

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held October 20, 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 Acting Organizer Linda Stephens of Sunday Assembly of Rochester.

Supervisor Reilich showed renderings of both the new Braddock Bay Lodge and Greece Police Headquarters to those in attendance. He also announced the Citizens Preparedness Corps Training Program initiative.

#278 – (TAKEN OUT OF ORDER) Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to abolish two Police Lieutenant positions, resulting in a total of 3 remaining authorized Police Lieutenant positions, and create one Deputy Chief position; furthermore appoint Casey Voelkl to the position of Deputy Chief effective October 24, 2015.

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

Supervisor Reilich and the Town Board asked Police Chief Patrick Phelan to administer the Oath of Office.

Note: The Oath of Office was administered to Deputy Chief Casey Voelkl.

#279 – (TAKEN OUT OF ORDER) Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to appoint Brian Larkin to the position of Police Officer effective October 26, 2015.

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

Note: The Oath of Office was administered to Police Officer Brian Larkin.

#280 – (TAKEN OUT OF ORDER) Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to promote Charles St. John to the rank of Police Lieutenant effective October 24, 2015.

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

Note: The Oath of Office was administered to Police Lieutenant Charles St. John.

#281 – (TAKEN OUT OF ORDER) Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to promote Sengova Sandi to the rank of Police Sergeant effective October 24, 2015.

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

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#282 – (TAKEN OUT OF ORDER) Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to promote Bryan Root to the rank of Police Sergeant effective October 24, 2015.

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

Note: The Oath of Office was administered to Police Sergeant Bryan Root.

PUBLIC FORUM:

An Open Forum was conducted to allow speakers the opportunity to address the Town Board. Three speakers addressed the Town Board and the Open Forum concluded at 6:39 p.m.

PUBLIC HEARINGS:

6:15 p.m. — CANCELLED. Continuation of the public hearing to consider the request submitted by Hyatt Corporation for a special use permit to operate a hotel, to be known as Hyatt Place, on property located at 125 Bellwood Drive, in Canal Ponds Business Park.

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

6:16 p.m. — Public hearing to consider the request submitted by Flight Wine Bar, Inc. for a special use permit to operate a restaurant, to be known as Flight West, on property located at 836 Long Pond Road, in Stoney Creek Plaza.

Supervisor Reilich declared the public hearing open at 6:40 p.m. to consider the request submitted by Flight Wine Bar, Inc. for a special use permit to operate a restaurant, to be known as Flight West, on property located at 836 Long Pond Road, in Stoney Creek Plaza.

Proof of publication in the Greece Post on Thursday, October 8, 2015 was read and received. Betsy Brugg of Woods Oviatt & Gilman provided an overview of the project. There were no speakers who addressed the Town Board and the hearing concluded at 6:49 p.m.

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

WHEREAS, Flight Wine Bar, 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 Flight West, on property located at 836 Long Pond Road, in Stoney Creek Plaza, 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 existing, vacant tenant space located at a multiple-tenant commercial plaza (the "Premises"). The Proposal includes tastings of wines and whiskeys, preparation and service of food (such as sandwiches and flatbreads, charcuterie, salads, cheeses, and chocolates), and service of alcoholic and nonalcoholic beverages for consumption on the Premises. Weather permitting, outdoor seating for consumption of food and beverages will be provided in a limited area that is adjacent to the front of the restaurant. Background music (as this term is defined in the Town's zoning ordinance) will be provided indoors on a recurring basis. The Proposal does not include outdoor loudspeakers, outdoor cooking, takeout service, delivery service, or a drive-up service window. 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, 10:00 a.m. to 8:00 p.m.; Mondays through Thursdays, 4:00 p.m. to 10:00 p.m.; and Fridays through Saturdays, 4:00 p.m. to 1:00 a.m. Vehicular access for the

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Premises is via unsignalized driveways at Long Pond Road (Monroe County Route 136, a four-lane urban minor arterial) and at English Road (Monroe County Route 109, a two-lane urban collector).

2. In 2000 and 2001, the Town Board considered a request to amend the Town's zoning ordinance and official zoning map by changing the zoning of the Premises from SF1 (Single-Family Residential) and SF2 (Single-Family Residential) to BR (Restricted Business) (the "Rezoning Request").
3. Upon reviewing the Rezoning Request for purposes of compliance with SEQRA, the Town Board determined that the Rezoning Request was classified as a Type I action.
4. In accordance with SEQRA, the Town Board became the lead agency for the coordinated environmental review of the Rezoning Request.
5. The Town Board required the preparation of a Draft Environmental Impact Statement (the "DEIS") and a Final Environmental Impact Statement (the "FEIS") to examine the potential impacts of the Rezoning Request and the proposed development of the Premises (the "2001 Plan").
6. The applicant/project sponsor for the Rezoning Request and the 2001 Plan proposed mitigation measures to address the various potential environmental impacts of the Rezoning Request.
7. On May 15, 2001, in accordance with SEQRA, the Town Board issued a Findings Statement (the "2001 Findings Statement"), which concluded that, consistent with social, economic, and other essential considerations from among the reasonable alternatives thereto, the Rezoning Request and the 2001 Plan minimized or avoided adverse environmental effects to the maximum extent practicable, and that, to the maximum extent practicable, potential adverse environmental effects revealed in the environmental review process would be minimized or avoided by the Rezoning Request's applicant/project sponsor's voluntary incorporation of mitigation measures that were identified as practicable (the "2001 Mitigation Measures").
8. On May 15, 2001, the Town Board approved the Rezoning Request.
9. The current development plan for the Premises, of which the Proposal is a part, includes mitigation measures that are the same as, or substantially similar to, the 2001 Mitigation Measures.
10. The current development plan for the Premises, of which the Proposal is a part, is in substantial conformity with the 2001 Plan.

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
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

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

WHEREAS, Flight Wine Bar, Inc. (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 special use permit to operate a restaurant, to be known as Flight West, on property located at 836 Long Pond Road, in Stoney Creek Plaza, 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 existing, vacant tenant space located at a multiple-tenant commercial plaza (the "Premises"). The Proposal includes tastings of wines and whiskeys, preparation and service of food (such as sandwiches and flatbreads, charcuterie, salads, cheeses, and chocolates), and service of alcoholic and nonalcoholic beverages for consumption on the Premises. Weather permitting, outdoor

seating for consumption of food and beverages will be provided in a limited area that is adjacent to the front of the restaurant. Background music (as this term is defined in the Town's zoning ordinance) will be provided indoors on a recurring basis. The Proposal does not include outdoor loudspeakers, outdoor cooking, takeout service, delivery service, or a drive-up service window. 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: Sundays, 10:00 a.m. to 8:00 p.m.; Mondays through Thursdays, 4:00 p.m. to 10:00 p.m.; and Fridays through Saturdays, 4:00 p.m. to 1:00 a.m. 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 English Road (Monroe County Route 109, a two-lane urban collector).

2. Proof was had of the notice of public hearing on a resolution proposing to permit the Applicant to operate said restaurant.
3. On October 20, 2015 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 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. 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.
7. Access to the Premises and the size and shape of the Premises are adequate for the Proposal.
8. 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 the Town Board does not object to the Applicant's application to the New York State Liquor Authority for an on-premises liquor license at the Premises and hereby waives the 30-day notification and comment period for such application, and be it

FURTHER 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 Flight Wine Bar, Inc. (the "Applicant") for a special use permit to operate a restaurant, to be known as Flight West, on property located at 836 Long Pond Road, in Stoney Creek Plaza (the "Premises"), 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. Approval of the special use permit for this restaurant shall be contingent on the Town's Board of Zoning Appeals granting an area variance for the number of parking spaces on the Premises, or the provision of sufficient parking spaces on the Premises to comply with the requirements of the Zoning Ordinance.

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3. 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.
4. 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.
5. The Applicant shall implement methods of distributing customer parking on the Premises to areas other than the front (that is, west side) of the building. Such methods may include, but shall not be limited to: making doors on the rear (that is, east side) of the building available for use by the public, providing on the Premises methods of informing the public of the availability of such doors; and providing on the Premises methods of directing the public to the parking at the rear (east side) of the building. All such methods shall be subject to review and approval by the Town's Director of Development Services and Director of Technical Services.
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.
9. Upon the sale or other transfer of controlling interest in this restaurant to any person or entity other than Flight Wine Bar, Inc., 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
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

#284 - 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 a contract between the Town of Greece and The Housing Council at PathStone, Inc., for professional services related to administration of a comprehensive housing counseling program, in an amount not to exceed \$5,000.00 (to be paid from the Town's 2015-2016 Community Development Block Grant funds),

BE IT FURTHER,

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

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

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

RESOLVED that this Town Board grant authorization for the Supervisor to enter into a contract between the Town of Greece and Lifespan of Greater Rochester, Inc., for professional services related to administration of the Home Safe Home program in the town, in an amount not to exceed \$10,000.00 (to be paid from the Town's 2015-2016 Community Development Block Grant funds),

BE IT FURTHER,

RESOLVED that the Supervisor to execute all related documents.

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

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

RESOLVED that this Town Board grant issuance of a negative declaration, indicating no significant adverse environmental impact, for the coordinated environmental review of the Town's proposed Braddock Bay Park Lodge.

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

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

RESOLVED that this Town Board grant authorization to enter into an agreement with Judd Sunshine, Inc. to provide a musical performance on July, 4, 2016 in an amount not to exceed \$29,000.00. Further, authorization for the Supervisor to execute all necessary documentation.

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

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

RESOLVED that this Town Board grant authorization 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

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

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

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

RESOLVED that this Town Board grant authorization for the Supervisor to enter into an agreement with New World Systems for the purchase and implementation of a new payroll software system. Our current system, which is also with New World is over 20 years old and operates on an IBM main frame computer. Both the software and the computer are old technology that needs to be upgraded. An internal team looked into both new software systems as well as outsourcing and after a thorough review determined that upgrading to the new software system with New World is the best option.

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

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

RESOLVED that this Town Board grant authorization to accept a Letter of Credit from Vanderstyne Toyota in the amount of \$62,820.00 to guarantee the public improvements associated with this construction project.

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

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

RESOLVED that this Town Board grant acceptance of a Letter of Credit from Vanderstyne Toyota in the amount of \$62,820.00 to guarantee the public improvements associated with this construction project.

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

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

RESOLVED that this Town Board grant acceptance of a certified check in lieu of a letter of credit in the amount of \$64,882.50 from Heritage Christian Services to guarantee the public improvements related for the Expressive Beginnings Child Care Facility.

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

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

RESOLVED that this Town Board grant authorization to schedule a public hearing date of Tuesday, November 10, 2015 at 5:30 p.m. on the 2016 Proposed Town of Greece Budget.

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

#294 – Councilman Granville offered the following resolution and moved its adoption; seconded by Councilwoman 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., Thursday, December 3, 2015, at which time they will be publicly opened and read aloud for the following:

Construction of the Town of Greece Police Headquarters and Courthouse Addition –
Town Hall Campus

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 Dataflow, Inc., and will be available November 5, 2015 at noon 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

#295 – 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 2015 Sale of Surplus Leaf Compost

WHEREAS on Tuesday, October 13, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Green Renewable of Manchester NY Inc.,	\$2.25 per cubic yard (est. 5,000 cubic yds. total price of \$11,250.00)

NOW THEREFORE, be it

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RESOLVED that this Town Board award the bid for the sale of surplus leaf compost to the sole bidder, Green Renewable of Manchester NY Inc., 155 State Street, Manchester, NY 14504.

BE IT FURTHER,

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

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

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

RESOLVED that this Town Board grant authorization to enter into an agreement with the following fire districts to provide supplemental snow and ice control services under extraordinary circumstances pursuant to Section 142-6 of the New York State Highway Law: Barnard, North Greece, Lake Shore, and Ridge Road fire districts;

BE IT FURTHER,

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

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

#297 – 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 install 100w HPS Colonial light fixtures on fiberglass poles, owned by the Town of Greece, at the following locations to be paid from the Consolidated Street Lighting account:

- Four (4) in Legends West Subdivision, Section 7, at an annual cost of \$514.32

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

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

RESOLVED that this Town Board grant authorization to declare the following items as surplus/scrap (list attached).

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

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

WHEREAS, this Board has previously resolved to invite sealed bids for the construction of a concrete ballistic wall at the Greece Police Firing Range.

WHEREAS on Tuesday, October 13, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
TRS Range Services LLC	\$106,900.00

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the construction of a concrete ballistic wall to the sole bidder, TRS Range Services LLC of Charleston, SC.

BE IT FURTHER,

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RESOLVED, that the Supervisor is authorized to enter into a contract with TRS Range Services LLC.

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

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

WHEREAS, this Board has previously resolved to invite sealed bids for the purchase of police vehicles.

WHEREAS on Tuesday, October 13, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>	
Henderson Ford	Police Interceptor Utility	\$25,300.00
	Ford Explorer	\$25,951.00
	Ford Expedition	\$31,798.00
	Ford Fusion	\$17,035.00
Cortese Auto Group	Police Interceptor Utility	\$26,527.00
	Ford Explorer	\$27,317.00
	Ford Expedition	\$33,382.00
	Ford Fusion	\$18,105.00
Van Bortel Ford	Police Interceptor Utility	\$26,484.00
	Ford Explorer	\$25,292.00
	Ford Expedition	\$33,381.00
	Ford Fusion	\$18,362.00
Genesee Valley Ford	Police Interceptor Utility	\$31,912.74
	Ford Explorer	\$26,571.74
	Ford Expedition	\$32,381.85
	Ford Fusion	\$17,362.74

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the purchase of Police Vehicles to Henderson Ford, 810 Ridge Road, Webster, NY 14580.

BE IT FURTHER,

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

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

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

RESOLVED that this Town Board grant authorization to create one Detective position.

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

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

RESOLVED that this Town Board grant authorization to settle the matter of John Plummer and CSEA, Local 828 v. The Town of Greece.

BE IT FURTHER,

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

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

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

RESOLVED that this Town Board grant authorization to add Jonathan Hellmann to the list of employees who are authorized to approve bank account investments, debit/credit transfers, wire transfers and ACH transactions.

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

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

RESOLVED that this Town Board grant authorization to apply for two Transportation Improvement Program (TIP) grants for the reconstruction of the Straub Road Bridge over Round Pond Creek and for the resurfacing of Maiden Lane between Fetzner Road and Mt. Read Boulevard. If awarded, the projects costs would be 80% federal funds and 20% Town funds.

BE IT FURTHER,

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

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

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

RESOLVED that this Town Board grant authorization to appoint Thomas J. Marletta to the position of Staff Assistant in the Office of the Supervisor effective November 9, 2015.

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

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

WHEREAS, Farmers Outstanding in their Field, Inc. (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 Jreck Subs Plus, now to be known as Marvin Mozzeroni's, on property located at 2846 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/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, pizza, pasta, sandwiches, salads, and desserts) and non-alcoholic beverages for consumption on the Premises and for takeout and delivery, and alcoholic beverages for consumption at the restaurant. Although the Proposal includes the service and sale of alcoholic beverages, this is an incidental, secondary, and subordinate element of the Proposal, offered principally for consumption as an accompaniment to meals, and there is no seating at a bar. 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; 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 for dining and takeout service inside the restaurant and for delivery service are: Sundays, 11:00 a.m. to 12:00 midnight; Mondays through Thursdays, 10:00 a.m. to 12:00 midnight; Fridays, 10:00 a.m. to 3:00 a.m.; and Saturdays, 11:00 a.m. to 3:00 a.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 at Pepperidge Drive (a two-lane, Town subdivision road); Pepperidge Drive connects to West Ridge Road at an unsignalized intersection.

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) & (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
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

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

WHEREAS, Farmers Outstanding in their Field, Inc. (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 Jreck Subs Plus, now to be known as Marvin Mozzeroni's, on property located at 2846 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, pizza, pasta, sandwiches, salads, and desserts) and non-alcoholic beverages for consumption on the Premises and for takeout and delivery, and alcoholic beverages for consumption at the restaurant. Although the Proposal includes the service and sale of alcoholic beverages, this is an incidental, secondary, and subordinate element of the Proposal, offered principally for consumption as an accompaniment to meals, and there is no seating at a bar. 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; 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'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 for dining and takeout service inside the restaurant and for delivery service are: Sundays, 11:00 a.m. to 12:00 midnight; Mondays through Thursdays, 10:00 a.m. to 12:00 midnight; Fridays, 10:00 a.m. to 3:00 a.m.; and Saturdays, 11:00 a.m. to 3:00 a.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 at Pepperidge Drive (a two-lane, Town subdivision road); Pepperidge Drive connects to West Ridge Road at an unsignalized intersection.
2. The Proposal is in substantial conformity with the previous operator's description of the nature, duration, and intensity of the operation.

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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, 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 Farmers Outstanding in their Field, Inc. (the "Applicant") for a waiver of the requirements for a new special use permit to operate a restaurant, formerly known as Jreck Subs Plus, now to be known as Marvin Mozzeroni's, on property located at 2846 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 Farmers Outstanding in their Field, Inc., 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
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

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

RESOLVED that this Town Board grant authorization to amend an existing lease agreement with T-Mobile USA Tower, LLC to operate a cell tower upon a 2,500 square foot leased area at 647 Long Pond Road, with a final lease expiration date of August 31, 2065. The revised lease agreement will include a one-time payment of \$505,000.00 by T-Mobile USA Tower, LLC to the Town.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held October 20, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

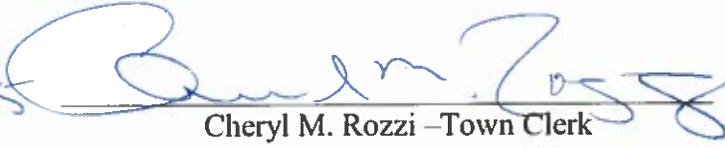
BE IT FURTHER,

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

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

Meeting adjourned at 7:05 p.m.

~~October 30, 2015~~ 
Date Cheryl M. Rozzi - Town Clerk

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CSC October Items

- Don Newcomb, 582 Kirk Rd, Rochester, NY; Contract to provide entertainment for the CSC Halloween party from 12:30-2:30pm on Friday October 30 in the amount of \$285.00.
- Rick Ventura, 948 Edgemere Drive, Rochester, NY 14612; Contract to provide dj services for the CSC Family Halloween party on Thursday October 29 (Friends and Fun) and Friday October 30, 2015 in the amount of \$115.00 each night.
- Marilyn Lowden Koss Wright, 325 Payne Beach Rd, Hilton, NY 14468: Contract to provide a presentation to the Time Out for Women program on November 18 from 9:45-11:00am in the amount of \$50.00.
- Barbara Van Gennip, 137 Wood Run, Rochester, NY 14612; Contract to provide a presentation for Time Out for Women program on October 28 from 9:45am-11:00am in the amount of \$75.00
- Elizabeth Berry, Touchpoints, 31 Brookshire Lane, Penfield, NY 14526; Contract to provide a presentation for Time Out for Women program on November 4 from 9:45am-11:00am in the amount of \$90.00.
- Ernie Capone, 26 Bitterfoot Trail, Hilton, NY 14468; Contract to provide entertainment for the Thanksgiving Party on November 19 from 12:30pm-2:30pm in the amount of \$200.00
- Artists Unlimited, PO Box 26766, Rochester, NY 14626 - \$8/per ticket for Friends N Fun Social to see "Mary Poppins" at Theatre on the Ridge on Thursday, November 12, 2015.
- Traveling Cabaret, Phyllis Kravetz, 20 Onyx Drive, Penfield, NY 14526; Contract to provide entertainment for Senior Center on December 2 from 12:30-1:30pm in the amount of \$300.00

DPW October Surplus & Scrap Items:

(All quantities are one (1) unless otherwise noted)

Hewlett Packard – HP Design Jet 230 - Model #C4694A, Serial #ESA5A18716;
Hewlett Packard – HP Design Jet 680C Printer – Model #C4549A, Serial #SG6Z81Q05X;
Six (6) Unity Phones – FCC Registration #AB6982-14313-TE-T (same for each);
Hewlett Packard Printer – Model #C2684A, Serial #SG8A21206M;
Fellowes Laminator – Model #HRL 125, CRC 52081.4;
Panasonic “Easa-Phone” Answering Machine – Model #KX-T1412, Serial #8LAHA08257;
Rotelcom Phone – Model #564 – FCC #A779-KU-96444-KX-R;
Six (6) Vodavi Communications System Starplus Enhanced Key Telephone – Part #SP61612-60
Serial #00730108; 00730959; 00832476; 00932829; 00933131; 00933567;
Vodari Communications System Starplus Basic Key Telephone – Part #SP61610, Serial #00710617;
AT&T IDSN Telephone – Model #6508T, Serial #93SP06134096;
Simplex Time Recorder – Model #HZ2GDH, Serial #X09084BG;
Mutura Fax – Model #M1850, FCC #DKUSPN – 60802-FA-E;
Taylor Instrument Companies Synchron (no numbers – some kind of weather instrument);
Panasonic Foot pedal – Model #RP-2691;
Metro Data Vac/2, Model #MDV-2;
Mitsubishi Mains Unit/Fast Charger, Model #FZ-364A, Serial #unintelligible;
Two (2) Newpoint Switcher 2000 Plus, Model #P50T, Lot/Date Code 9618;
Two (2) Newpoint Switcher 2000 Plus, Model #P50T, Lot/Date Code 9814;
Fellowes Stock No. 99011 Surge Suppressor;
Brother Intelli Fax, Model #1270, Serial #K71553202;
Samsung Video Cassette Player, Model #VP2509, Serial #V909081580;
Bogen Amp Challenger Solid State, Model #C60 Series X-39;
Casio Printing Calculator, Model #DR-100S, Serial #32012T4;
Cenair Phone Answering Machine System 2100, Model #TAD-2100(Z), Serial #9203070122;
KIT 2000 Key Communications Service Fax, Model #GE5256D, Serial #212AG110108;
Cosmic Computers Connection Box II, Model # MB2400EX, Serial #311-0200;
Casio Electric Calculator, Model FR-101;
Duo-Fone – 183, Model #43-608, Serial #8010769;
Aiphone, Model #LAA, Lot #702789Z w/Power Supply, Model #PS-12C, Lot #2028908;
AT&T Phone, Model #44100, Serial #858794;
Sharp VHS VC-A102, Model #VC-A102U, Serial #436692;
Royal Cash Management System (Cash Register), Model #487 NX, Serial #44201452;
IBM Selectric II Electric Typewriter, Model #670X;
Xerox “Memorywriter” Typewriter, Model #6105, Serial #02C-046567;
Hewlett Packard – HP LaserJet Plus Printer, Model #C2037A, Serial #JPGL127127;
Zoom Fax Modem 14.4EX, Model #165;
Okidata Microline 591 24-Pin Printer, Model #GE8293A;
Mico Corporation Microfiche, Model #797, Serial #39294;
Panasonic Easa-Phone, Model #KX-T3120, Serial #OEBHA32424;
Swintec Typewriter, Model #2600, Date Code 9402;

Micron Microfiche, Model #797, Serial #0251395;
IBM Selectric III Correction Typewriter, Model #670X;
Micron Microfiche, Model #797, Serial #3403724;
IBM Hard Drive, Model #L5K, Serial #902Y674;
Mutura Fax Machine, Model #F-48, Serial #D2730000007052;
AT&T Digital Answering System Voice Time/Date Stamp, Model #1720, Serial #96-
172M;
Motorola Command Series, Model #L1474A, Serial #7400CQU3026;
Motorola Command Series, Model #L1474A, Serial #7400CQU3023;
Dukane Overhead Projector, Serial #1681871

Town of Greece
 2015 Budget Modifications
 Town Board Agenda 10/20/2015

Action	Account	Description	Amount
1)	Transfer From A.7110.0000.293	Parks, Land Improvements	\$ (50,000.00)
	Transfer To H.0541.7110.419	BB Lodge, Professional Services	\$ 50,000.00
	<i>For BB Lodge site preparation and design.</i>		
2)	Transfer From A.1610.0000.410	Shared Services, Postage	\$ (8,000.00)
	Transfer To A.1610.0000.201	Shared Services, Equipment	\$ 8,000.00
	<i>For the purchase of a point of sale terminal system for Town Clerk and Tax Receiver.</i>		
3)	Transfer From L.7410.0000.103	Library, Part time Wages	\$ (31,925.00)
	Transfer To L.7410.0000.204	Library, Furniture	\$ 31,925.00
	<i>For the purchase of study pods for placement in main library.</i>		
4)	Transfer From A.7020.0000.103	Recreation, Part time Wages	\$ (14,855.00)
	Transfer To A.7140.0000.102	Summer Programs, Overtime	\$ 2,905.00
	Transfer To A.7140.0000.104	Summer Programs, Seasonal Wages	\$ 10,900.00
	Transfer To A.7140.0000.802	Summer Programs, Social Security Tax	\$ 850.00
	Transfer To A.7140.0000.807	Summer Programs, Medicare Tax	\$ 200.00
	<i>To closout Summer Program account.</i>		
5)	Transfer From A.7310.0000.445	Youth and Family, Program Expenses	\$ (500.00)
	Transfer To A.7020.0000.408	Recreation, Office Items	\$ 500.00
	<i>To fund additional supplies to year end.</i>		
6)	Transfer From A.5410.0000.104	Sidewalks, Seasonal Wages	\$ (45,000.00)
	Transfer To A.5410.0000.411	Sidewalks, Contracted Services	\$ 30,000.00
	Transfer To A.8160.0000.411	Transfer Station, Contracted Services	\$ 15,000.00
	<i>To fund sidewalk hazard mitigation efforts, and crushing of concrete for reuse at the transfer station.</i>		
7)	Transfer From A.1620.0000.424	Buildings, Utilities	\$ (3,500.00)
	Transfer From A.1620.0000.425	Buildings, Janitorial	\$ (3,000.00)
	Transfer To A.1620.0000.201	Buildings, Equipment	\$ 6,500.00
	<i>Transfers to apportion funds for security upgrades in and around various building in Town Hall complex.</i>		