

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2022 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 |
| Michael Bloomer | Councilman |
| William Murphy | Councilman |
| Diana Christodaro | Councilwoman |
| | |
| Cheryl M. Rozzi | Town Clerk |
| Bill Lowe | Town Attorney |

Supervisor Reilich called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE:

Supervisor Reilich called upon Councilman Bill Murphy to lead the Town Board in the Pledge of Allegiance. Supervisor Reilich held a Moment of Silent Prayer and Reflection.

PROCLAMATION:

Supervisor Reilich – joined by the Town Board – awarded a proclamation to Nikaulus Smith honoring his achievement of receiving the rank of Eagle Scout in Troop # 130. For his scout project, he replaced garden beds at the Irondequoit Food Cupboard.

Next, Supervisor Reilich asked Chief Michael Wood to administer the Oath of Office ceremonially to Aaron Springer who was promoted to Deputy Chief of the Greece Police Department.

PUBLIC FORUM:

An Open Forum was conducted to allow speakers the opportunity to address the Town Board. There were six speakers that addressed the Town Board on various topics and the Open Forum concluded at 6:20 p.m.

PUBLIC HEARING:

6:00 p.m. Public hearing to consider a proposed Local Law #4 of the year 2022 amending Chapter 53 of the code of the Town of Greece to adjust the Ward boundaries to reflect the population changes as are shown by the 2020 United States Census.

Supervisor Reilich declared open the public hearing at 6:20 p.m. The Clerk stated that publication of this notice in the Daily Record on June 29, 2022 was received.

Supervisor Reilich called upon Bill Lowe, Town Attorney to provide an overview of the proposed Local Law. There were no speakers and the hearing concluded at 6:34 p.m.

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

**Local Law #4 of the year 2022
Reapportionment of the Ward Boundaries as a Result of the 2020 United States Census**

WHEREAS, the Town Board has considered proposed Local Law #4 of the year 2022 amending Chapter 53 of the code of the Town of Greece to adjust the Ward boundaries to reflect the population changes as are shown by the 2020 United States Census, and it being considered to be in the best interest of the Town to adopt this proposed local law;

WHEREAS, the adoption of local laws is subject to review under the SEQRA Regulations, and constitutes an Unlisted action pursuant to Section 617.5(c)(46) of the SEQRA Regulations; and

WHEREAS, having considered Part 1 of the Environmental Assessment Form, and having carefully considered any potential environmental implications of adopting said Local Law, the Town Board makes the following findings:

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1. The proposed Local Law will not result in any construction or physical change to land or other environmental resources, and;
2. The proposed Local Law is not inconsistent with the community's goals or comprehensive plans.

NOW, THEREFORE, be it

RESOLVED, that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, the Town Board determines that the Proposal and the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration; and

BE IT FURTHER,

RESOLVED, that pursuant to the provisions of the Municipal Home Rule Law and Town Law, the Town Board of the Town of Greece does hereby adopt Local Law #4 of the year 2022 amending Chapter 53 of the code of the Town of Greece to adjust the Ward boundaries to reflect the population changes as are shown by the 2020 United States Census; and

BE IT FURTHER,

RESOLVED, that a complete text of said local law is on file in the Office of the Greece Town Clerk, and will be attached to the minutes of this meeting. Be it enacted by the Town Board of the Town of Greece as follows:

Section 1. Title. This Local Law shall amend Chapter 53 of the code of the Town of Greece to adjust the Ward boundaries to reflect the population changes as are shown by the 2020 United States Census and shall be entitled "Reapportionment of the Ward Boundaries as a Result of the 2020 United States Census."

Section 2. Purpose and Findings. It is the purpose of this Local Law to adjust the current Ward boundaries within the Town of Greece to ensure the number of voters in each ward is approximately equal, as proscribed under Section 85(1) of the New York Town Law. The Town Board of the Town of Greece finds that it is in the best interest of the Town to adjust such boundaries to ensure compliance with the Town Law in this regard.

Section 3. Amendment of Chapter 53 of the Code of the Town of Greece. Chapter 53 of the code of the Town of Greece shall be amended to adjust the current Ward Boundaries within the Town of Greece to reflect the population changes as are shown by the 2020 United States Census, as follows:

§53-1 Intent

It is the intention of this chapter to reapportion the wards as the result of the 2020 Census to conform to the constitutional standards of equal representation.

§53-2 Ward Boundaries

- A. The ward boundaries as heretofore established shall be readjusted to fix the boundaries of the wards to reflect the population changes as are shown by the 2020 United States Census.
- B. The ward boundaries are readjusted as set forth on the attached description.

Section 4. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

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Section 5. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

RESOLVED that this Town Board grant a Motion to Move Agenda Items 1-12 as One Item.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

RESOLVED that this Town Board granted a Motion to Adopt All Items with One Vote.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

RESOLVED that this Town Board grant authorization to make various adjustments and transfers to the 2022 budget (list attached).

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

RESOLVED that this Town Board grant authorization to enter into various agreements for programs associated with the operation of the Greece Community and Senior Center.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

RESOLVED that this Town Board grant authorization for the Greece Police Department to accept a grant in the amount of \$7,000 from The Governor's Traffic Safety Committee to participate in the New York State's Highway Safety Program from October 1, 2022 to September 30, 2023.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

RESOLVED that this Town Board grant issuance of a sidewalk waiver to Pierre Heroux for the installation of 325.0 linear feet of sidewalk along the frontage of property located at 2699 Ridgeway Avenue (Mon. Co. Tax No. 089.03-3-4), comprising Lots 1, 2, and 3 of the Heroux Subdivision.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

WHEREAS, Salena's Taqueria, LLC (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece, Monroe County, New York (the "Town") for a waiver of the requirements for a special use permit to operate a restaurant, to be known as Salena's Taqueria, on property located at 745 Maiden Lane, in a BG (General 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 proposes to operate a restaurant, including preparation, service, sale and consumption of food and drink.
2. The Proposal is classified as a Type II action pursuant to the State Environmental Quality Review or "SEQR" regulations (6 CRR-NY, §617.5). Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQR.

NOW, THEREFORE, be it

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

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

WHEREAS, Salena's Taqueria, LLC (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece, Monroe County, New York (the "Town") for a waiver of the requirements for a special use permit to operate a restaurant, to be known as Salena's Taqueria, on property located at 745 Maiden Lane, in a BG (General 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 proposes to operate a restaurant, including preparation, service, sale and consumption of food and drink.
2. A restaurant operated in the same tenant space previously.

NOW THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (the "Zoning Ordinance"), the request submitted by Salena's Taqueria, LLC for a waiver of the requirements for a special use permit to operate a restaurant, to be known as Salena's Taqueria on property located at 745 Maiden Lane, in a BG (General Business) Zoning District, hereby be and the same is approved and granted, subject to the following conditions:

1. The Applicant shall operate the 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 occupancy 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 obtain all other approvals, permits, and certificates which may be required from the Town of Greece and any other agencies.

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4. Failure to 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, may be grounds for revocation of this waiver.
5. Wherever this resolution refers to a specific public official, agency, or regulation it shall be construed to include any succeeding authority.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

#223 A- Councilman Bloomer offered the following resolution and moved its adoption; seconded by Councilman Murphy:

WHEREAS, Shelly Ann Robinson and Eric Miano (BDA Shelly and Chin Jamaica Bay; 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 special use permit to operate a restaurant, to be known as Shelly and Chin Jamaica Bay, on property located at 1250 Latta Road, in a DMU (Dewey Avenue Mixed Use) 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 proposes to operate a restaurant, including preparation, service, sale and consumption of food and drink.
2. The Proposal is classified as a Type II action pursuant to the State Environmental Quality Review or "SEQR" regulations (6 CRR-NY, §617.5). Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQR.

NOW, THEREFORE, be it

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

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

#223 B- Councilman Bloomer offered the following resolution and moved its adoption; seconded by Councilman Murphy:

WHEREAS, Shelly Ann Robinson and Eric Miano (BDA Shelly and Chin Jamaica Bay; 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 special use permit to operate a restaurant, to be known as Shelly and Chin Jamaica Bay, on property located at 1250 Latta Road, in a DMU (Dewey Avenue Mixed Use) 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 proposes to operate a restaurant, including preparation, service, sale and consumption of food and drink.

NOW THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (the "Zoning Ordinance"), the request submitted by Shelly Ann Robinson and Eric Miano (BDA Shelly and Chin Jamaica Bay) for a waiver of the requirements for a special use permit to operate a restaurant, to be known as Shelly and Chin Jamaica Bay on property located at 1250 Latta Road, in a DMU (Dewey Avenue Mixed Use) Zoning District, hereby be and the same is approved and granted, subject to the following conditions:

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1. The Applicant shall operate the 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 occupancy 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 obtain all other approvals, permits, and certificates which may be required from the Town of Greece and any other agencies.
4. Failure to 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, may be grounds for revocation of this waiver.
5. Wherever this resolution refers to a specific public official, agency, or regulation it shall be construed to include any succeeding authority.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

WHEREAS, Li-Cycle North American Hub ("Applicant/Project Sponsor") has requested a waiver, pursuant to §211-19(B)(3)(a) and §211-65(A)(7) of the Town of Greece Code, of the expiration date of the initial special use permit granted on November 18, 2021 by Resolution #242B to Li-Cycle North America Hub, Inc. for a hydrometallurgical facility, including chemical and petroleum bulk storage, to be located within the Economic Development and Innovation Overlay District for the Eastman Business Park, generally south of Ridgeway Avenue and east of Lee Road ("Hub Facility") thereby extending, subject to all of the conditions set forth in Resolution #242B, the expiration date of that initial special use permit for the Hub Facility to December 31, 2024; and

NOW THEREFORE, be it

RESOLVED that such waiver hereby be granted, pursuant to §211-19(B)(3)(a) and §211-65(A)(7) of the Town of Greece Code and subject to all of the conditions set forth in Resolution #242B of November 18, 2021, and such expiration date be extended to December 31, 2024.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

RESOLVED that this Town Board grant authorization to extend the copier lease with Usherwood Office Technology for 2 years.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

#226- Councilman Bloomer offered the following resolution and moved its adoption; seconded by Councilman Murphy:

RESOLVED that this Town Board grant authorization to abolish one full time Computer Support Clerk and appoint one full time Network Administrator.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

RESOLVED that this Town Board grant authorization to abolish one full time Bookkeeper and appoint one full time Receptionist.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

#228 - Councilman Bloomer offered the following resolution and moved its adoption; seconded by Councilman Murphy:

RESOLVED that this Town Board grant authorization to approve Supplemental Agreement #1 from Greenman-Pedersen, Inc., 400 Andrews Street, Suite 610, Rochester, NY 14604 in the amount of \$34,500.00 for Construction Design services for REDI project MO.76, 79 & 81 – Edgemere Drive Sewers.

BE IT FURTHER

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

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

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

WHEREAS the Town of Greece is to consider a proposed Local Law to amend Chapter 162A of the Code of the Town of Greece as it pertains to short-term rental properties.


NOW THEREFORE, BE IT

ORDERED that a public hearing be held by the Town Board of the Town of Greece at the Town Hall, One Vince Tofany Boulevard, Rochester, New York, in and for said Town, on the 18th day of August, 2022 at 6:00 p.m., to consider a proposed Local Law to amend Chapter 162A of the Code of the Town of Greece as it pertains to short-term rental properties.

ADOPTED: Ayes 5 Reilich, Barry, Murphy, Bloomer, Christodaro
Nays 0

Meeting adjourned at 6:37 p.m.

Date

August 2, 2022 
Cheryl M. Rozzi, Town Clerk

TOWN BOARD
BUDGET ADJUSTMENTS

Town Board Agenda
Jul.2022

| Item | Type | G/L Account | Description | Amount |
|----------|------|-----------------|--|-------------------|
| 1 | | | Adjustment for fuel costs. | |
| | App | A.3120.0000.1 | Police.Payroll | \$ (100,000.00) |
| | App | A.3120.0000.4 | Police.Fuel | \$ 100,000.00 |
| | App | DA.5110.0000.1 | Highway.Payroll | \$ (100,000.00) |
| | App | DA.5130.0000.1 | Machinery:Payroll | \$ (75,000.00) |
| | App | DA.5112.0000.8 | Road Improvements.Benefits | \$ (25,000.00) |
| | App | DA.5110.0000.4 | Road Repairs.Construction | \$ (100,000.00) |
| | App | DA.5130.0000.4 | Machinery.Fuel | \$ 300,000.00 |
| 2 | | | Adjustment for property damage recovery. | |
| | Rev | DA.2680 | Highway.Recoveries | \$ 312.83 |
| | App | DA.5130.0000.4 | Highway.Repairs | \$ 312.83 |
| 3 | | | Adjustment for sale of old vehicle parts. | |
| | Rev | A.2650 | Sale.Excess | \$ 1,677.00 |
| | App | A.3120.0000.4 | Police.Vehicle Maintenance | \$ 1,677.00 |
| 4 | | | Adjustment for legal notices. | |
| | App | A.1610.0000.4 | Central Services.Fees | \$ (5,000.00) |
| | App | A.8020.0000.4 | Planning.Fees | \$ 5,000.00 |
| 5 | | | Adjustment for Police Equipment. | |
| | App | A.3120.0000.8 | Police.Benefits | \$ (90,000.00) |
| | App | A.3120.0000.2 | Police.Equipment | \$ 90,000.00 |
| 6 | | | Adjustment for software updates. | |
| | App | A.1680.0000.1 | Data Processing.Payroll | \$ (30,000.00) |
| | App | A.1680.0000.4 | Data Processing.Software | \$ 30,000.00 |
| 7 | | | Adjustment for Road Program asphalt cost increases. | |
| | App | A.5410.0000.2 | Sidewalks.Capital Outlay | \$ (100,000.00) |
| | App | DA.5112.0000.2 | Road Improvements.Capital Outlay | \$ 100,000.00 |
| 8 | | | Adjustment for NYS Justice Court grant. | |
| | Rev | A.3021 | NYS Aid - Court | \$ 2,383.36 |
| | App | A.1110.0000.4 | Court.Office | \$ 2,383.36 |
| 9 | | | Adjustment for ARPA funds received. | |
| | Rev | A.4089 | Federal Revenue | \$ 8,923,189.00 |
| | App | A.9950.0000.901 | Transfer to Capital | \$ 8,923,189.00 |
| | Rev | H.5031 | Transfer into Capital | \$ 8,923,189.00 |
| | Rev | H.4089 | Federal Revenue | \$ (2,991,505.00) |
| | App | H.7197.0000.292 | Recreation.Building Improvements | \$ 5,931,684.00 |