of-way frontage. This application acceptance has been reviewed and is recommended by Engineering, Public Works, and Development Services.

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

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

RESOLVED that this Town Board grant authorization for RG&E to supply Town of Greece owned street lights with electricity for dusk to dawn operation. The fees are based on current approved tariff rates and will be paid from the consolidated street lighting account:

Gateway Landing on Canal Landing Boulevard: 10 – 250 watt metal halide fixtures (2 fixtures per pole). The cost per month per fixture will be \$16.88. The annual charge for 10 fixtures will be \$2025.50.

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

#263 - Councilman Conlon 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., Tuesday, October 13, 2015, at which time they will be publicly opened and read aloud for the following:

Ballistic Concrete Wall at the Greece Police Department Firing Range

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.

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

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

RESOLVED that this Town Board grant adoption of the 2015 Town of Greece Emergency Preparedness Plan.

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

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

RESOLVED that this Town Board grant authorization to declare the attached list as both surplus and scrap for the Greece Police Department.

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

#266 - 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 Care and Boarding of Stray and Injured Animals

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

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Stoneridge Animal Veterinary Hospital	*Per submitted fee schedule

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the care of stray and injured animals to the sole bidder, Stoneridge Veterinary Hospital, 550 Center Place Drive, Rochester, NY 14615.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Stoneridge Veterinary Hospital.

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

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

RESOLVED that this Town Board grant approval of, and authorization to enter into, a collective bargaining agreement between the Town of Greece and the Gold Badge Club for a period of January 1, 2014 through December 31, 2017.

BE IT FURTHER,

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

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

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

RESOLVED that this Town Board grant authorization to apply for a grant through the Justice Court Assistance Program (JCAP) and to request up to the maximum amount available; funding is to be used by the Town Court for Audio/PA equipment, security equipment, office supplies, and/or office furniture.

BE IT FURTHER

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

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

#269 - Councilman Conlon 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., Tuesday, October 13, 2015, at which time they will be publicly opened and read aloud for the following:

2016 Ford Interceptor Sedans and Utilities, Ford Explorers, Ford Taurus', Ford Expeditions, and Ford Fusions.

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

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

WHEREAS, Flight Wine Bar, Inc. has made application for a special use permit operate a restaurant, to be known as Flight West, on property located at 836 Long Pond Road, in Stoney Creek Plaza.

WHEREAS a special use permit to operate a restaurant 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;

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 20th day of October 2015 at 6:16 p.m., to consider the application submitted Flight Wine Bar, Inc. on property located at 836 Long Pond Road, in Stoney Creek Plaza.

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

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

WHEREAS, Aria Matthews (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 a restaurant, with seating for not more

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than 12 customers at such restaurant, on property located at 1273 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, with seating for not more than 12 customers at such restaurant, in an existing commercial building (the "Premises"). The proposed restaurant operates partly in conjunction with, and partly independent of, an existing group instruction facility in the same building (Aria's School of Music and Art). The Proposal includes service and sale of hot and cold beverages (such as coffee, tea, soft drinks, and beer and wine) and hot and cold foods (such as bagels, muffins, and pastries which have been prepared off-site), for consumption on the Premises. Weather permitting, outdoor seating for consumption of food and beverages will be provided in an area that is adjacent to the restaurant. The Proposal does not include outdoor cooking; outdoor loudspeakers; takeout service; 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 be 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 proposed hours of availability to the public are: Mondays through Fridays, 7:00 a.m. to 9:00 p.m.; Saturdays, 8:00 a.m. to 10:00 p.m.; and Sundays, 9:00 a.m. to 5:00 p.m. Vehicular access for the Premises is via an unsignalized driveway at 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 a Type II action under SEQRA. (SEQRA Regulations, § 617.5(c)(1) & (2).)
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 by the Town Board relative to the Proposal.

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

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

WHEREAS, Aria Matthews (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 a restaurant, with seating for not more than 12 customers at such restaurant, on property located at 1273 Long Pond Road, in a BR (Restricted Business) Zoning District; and

WHEREAS, the Town Board makes the following findings:

1. In summary, the Applicant's proposal (the "Proposal") is to operate a restaurant, with seating for not more than 12 customers at such restaurant, in an existing commercial building (the "Premises"). The proposed restaurant operates partly in conjunction with, and partly independent of, an existing group instruction facility in the same building (Aria's School of Music and Art). The Proposal includes service and sale of hot and cold beverages (such as coffee, tea, soft drinks, and beer and wine) and hot and cold foods (such as bagels, muffins, and pastries which have been prepared off-site), for consumption on the Premises. Weather permitting, outdoor seating for consumption of food and beverages will be provided in an area that is adjacent to the restaurant. The Proposal does not include outdoor cooking; outdoor

loudspeakers; takeout service; 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 be provided indoors 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 Fridays, 7:00 a.m. to 9:00 p.m.; Saturdays, 8:00 a.m. to 10:00 p.m.; and Sundays, 9:00 a.m. to 5:00 p.m. Vehicular access for the Premises is via an unsignalized driveway at Long Pond Road (Monroe County Route 136, a one-way, two-lane urban minor arterial).

2. 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 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.
3. Public utility service and vehicular access are adequate for the Proposal.
4. The size and shape of the Premises are adequate for the Proposal.
5. 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 special use permit.

NOW THEREFORE, be it

RESOLVED that the Town Board has no objection to the Applicant's application to the State of New York for an on-premises liquor license at the Premises and hereby waives the 30-day notification requirement 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, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the request submitted by Aria Matthews (the "Applicant") for a waiver of the requirements for a special use permit to operate a restaurant, with seating for not more than 12 customers at such restaurant, known as New Roots Coffeehouse, on property located at 1273 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 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, successors, and assigns.

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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 Aria Matthews, her wholly owned subsidiaries, or her 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

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

WHEREAS, the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, proposes to construct a new lodge (the "Project") on land which the Town leases from the State of New York at Braddock Bay State Park, located at 199 East Manitou Road (the "Premises"); and

WHEREAS, the Town Board's representatives have prepared environmental information about the Project (collectively, the "Environmental Analysis"), which included but was not limited to: a conceptual site plan; aerial photographs; Part 1 of an Environmental Assessment Form (the "EAF"), which was prepared in part by using the New York State Department of Environmental Conservation (the "NYSDEC") online EAF Mapper application; and supplemental information about the Project from sources that included but were not limited to the United States Department of Agriculture Web Soil Survey, the NYSDEC Environmental Resource Mapper, the NYSDEC New York Nature Explorer, the New York State Historic Preservation Office Cultural Resource Information System Map, and a Geotechnical Evaluation of the Premises (Foundation Design, P.C., June 2015) (collectively, the "Environmental Analysis"); and

WHEREAS, upon review of the Project, 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 an Unlisted 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 would be primarily 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 for involved agencies to submit written comment on the Town Board's intent to become lead agency, for a period of thirty (30) days from the date on which a Notice of Intent to Become Lead Agency is distributed to such agencies.

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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 Supervisor 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.

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

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

RESOLVED that this Town Board grant authorization to adopt the Standard Work Day and Reporting Resolution for retirement reporting purposes.

BE IT FURTHER

RESOLVED that a complete copy of the resolution will be attached to the minutes of this meeting.

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

#274 - 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., Tuesday, October 13, 2015, at which time they will be publicly opened and read aloud for the following:

Sale of Surplus Leaf Compost

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

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

RESOLVED that this Town Board grant authorization for the Supervisor and/or his designee to purchase various highway equipment at the Monroe County Municipal and Government Surplus Auction, to be held on October 3, 2015, for a total amount not to exceed \$100,000.00.

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

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

RESOLVED that, pursuant to the requirements of section 103 of the General Municipal Law, sealed bids will be received at the Town Clerk's Office, Town of Greece, One Vince Tofany Boulevard, Greece, New York 14612, until 3:00 p.m., Monday, November 9, 2015, at which time they will be publicly opened and read aloud for the following:

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held September 15, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

Site Work and Installation of Utilities for the New Lodge at Braddocks Bay Park.

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

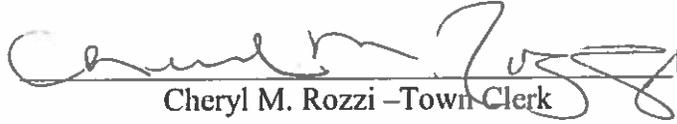
#277 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant acceptance of a Preserve New York grant from the Preservation League of New York State, in the amount of \$9800, to perform a cultural resource survey of the Koda Vista neighborhood.

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

Meeting adjourned at 6:33 p.m.

September 19, 2015
Date


Cheryl M. Rozzi - Town Clerk

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Town of Greece
 2015 Budget Modifications
 Town Board Agenda 09/15/2015

	Action	Account	Description	Amount
1)	Transfer From	A.3120.0000.201	Police, Equipment	\$ (5,300.00)
	Transfer To	A.3120.1000.428	Precinct 2, Equipment Rental	\$ 5,300.00
	<i>To finance the leasing of a color copier and its use.</i>			
2)	Transfer From	DA.5112.0000.102	Road Program, Overtime	\$ (70,000.00)
		DA.5112.0000.802	Road Program, SS Tax	\$ (4,340.00)
		DA.5112.0000.807	Road Program, Medicare Tax	\$ (1,015.00)
	Transfer To	DA.5112.0000.291	Road Program, Infrastructure	\$ 75,355.00
	<i>Allocate funds from overtime to capital outlay for Road Program.</i>			
3)	Increase Appropriations	L.7410.0000.201	Library, Program Expenses - Bullet Aid	\$ 15,756.20
	Increase Revenues	L.3840.0000.000	State Aid, Library	\$ 15,756.20
	<i>Bullet Aid to be used to purchase an additional self-checkout system for the Library.</i>			
4)	Increase Appropriations	A.3120.0002.445	Police, Bulletproof Vest Program	\$ 14,487.90
	Increase Revenues	A.4320.0000.000	Federal Aid, Public Safety	\$ 14,487.90
	<i>Bulletproof Vest Grant for the purchase of 35 new vests.</i>			
5)	Transfer From	A.3620.0000.217	Safety Inspection, Computerware	\$ (7,000.00)
	Transfer To	A.1620.0000.201	Buildings, Equipment	\$ 7,000.00
	<i>For additional security equipment at Town Hall Campus.</i>			
6)	Transfer From	A.1680.0000.104	Network Services, Seasonal Wages	\$ (2,000.00)
		A.1680.0000.802	Network Services, SS Tax	\$ (124.00)
		A.1680.0000.807	Network Services, Medicare Tax	\$ (29.00)
	Transfer To	A.1310.0000.104	Finance, Seasonal Wages	\$ 2,000.00
		A.1310.0000.802	Finance, SS Tax	\$ 124.00
		A.1310.0000.807	Finance, Medicare Tax	\$ 29.00
	<i>To fund a seasonal intern working on town's capital improvement program document.</i>			

GPD September Items

Scrap:

(old pct. 2 roll call room tables and chairs, all are in rough shape)

(4) 8' long x 2' wide tables with folding legs

(12) black metal-framed chairs with padded seats and backs

(3) Dog Crates

(1) Rabies Pole

Surplus:

(very old portable radios to be turned over to County Radio Center for recycling and/or for parts)

Motorola MT500 ID# 5685

Motorola MT500 ID# 5688

Motorola MT500 ID# 5682

Motorola MT500 ID# 5189

Motorola Radius P100 Serial # FQA4864

Motorola Radius P100 Serial # FPY3723

(3) associated microphones

September CSC Items

- Fred Lampey, 125 Princess Drive, Rochester, NY 14623; Contract to provide entertainment for an Oktoberfest Party at the Greece Community Center on September 11 in the amount of \$260.00.
- Eight Days a Week, Pam Montrois, 228 Kirk Rd, Rochester, NY; Contract to provide entertainment for Friends and Fun Night program on September 17 in the amount of \$320.00
- Drew Milch, 99 Peppermint Drive, Rochester, NY; Contract to provide a drum circle workshop for the Friends and Fun Program on September 24 in the amount of \$50.
- Cobble Creek Farm, 5161 Ridge Road West, Spencerport, NY 14559 - \$6.50/pp for maximum of 50 people for Friends N Fun Social field trip on October 8.
- New York State Museum of Transportation, 136 E. River Rd, W. Henrietta, 14586- \$7/for a maximum of 50 people for Friends and Fun Social field trip on October 1
- Frances Paxon, 129 Glen Haven Rd, Rochester, NY 14609; Contract to provide a presentation for the Time Out for Women program on September 30 in the amount of \$75.00
- Stephanie Oswald, 399 Lowden Point Rd, Rochester, NY 14612; Contract to provide instruction for the Anime & Manga Comic program from August 24-August 28 in the amount of \$50.00
- Mary Hutchins, 709 Cogdell Circle, Webster, NY 14580; contract to provide a presentation for the Time Out for Women program on September 16 in the amount of \$50.00
- Allen Hopkins, 111 New Castle Rd, Rochester, 14610; contract to provide a presentation for the Time Out for Women program on September 30 in the amount of \$75.00
- Fred Lampey, 125 Princess Drive, Rochester, NY 14623; contract to provide entertainment for the Oktoberfest Party on September 11 in the amount of \$260.00
- Corn Hill Navigation, PO Box 18417, Rochester, NY 14618; day trip on the Sam Patch via the Erie Canal & Genesee River Cruises at Schoen Place in Pittsford in the amount of \$12/pp for 14 people on October 7.
- Medina Railroad Museum, 530 West Avenue, Medina, NY 14103- trip in the amount of \$375 for a tour and train ride for a maximum of 14 people on October 14.
- Friends of Mt. Hope Cemetery, PO Box 18713, Rochester, NY 14618- day trip to the Mt. Hope Cemetery, 791 Mt. Hope Avenue, Rochester in the amount of \$75 for a maximum of 13 people on October 9.
- Mary Hutchins, 7090 Cogdell, Webster, NY 14580; contract to provide instruction for the Pearl Girls program from October 12-November 16 for the maximum amount of \$475.
- Eleanor Patterson, 388 Maquire Rd, Rochester, NY; contract to provide instruction for the Adult Fall Craft program on October 14 in the amount not to exceed \$140.00
- Robert Rosario, 1 Larkins Crossing, Rochester, 14612; contract to provide entertainment for the Kids Discovery Day on October 12 in the amount of \$25.
- Will Herzog, 119 Aspen Drive, Rochester, NY 14625; Contract to provide line dancing classes on Tuesdays beginning October 6 and running through April 5, 2016 in the amount of \$25 per hour.
- Zuperbounce, LLC 3900 Buffalo Rd, Rochester, NY 14624- July 4, 2015; \$3500 for inflatables for July 4 celebration.

2015 DPW Fall Auction list (revised)
Auction Date: Saturday October 3, 2015 9:00am

1. #54 – 2010 Silver Eagle single axle trailer, vin #29666
2. #55 – 2010 Silver Eagle single axle trailer, vin #31887
3. #138 – 1995 International 6-wheel dump truck,
vin#1HTGEAUR3SH643514
4. #136 – 1995 Volvo/White 10-wheel dump truck,
vin#4V2SCBME9SR514359
5. #163 – 1997 Volvo/White 10-wheel dump truck,
vin#4VHJCBME3VN859903
6. #186 – 2000 International Harvester 1-ton trailer, vin
#1ZFUF0819YB001220
7. #187 – 2000 Cross Country 5-ton trailer, vin #431FS182XY1001075
8. #199 – 1966 Caterpillar D7 crawler dozer, Serial #75E452
9. #202 – 2002 Ford F-350 4x4, vin #1FTSF31L12EC88943, 122,300
miles
10. 1000 Gallon waste oil tank
11. Miscellaneous car and truck parts
12. Miscellaneous tires and wheels

Machines

Name	Serial#	Asset #	SCRAP	SALE	HD CHECKED
DPW22	FHR4NF1	3251	Yes	No	Yes
ASSER03	CMG93L1	1358	Yes	No	Yes
TECHSVC04	GMG93L1	1356	Yes	No	Yes
MAINT004	1FH8NM1	3904	Yes	No	Yes
TECHSVC16	JLPQRL1	2687	Yes	No	Yes

Harddrives

Brand	Serial #	Scrap
Seagate	9RX61APT	Yes
Samsung	S1VCJ90S953388	Yes
Samsung	S1VCJ90S954694	Yes
	4FHMLY6S	Yes
Western Digital	WD-WCAV3A542553	Yes
Samsung	S1VBJ90SC04120	Yes

Monitors

Brand	Serial #	Asset #	Scrap	Sale	
Acer	ETLAL08004812165884202	3148	Yes	No	
Dell	MX-05PN1h-74262-020-1CTS	3063	Yes	No	
V7	193S91923S612C72101217		Yes	No	
NEC	1Y14183IA	3170	Yes	No	
Dell	CN-08JCGH-74445-22D-A3QM	1571	Yes	No	
Acer	ETL840B018644082223903		Yes	No	
Dell	CN-0FP182-71618-817-RG50	3819	Yes	No	
Dell	CN-OG438H-64180-8AU-32YL	60347	Yes	No	
Norwood Micro	5410C154HKA		Yes	No	
Acer		94424646440	2706	Yes	No
KDSUSA	F8SI54097445U	3975	Yes	No	
Dell	CN_0Y320G-74261-96Q-84US	2746	Yes	No	

Other

Brand	Serial #	Asset #	Scrap	Sale	Type
HP	CNB9BCSBOX		Yes	No	Printer
HP	CN88NA534M		Yes	No	Scanner
Verifone	M251-000-33NAA209-769-914	1318	Yes	No	Credit Card Scanner