

**REGULAR TOWN BOARD MEETING AGENDA  
SEPTEMBER 15, 2020  
7:00 PM**

**09-09-2020 3:13 PM**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**SUPERVISOR'S REMARKS & ANNOUNCEMENTS**

**PUBLIC INPUT**

**FINANCIAL REPORT**

**APPROVAL OF MINUTES**

August 11, 2020      Workshop Meeting  
August 18, 2020      Regular Town Board Meeting

**PUBLIC HEARINGS**

**9PH2020-1**      On the Matter of Granting a Special Use Permit for 1115 E. Ridge Road  
**7:35 PM**      in a M-Manufacturing District

**9PH-1A**      Resolution Regarding State Environmental Quality Review Act  
Compliance Regarding a Special Use Permit to Operate a Restaurant  
with Outdoor Dining and Drive Thru at 1115 E. Ridge Road in an M –  
Manufacturing District

**9PH-1B**      Resolution Approving a Special Use Permit for 1115 E. Ridge Road in a  
M – Manufacturing District

**9PH2020-2**      On the Matter of Rezoning a Portion of 2590 Culver Road from R-1  
**7:36 PM**      Residential to R-5 Residential

**9PH2020-3**      On the Matter of Rezoning a Portion of 2590 Culver Road from R-1  
**7:37 PM**      Residential to C-Business District

**ITEMS FOR BOARD ACTION**

**Appointments**

**9A2020-4**      Resolution Approving a Reappointment to the Deer Management  
Program Board

**Assessor**

**9A2020-5**      Resolution Authorizing a Settlement Agreement with Walgreen Co. and  
Rite Aid Corporation

**9A2020-6** Resolution Authorizing a Settlement Agreement with Sharron Trimaldi

**Community Development**

**9A2020-7** Resolution Calling for a Public Hearing on the Matter of Granting a Special Use Permit For 889 E Ridge Road in a C – Business District

**9A2020-8** Resolution Authorizing 2021 Tax Levies

**Police**

**9A2020-9** Resolution Authorizing Entry into an Affiliation Agreement Between Monroe Community College and Irondequoit Police Department

**9A2020-10** Resolution Calling for a Public Hearing Concerning the Adoption of a Local Law Amending Section III of Chapter 93 of the Code of the Town of Irondequoit

**Public Works**

**9A2020-11** Resolution Calling for a Public Hearing for the Purpose of Extending the Consolidated Sewer District to Include Homes Along Bay Shore Boulevard

**9A2020-12** Resolution Calling for a Public Hearing to Amend a Franchise Agreement with Verizon Wireless to Operate within Town Rights of Ways

**9A2020-13** Resolution Awarding Installation of Playground Equipment at REDI Irondequoit Bay State Marine Park Project

**9A2020-14** Resolution Pursuant to State Quality Environmental Review Act for the Stabilization of Seneca Road

**9A2020-15** Resolution Authorizing the Capital Improvement Program for the Town of Irondequoit for 2021-2026

**9A2020-16** Resolution Authorizing the Supervisor to Approve a Change Order to Ramboll for the Irondequoit Bay State Marine Park Project

**9A2020-17** Resolution Regarding Sanitary Sewer Easement at 1880 Hudson Avenue

**9A2020-18** Resolution Authorizing an Interfund Loan

**9A2020-19** Resolution Calling for a Public Hearing in Accordance with Section 202-b of the Town Law to Consider Authorizing Pump Station Upgrades Within the Town of Irondequoit Consolidated Sewer District

**9A2020-20** Resolution Calling for a Public Hearing in Accordance with Section 202-b of the Town Law to Consider Authorizing Improvements to the Town of Irondequoit Consolidated Sewer District

**9A2020-21** Resolution Calling for a Public Hearing to Consider Authorizing Financing for the Replacement of the Water Main Along Seneca Road

**9A2020-22** Resolution Calling for a Public Hearing in Accordance with Section 202-b of the Town of Irondequoit to Consider Authorizing Drainage Improvements Within the Town of Irondequoit Town-wide Drainage District

**Supervisor**

**9A2020-23** Resolution Authorizing the Calling of a Public Hearing Concerning the Adoption of a Local Law Concerning the Retention and Disposition of Records

NEXT WORKSHOP MEETING--TUESDAY, OCTOBER 13, 2020 @ 4:00 PM

NEXT REGULAR TOWN BOARD MEETING--TUESDAY, OCTOBER 20, 2020 @ 7:00 PM

EXPENSES	Fund	Original Budget	Amended Budget	Cumulative, Year to Month End			Percent of Year Elapsed	Percent of Budget Spent & Enc'brd
				Expended	Encumb'd	Available Balance		
001 General (includes cemetery)		21,718,772	22,008,101	12,240,392	1,139,729	8,627,980	66.7%	60.8%
percent of amended budget				55.6%	5.2%	39.2%		
005 Library		2,704,039	2,711,153	1,615,602	12,461	1,083,089	66.7%	60.1%
percent of amended budget				59.6%	0.5%	39.9%		
021 Highway # 1, Road Impvts.		3,232,915	3,253,640	1,497,053	863,114	893,472	66.7%	72.5%
percent of amended budget				46.0%	26.5%	27.5%		
023 Highway # 3, Equipment Maint.		1,124,154	1,124,154	562,797	251,016	310,341	66.7%	72.4%
percent of amended budget				50.1%	22.3%	27.6%		
024 Highway # 4, ROW / Winter		1,077,653	1,079,153	634,765	74,820	369,568	66.7%	65.8%
percent of amended budget				58.8%	6.9%	34.2%		
031 Consolidated San. Sewer Dist.		4,132,254	4,196,041	2,470,337	117,641	1,608,063	66.7%	61.7%
percent of amended budget				58.9%	2.8%	38.3%		
038 Stormwater Drainage Dist.		839,493	1,252,944	733,829	60,520	458,595	66.7%	63.4%
percent of amended budget				58.6%	4.8%	36.6%		
039 Rock Beach San. Sewer Dist.		9,094	9,094	672	0	8,422	66.7%	7.4%
percent of amended budget				7.4%	0.0%	92.6%		
040 Orland Road San. Sewer Dist.		15,985	15,985	1,992	0	13,993	66.7%	12.5%
percent of amended budget				12.5%	0.0%	87.5%		
051 Sea Breeze Water District		1,074,113	1,074,113	614,495	0	459,618	66.7%	57.2%
percent of amended budget				57.2%	0.0%	42.8%		
071 - 098 Lighting Districts		162,250	162,250	75,772	86,478	0	66.7%	100.0%
percent of amended budget				46.7%	53.3%	0.0%		
<b>TOTAL</b>		<b>36,090,722</b>	<b>36,886,628</b>	<b>20,447,707</b>	<b>2,605,780</b>	<b>13,833,141</b>	<b>66.7%</b>	<b>62.5%</b>
				<b>23,053,487</b>				
Percent of Amended Budget Spent				55.4%				
Percent of Amended Budget Encumbered				7.1%				
Total Percent Spent & Encumbered						62.5%		

Tax Levy Sensitive	29,857,533	30,176,201	16,550,610	2,341,141	11,284,450	66.7%	62.6%
<b>Total Spent + Encumbered</b>		<b>18,891,751</b>	<b>54.8%</b>	<b>7.8%</b>	<b>37.4%</b>		<b>62.6%</b>

REVENUES	Original Budget	Amended Budget	Cumulative Receipts Through This Month	Balance to be Received	Percent of Real Estate Tax	Percent of Year Elapsed	Percent of Revenue Received
001 General:							
Real Estate Tax (001-1001)	11,185,756	11,185,756	11,185,756	0	63.9%		100.0%
Payment In Lieu of Tax (001-1081)	257,779	257,779	235,665	22,114			91.4%
Sales Tax (001-1120)	5,180,640	5,180,640	1,603,961	3,576,679			31.0%
Mortgage Tax (001-3005)	815,000	815,000	249,488	565,512			30.6%
Per Capita State Aid (001-3001)	613,283	613,283	0	613,283			0.0%
Interest Earnings (001-2401)	25,000	25,000	31,493	-6,493			126.0%
Franchise Cable TV (001-1170)	750,000	750,000	-3,721	753,721			-0.5%
Recreation Program Fees (001-2001)	330,000	330,000	155,757	174,243			47.2%
Cemetery Revenues (001-2190/2665)	133,000	133,000	66,915	66,085			50.3%
Fines & Bail Forfeitures (001-2610)	247,500	247,500	83,019	164,481			33.5%
Other Sources of Revenue	1,990,814	2,015,814	1,347,105	668,709			66.8%
Appropriated Fund Balance	190,000	190,000	190,000	0			
<b>Total, Revenue &amp; Fund Balance</b>	<b>21,718,772</b>	<b>21,743,772</b>	<b>15,145,438</b>	<b>6,598,334</b>		<b>66.7%</b>	<b>69.7%</b>

Fund	Original Budget	Amended Budget	Cumulative Receipts as of This Month	Balance to be Received	Percent of Real Estate Tax	Percent of Year Elapsed	Percent of Revenue Received
<b>005 Library</b>							
Real Estate Tax	2,507,625	2,507,625	2,507,625	0	14.3%		100.0%
Other Sources of Revenue	196,414	196,414	81,376	115,038			41.4%
Appropriated Fund Balance	0	0	0	0			
<b>Total, Revenue &amp; Fund Balance</b>	<b>2,704,039</b>	<b>2,704,039</b>	<b>2,589,001</b>	<b>115,038</b>		66.7%	95.7%
<b>021, 023, 024 Highway Funds</b>							
Real Estate Tax	3,812,038	3,812,038	3,812,038	0	21.8%		100.0%
All Other Sources	1,622,684	1,622,684	666,741	955,943			41.1%
Appropriated Fund Balance	0	0	0	0			
<b>Total, Revenue &amp; Fund Balance</b>	<b>5,434,722</b>	<b>5,434,722</b>	<b>4,478,779</b>	<b>955,943</b>		66.7%	82.4%
<b>031 Consolidated San. Sewer District</b>							
Sewer Service Charges	4,012,722	4,012,722	4,012,722	0			100.0%
Other Sources of Revenue	119,532	119,532	131,676	-12,144			110.2%
Appropriated Fund Balance	0	0	0	0			
<b>Total, Revenue &amp; Fund Balance</b>	<b>4,132,254</b>	<b>4,132,254</b>	<b>4,144,398</b>	<b>-12,144</b>		66.7%	100.3%
<b>038 Stormwater Drainage District</b>							
District Service Charges	836,493	836,493	836,493	0			100.0%
Other Sources of Revenue	3,000	3,000	12,507	-9,507			416.9%
Appropriated Fund Balance	0	0	0	0			
<b>Total, Revenue &amp; Fund Balance</b>	<b>839,493</b>	<b>839,493</b>	<b>849,000</b>	<b>-9,507</b>		66.7%	101.1%
<b>039 Rock Beach San. Sewer District</b>							
District Capital Charges	9,094	9,094	9,094	0			100.0%
Other Sources of Revenue	0	0	6	-6			#DIV/0!
<b>Total Revenue</b>	<b>9,094</b>	<b>9,094</b>	<b>9,100</b>	<b>-6</b>		66.7%	100.1%
<b>040 Orland Road San. Sewer District</b>							
District Capital Charges	15,985	15,985	15,985	0			100.0%
Other Sources of Revenue	0	0	31	-31			#DIV/0!
<b>Total Revenue</b>	<b>15,985</b>	<b>15,985</b>	<b>16,016</b>	<b>-31</b>		66.7%	100.2%
<b>051 Sea Breeze Water District</b>							
District Real Estate Tax	0	0	0	0			#DIV/0!
Other Sources of Revenue	1,074,113	1,074,113	550,274.25	523,839			51.2%
Appropriated Fund Balance	0	0	0	0			
<b>Total, Revenue &amp; Fund Balance</b>	<b>1,074,113</b>	<b>1,074,113</b>	<b>550,274</b>	<b>523,839</b>		66.7%	51.2%
<b>071 - 098 Lighting Districts</b>							
District Real Estate Tax	162,250	162,250	162,250	0			100.0%
Other Sources of Revenue	0	0	236	-236			
Appropriated Fund Balance	0	0	0	0			
<b>Total, Revenue &amp; Fund Balance</b>	<b>162,250</b>	<b>162,250</b>	<b>162,486</b>	<b>-236</b>		66.7%	100.1%
<b>Summary of Revenues and Appropriated Fund Balances</b>							
Real Estate Tax	17,505,419	17,505,419	17,505,419	0	100.0%		100.0%
Special District Real Estate Tax	162,250	162,250	162,250	0			100.0%
Sanitary Sewer Service Charges	4,037,801	4,037,801	4,037,801	0			100.0%
Stormwater District Service Charges	836,493	836,493	836,493	0			100.0%
Other Sources of Revenue	13,358,759	13,383,759	5,212,528	8,171,231			38.9%
<b>TOTAL</b>	<b>35,900,722</b>	<b>35,925,722</b>	<b>27,754,491</b>	<b>8,171,231</b>		66.7%	77.3%
Appropriated Fund Balance	190,000	190,000	190,000	0			100.0%
<b>Grand Total, Revenues and Appropriated Fund Balance</b>	<b>36,090,722</b>	<b>36,115,722</b>	<b>27,944,491</b>	<b>8,171,231</b>			77.4%

## **Town Board Meeting Notes**

**The August 31<sup>st</sup> financial results for the Town: total expenses are \$23,053k or 62.5% of budget which is lower than the 66.7% percent of the year that has elapsed. Total expenses break down as follows: actual expenses \$20,448k; encumbrances \$2,605k. The encumbrances are 7.1% of budget as departments are continuing to commit to services and supplies for the remainder of the year.**

**General Fund expenses are favorable to budget at 60.8% or \$13,380k. The split here is: actual expenditures – \$12,240k encumbered expenses – \$ 1,140k. Incorporated within the General Fund encumbrances are: Information Technology projects and services, 2020 projected but unexpended energy costs of the general fund street lighting account; Instalment debt for equipment leased by the Solid Waste; and other contracted expenses throughout the Town.**

**Jointly, the highway funds' expenses are greater than the percent of the year that has elapsed 71.1% or \$3,884k. These costs are traditionally driven by salt, gas, fuel, roadwork and paving services and materials such as oil and stoning and asphalt. Highway 1 is currently realizing sizable roadwork and paving expenditures as well as paving materials encumbrances.**

**Expenditures in the Library are 60.1% of budget—\$1,628k.**

**Sewer Fund expenses of \$2,588k equate to 61.7% of budget.**

**Expenses in Stormwater Drainage total \$794k—63.4% of budget. Included in the Fund is a \$386k expense for a vactor truck.**

**We continue to emphasize that expenses excluding encumbrances for the Town**

as well as the three major funds are less than the percent of the year that has elapsed. 66.7% of the year has elapsed and the expenditures percentage (exclusive of encumbrances) for the Town is 55.4%; the General Fund is 55.6%; Sewer is 58.9%; and for the collective Highway funds—49.3%.

Total General Fund Revenue is \$15,145k or 69.7% of budget. Real estate taxes are \$ 11,185k. Payments In Lieu Of Taxes equal 91.4% of budget— \$235k, an additional \$25k is due in September and will make this item whole. The 1<sup>st</sup> quarter Mortgage Tax of \$249k is in at 30.6% of budget. Five months of Sales Tax of \$1,604k (31% of budget) has been received. The other major revenue items such as Aid and Incentives for Municipalities, Franchise Cable TV revenue, and the remaining 3 quarters of mortgage tax are not yet due. All remaining general fund revenues are below budget at 64% primarily due to COVID (Recreation receipts are 47.2% and Court Fines 33.5%).

Regarding the entire Town: \$27.9M or 77.4% of revenue and appropriated fund balance have been received to-date.

At the end of August, the Library had received \$2,589k or 95.7% of its budgeted revenue. 82.4% or \$4,479k is in for the Highway. Revenue received for Sewer is \$ 4,144k—100% of budget. Stormwater Drainage has recorded \$849k—101% of Budget.

This concludes my financial report for the month of August 2020.

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**Workshop Meeting conducted via Zoom and streamed digitally in compliance with Gov. Cuomo's directives re: safe distancing during COVID-19 medical crisis.**

Workshop Meeting of the Town Board of the Town of Irondequoit, held via Zoom on the 11th day of August 2020 at 4:00 P.M.:

**PRESENT:** David Seeley Supervisor  
 Patrina Freeman  
 John Perticone  
 Kimie Romeo  
 Peter Wehner Councilmembers  
 Harter Secrest & Emery, LLP Attorney for the Town

Others in attendance included Chief of Police Alan Laird, Director of Community Development Kerry Ivers, Comptroller Diana Marsh, Director of Human Resources Jason Vinette, Deputy Commissioner of Public Works Erin Magee, Town Attorney Andrew Dean and Town Clerk Genier.

Supervisor Seeley called the meeting to order, Pledge was said, and Town Clerk Genier called Roll at 4:00 p.m.

**STAFF SPOTLIGHT:** Supervisor Seeley stated that there will be no Staff Spotlight this month. It will resume when the recipient(s) can be honored and recognized properly.

**Financial Report:** Comptroller Diana Marsh reviewed the Financial Report as of July 31, 2020. **Total expenses and encumbrances** were 57.6% of budget, slightly lower than the 58.3% of the year that has elapsed. Actual expenses were 49.7% of budget; encumbrances were 7.9% of budget. Encumbrances are typically high early in the year as departments continue to commit to services and supplies that will be needed during the year. Expenses in the General Fund are lower than the percentage of the year elapsed at 55.4%. Actual expenses were 50%; encumbrances were 5.5% of budget. Embedded in the General Fund encumbrances are installment debt for equipment leased by the Solid Waste and Tree Program, Information Technology projects and services, attorney fees and other contracted expenses throughout the Town. Additionally, the 2020 projected but unexpended energy costs of the General Fund Street Lighting Account are included. Expenses in the Highway Funds were 68% of budget. The costs result from substantial expenses and encumbrances for salt, gas, fuel, paving services and materials, and equipment parts. During July, Highway 1 realized sizable roadwork and paving expenditures, as well as paving material encumbrances. Expenditures in the Library were 55.4% of budget. Included in this amount is a bond payment of \$475,000 for principal and interest for the Consolidated Library. The Sewer Fund expenses were 57.3% of budget; expenses in Stormwater Drainage total 60.8% of budget. Actual expenses were 56.6% of budget, and encumbrances account for 4.2%. Included in the encumbered amount is a vector truck costing approximately \$386,000 carried over from the prior year. A grant was awarded to the Town to partially offset this cost (\$281,500). **The General Fund revenue** received was 65.2% of budget. \$11.2M of real estate tax has been received, 100% of budget. \$235,000 of PILOT revenue has been received, 91.4% of budget. Another \$25,000 is due in October and that will bring that line item to budget. The 1<sup>st</sup> quarter Mortgage Tax of \$249,000 has been received, 30.6% of budget. Mortgage Tax for the 2<sup>nd</sup> and 3<sup>rd</sup> quarters is expected in December. Two months of Sales Tax of

\$833,000 have been received; 2<sup>nd</sup> quarter Sales Tax is anticipated to be received in August and 3<sup>rd</sup> quarter receipts in November. Other Sources of Revenue are at 59.2% and this includes a \$222,000 building permit receipt received in July. Other major revenue items are expected later in the year, including Franchise Fees and State Aid. Regarding the entire Town, 74.5% of revenue and appropriated fund balance has been received to date. Approximately \$17.5M of the amount received is real estate tax and special district assessments. The Library has received 95.7% of its budgeted revenue; 81.1% of budgeted revenue is in for Highway Funds. The Sewer District has received 99.6% of that fund's budget and Stormwater Drainage is at 101% of its revenue budget.

**Approval of Minutes:** Minutes from the following meetings to be approved: July 14, 2020 Workshop Meeting and July 21, 2020 Regular Town Board Meeting.

**REVIEW OF AGENDA ITEMS FOR JULY 21, 2020 RTB MEETING:**

**Public Hearings: Two (2) Public Hearings (PH)** will be held on August 18th beginning at 7:35 PM. The **first PH** is on the matter of adopting a local law to amend Chapter 180, Article IV of the Town Code of Irondequoit relating to the standards for connecting to the public sewer. Residents who wish to connect to the public sewer usually need to utilize grinder pumps before entering the public sewer. The Department of Public Works is required to keep an inventory of replacement grinder pumps to use in the event that a resident's pump fails. There are several different makes and models available, but it would be inefficient and uneconomical for the Department to maintain a broad inventory of all makes and models. It is recommended that the Town maintain a list of approved grinder pumps and residents purchase from this approved list. The **second PH** is on the matter of granting a Special Use Permit for 1233 & 1267 E. Ridge Road in a M-Manufacturing District. This property is the former Rite Aid building and the Ridge Rattan store. The applicant wishes to redevelop the properties into a mix of retail and restaurant uses and construct a new restaurant. The existing building at 1233 E. Ridge Road will be re-purposed and the former Ridge Rattan building at 1267 E. Ridge Road will be demolished and a new structure built.

**Appointments:** Director of Human Resources Jason Vinette reviewed **four (4)** resolutions. The **first** resolution would approve the permanent appointment of George Nalivyko as Fire Marshal for the Town. Greg Merrick, the current Fire Marshal, will retire at the end of the month. Mr. Nalivyko has taken the Civil Service exam and scored in the top three. He has been the Deputy Fire Marshal for the past five years and he is an integral part of the Community Development Department. The **second** resolution approves the hiring of Lucinda Scalia as a part-time School Traffic Guard. The **third** resolution authorizes the appointment of Isaac Elliott as an Alternate Member to the Town Zoning Board of Appeals. Mr. Elliott is an active member in the community, and he is very interested in serving on this Board. This is a three-year term position. The **fourth** resolution authorizes the provisional appointment of William Dyrland as a full-time Assistant Fire Marshal for the Town. He will have to take the Civil Service test and score within the top three. Mr. Dyrland is very qualified and will bring valuable skills to this position.

**Community Development:** Director of Community Development Kerry Ivers reviewed **three** resolutions all calling for public hearings to be held on September 15<sup>th</sup>. The **first** resolution is on the matter of granting a Special Use Permit for 1115 E. Ridge Road in a M-Manufacturing District. Bohler Engineering, agent for Chick-fil-A, Inc., is proposing to construct a new quick-service restaurant with outdoor dining and drive thru with 68 parking spaces. The construction of this restaurant is anticipated to be 6 months. The proposed restaurant would operate Monday thru

Saturday, 6 AM to 10 PM, with approximately 8 – 10 employees on staff. This proposed project is on the site of the existing Staples building, which would be demolished. This project will also need to go before the Planning and Zoning boards. The Public Hearing will be held on September 15<sup>th</sup>. The **second** resolution is on the matter of rezoning a portion of 2590 Culver Road from R-1 Residential to C-Business District. The rezoning application is for approximately 2.14 acres of the former Wambach property. The applicant intends to purchase the western portion of the site which includes the existing commercial building and parking lot. The redevelopment proposal includes construction of a new Quicklee's convenience store building with gas pumps, car wash and a drive thru coffee store. A new common access is proposed into the site. The Public Hearing on this matter will be held on September 15<sup>th</sup>. The **third** resolution is on the matter of rezoning a portion of 2590 Culver Road from R-1 Residential to R-5 Residential. Bergmann Associates, acting as agent for Providence Housing, has submitted an application for rezoning a portion of land located at 2590 Culver Road to allow for use as a multiple dwelling apartment complex. The proposed development will contain twelve 2-story apartment buildings of one, two or three bedrooms, with a total of 96 apartment units, along with a one-story community building and playground. Providence's goal is to provide affordable housing to health care providers. The Public Hearing on this matter will be held on September 15<sup>th</sup>.

**Comptroller:** Comptroller Diana Marsh reviewed **one (1)** resolution that would renew an agreement with Harper Danesh, LLC to perform actuarial analyses of the cost of other (non-pension) post-employment benefits of Town employees as required by the Government Accounting Standards Board Pronouncement (GASB) No. 75. Comptroller Marsh explained that the current agreement expires on August 31, 2020 and allows for two one-year optional renewals. Funding for this service is included in the 2020 budget of Comptroller.

**Police:** Chief of Police Alan Laird reviewed **two (2)** resolutions. The **first** resolution authorizes Chief Laird to enter into a Memorandum of Understanding with the Greater Rochester Area Narcotics Enforcement Team (GRANET), a task force made up of members from different law enforcement units. GRANET combines resources from these different agencies to primarily investigate mid- and upper-level narcotic related offenses in the Rochester/Monroe County area. The GRANET member agencies wish to enter into a Memorandum of Understanding outlining the mission of GRANET, formalizing the relationships between them with regard to policy guidance, planning, training, public relations, reimbursements, funding, media coordination and interagency cooperation. The **second** resolution authorizes an Intermunicipal Cooperative Agreement for Police response between the City of Rochester and the Town of Irondequoit. This Agreement would allow the Irondequoit Police Department to provide service to Delta Sonic following their expansion which will put the business in both Irondequoit and the City of Rochester.

**Public Works:** Deputy Commissioner of Public Works Erin Magee reviewed **three (3)** resolutions. The **first** resolution declares certain equipment as surplus property and intends to auction the equipment at the online municipal auction held in September. The **second** resolution renews an agreement for the grinding of wood waste. A contract was awarded to SM Gallivan, LLC last year and an option was given to extend the contract for up to two additional one-year extensions. The Town wishes to renew the contract for one additional year, ending on August 1, 2021 under the same conditions and cost. The **third** resolution awards a bid for REDI Pump Station Improvements. Under the Lake Ontario Resiliency and Economic Development

Initiatives (REDI), funding was allocated to increase resilience of several projects. The Town of Irondequoit has received awards to increase the resiliency of the pump station improvements at the Seabreeze Pump Station and the Point Pleasant (German Village) Pump Station. Notice to Bid was published and bid opening is scheduled for August 14, 2020.

**Supervisor:** Supervisor Seeley reviewed **two (2)** resolutions. The **first** resolution authorizes an agreement with Frontier Communications of America, Inc. Attorney Andrew Dean noted that in 2017, the Town entered into a service agreement with Frontier to provide services to the old Department of Public Works (DPW) building located on E. Ridge Road. In December of 2019, the Town requested that the ethernet service to the former DPW building at 2180 E. Ridge Road be cancelled. As the service to 2180 E. Ridge Road is linked with the Irondequoit Town Hall, a new circuit at the Town Hall would need to be installed. The monthly fee to enter into a new Frontier Service Agreement and Schedule with Frontier would be \$360. The Network Administrator for the Town, Nate Stone, thinks that the use is low, and the Town could cancel service to both buildings. The **second** resolution authorizes the Supervisor to enter into a PILOT Agreement for Irondequoit Senior Housing Development Fund Corporation and Irondequoit Senior Living LLC. (Company). The Corporation and Company wish to develop an affordable housing project consisting of approximately 80 residential units for persons of low income for property known as “Lot 2” on the subdivision approved by the Planning Board on February 23, 2020. The Corporation and the Company have submitted a request to the Town Board to enter into a Payment in Lieu of Taxes (PILOT) Agreement for a senior living development at the eastern end of the former Wambach property.

**Town Clerk:** YellowJacket Racing/Fleet Feet has submitted an application for a Special Event License for the Rochester Marathon, Half Marathon and Relay to be held on Sunday, September 20, 2020 from 7:30 AM to 2:00 PM. A portion of the race will go through Irondequoit. This has been a long-standing community event.

#### **ITEMS FOR BOARD ACTION**

##### **8WS2020-1 Resolution Authorizing the Award of Bid for the REDI Irondequoit Bay State Marine Park and Culver Road Storm Sewers Project Contract G-General Trades**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Romeo**, a resolution was adopted **awarding the bid for REDI Irondequoit Bay State Marine Park and Culver Road Storm Sewers Project Contract G-General Trades to Villager Construction, Inc. in the amount of \$1,997,000.**

*Commissioner of Public Works stated that the bids were publicly opened on August 6, 2020 and two bids were received. Villager Construction was the lowest responsible bidder. As a REDI project, the State will pay 95% of the cost and the Town will pay 5%.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number: 2020-207*

##### **8WS2020-2 Resolution Authorizing the Award of Bid for the REDI Irondequoit Bay State Marine Park and Culver Road Storm Sewers Project Contract E-Electrical**

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Wehner**, a resolution was adopted **awarding the bid for REDI Irondequoit Bay State Marine Park and Culver Road Storm Sewers Project Contract E-Electrical to Mylerson Electric in the amount of \$245,438.**

*Commissioner of Public Works Robert Kiley stated that the bids were publicly opened on August 6, 2020 and Mylerson Electric was the lowest responsible bidder. As a REDI project, the State will pay 95% of the cost and the Town will pay 5% of the cost for this project.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number: 2020-208*

**8WS2020-3 Resolution Authorizing the Supervisor to approve Additional Services for the Irondequoit Community Center**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Perticone**, a resolution was adopted **authorizing the Supervisor to approve the scope of work for additional services related to the design for the Community Center and to execute a Change Order necessary to approve the additional services.**

*Supervisor Seeley was authorized to enter into a contract with SWBR for architecture and engineering services for the Irondequoit Community Center. That Agreement authorized the Town to receive additional services from SWBR and additional services are necessary due to changes in the initial information. SWBR requested a Change Order to reflect the additional services; the total maximum value is not to exceed \$105,100.*

UPON VOTING	Town Board Member	Wehner	voting	Abstain
	Town Board Member	Perticone	voting	Aye
	Town Board Member	Romeo	voting	Aye
	Town Board Member	Freeman	voting	Aye
	Supervisor	Seeley	voting	Aye

*Resolution Number: 2020-209*

**8WS2020-4 Resolution Approving the Permanent Appointment of a Part-Time Court Attendant in Irondequoit Town Justice Court**

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Freeman**, a resolution was adopted **approving the appointment of James Rothfuss as a part-time Court Attendant.**

*This position is open due to a vacancy in the Irondequoit Town Court and Mr. Rothfuss was chosen to fill the position.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number: 2020-210*

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Perticone**, the Workshop Meeting was adjourned at 5:46 p.m.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara J. Genier". The signature is written in black ink and is positioned above a horizontal line.

Barbara Genier, Town Clerk

**Regular Town Board Meeting** of the Town Board of the Town of Irondequoit held at the Irondequoit Town Hall on the 18th day of August 2020 at 7:00 P.M.

**PRESENT:** David Seeley Town Supervisor  
 Patrina Freeman  
 John Peticone  
 Kimie Romeo  
 Peter Wehner Councilmembers  
 Harter Secrest & Emery LLP Attorney for the Town

Others in attendance included Chief of Police Alan Laird, Deputy Commissioner of Public Works Erin Magee, Director of Community Development Kerry Ivers, Director of Human Resources Jason Vinette, Director of Special Events and Projects Donald Sinton, Deputy Fire Marshal George Nalivyko, Fire Marshal Greg Merrick and other fire personnel, Comptroller Diana Marsh, Attorney for the Town Andrew Dean and Town Clerk Genier.

**SUPERVISOR'S REMARKS AND ANNOUNCEMENTS:**

\*Supervisor Seeley stated that this meeting is not being conducted pursuant to any Executive Order as it has been for the past four months, and it feels good to be back in the Broderick Room. \*He announced that there would be two Public Hearings held tonight, beginning at 7:35 PM. The first Public Hearing is on the matter of adopting a local law to amend Chapter 180, Article IV of the Town Code relating to the standards for connecting to the public sewer. The second Public Hearing is on the matter of granting a Special Use Permit for 1233 & 1267 E. Ridge Road (the former Rite Aid building) in a M-Manufacturing District. \*Supervisor Seeley stated that Councilmember Freeman and he participated in a community-wide book discussion on racial issues after reading **Stamped**. The book helps people better understand racism and it is a good initiative set up by the two school districts and the Public Library. Over 300 people read the book and participated in the discussion. \*The Irondequoit Public Library is open Tuesday and Thursday, 1 p.m. to 8 p.m., and pick up outside will continue every day. Please call the Library for more information. Walkins for computer use is also open. \*School tax collection begins September 1<sup>st</sup>. Cash payments are the only payments accepted at this time. For checks, residents can use the Drop Box located at the entrance to the Town Hall or mail payments to the Town of Irondequoit Tax Department. This will limit the number of people in the building at any one time. Online payments are encouraged and the County will waive the 3% user fee from the bill.

Town Board members were invited to the podium for a special presentation. Fire Marshal Gregory Merrick was called to the podium. He will be retiring at the end of August and the Assistant Fire Marshal, George Nalivyko, will be promoted to the Fire Marshal position. The new Assistant Fire Marshal is William Dyrland. Supervisor Seeley said that over the past several years, he has relied on the Fire Marshal to help with many issues. Fire Marshal Merrick has served the Town for 26 years and he will be missed. Supervisor Seeley then presented Fire Marshal Merrick with a plaque. Fire Marshal Merrick commented that the two men taking over for him are gentlemen of good character and will do a fine job for Irondequoit.

**PUBLIC INPUT:** Supervisor Seeley noted that he did not receive any emails directed to supervisor@irondequoit.org from individuals wishing to share comments at Public Input.

**FINANCIAL REPORT:** Comptroller Diana Marsh reviewed the Financial Report as of July 31, 2020. **Total expenses and encumbrances** were 57.6% of budget, slightly lower than the percentage of year elapsed of 58.3%. Actual expenses were 49.7% of budget; encumbrances were 7.9% of budget. Encumbrances are still high at this time of year as departments continue to commit to commodities, services and supplies that will be needed for the remainder of the year. Expenses in the General Fund were at 55.4% of budget. Actual expenditures were 50% of budget; encumbrances were 5.5% of budget. Embedded in the General Fund encumbrances are installment debt for equipment leased by Solid Waste, the Tree Program and Parks, Information Technology projects and services, attorney fees, and contracted expenses throughout the Town and 2020 projected but unexpended energy costs of the General Fund Street Lighting Account. Expenses in the Highway Funds were at 68%. These costs are typically driven by salt, gas, fuel, roadwork, paving services and materials, such as oil and stoning, asphalt and equipment parts. Highway 1 realized sizable roadwork and paving expenditures, as well as paving material encumbrances. Expenditures in the Library were at 55.4%. Included in this amount is a bond payment of \$475,000 for principal and interest for the Consolidated Library. The Sewer Fund expenses were at 57.3% of budget; expenses in Stormwater Drainage total 60.8% of budget. Included in Drainage is a \$386,000 expense for a vactor truck; the Town was awarded a grant of

\$281,500 to partially offset this expense. **The General Fund revenue** received was 65.2% of budget. \$11.2M of real estate tax has been received, 100% of budget. 91.4% of PILOT revenue has been received. Two months of Sales Tax totaling \$833,000 was received during the month. 2<sup>nd</sup> quarter Sales Tax is anticipated to be received in August and 3<sup>rd</sup> quarter receipts in November. 1st quarter Mortgage Tax of \$249,000 has been received, 30.6% of budget. Mortgage Tax for the 2<sup>nd</sup> and 3<sup>rd</sup> quarters is expected in December. Other major revenue sources, such as Franchise Cable fees and Per Capita State Aid are due later in the year. Regarding the entire Town, 74.5% of revenue and appropriated fund balance has been received to date. Approximately \$17.5M of the amount received is real estate tax and special district assessments. The Library has received 95.7% of its revenue budget; 81.1% of budgeted revenue is in for Highway Funds. The Sewer District has received 99.6% of that fund's budget; and Stormwater Drainage is at 101.1% of its revenue budget. *Supervisor Seeley noted that the finances are not encouraging but there is good news in the Mortgage Tax revenue.*

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Perticone**, the financial report was accepted.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

**APPROVAL OF MINUTES:**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Wehner**, the minutes from the **July 14, 2020 Workshop Meeting** were approved.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Perticone**, the minutes from the **July 21, 2020 Regular Town Board Meeting** were approved.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

**ITEMS FOR BOARD ACTION:**

**8A2020-3 RESOLUTION APPROVING THE APPOINTMENT OF A FIRE MARSHAL IN THE COMMUNITY DEVELOPMENT DEPARTMENT**

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Freeman**, a resolution was adopted **approving the appointment of George Nalivyko as a full-time Fire Marshal.**

*Director of Human Resources Jason Vinette stated that Mr. Nalivyko has taken the Civil Service exam and scored within the top three. Director of Community Development Kerry Ivers added that Mr. Nalivyko has shown a wide range of knowledge in his field and is an excellent resource for every person he interacts with.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-211*

**8A2020-4 RESOLUTION APPROVING THE APPOINTMENT OF A SCHOOL TRAFFIC GUARD IN THE IRONDEQUOIT POLICE DEPARTMENT**

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Wehner**, a resolution was adopted **approving the appointment of Lucinda Scalia as a part-time School Traffic Guard.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-212*

**8A2020-5 RESOLUTION AUTHORIZING THE APPOINTMENT OF AN ALTERNATE MEMBER TO THE TOWN ZONING BOARD OF APPEALS**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Romeo**, a resolution was adopted **approving the appointment of Isaac Elliott as an Alternate Member to the Town Zoning Board of Appeals.**

*This appointment will fill a vacancy for an Alternate Member to the Town Zoning Board of Appeals. This position was added several years ago. Having an Alternate Member insures there is a quorum if any member is absent. The Alternate Member is able to vote. Isaac Elliott is an active member in the community and a Town resident.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-213*

**8A2020-6 RESOLUTION AUTHORIZING THE PROVISIONAL APPOINTMENT OF AN ASSISTANT FIRE MARSHAL**

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Freeman**, a resolution was adopted **authorizing the provisional appointment of William Dyrland as a full-time Assistant Fire Marshal.**

*Director of Human Resources Jason Vinette stated that Mr. Dyrland will be filling a recent vacancy in this position. This is a provisional appointment and Mr. Dyrland will be required to take the Civil Service test and score within the top three. Director of Community Development Kerry Ivers stated that she and George Nalivyko conducted several interviews and selected Mr. Dyrland. He has extensive fire service experience and has a background in HVAC and plumbing. He will be a great asset for the work that the Fire Marshal does. Mr. Dyrland is a long-standing member of St. Paul Boulevard Fire Department, currently Chief of the Department.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-214*

**8A2020-7 RESOLUTION APPROVING THE APPOINTMENT OF POLICE CAPTAIN IN THE IRONDEQUOIT POLICE DEPARTMENT**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Perticone**, a resolution was adopted **approving the appointment of Mark Jesske as a Police Captain.**

*Director of Human Resources Jason Vinette explained that there is a need within the Police Department to hire two Captains. Both Mark Jesske and Jessica Franco are reachable on the Civil Service List. Supervisor Seeley noted that there are two resolutions to be adopted—one for Mark Jesske and the other for Jessica Franco. This represents a change in organizational structure within the Police Department. Chief of Police Alan Laird stated that the Department had in the past two Captains within the force. That format ended in 2007. Looking at the Department now shows that there is a need for two Captains. Mark Jesske is a 14-year veteran of the force with twenty years in law enforcement. He has been a supervisor for the past eight years. He is highly respected by his peers and he has received numerous awards throughout his career.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-215*

**8A2020-8 RESOLUTION APPROVING THE APPOINTMENT OF POLICE CAPTAIN IN THE IRONDEQUOIT POLICE DEPARTMENT**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Wehner**, a resolution was adopted **approving the appointment of Jessica Franco as a Police Captain.**

*Chief of Police Alan Laird stated that there was a need to fill the second position for Police Captain. Lt. Franco is a 13-year veteran of the force with 15 years in law enforcement. In 2015, Lt. Franco was promoted to the rank of Sergeant where she supervised the first platoon. In 2017, she moved into the Criminal Investigations Unit. She was promoted to the rank of Lieutenant in 2019. She is highly respected in her field and has received numerous awards.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-216*

**8A2020-9 RESOLUTION CALLING FOR A PUBLIC HEARING ON THE MATTER OF GRANTING A SPECIAL USE PERMIT FOR 1115 E. RIDGE ROAD IN A M-MANUFACTURING DISTRICT**

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Perticone**, a resolution was adopted **holding a Public Hearing on September 15, 2020 at 7:35 PM.**

*Director of Community Development Kerry Ivers stated that this resolution sets a Public Hearing date for next month for an application to re-develop the former Staples building on E. Ridge Road. The project includes the demolition of the old building and the construction of a 5,000 sf building for Chick-fil-A with outdoor dining and drive thru. A Special Use Permit is required for any restaurant in a M-Manufacturing District and also for a drive thru. This application will also go to the Planning Board for referral and review.*

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-217*

**PUBLIC HEARINGS**

**8PH2020-1 ON THE MATTER OF OF ADOPTING A LOCAL LAW TO AMEND CHAPTER 180, ARTICLE IV OF THE TOWN CODE OF IRONDEQUOIT RELATING TO THE STANDARDS FOR CONNECTING TO THE PUBLIC SEWER**  
7:35 PM

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Romeo**, the Public Hearing was opened at 7:35 PM.

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

*Deputy Director of Public Works Erin Magee stated that this Public Hearing was called in response to the impending extension project of the Bay Shore Boulevard Sanitary Sewer planned for construction in 2021. The Public Works Department is mandated to continue the existing grinder pump loan program to ensure the local waterways are protected against incidental discharges of untreated waste. The Department of Public Works must keep a list of at least two different pumps for the standardization.*

**Public Hearing Public Input:** No one spoke for or against the matter.

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Perticone**, the Public Hearing was closed at 7:37 PM.

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

**8PH-1A RESOLUTION ADOPTING A LOCAL LAW STANDARDIZING NEW GRINDER PUMPS FOR RESIDENTS TO CONNECT TO THE SANITARY SEWER**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Romeo**, a resolution was adopted **authorizing the adoption of Local Law 2 of 2020, amending Chapter 180, Article IV of the Town Code relating to the standards for connection to the public sewer, Town property, and entering said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Irondequoit and to give due notice of the adoption of said Local Law to the NY Secretary of State and post the same as required by the Irondequoit Town Code.**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-218*

**8PH2020-2 ON THE MATTER OF GRANTING A SPECIAL USE PERMIT FOR 1233 & 1267 E. RIDGE ROAD IN A M-MANUFACTURING DISTRICT**  
7:36 PM

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Perticone**, the Public Hearing was opened at 7:38 PM.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Director of Community Development Kerry Ivers spoke briefly about this matter stating that this project is a redevelopment of the existing Rite Aid building, located at 1233 E. Ridge Road, converting it from a single use to three-tenant building. The applicant's intent is for two fast-casual eateries, both requiring a Special Use Permit. The project also involves the demolition of the existing Ridge Rattan, located at 1267 E. Ridge Road. A free-standing fast-casual restaurant would be constructed at that site. Mr. Peter Vars, with BME Associates, and Mr. Matt Lester, representative of owners of Ridge Portland, were present. Mr. Vars stated that the property size is about 1.1 acres. The Ridge Rattan building is about 8300 sf; the size of this lot is just under .4 acres. The proposal is to combine the two properties into one tax account parcel, a total of 1.5 acres. The existing Rite Aid building would be refurbished to create a multi-tenant building for restaurant and retail space. The Ridge Rattan building would be demolished and a new restaurant constructed in that space. Mr. Vars stated that the retail space is allowed in a M-Manufacturing District. The restaurants require a Special Use Permit. The site will be updated; the parking and flow pattern will remain the same, as well as the access off Portland Avenue. There are currently three curb cuts on E. Ridge Road; Rite Aid property has one curb cut, Ridge Rattan property has two. They are proposing the closing of two curb cuts. Mr. Vars stated that he appeared before the Planning Board last week and the applicant did make one change—moving the proposed new construction forward, toward Ridge Road. The applicant will again appear before the Planning Board for site plan review. Mr. Vars feels that this is a good project as there are other restaurants in the area, they are not introducing a new use into this area. He feels this project is continuing with a very positive trend, redeveloping some aged properties. This project will require variances from the Zoning Board. Under SEQOR, this is an UNLISTED action and the Town Board will have to address SEQOR as part of the Special Use Permit process. Councilmember Romeo noted her approval of eliminating two of the curb cuts. She also inquired about loss of parking spaces when moving the construction of the new restaurant closer to Ridge Road. Mr. Vars stated that there are now 82 spaces and there will only be one space lost with the revised plan. Councilmember Romeo also asked about any gain of green space with the revision of the project and Mr. Vars stated that the project gained one tenth of 1% of green space. Mr. Vars noted that leases have been signed for all three restaurants. Supervisor Seeley commented that this will be a nice facelift for this area of Portland Avenue and E. Ridge Road.*

**Public Hearing Public Input:** No one came forward to speak for or against the matter.

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Perticone**, the Public Hearing was closed at 7:56 PM.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

**8PH-2A RESOLUTION APPROVING A SPECIAL USE PERMIT FOR 1233 & 1267 E. RIDGE ROAD IN A M-MANUFACTURING DISTRICT**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Wehner**, a resolution was adopted **approving the Special Use Permit for 1233 & 1267 E. Ridge Road in a M-Manufacturing District.**

*Director of Community Development Kerry Ivers clarified that the project is actually a TYPE II action pursuant to SEQOR, not an UNLISTED action as stated previously. TYPE II action provides for construction or expansion of non-residential structures less than 4,000 sf. That would encapsulate the free-standing building being proposed on the site. TYPE II action also provides for reuse of residential or commercial structures containing mixed residential and commercial uses. Director Ivers stated that based on the above, this is a TYPE II action and requires no further analysis.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-219*

**8A2020-10 RESOLUTION CALLING FOR A PUBLIC HEARING ON THE MATTER OF REZONING A PORTION OF 2590 CULVER ROAD FROM R-1 RESIDENTIAL TO C-BUSINESS DISTRICT**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Wehner**, a resolution was adopted **calling for a Public Hearing on this matter to be held on September 15, 2020.**

*Director of Community Development Kerry Ivers explained that this resolution and the next resolution both call for Public Hearings regarding rezoning of 2590 Culver Road, Lot 3, the Wambach property. Land Tech Surveying & Planning, acting as agent for PEMM, LLC, has submitted an application for rezoning to C-Business District to construct a Quicklee’s Convenient Store with gas station and car wash. This is a two-acre site that shares the same access from Culver Road This project would have to apply for a Special Use Permit if a drive thru window is planned. The Board members shared their concerns with increased traffic in this area. Supervisor Seeley noted that there will be no action taken following the Public Hearings. Postcards will be sent to property owners within 1,000’ of the proposed rezoning property giving information regarding the Public Hearing meetings.*

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2020-220

**8A2020-11 RESOLUTION CALLING FOR A PUBLIC HEARING ON THE MATTER OF REZONING A PORTION OF 2590 CULVER ROAD FROM R-1 RESIDENTIAL TO R-5 RESIDENTIAL**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Wehner**, a resolution was adopted **scheduling a Public Hearing on this matter on September 15, 2020.**

*Director of Community Development Kerry Ivers explained that this is an application for a rezone of a portion of 2590 Culver Road, the Wambach property. This rezone will allow for a development of a multi-family structure being proposed by Providence Housing. This project would be geared to health care workers who have stated that the housing available to them is not affordable. This project would target low- to moderate-income level health care workers. The Comprehensive Master Plan of the Town justifies this kind of housing.*

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2020-221

**8A2020-12 RESOLUTION DECLARING THE TOWN BOARD’S INTENT TO SERVE AS LEAD AGENCY REGARDING STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)**

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Wehner**, a resolution was adopted **declaring the intent of the Town Board to be Lead Agency for the purposes of the State Environmental Quality Review Act and having the Town notify all other involved and interested agencies.**

*Director of Community Development Kerry Ivers explained that for the SEQR analyses associated with the Providence Housing project, and because there is State funding associated with this project, she would like to do a coordinated review for the purposes of SEQR. The Town Board’s intent is to be Lead Agency and notifications seeking consent from other involved and interested agencies will be sent out.*

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2020-222

**8A2020-13 RESOLUTION AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH HARPER DANESH LLC TO PERFORM ACTUARIAL ANALYSES OF THE COST OF OTHER (NON-PENSION) POST EMPLOYMENT BENEFITS OF TOWN EMPLOYEES AS REQUIRED BY THE GOVERNMENT ACCOUNTING STANDARDS BOARD PRONOUNCEMENT NO. 75**

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Perticone**, a resolution was adopted **authorizing the Supervisor to enter into a one-year renewal of the**

**Town's agreement with Harper Danesh LLC, in the amount of \$2,000, for actuary services pertaining to the cost of other post employment benefits in response to the requirements of GASB 75.**

*Comptroller Diana Marsh explained that the current agreement expires on August 31, 2020 but allows for two one-year optional renewals. The Town will enter into a one-year renewal of the Town's agreement with Harper Danesh LLC in the amount of \$2,000 for actuarial services. Comptroller Marsh added that the Town is pleased with their work.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-223*

**8A2020-14 RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH GRANET**

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Freeman**, a resolution was adopted **authorizing the Chief of Police Alan Laird to enter into an MOU with GRANET.**

*Chief of Police Alan Laird explained that this resolution allows his Department to maintain its relationship with GRANET. The Department does not have a representative with GRANET at this time but hopes to be able to have a permanent officer assigned to GRANET in the future.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-224*

**8A2020-15 RESOLUTION ENTERING INTO AN INTERMUNICIPAL AGREEMENT WITH THE CITY OF ROCHESTER FOR A NEW DELTA SONIC LOCATION**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Wehner**, a resolution was adopted **authorizing the Supervisor to enter into the Intermunicipal Cooperative Agreement for Police response to Delta Sonic Car Wash.**

*Chief of Police Alan Laird explained that with the expansion of Delta Sonic Car Wash, that property is now located in both Irondequoit and the City of Rochester. This resolution will allow the Town to respond to calls at Delta Sonic Car Wash.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-225*

**8A2020-16 RESOLUTION DECLARING CERTAIN EQUIPMENT AS SURPLUS PROPERTY**

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Wehner**, a resolution was adopted **declaring said equipment as surplus and authorizing the Supervisor to execute and deliver such documentation as necessary to auction said equipment at the next appropriate municipal equipment auction.**

*Deputy Commissioner of Public Works Erin Magee stated that each piece of equipment is several years old and no longer used by the Town. She noted that a large pile of millings were included and it will be interesting to see what these millings will bring at auction.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-226*

**8A2020-17 RESOLUTION RENEWING AN AGREEMENT FOR THE GRINDING OF WOOD WASTE**

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Perticone**, a resolution was adopted **renewing through August 1, 2021, the Grinding of Wood Waste Contract with SM Gallivan, LLC in the amount of \$265 per hundred yards of grinding wood waste.**

*Deputy Commissioner of Public Works Erin Magee explained that a bid opening took place in August of 2019 and SM Gallivan was the lowest responsible bidder. The Town may extend this contract for up to two additional one-year extensions. The Town will extend this contract for one year ending August 1, 2021 under the same conditions and cost.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-227*

**8A2020-18 RESOLUTION AUTHORIZING THE AWARD OF BID FOR REDI PUMP STATION IMPROVEMENTS**

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Romeo**, a resolution was adopted **awarding the bid for Irondequoit REDI Pump Station Improvements to Dakksco in the amount of \$89,544.**

*Deputy Director of Public Works Erin Magee explained that the Town plans to upgrade the Point Pleasant (German Village) and Seabreeze Pump Stations to increase the resiliency to high-water events. These projects are funded \$.95 to the dollar by the State via the REDI initiatives. The Town will contribute approximately \$4,477.00. Bids were publicly opened on August 14<sup>th</sup> and the lowest responsible bidder was Dakksco in the sum of \$89,544.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-228*

**8A2020-19 RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT FOR IRONDEQUOIT SENIOR HOUSING DEVELOPMENT FUND CORP. AND IRONDEQUOIT SENIOR LIVING LLC**

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Romeo**, a resolution was adopted **authorizing the Supervisor to enter into a PILOT Agreement for Irondequoit Senior Housing Development Fund Corp. and Irondequoit Senior Living LLC.**

*Supervisor Seeley explained that this resolution would authorize a PILOT Agreement for Irondequoit Senior Housing Development Fund Corp. and Irondequoit Senior Living LLC. This is in regard to 80 residential units for persons of low income at the Wambach lot that was previously approved. The Corporation and the Company have submitted a request to the Town to enter into a PILOT Agreement for the property. The property will not be tax exempt. PILOT Agreements provide stability for financing and this Agreement will generate more tax revenue than the entire parcel generated historically.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-229*

**8A2020-20 RESOLUTION APPROVING THE SPECIAL EVENT LICENSE FOR YELLOWJACKET RACING/FLEET FEET'S ROCHESTER MARATHON (FULL AND HALF) AND RELAY**

On a motion made by Councilmember **Romeo**, seconded by Councilmember **Wehner**, a resolution was adopted **approving the Special Event License to conduct the Rochester Marathon, Half Marathon and Relay on Sunday, September 20, 2020 from 7:30 a.m. to 2:00 p.m., upon the condition that YellowJacket Racing/Fleet Feet notifies all affected residents before the event.**

*Supervisor Seeley explained that the City of Rochester did give the necessary approvals for this event.*

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2020-230*

Next Board meetings are:

Tuesday, September 8, 2020  
Tuesday, September 15, 2020

Workshop Meeting @ 4 PM  
Regular Town Board Meeting @ 7 PM

On a motion made by Councilmember **Freeman**, seconded by Councilmember **Wehner**, the Regular Town Board Meeting was adjourned at 8:21 PM.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

Respectfully submitted,



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Barbara J. Genier

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD REGARDING  
STATE ENVIRONMENTAL QUALITY REVIEW ACT COMPLIANCE REGARDING  
A SPECIAL USE PERMIT TO OPERATE A RESTAURANT WITH OUTDOOR  
DINING AND DRIVE THRU AT 1115 E. RIDGE ROAD  
IN AN M – MANUFACTURING DISTRICT.**

At the regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15<sup>th</sup> day of September, 2020, at 7:00 P.M. local time; there were:

PRESENT:

David Seeley

Town Supervisor

Patrina Freeman

Town Board Member

John Perticone

Town Board Member

Kimie Romeo

Town Board Member

Peter Wehner

Town Board Member

Harter Secrest & Emery LLP

Attorney for the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, Bohler Engineering, acting as agent for Chick-fil-A (the “Applicant”), has submitted an application to obtain a special use permit for 1115 E. Ridge Road, in the M – Manufacturing District, to operate a restaurant use with outdoor dining and drive thru (the “Project”), which requires a special use permit pursuant to Section 235-36.1(H) of the Town of Irondequoit Code; and

**WHEREAS**, the adoption of the special use permit for the Project is classified as an Unlisted Action under the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, the Town Board has received and reviewed the short Environmental Assessment Form (“EAF”), dated March 23, 2020, with respect to the Project and the adoption of the special use permit, along with the other submissions of the Applicant, including the “SEQRA Narrative,” and “Traffic Memo,” and has considered the potential environmental impacts of the special use permit pursuant to the requirements of SEQRA and finds that the proposed action will not result in any significant adverse environmental impacts.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board adopts the Negative Declaration for the Special Use Permit in the form attached and determines that no Environmental Impact Statement is required.

**AND, THEREFORE, BE IT FURTHER RESOLVED**, that the Town Supervisor shall file the

EAF along with this Resolution with the Town Clerk, forward these documents to any person who requests a copy, and maintain the EAF and Negative Declaration in a file regularly accessible to the public.

**AND, BE IT FURTHER RESOLVED**, that the requirements of 6 NYCRR 617 have been met.

This resolution shall take effect immediately upon its adoption.

Seconded by the Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting	_____
Town Board Member	Perticone	voting	_____
Town Board Member	Freeman	voting	_____
Town Board Member	Romeo	voting	_____
Town Supervisor	Seeley	voting	_____

Project:

Date:

***Short Environmental Assessment Form  
Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

### ***Short Environmental Assessment Form Part 3 Determination of Significance***

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)



# *a town for a lifetime* IRONDEQUOIT *New York*

SEQRA Part III Narrative  
1115 E. Ridge Road Special Use Permit Application  
September 2020

The proposed action involves the consideration of a special use permit application to allow for the demolition of the existing 18,000 ± SF vacant retail building and the development of a new freestanding 5,000 ± SF fast/casual restaurant with outdoor seating and drive-thru facilities. This is an unlisted action under SEQRA.

The property is bounded by Portland avenue and adjacent, developed lots on E Ridge Road that feature a fast food restaurant and a retail.

In examining the potential impacts of Special Use Permit, which is being done via an uncoordinated review, the environmental review considers the specific impacts associated with the proposed use. In considering the potential impacts associated with the action, the following specific issues were addressed.

## Potential Impacts to Land Use and Community Character

Although the physical development is primarily a consideration for the Planning Board during site plan review, impacts to land use and character were also considered as part of the action before the Town Board. The proposed redevelopment of the site will replace a former retail building with a new restaurant. The proposed site layout will orient the new building toward the Portland and includes the construction of a brick building that is almost a quarter of the size of the building currently on the parcel. There is no increase to the intensity of land use, in fact the proposed building and lot coverage will be reduced. The proposed use is consistent with the types of commercial development located in this vicinity. Additionally, the proposed redevelopment is consistent with the vernacular of existing development as well as the design guidelines set forth in the Comprehensive plan.

## Potential Impact to Land

The proposed project will increase green space and reduce the proportion of pavement and buildings on site by approximately 22 percent, which will decrease the potential impacts of stormwater run off. While the site modifications will require excavation and fill associated with construction, the impacts will be short-term (duration of construction) and not be excessive in nature. Additionally, the development will be required to prepare a Stormwater Pollution Prevention Plan, which would be monitored during and after construction to ensure compliance with New York State's stormwater management regulations.

## Potential Impacts to Traffic



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In considering the proposed use, the Town Board must consider the proposed development's impact on traffic. The Traffic Study (Tab H – Traffic Memorandum) provided by the applicant included the following analysis

- 1. Evaluation of the three-year crash history at the Culver Road/ site driveway intersection indicates that one (1) motor vehicle accident occurred during the study period. The calculated crash rate of 0.06 crashes per million vehicles is significantly lower than the NYSDOT state-wide average (0.15 crashes per million vehicles) for this type of unsignalized intersection. There are no inherent safety concerns at this intersection.*
- 2. The proposed development is expected to generate approximately 147 entering/144 exiting vehicle trips during the MD peak hour, 100 entering/90 exiting vehicle trips during the PM peak hour, and 173 entering/161 exiting vehicle trips during the SAT peak hour. It is anticipated that the Chick-fil-A restaurant will draw a portion of the site generated trips from the existing traffic passing the site on Portland Ave and Ridge Rd. However, pass-by traffic was not considered in this analysis resulting in a worst case/conservative analysis.*
- 3. It is recommended that an eastbound right turn lane is installed on the existing plaza driveway to allow right turn traffic to exit the site unimpeded by left turning vehicles that may be waiting for a gap in traffic on Portland Ave.*
- 4. Based on the data collected at two existing Chick-fil-A restaurants and the similar characteristics of the proposed project, there is more than sufficient on-site storage for the projected vehicle queues under typical conditions, post-opening month(s). It is important to note that the proposed Portland Ave site will be the third Chick-fil-A site in the greater Rochester area and, therefore, is expected to experience lower traffic volumes than used in this study.*
- 5. The following strategies can be used to help improve drive-thru service time and the speed at which customers are serviced on-site:*
  - Chick-fil-A team members using tablets to take orders at customer's vehicles in the drivethru lane. Another team member may also be used to process the customer's payment.*
  - Smartphone technology using the Chick-fil-A mobile app to pre-order food prior to visiting the project site. The customer can pre-order, pre-pay, and pick up their order from inside the facility reducing their time-on-site and the impact on the drive-thru lane.*
  - Team members may also be utilized during peak operating times to help direct traffic.*
- 6. With the recommended mitigation in place, the proposed development will not result in any potentially significant adverse traffic impacts to the study area roadways and intersections.*



# *a town for a lifetime* IRONDEQUOIT *New York*

The proposed development is the third location in the Rochester market, which will reduce the long-term demands at the location. The Town Engineer has reviewed the report and concurs with the findings of the submitted traffic study. The project site can accommodate a large number of queuing vehicles, which will minimize impacts to closest entrance from Portland Avenue. The proposed site plan includes mitigation measure to improve access to/from the development site. Any additional modifications and/or mitigations needed would be determined by the Planning Board during its site plan review, which will be also include its own SEQRA analysis and determination of significance.

## Potential Impacts to Utilities and Energy Use

Access to public water and sewer systems is available on this previously developed site. Those existing systems can sufficiently support the demand associated with redevelopment proposed at this location.

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD ADOPTING  
A RESOLUTION APPROVING A SPECIAL USE PERMIT FOR  
1115 E. RIDGE ROAD IN A M – MANUFACTURING DISTRICT.**

At the regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15<sup>th</sup> day of September 2020 at 7:00 P.M. local time; there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP	Attorney for the Town
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Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, Bohler Engineering, acting as agent, for Chick-fil-A, has submitted an application to obtain a special use permit at 1115 E. Ridge Road in a M – Manufacturing District to operate a restaurant use with outdoor dining and drive thru (the “Project”); and

**WHEREAS**, the Project requires a special use permit pursuant to Section 235-36.1(H) of the Town of Irondequoit Code; and

**WHEREAS**, such special use permit may be approved by the Town Board pursuant to Town Law § 274-b; and

**WHEREAS**, the Application was reviewed and discussed at the Town Planning Board meeting held on August 24, 2020 and the Town Planning Board issued a report on the issuance of a Special Use Permit to the Town Board dated August 26, 2020 recommending a Positive Referral of the Special Use Permit; and

**WHEREAS**, the Monroe County Department of Planning & Development issued comments with respect to the Project on August 21, 2020; and

**WHEREAS**, a public hearing was held by the Town Board, pursuant to Section 274-b of New York State Town Law, on September 15, 2020, at the Irondequoit Town Hall, 1280 Titus Avenue, in the Town of Irondequoit, New York, at 7:35pm, where the facts in support of the requested Special Use Permit were presented and where public input was received and thereafter the public hearing was closed (the “Public Hearing”); and

**WHEREAS**, under Resolution \_\_\_\_\_, the Town Board adopted a Negative Declaration for the Project pursuant to the requirements of 6 NYCRR 617.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby approves the Special Use Permit/disapproves the Special Use Permit/approves the Special Use Permit with the following conditions\_\_\_\_\_.

This resolution shall take effect immediately.

Seconded by the Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting	_____
Town Board Member	Perticone	voting	_____
Town Board Member	Freeman	voting	_____
Town Board Member	Romeo	voting	_____
Town Supervisor	Seeley	voting	_____

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD AUTHORIZING AN APPOINTMENT TO THE DEER MANAGEMENT PROGRAM BOARD**

At the regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15<sup>th</sup> day of September, 2020 at 7:00 P.M. local time; there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP	Attorney for the Town
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Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, pursuant to Irondequoit Town Code § 93-1(J), which implements Bow Hunt Regulations for purposes of the Town Deer Management Program (“the Program”), there shall be a Deer Management Program Board (DMPB);

**WHEREAS**, one of the members of the Board shall be a Town resident, who cannot be a hunter in the Program and who shall be selected by the Town Board.

**WHEREAS**, in October 2019, the Town Board appointed Marcy Tiberio as the resident member to the DMPB; and

**WHEREAS**, the Town Board wishes to re-appoint Marcy Tiberio to the DMPB to serve as the resident member.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Irondequoit approves the following appointment:

Marcy Tiberio as Member of the Deer Management Program Board for a term to begin October 15<sup>th</sup>, 2020 and expire October 15<sup>th</sup>, 2021.

This resolution shall take effect immediately upon its adoption.

Seconded by the Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting	_____
Town Board Member	Perticone	voting	_____
Town Board Member	Romeo	voting	_____
Town Board Member	Freeman	voting	_____
Town Supervisor	Seeley	voting	_____

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD  
AUTHORIZING A SETTLEMENT AGREEMENT  
WITH WALGREEN CO. AND RITE AID CORPORATION**

At the regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15<sup>th</sup> of September, 2020 at 7:00 P.M. local time; there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP	Attorney for the Town
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Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, a settlement agreement for the Article 7 proceedings brought by WALGREEN CO. AND RITE AID CORPORATION has been submitted by Amy Jorstad, the Assessor for the Town of Irondequoit, and recommended by Thomas A. Fink, special counsel for the Town of Irondequoit for tax certiorari matters.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Irondequoit formally approves a settlement with WALGREEN CO. AND RITE AID CORPORATION on the following terms:

1. The assessment for WALGREEN CO. AND RITE AID CORPORATION for the 2013 year shall be unchanged, for the 2016 year shall be reduced from \$3,650,000 to \$3,000,000, for the 2017 year shall be reduced from \$3,650,000 to \$2,500,000, for 2018 year shall be reduced from \$3,650,000 to \$2,000,000 and for the 2019 year shall be reduced from \$3,650,000 to \$1,500,000 for tax parcel 091.07-1-89.11 (the "Property").
2. WALGREEN CO. AND RITE AID CORPORATION shall be paid the sum equal to the difference between the real property taxes paid based upon the 2016, 2017, 2018 and 2019 Final Tax Assessment Rolls and the taxes that would have been paid if the assessments had been based upon the revised assessments for such years, as set forth more fully in the settlement agreement.
3. The final assessment of the Property shall be set at the \$1,300,000 Revised Assessment for the 2020 Final Tax Assessment Roll and for a period of one tax year following the close of the rolls for the 2020 Final Tax Assessment Roll

("Moratorium Period) pursuant to Real Property Tax Law § 727, as set forth more fully in the settlement agreement.

4. The settlement shall be governed by § 727 of the Real Property Tax Law, provided that the exceptions set forth in § 727(2)(a) and (b) of the Real Property Tax Law shall not apply.

This resolution shall take effect immediately upon its adoption.

Seconded by the Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting	_____
Town Board Member	Perticone	voting	_____
Town Board Member	Romeo	voting	_____
Town Board Member	Freeman	voting	_____
Town Supervisor	Seeley	voting	_____

**STATE OF NEW YORK  
SUPREME COURT COUNTY OF MONROE**

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In the Matter of the Application of

Rite Aid Corporation,

Petitioner,

vs.

Town of Irondequoit Board of Assessment Review,  
the Assessor of the Town of Irondequoit, and  
the Town of Irondequoit, Monroe County, New York,

Respondents.

For review of a Tax Assessment under Article 7  
of the Real Property Tax Law.

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**STATE OF NEW YORK  
SUPREME COURT COUNTY OF MONROE**

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In the Matter of the Application of

Rite Aid Corporation and Walgreen Co.,

Petitioner,

vs.

Town of Irondequoit Board of Assessment Review,  
the Assessor of the Town of Irondequoit, and  
the Town of Irondequoit, Monroe County, New York,

Respondents.

For review of a Tax Assessment under Article 7  
of the Real Property Tax Law.

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**STIPULATION AND  
CONSENT ORDER**

Index Nos.: 8297/2013,  
I2016008471 and  
E2017001377

Tax Years: 2013, 2016 and  
2017

Judge: Hon. Gail A. Donofrio

**STIPULATION AND  
CONSENT ORDER**

Index Nos.: E2018005746

Tax Years: 2018

Judge: Hon. Gail A. Donofrio

**STATE OF NEW YORK  
SUPREME COURT COUNTY OF MONROE**

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In the Matter of the Application of

Walgreen Co.,

Petitioner,

vs.

Town of Irondequoit Board of Assessment Review,  
the Assessor of the Town of Irondequoit, and  
the Town of Irondequoit, Monroe County, New York,

Respondents.

**STIPULATION AND  
CONSENT ORDER**

Index Nos.: E2019006948 &  
E2020004750

Tax Years: 2019 & 2020

Judge: Hon. Gail A. Donofrio

For review of a Tax Assessment under Article 7  
of the Real Property Tax Law.

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**Property Description:**

<b>Property</b>	<b>Tax ID Number</b>	
689 East Ridge Road	091.07-1-89.11	
<b>Final Tax Assessment Roll</b>	<b>Taxable Status Date</b>	<b>Index Numbers</b>
2013	March 1, 2013	8297/2013
2016	March 1, 2016	I2016008471
2017	March 1, 2017	E2017001377
2018	March 1, 2018	E2018005746
2019	March 1, 2019	E2019006948
2020	March 1, 2020	E2020004750

**WHEREAS**, tax certiorari proceedings were commenced by the above-named petitioner(s) (“Petitioner”) for the above described property (“Property”) located in the Town of Irondequoit (“Respondent”) for the final tax assessment roll(s) (hereinafter “Final Tax Assessment Roll(s)”) filed in 2013, 2016, 2017, 2018, 2019, and 2020, and said proceedings are now pending (“Pending Proceedings”), and;

**WHEREAS**, negotiations for settlement were entered into regarding said proceedings; and

**WHEREAS**, the West Irondequoit Central School District intervened into the Pending Proceedings; and

**NOW, THEREFORE**, it is hereby stipulated, consented and agreed by and between the attorneys and the respective parties that the above-captioned Pending Proceedings challenging the prior assessment for the 2013, 2016, 2017, 2018, 2019 and 2020 Final Tax Assessment Rolls (“Prior Assessment”) on the premises described below shall be settled and that an Order and Judgment to that effect may be entered without further notice to either party on the following terms:

1. The Pending Proceedings challenging the assessment for the 2013, 2016, 2017, 2018, 2019 and 2020 Final Tax Assessment Rolls shall be settled by setting the assessment of the Property at the revised assessment set forth below (“Revised Assessment”):

<b>Property Address</b>	689 East Ridge Road		
<b>Tax ID Number</b>	091.07-1-89.11		
<b>Final Tax Assessment Roll</b>	<b>Taxable Status Date</b>	<b>Prior Assessment</b>	<b>Revised Assessment</b>
2013	March 1, 2013	\$3,650,000	No Change.
2016	March 1, 2016	\$3,650,000	\$3,000,000
2017	March 1, 2017	\$3,650,000	\$2,500,000
2018	March 1, 2018	\$3,650,000	\$2,000,000
2019	March 1, 2019	\$3,650,000	\$1,500,000

The Petitioner herein shall be paid the sum equal to the difference between the real property taxes paid based upon the 2016, 2017, 2018 and 2019 Final Tax Assessment Roll(s), and the taxes that would have been paid if the assessment had been based upon the Revised Assessment for such year(s). Interest on the above payments shall be waived in consideration for the future year reductions set forth herein, except that interest shall be paid at the legal rate for real property tax assessment refunds to the extent that if amounts required to be paid hereunder are not paid within sixty (60) days of the service of this order upon the entity responsible for making such payment until the same is so paid. The tentative assessment for 2020 Tax Year was reduced from \$3,650,000 to \$1,300,000 at the request of the taxpayer. A petition was still filed.

2. In consideration hereof, the parties agree that all Pending Proceedings shall be discontinued.
3. The final assessment of the Property shall be set at the \$1,300,000 Revised Assessment for the 2020 Final Tax Assessment Roll (“Moratorium Assessment”), and for a period of one (1) tax year following the close of the rolls for the 2020 Final Tax Assessment Roll pursuant to RPTL §727 (i.e., affecting the succeeding 2021 Final Tax Assessment Roll, but not the 2022 and 2023 Tax Years) (hereinafter the “Moratorium Period”) subject to the conditions set forth herein. In the event the assessment on the tentative or final tax assessment roll filed for the year during the Moratorium Period exceeds the Moratorium Assessment, Petitioner shall not be restrained from commencing such additional and further proceedings as shall be deemed appropriate challenging such assessment.
4. Notwithstanding the foregoing, the parties agree that the Assessor may change the assessment, and the Petitioner may challenge the assessment, either after expiration of the Moratorium Period, or for any tax year after any of the events set forth in RPTL §727(2) (c), (d), (e), (f), (g), (h) and (i) shall occur. The parties agree that the exceptions in RPTL §727(2) (a) and (b) shall not apply to this settlement agreement.
5. That all sums heretofore specified to be paid in this Stipulation and Consent Order are inclusive of all statutory costs and disbursements.
6. Any payments hereunder shall be made to the Jacobson Law Firm, P.C. as attorney for the Petitioner herein.
7. Counsel for the Petitioner herein represents that the approvals for this settlement have been obtained from the Petitioner herein.
8. Counsel for the Respondent herein represents that approvals required for this settlement have been obtained from any and all necessary parties and entities, and Respondent Town of Irondequoit has concluded the settlement to be in the best interest of the Town.

9. Counsel for the Intervenor-Respondent(s) herein represents that approvals required for this settlement have been obtained from any and all necessary parties and Intervenor-Respondent(s) have concluded the settlement to be in the best interest of said Intervenor-Respondent(s).

This Stipulation and Consent Order shall be governed by the provisions of Section 727 of the Real Property Tax Law, except as otherwise provided for herein. The parties hereto shall have the right to seek specific performance of any of the terms and provisions herein.

Dated: August 25, 2020

Petitioner:



Robert L. Jacobson, Esq.

*Attorney for Petitioner*

**RITE AID CORPORATION**

Jacobson Law Firm, P.C.

1080 Pittsford-Victor Road, Suite 304

Pittsford, New York 14534

Telephone: (585) 218-6290

Respondents:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Thomas A. Fink, Esq.

*Attorney for Respondent*

**TOWN OF IRONDEQUOIT**

Davidson Fink LLP

28 Main Street East, Suite 1700

Rochester, New York 14614

Telephone: (585) 546-6448

9. Counsel for the Intervenor-Respondent(s) herein represents that approvals required for this settlement have been obtained from any and all necessary parties and Intervenor-Respondent(s) have concluded the settlement to be in the best interest of said Intervenor-Respondent(s).

This Stipulation and Consent Order shall be governed by the provisions of Section 727 of the Real Property Tax Law, except as otherwise provided for herein. The parties hereto shall have the right to seek specific performance of any of the terms and provisions herein.

Petitioner:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Robert L. Jacobson, Esq.  
*Attorney for Petitioner*  
**RITE AID CORPORATION**  
Jacobson Law Firm, P.C.  
1080 Pittsford-Victor Road, Suite 304  
Pittsford, New York 14534  
Telephone: (585) 218-6290

Dated: August 25, 2020

Respondents:



\_\_\_\_\_  
Thomas A. Fink, Esq.  
*Attorneys for Respondents*  
**TOWN OF IRONDEQUOIT**  
Davidson Fink LLP  
28 East Main Street, Suite 1700  
Rochester, New York 14614  
Telephone: (585) 756-5943

Dated: \_\_\_\_\_

\_\_\_\_\_  
Katherine E. Gavett, Esq.  
*Attorney for Intervenor-Respondent*  
**WEST IRONDEQUOIT CENTRAL SCHOOL  
DISTRICT**  
5010 Campuswood Drive  
East Syracuse, New York 13057  
Telephone: (315) 437-7600

Upon reading and filing the annexed stipulation (“Settlement Stipulation”), it is hereby

**ORDERED, ADJUDGED, AND DETERMINED**, that the Settlement Stipulation of the parties be, and the same hereby is, determined to be reasonable, just and in the best interests of the parties herein, and the same be and is approved; and it is further,

**ORDERED, ADJUDGED, AND DETERMINED**, that the parties shall and hereby are directed to comply with the terms and conditions of said Settlement Stipulation; and it is further,

**ORDERED, ADJUDGED, AND DETERMINED**, that the real property tax assessment for the Property located in the Town of Irondequoit be revised as follows:

<b>Property Address</b>	689 East Ridge Road		
<b>Tax ID Number</b>	091.07-1-89.11		
<b>Final Tax Assessment Roll</b>	<b>Taxable Status Date</b>	<b>Prior Assessment</b>	<b>Revised Assessment</b>
2013	March 1, 2013	\$3,650,000	No Change.
2016	March 1, 2016	\$3,650,000	\$3,000,000
2017	March 1, 2017	\$3,650,000	\$2,500,000
2018	March 1, 2018	\$3,650,000	\$2,000,000
2019	March 1, 2019	\$3,650,000	\$1,500,000
2020	March 1, 2020	\$1,300,000	\$1,300,000

and that the tax assessment rolls for said year shall be so modified; and it is further,

**ORDERED, ADJUDGED, AND DETERMINED**, that the Assessor of the Town of Irondequoit shall make or cause to be made upon the proper books and records and on the tax assessment rolls of said Town, the entries, changes and corrections necessary to conform said assessment to such corrected and reduced valuation; and it is further,

**ORDERED, ADJUDGED, AND DETERMINED**, that there shall be audited and allowed paid to the Petitioner by the Town of Irondequoit, the County of Monroe, the West Irondequoit Central School District, and any other applicable taxing authority or entity that based its payments on the assessment, the amount, if any, paid by said Petitioner as taxes against the Prior Assessment in excess of what would have been paid had the assessment been based upon the Revised Assessment as determined by the Settlement Stipulation, without interest, except that interest shall be paid at the legal rate for real property tax assessment refunds to the extent that if amounts required to be paid hereunder are not paid within sixty (60) days of the entry of this Stipulation and Consent Order and service of this order upon the entity responsible for making such payment until the same is so paid. Each entity responsible for paying such refund shall provide a complete written accounting to counsel for the Petitioner indicating in detail how such refund was calculated; and it is further,

**ORDERED, ADJUDGED, AND DETERMINED**, that any parties and attorneys signing this Stipulation and Consent Order, by doing so, represent that they have necessary authority to do so, that said party has duly agreed to this settlement, taken the necessary action to do so and are the duly authorized and empowered persons to do so; and it is further,

**ORDERED, ADJUDGED, AND DETERMINED**, that these proceedings are hereby discontinued subject to and provided the Respondents comply with all of the terms and conditions of this Stipulation and Consent Order; and it is further,

**ORDERED, ADJUDGED, AND DETERMINED**, that these proceedings shall be governed by §727 of the Real Property Tax Law of the State of New York in regard to changes in assessment following litigation, subject to the terms of the parties stipulation above, for a period of one (1) year following the close of the rolls for the 2020 Tax Assessment Roll Year (i.e., affecting the 2021 Final Tax Assessment Roll), where 2021 shall be considered the first year and only year so affected.

DATED: \_\_\_\_\_, 2020  
\_\_\_\_\_, New York

\_\_\_\_\_  
Hon. Gail A. Donofrio  
Acting Supreme Court Justice

RIT01-Irondequoit-2013

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD  
AUTHORIZING A SETTLEMENT AGREEMENT  
WITH SHARRON TRIMALDI**

At the regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15<sup>th</sup> of September, 2020 at 7:00 P.M. local time; there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP	Attorney for the Town
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Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, a settlement agreement for the Article 7 proceedings brought by SHARRON TRIMALDI has been submitted by Amy Jorstad, the Assessor for the Town of Irondequoit, and recommended by Thomas A. Fink, special counsel for the Town of Irondequoit for tax certiorari matters.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Irondequoit formally approves a settlement with SHARRON TRIMALDI on the following terms:

1. The assessment for SHARRON TRIMALDI for the 2019 year shall be reduced from \$255,000 to \$206,100 for tax parcel 092.05-1-53.22.
2. The provisions of Real Property Tax Law § 727 shall apply to the terms of the settlement for the 2020, 2021 and 2022 tax years only, during which the Property shall be assessed based on a fair market value of \$212,500.

This resolution shall take effect immediately upon its adoption.

Seconded by the Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting	_____
Town Board Member	Perticone	voting	_____
Town Board Member	Romeo	voting	_____
Town Board Member	Freeman	voting	_____

Town Supervisor

Seeley

voting

\_\_\_\_\_

STATE OF NEW YORK  
SUPREME COURT                      COUNTY OF MONROE

In the Matter of the Application of  
  
SHARRON TRIMALDI.  
  
*Petitioner,*  
  
-vs-  
  
ASSESSOR OF THE TOWN OF IRONDEQUOIT,  
AMY JORSTAD,  
  
*Respondent.*

**STIPULATION OF  
SETTLEMENT**

Index No. E2019007137

Tax Year: 2019

Property Addresses:  
24 Dubelbeiss Lane

Tax Map Nos.: 092.05-1-53.22

**WHEREAS**, Petitioner, Sharron Trimaldi (“Petitioner”), by and through its attorney, Law Office of Chad M. Hummel, PLLC (Chad M. Hummel, Esq., of counsel), has commenced the above-captioned tax certiorari proceedings (“Proceedings”) under Real Property Tax Law, Article 7 against Respondent, the Assessor for the Town of Irondequoit, Amy Jorstad, (“Town”), represented by their attorneys Davidson Fink, LLP (Thomas A. Fink, Esq., of counsel); and

**WHEREAS**, Petitioner and the Town are collectively referred to as the “Parties,” and

**WHEREAS**, the Parties have engaged in settlement discussions and have agreed to fully resolve their differences without further litigation upon the terms of this Stipulation of Settlement (“Stipulation”); and

**WHEREAS**, the Parties agree that the Proceedings shall be settled based upon the terms set forth in this Stipulation; and

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the attorneys for the respective Parties herein:

1. The real property at issue in the Proceedings is situated in the Town of Irondequoit and described on the Town’s assessment rolls for the relevant tax years as follows (“Property”):

<b><u>Property Description</u></b>	<b><u>Tax Parcel No.</u></b>
24 Dubelbeiss Lane Town of Irondequoit, New York	092.05-1-53.22

2. The Parties agree the total assessed value of the Property shall be reduced as set forth below:

<b><u>Tax Year</u></b>	<b><u>Taxable Status Date</u></b>	<b><u>Tax Parcel</u></b>	<b><u>Stipulated Reduced Assessment</u></b>
2019-2020	March 1, 2019	092.05-1-53.22	\$206,100.00

3. The officials of the County of Monroe, the Town of Irondequoit, the East Irondequoit Central School District, and every other taxing entity, district or municipal corporation having custody of or levying taxes upon the basis of said assessment rolls or any copies thereof, be directed and So Ordered to make or cause to be made on the property books and records the entries and changes necessary to correct said assessment pursuant to Paragraphs 1 and 2 herein.

4. Refunds of the taxes paid and collected in excess of the Stipulated Reduced Assessments shall be made by the County of Monroe, the Town of Irondequoit, the East Irondequoit Central School District, and any other affected taxing entity, without interest, so long as payment is received by Petitioner’s attorney within sixty days (60) from receipt of the

Demand for Refund. If payment is not received within said sixty-day period, statutory interest shall be calculated and paid from the respective dates of payment.

5. The provisions Real Property Tax Law §727 shall apply to the terms of the settlement for the 2020, 2021 and 2022 tax years only, during which the Property shall be assessed based on a fair market value of \$212,500.00.

6. The Parties acknowledge that this Stipulation is entered into for good and valuable consideration and that no costs or allowances shall be awarded to, by or against the Parties.

7. An executed copy of the Stipulation, with Notice of Entry, shall be entered and docketed in the Monroe County Clerk's Office and be filed among the Assessor's permanent records.

Dated: August 31, 2020

Dated: August 31, 2020

**Petitioner**

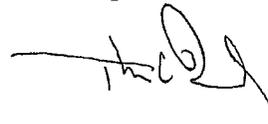
**Town of Irondequoit**

By: \_\_\_\_\_



**Chad M. Hummel, Esq.**  
Hummel & Guzierowicz, PLLC  
*Attorneys for Petitioner*  
530 Titus Avenue  
Rochester, New York 14617

By: \_\_\_\_\_



**Thomas A. Fink, Esq.**  
Davidson Fink  
*Attorneys for Town of Irondequoit*  
28 East Main Street, Suite 1700  
Rochester, New York 14614-1990

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD CALLING FOR A  
PUBLIC HEARING ON THE MATTER OF GRANTING  
A SPECIAL USE PERMIT FOR 889 E RIDGE ROAD  
IN A C – BUSINESS DISTRICT**

At the regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15<sup>th</sup> day of September 2020, at 7:00 P.M. local time; there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member
Harter Secrest & Emery LLP	Attorney for the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, upon the matter of request by Joseph Santacroce, for a Special Use Permit, to operate a used car sales lot located at 889 E. Ridge Road (the “Project”), and:

**WHEREAS**, under § 235-28 A (14) of the Irondequoit Town Code, the operation of a used car sales lot requires a Special Use Permit in the C- Business District; and

**WHEREAS**, such Special Use Permit may be approved by the Irondequoit Town Board pursuant to Town Law § 274-b; and

**WHEREAS**, pursuant to Town Law § 271(14)(a), the Town Board may by resolution provide for the reference of any matter or class of matters to the Planning Board before final action is taken thereon.

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board shall hold a public hearing on this Special Use Permit application on **October 20, 2020 at 7:35 p.m.** at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit.

**AND, THEREFORE, BE IT FURTHER RESOLVED**, that the Town Board refers the application for a Special Use Permit for 889 E. Ridge Road to the Planning Board for its reference and report thereon, which report the Town Board requests to be so provided at or after the public hearing scheduled for October 20, 2020.

This resolution shall take effect immediately upon its adoption.

Seconded by the Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting	_____
Town Board Member	Perticone	voting	_____
Town Board Member	Freeman	voting	_____
Town Board Member	Romeo	voting	_____
Town Supervisor	Seeley	voting	_____

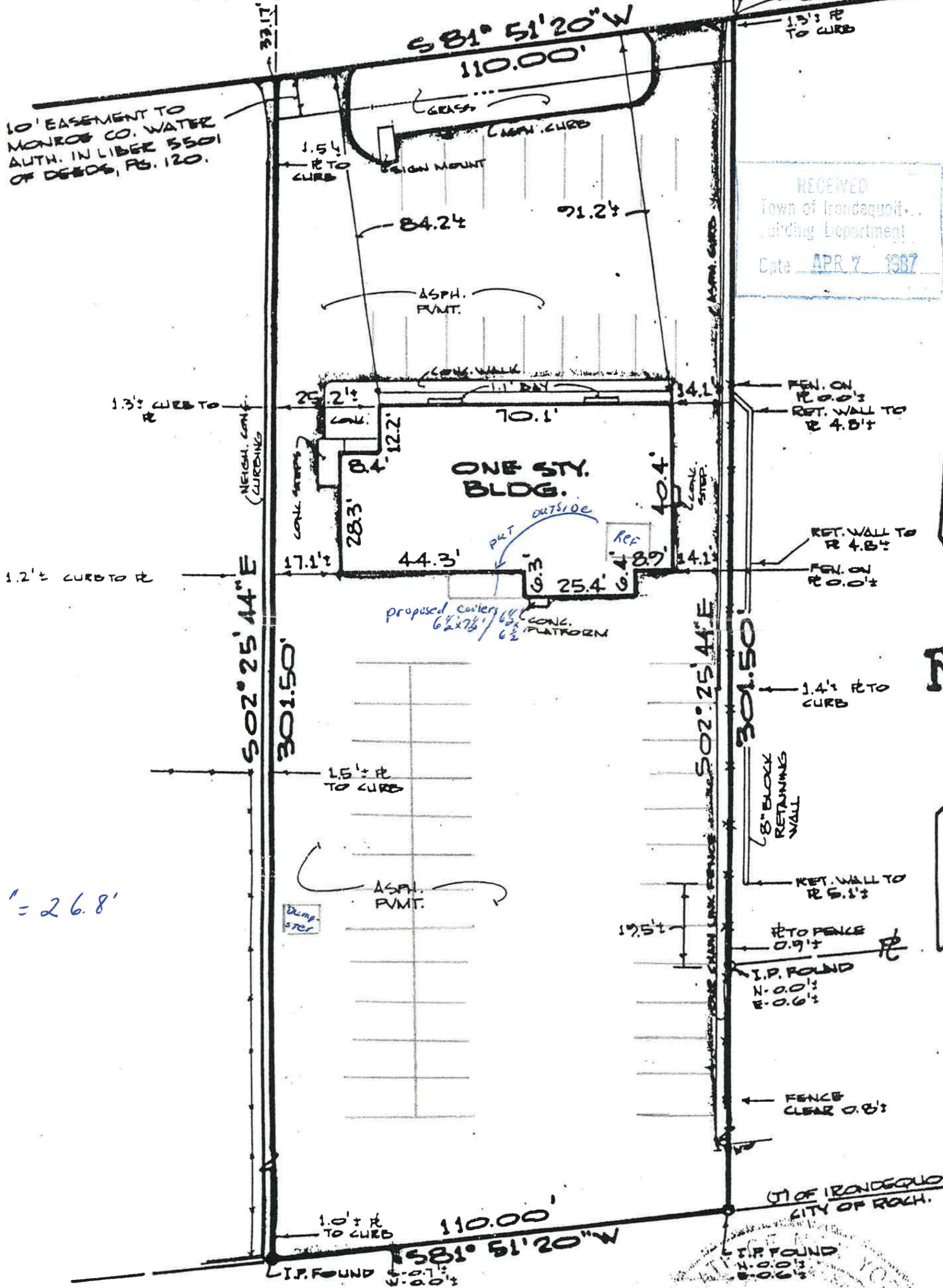
# RIDGE ROAD EAST

-66' R.O.W.-

340.0' TO CARTER ST.  
15.3' R TO CURB

10' EASEMENT TO MONROE CO. WATER AUTH. IN LIBER 5501 OF DEEDS, PG. 120.

RECEIVED  
Town of Irondequoit  
Building Department  
Date APR 7 1987



1" = 26.8'

NOTE: STRUCTURE ON PREMISE, INCLUDING OVERHANG, LIES WHOLLY WITHIN BOUNDARY LINE OF PROPERTY & IS ON APPARENT SET-BACK LINE. NO ADJOINING STRUCTURE ENCROACHES UPON THE PLOT OR UPON ANY DOMINANT EASEMENT APPURTENANT THERE-TO.

I HEREBY CERTIFY TO:  
PAT LYDON, ATTY.  
WALTER & DOROTHY WALDRON,  
THAT THIS MAP WAS PREPARED FROM AN INSTRUMENT SURVEY COMPLETED DEC. 24, 1985.

REFERENCE: DEED FILED IN M.C.C.O. IN LIBER

*[Handwritten Signature]*

TOWN OF IRONDEQUOIT  
APPLICATION TO THE TOWN BOARD

PROJECT ADDRESS 889 E Ridge Rd, Rochester, N.Y. 14621

TOTAL AREA OF PROJECT SITE 33165

TAX ID NO. 263400 091.07-1-76 ZONING DISTRICT Irondequoit

PROPERTY OWNER (Print) JOSEPH SANTACROCE PHONE 585-319-3064

ADDRESS 915 E Ridge Rd., Rochester, N.Y. 11 ZIP CODE 14621

E-MAIL ADDRESS msanta@santamotors.com FAX NO. 585-319-3946

APPLICANT (Print) JOSEPH SANTACROCE PHONE 585-319-3064

ADDRESS 915 E Ridge Rd., Rochester, N.Y. ZIP CODE 14621

E-MAIL ADDRESS msanta@santamotors.com FAX NO. 585-319-3946

AGENT N/A PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_ FAX NO. \_\_\_\_\_

DESCRIPTION OF PROJECT USE  
To convert zoning from restaurant  
to auto sales. No changes to building or  
signage.  
(USED CAR SALES)

APPLICANT (or Agent) SIGNATURE [Signature] DATE \_\_\_\_\_

**IMPORTANT NOTICE:** Applicants and/or their representatives must appear at the Meeting to present their case to the Town Board.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FEE \$ 350.00

CASE NO. \_\_\_\_\_



DATE OF HEARING 10.20.2020=PH

OTHER BOARD REFERRALS PB Pub = 9.28.2020

DATES Colling = 9.15.2020

A sign (provided by the Town) must be posted on the property for at least (10) days prior to the scheduled Public Hearing.

August 13, 2020

Kerry Ivers, Director of Community Development

Town of Irondequoit

1280 Titus Avenue

Rochester, New York 14617

Dear Kerry:

I respectfully submit a "Letter of Intent" and Instrument survey map for your review. I would like to utilize the property at 889 E Ridge Rd which I purchased, to sell used cars. I believe there to be 52 spots front and back of property. The building itself may be used for storage only. Nothing will change on the property. Everything will remain the same as previous owners.

It was requested that I should note any encroachments on the instrument survey map. There are no encroachments to note for the property.

Please let me know if any other information is needed as I would be happy to accommodate you.

Sincerely,



Joseph Santacroce, Owner

Santa Motors, Inc.

915 E Ridge Rd

Rochester, NY 14621

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD  
ADOPTING A RESOLUTION AUTHORIZING 2021 TAX LEVIES**

At the regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th day of September, 2020, at 7:00 p.m. local time, there were

**PRESENT:**

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP

Attorney for the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, the Town of Irondequoit served notice upon the owners of the properties listed in the attached spreadsheet for violations of Town Code Chapter 94 and 104; and

**WHEREAS**, the owners failed to comply with duly issued orders within the time provided, or where, in the case of abandoned properties, the owners or responsible parties did not respond; and

**WHEREAS**, Town Code Chapter 94 and 104 authorizes the Town to have work performed and be reimbursed by assessing and levying the expenses for such work against the property if a property owner fails to correct a violation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Irondequoit authorizes and orders that the expenses for work performed by the Town to correct violations of Town Code Chapter 94 and 104, as set forth in the attached spreadsheet and totaling approximately \$46,659.65 be assessed and levied against said properties as listed in the attached spreadsheet, and collected in the same manner and same time as other assessments and tax levies of the Town.

**AND, BE IT FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to adjust the foregoing assessment and levy based upon additional expenses incurred by the Town, as well as fees that are paid to the Town, prior to the cut-off date of October 5, 2020.

This resolution shall take effect immediately upon its adoption.

Seconded by the Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting	_____
Town Board Member	Perticone	voting	_____
Town Board Member	Freeman	voting	_____
Town Board Member	Romeo	voting	_____
Town Supervisor	Seeley	voting	_____

## 2021 Tax Levy

#	Street	Tax ID	Amount Due
187	Bennett Ave.	092.45-2-59	4,730.00
319	Bennett Ave.	092.37-2-56	2,400.00
394	Bleacker Rd.	092.14-2-6	538.85
29	Castle View Dr.	077.17-4-15	600.00
40	Coolidge Rd.	077.07-6-89	600.00
2493	East Ridge Rd.	077.19-2-45	900.00
689	East Ridge Rd.	091.07-1-89.11	4,200.00
2080	East Ridge Rd.	077.18-2-26	900.00
68	Eastbourne Rd.	076.10-2-78	600.00
90	Falstaff Rd.	107.10-2-41	600.00
38	Hardison Rd.	076.10-4-9	1,200.00
92	Hastings Lane	061.15-3-50	600.00
72	Havenwood Dr.	062.15-6-94	1,200.00
172	Hermitage Rd.	061.11-4-42	395.00
119	Kings Gate North	076.20-3-9	600.00
446	Kings Highway South	076.16-3-78	600.00
210	Kiniry Dr.	092.19-6-34	1,696.45
215	Leicestershire Rd.	091.12-1-38	1,800.00
351	Lliberty Ave.	077.07-3-80	600.00
178	Long Acre Road	091.05-1-75	600.00
278	Lynn Dr.	062.15-3-22	600.00
258	Lynn Dr.	062.15-3-19	1,800.00
16	Madison Terrace	047.66-1-14	600.00
55	Madison Terrace	047.65-2-13	600.00
42	Moroa Dr.	092.07-1-78	600.00
1821	North Goodman St.	092.13-1-45	395.00
115	Norlane Dr.	077.13-2-38	600.00
349	Norran Dr.	091.16-1-57	600.00
2381	Norton St.	092.14-4-16	2,400.00
363	Pattonwood Dr.	047.19-1-17	600.00
21	Pinetree Lane	076.19-1-33	600.00
546	Seneca ave	091.06-5-7	1,800.00
91	Stanridge Ct.	091.07-1-50	600.00
101	Taft Ave.	092.53-1-29	600.00
2273	Titus Ave.	077.15-1-5	1,200.00
12	Walnut Park	077.19-2-64	1,200.00
522	Westchester Ave.	107.11-2-51	2,400.00
869	Whitlock Rd.	092.10-3-42	600.00
1393	Winton Road North	107.12-1-39	465.70
246	Zuber Rd.	062.19-2-85.1	3,038.65

**Total Amount :**

**46,659.65**

**EXTRACT OF MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A  
RESOLUTION AUTHORIZING ENTRY INTO AN AFFILIATION AGREEMENT  
BETWEEN MONROE COMMUNITY COLLEGE AND IRONDEQUOIT POLICE  
DEPARTMENT**

At the regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th day of September 2020, at 7:00 P.M. local time: there were

**PRESENT:**

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP

Attorney for the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, the Irondequoit Police Department (“IPD”) provides an extension of Monroe Community College’s (“MCC”) education and training program for MCC’s Law and Criminal justice students, and the IPD and MCC wish to enter into an Affiliation Agreement setting forth the relationship between them; and

**WHEREAS**, the Affiliation Agreement provides that MCC will be responsible for the planning, development, implementation and faculty staffing of the educational program, and the IPD will be responsible for providing students with field experience in police work by collaborating directly with IPD officers and employees; and

**WHEREAS**, MCC will purchase liability insurance covering its students and faculty and will name the IPD as additional insured thereon, and will further indemnify the IPD and Town of Irondequoit for any claims arising from or in connection with the educational program; and

**WHEREAS**, the Affiliation Agreement will promote the public safety by encouraging students to pursue careers in law enforcement, by endowing students with practical training in law enforcement methods, and by developing ties between law enforcement officers and the community; and

**WHEREAS**, the Chief of Police recommends entering into the Affiliation Agreement, and the Town Board has determined that the Affiliation Agreement is in the best interests of the Town, its residents, and the IPD.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Chief of Police to enter into the Affiliation Agreement in substantially the form attached hereto, as approved and modified by the Attorney for the Town.

This resolution shall take effect immediately upon its adoption.

Seconded by the Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting	_____
Town Board Member	Perticone	voting	_____
Town Board Member	Romeo	voting	_____
Town Board Member	Freeman	voting	_____
Town Supervisor	Seeley	voting	_____

## **Affiliation Agreement**

This AGREEMENT is made as of the last date executed by Monroe Community College ("MCC"), with an address of 1000 East Henrietta Road, Rochester, New York 14623 and the Irondequoit Police Department, with an address of 1300 Titus Avenue Rochester, New York 14617.

### **Witnesseth**

**WHEREAS**, the Irondequoit Police Department provides an extension of Monroe Community College's ("MCC") education and training program for MCC's Law and Criminal justice students; and

**WHEREAS**, the Irondequoit Police Department and MCC wish to enter into this Agreement setting forth the relationship between them and establishing their responsibilities and obligations; and

**WHEREAS**, the Town of Irondequoit Board, by Resolution No. \_\_\_\_ of 2020, authorized the Chief of Police of the Town of Irondequoit to enter into and execute this Agreement.

**NOW, THEREFORE**, in consideration of the covenants, agreements, and conditions hereinafter expressed, the parties mutually agree as follows:

1. MCC will assume responsibility for the planning and implementation of the education program in Law and Criminal Justice, including administration, curriculum content, and Faculty appointments.

2. Irondequoit Police Department will retain full and final responsibility for citizen care.

3. Irondequoit Police Department will provide the Law and Criminal Justice students opportunities that can include but are not limited to:

*Field experience in Law and Criminal Justice working directly with Irondequoit Police Department employees*

4. MCC expects reporting of any irregularity, at the time it occurs, to the Chairperson of the Law and Criminal Justice program.

5. MCC agrees to purchase and maintain liability insurance covering its students and faculty. MCC will name the Irondequoit Police Department and the Town of Irondequoit as additional insured persons on all such insurance policies with respect to students participating in the educational program described herein.

6. MCC hereby covenants and agrees to indemnify, defend, and hold harmless the Irondequoit Police Department and the Town of Irondequoit and their officers, agents, and employees, from and against any and all claims, liabilities, obligations, damages, losses and expenses, whether contingent or otherwise, including reasonable attorneys' fees and costs of defense, arising from the acts, omissions, or negligence of MCC officers, agents, employees, or students made during or arising in connection with participation in the educational program described herein.

7. Town of Irondequoit hereby covenants and agrees to indemnify, defend, and hold harmless MCC and its officers, agents, and employees, from and against any and all claims, liabilities, obligations, damages, losses and expenses, whether contingent or otherwise, including reasonable attorneys' fees and costs of defense, caused by the gross negligence of Town of Irondequoit or Irondequoit Police Department officers, agents, or employees occurring during or arising in connection with participation in the educational program described herein.

8. Appropriate MCC and Irondequoit Police Department personnel agree to periodic meetings for the purpose of evaluating the relationship and facilitating cooperation.

9. Appropriate MCC and Irondequoit Police Department personnel will agree to the numbers of students and their specific dates of assignment prior to the beginning of each academic semester.
10. This Agreement may be terminated by either party upon providing written notice to the other party.
11. If any provision of this Agreement shall be held invalid or unenforceable by a competent judicial authority, such provision shall be construed so as to be limited or reduced to be enforceable to the maximum extent compatible with the law as it shall then appear. The total invalidity or unenforceability of any particular provision of this Agreement shall not affect the other provisions hereof and this Agreement shall be construed in all respects as if such invalid or unenforceable provision were omitted.
12. This Agreement constitutes the entire agreement between the parties, and supersedes any and all prior proposals, negotiations and agreements, whether written or oral. Any modification or amendment to this Agreement shall be void unless in a writing executed by the parties hereto.
13. No waiver of any breach of any condition of this Agreement shall be binding unless in writing and signed by the party waiving such breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.
14. This Agreement shall be governed by and under the laws of the State of New York. In the event of any dispute arising under this Agreement, venue for the resolution of such dispute shall be in the county of Monroe, New York.
15. This Agreement shall be construed without regard to any presumptions against the party causing the same to be prepared.
16. Each signatory to this Agreement represents and warrants that he/she/it is authorized to sign on behalf of and to bind the party for whom he/she/it signs.
17. This Agreement may be executed in counterparts, each of which shall constitute an original and all of which, when taken together, shall constitute a single, fully executed Agreement.

[Signature Pages Follow]

**MONROE COMMUNITY COLLEGE**

Date: \_\_\_\_\_, 2020

By: \_\_\_\_\_  
Hezekiah N. Simmons  
CFO and Vice President Administrative Services

**IRONDEQUOIT POLICE DEPARTMENT**

Date: \_\_\_\_\_, 2020

By: \_\_\_\_\_  
Alan J. Laird  
Chief of Police

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD ADOPTING  
A RESOLUTION AUTHORIZING THE CALLING OF A PUBLIC HEARING  
CONCERNING THE ADOPTION OF A LOCAL LAW AMENDING SECTION  
III OF CHAPTER 93 OF THE CODE OF THE TOWN OF IRONDEQUOIT**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th day of September, 2020 at 7:00 P.M. local time; there were

**PRESENT:**

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP	Attorneys for the Town
----------------------------	------------------------

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, at a regular meeting of the Town Board, Town Board Member \_\_\_\_\_ introduced a proposed local law to amend Section III of Chapter 93 of the Code of the Town of Irondequoit, relating to Bow Hunt Program regulations, and the proposed local law is attached hereto as **Attachment A**; and

**WHEREAS**, the proposed local law would amend the Town’s regulations governing the Bow Hunt Program by allowing the Irondequoit Police Department to designate the location where hunters shall transport harvested deer and where such harvested deer may be field dressed, and would further authorize the Irondequoit Police Department to establish a code of conduct for hunters participating in the Bow Hunt Program; and

**WHEREAS**, pursuant to Municipal Home Rule §20(5) no local law shall be passed by the Town Board until a public hearing is held.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby schedules a public hearing on this matter on October 20, 2020 at 7:\_\_\_ p.m.

This resolution shall take effect immediately upon its adoption.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member Wehner voting \_\_\_\_\_

Town Board Member	Perticone	voting	_____
Town Board Member	Romeo	voting	_____
Town Board Member	Freeman	voting	_____
Town Supervisor	Seeley	voting	_____

ATTACHMENT "A"

LOCAL LAW NO. \_\_ OF 2020  
TO AMEND SECTION III OF CHAPTER 93 OF THE  
CODE OF THE TOWN OF IRONDEQUOIT

Be it enacted by the Town Board of the Town of Irondequoit as follows:

**Section 1.** Section III of Chapter 93 of the Code of the Town of Irondequoit, pertaining to regulations governing hunters while hunting pursuant to the Bow Hunt Program, is amended by striking the matter shown in brackets and strikethrough font, and adding the matter shown in bold underscored font, as follows:

**§ 93-3 Regulations governing hunters while hunting pursuant to program.**

A. The dates of the program will be scheduled by the IPD officer(s), in their discretion, but only from Monday to Friday in any given week. Unless IPD officer(s) state otherwise, hunters may hunt pursuant to the program only from sunrise until 12:00 p.m. on any scheduled day. Hunting will not be allowed on days in which any school located in the Town is not in session.

B. Hunters must notify the IPD officer(s) at least 48 hours in advance of the day on which they plan to hunt. Hunters can notify the IPD officer(s) by phone, at (585) 370-2637, or in person.

C. Hunters who choose not to hunt during their scheduled time must notify the IPD officer(s) at least 24 hours in advance of cancelling their scheduled hunt time, so that a replacement hunter can be found. Hunters who fail to show up or cancel their scheduled hunting times for three consecutive scheduled hunting times will be removed from the program. Hunters can switch their scheduled hunting times with other hunters, and the act of switching shall not count as failure to show up or cancel a scheduled hunting time. Hunters must obtain approval from the IPD officer(s) prior to switching scheduled hunting times.

D. Hunters must notify the owner of the property on which they plan to hunt at least 48 hours in advance of the day on which they plan to hunt. Hunters must familiarize themselves with the property on which they plan to hunt and the property boundary lines, prior to hunting. Hunters must notify the property owner in advance of familiarizing themselves with the property.

E. Hunters are not required to take an antlerless deer first. However, the next deer taken by the hunter must be an antlerless deer.

F. Hunters shall remain on their designated hunting property for any given hunt, unless they are making a reasonable search to retrieve a wounded or dead deer. A hunter who kills or injures any deer while hunting shall make a reasonable search to retrieve the deer and take it into his or her possession.

G. It shall be the hunter's responsibility to immediately notify any property owner other than the specific property owner who previously authorized the hunt of the fact that an injured or dead

deer is located on his or her property. It shall also be the hunter's responsibility to immediately notify the IPD officer(s) of this situation.

H. It shall be the hunter's responsibility to obtain permission of any property owner upon which an injured or dead deer is located prior to engaging in a reasonable search and retrieval of the deer.

I. In the event that a hunter cannot obtain the permission of a property owner, for any reason, to conduct a reasonable search and retrieval of an injured or dead deer, the hunter shall immediately notify the IPD officer(s). The IPD officer(s) must then accompany the hunter to retrieve the wounded or dead deer.

J. Nothing in these regulations authorizes an act of trespass.

K. It shall be the responsibility of the hunter to transport the harvested deer to ~~[the Woodcraft Lodge]~~ **a location designated by the IPD**. A hunter may only field dress a deer at ~~[the Woodcraft Lodge]~~ **a location designated by the IPD**.

L. Hunters shall use best efforts to cover a harvested deer with a tarp or otherwise shield the general public's view and view from neighboring properties of the harvested deer.

M. Hunters shall not discharge any archery device from across any public or private street, sidewalk, road, highway, or playground.

N. Hunters shall not discharge any archery device at such an angle or distance that the arrow lands on public or private property other than the property on which the hunt has been expressly authorized.

O. A hunter shall not discharge any archery device at such an angle or distance that the arrow might land within 50 feet of any street.

P. All hunting shall be conducted at least 150 feet from any dwelling, building, structure or designated bus stop. The minimum distance from dwellings and structures shall not apply to: (1) the owner or lessee of the dwelling or structure; (2) members of the owner's or lessee's immediate family actually residing therein; nor (3) a hunter acting with the consent of the owner or lessee of the dwelling or structure.

Q. A hunter shall be located in such a way as to direct arrows towards the interior of the property so as to prevent any arrow from landing any closer than 50 feet from any property line. This restriction shall not apply to any property line located behind the hunter, nor any property line between contiguous properties on which the hunter is allowed to hunt pursuant to these regulations.

R. No person shall possess, consume, or be under the influence of alcohol or any other controlled substance while engaged in hunting activities within the Town.

S. Hunters must follow all lawful commands given to them by any IPD officer(s).

T. Hunters are solely liable for any negligent and/or criminal acts they commit while participating in the program.

**U. The IPD may establish a code of conduct for hunters participating in the program which may reference, but need not be limited to, behavior while hunting and best practices for interacting and communicating with residents in connection with the program.**

[~~U~~]**V.** Any violation of the foregoing regulations, or any federal, state, county, and/or Town codes, local laws, regulations or laws, may cause immediate suspension or revocation of a hunter's ability to participate in the program. Such determination shall be based on the preponderance of the evidence including witness reports or other investigations. Such a determination is an administrative determination. If the IPD suspends or revokes a hunter's ability to participate in the program under this section, the hunter may appeal the decision to the DMPB, pursuant to § 93-2N.

**Section 2. Severability.** If any clause, sentence, paragraph, section or article of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the proceeding in which such adjudication shall have been rendered.

**Section 3. Effective Date.** This Local Law shall take effect upon its filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD  
ADOPTING AN ORDER CALLING A PUBLIC HEARING FOR THE PURPOSE OF  
EXTENDING THE CONSOLIDATED SEWER DISTRICT TO HOMES ALONG BAY  
SHORE BOULEVARD**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th Day of September, 2020 at 7:00 P.M. local time there were:

**PRESENT:**

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP                      Attorney to the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, due to the severely increased high-water level of Lake Ontario in recent years, New York State has formed the Lake Ontario Resiliency and Economic Development Initiative (“REDI”) to increase the resiliency of municipalities to flooding and other high-water events; and

**WHEREAS**, approximately 30 single-family homes located on Bay Shore Boulevard on the western shore of Irondequoit Bay (the “Bay Shore Homes”) currently depend on septic systems which are known to fail or become submerged during times of high lake levels; and

**WHEREAS**, the Town wishes to improve the resiliency of these homes by extending sewer service to them (the “Project”), which will require an extension of the Consolidated Sewer District to encompass these homes (the “District Extension”); and

**WHEREAS**, the Town has retained Labella Associates to provide architectural, engineering, and environmental services with respect to the Project; and

**WHEREAS**, pursuant to Resolution 2020-172, adopted on July 14, 2020, the Town Board authorized, subject to permissive referendum, the preparation of a general map, plans, and report regarding the District Extension; and

**WHEREAS**, the Town Clerk posted the Notice of Adoption of the aforesaid Resolution Subject to Permissive Referendum, dated July 14, 2020, and caused the same to be published on the Town website and to be published in the Town newspaper; and

**WHEREAS**, the time for filing a petition for permissive referendum has expired and no such petition has been filed; and

**WHEREAS**, previously hereto, a map, plan and report have been prepared by Labella Associates for the proposed District Extension which complies in all respects with Town Law Section 209-c, and said map, plans and report are now on file for public review in the office of the Town Clerk; and

**WHEREAS**, the proposed District Extension shall be bounded and described as depicted in **Attachment A** hereto, which is sufficient to identify the lands included within the District Extension as in a deed of conveyance; and

**WHEREAS**, the improvements proposed to be provided with the District Extension include the installation of approximately 2,000 linear feet of sewer line and approximately 3,000 linear feet of laterals along portions of Bay Shore Blvd (the “Improvements”); and

**WHEREAS**, the maximum amount to be expended for the improvements is \$1,873,000, the estimated cost of hook-up fees to the Consolidated Sewer District plus the cost of the District Extension to the typical property will be \$1,136.97 for the first year and \$161.97 in future years, and does not differ between one or two family homes, and

**WHEREAS**, the Improvements will be financed with \$1,779,350 in grant funding from the REDI initiative and \$ 93,650 in funding from the Town (the “Town Contribution”), to be financed by the property owners; and

**WHEREAS**, pursuant to Resolution 2020-149, adopted on May 19, 2020, the Town Board, as Lead Agency for the Project for purposes of the State Environmental Quality Review Act (“SEQRA”) determined that the Project is an Unlisted Action under SEQRA and adopted a Negative Declaration for the Project, determining that the Project will not result in a significant adverse environmental impacts.

**NOW, THEREFORE, IT IS ORDERED**, that a public hearing will be held at the Irondequoit Town Hall, 1280 Titus Avenue, on **October 20, 2020 at 7:35 p.m.**, to consider the District Extension as described herein, and to hear all interested persons concerning the same, and for such other action on the part of the Town Board as may either be required by law or deemed to be within the discretionary authority of the Town Board and in the best interests of the Town.

**AND, THEREFORE, IT IS FURTHER ORDERED**, that the Town Clerk publish at least once in the official newspaper of the Town, and post on the sign board of the Town, and post on the Town website, a copy of this Order, the first posting of which shall be not less than ten (10) nor more than twenty (20) days before the date of the public hearing.

**AND, THEREFORE, IT IS FURTHER ORDERED**, that the Town Clerk shall, as contemplated by Town Law § 209-d(2), fill a certified copy of this Order with the Comptroller of the State of New York on or about the date of publication of a copy of this Order.

This resolution shall take effect immediately.

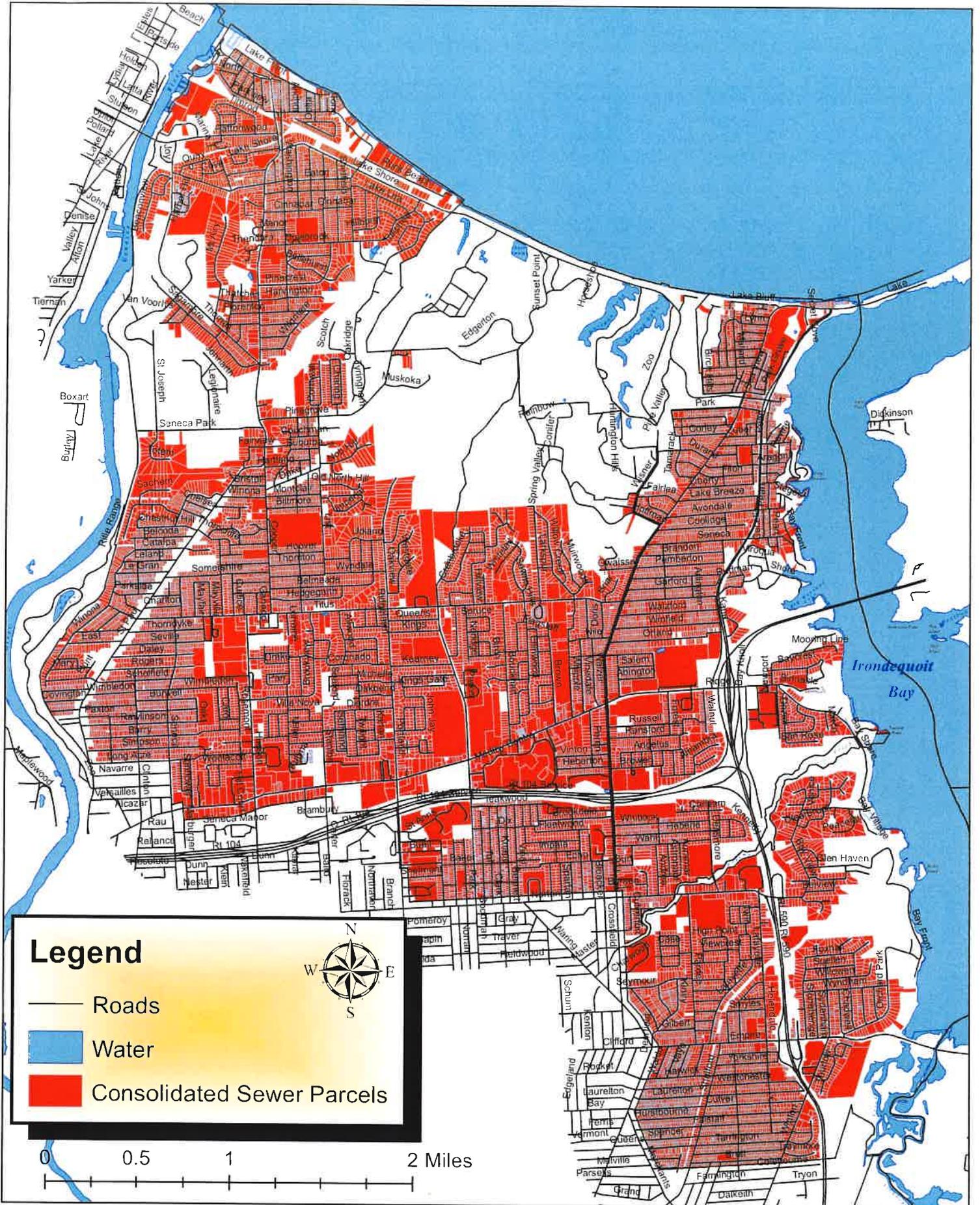
Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting_____
Town Board Member	Perticone	voting_____
Town Board Member	Freeman	voting_____
Town Board Member	Romeo	voting_____
Town Supervisor	Seeley	voting_____

**Attachment A**

(Description of the Bounds of District Extension)

# Consolidated Sewer District



**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD AUTHORIZING THE CALLING OF A PUBLIC HEARING**

**In the MATTER OF AMENDING A FRANCHISE AGREEMENT WITH VERIZON WIRELESS TO OPERATE WITH IN TOWN RIGHTS OF WAY**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th day of September 2020, at 7:00 p.m. local time; there were:

PRESENT:

- |                            |                       |
|----------------------------|-----------------------|
| David Seeley               | Town Supervisor       |
| Patrina Freeman            | Town Board Member     |
| John Perticone             | Town Board Member     |
| Kimie Romeo                | Town Board Member     |
| Peter Wehner               | Town Board Member     |
| Harter Secrest & Emery LLP | Attorney for the Town |

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, Pursuant to Town Board resolution 2019-142, the town entered into an agreement with Verizon Wireless to install small cell wireless facilities in various Town of Irondequoit Rights of Ways; and

**WHEREAS**, the Town of Irondequoit finds that the agreement needs to be amended; and

**WHEREAS**, pursuant to Town Law § 64(7), no such franchise, permission, or consent may be granted without a public hearing.

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby schedules a public hearing in the matter of amending a franchise agreement with Verizon Wireless to permit the installation of small cell wireless facilities in various Town of Irondequoit Rights of Ways for **October 20, 2020 at 7:36pm**.

This resolution shall take effect immediately upon its adoption.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

- |                   |           |             |
|-------------------|-----------|-------------|
| Town Board Member | Wehner    | voting_____ |
| Town Board Member | Perticone | voting_____ |
| Town Board Member | Romeo     | voting_____ |
| Town Board Member | Freeman   | voting_____ |
| Town Supervisor   | Seeley    | voting_____ |

**AMENDMENT 1 TO THE RIGHTS-OF-WAY AND POLE  
ATTACHMENT AGREEMENT**

THIS FIRST AMENDMENT TO THE RIGHTS-OF-WAY and POLE ATTACHMENT AGREEMENT ("Amendment") is entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ (the "First Amendment Effective Date") by and between the Town of Irondequoit, New York ("Town"), and Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless ("Verizon Wireless"). Licensor and Licensee are at times collectively referred to hereinafter as the "Parties" or individually as the "Party."

Whereas, the Parties previously entered into the Rights-Of-Way and Pole Attachment Agreement (the "Agreement")

Whereas, the Parties hereby wish to amend those terms as follows:

1. Section 1 of the Agreement is deleted in its entirety and replaced with the following:

Verizon Wireless's non-exclusive use of the Rights-of-Way is limited to the installation, maintenance, operation, repair, modification, replacement, and/or removal from time to time Small Cell or Micro-Cell Wireless Telecommunications Facilities, as that term is defined in Irondequoit Town Code § 235-125 (individually a "Facility," and together the "Facilities"). In no event shall a single Facility be attached to or otherwise include more than one (1) pole or similar structure.

2. Section 3 of the Agreement is deleted in its entirety and replaced with the following:

Verizon Wireless shall pay to the Town an annual fee in the amount of \$270.00 for each Facility installed in the Rights-of-Way. Verizon Wireless's obligation to pay this annual fee will commence for each Facility ninety (90) days after Verizon Wireless has been notified by the Town that an application is fully approved (the "Commencement Date"). Subsequent annual recurring fees shall be paid in advance by January 1<sup>st</sup> of each year until the Facility is removed in accordance with this Agreement or this Agreement is otherwise terminated as further provided herein. In the event that the Commencement Date falls after September 30 in any year, the second annual fee shall not be due before the first annual fee and Verizon Wireless may pay both the first and second annual fees within 90 days of the Commencement Date. Annual fees shall be made payable in the form of an electronic funds transfer, subject to the Town's approval and necessary bank routing instructions, or check to the Town. Town shall provide Verizon Wireless with a completed, current Internal Revenue

Service Form W-9 and state and local withholding forms if required. All annual fees paid prior to the expiration or earlier termination of this Agreement or removal of the applicable Facility by Verizon Wireless shall be retained by the Town.

3. The following is added to the Agreement as Section 22:

The Parties agree that the Commencement Date for the 69 permits described in the Exhibit A to this First Amendment will be the date of the First Amendment Effective Date and that the initial annual fee will be due within 90 days of the First Amendment Effective Date.

4. This Amendment may be executed in counterparts. A scanned or electronic copy shall have the same legal effect as an original signed version. The Parties represent and warrant that the individuals executing this Amendment are duly authorized.

*[Remainder of page intentionally left blank; signature page to follow.]*

IN WITNESS WHEREOF, the Parties have executed, or caused their respective duly authorized representatives to execute, this Agreement as of the day and year listed below.

**Town of Irondequoit**

BY:  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless Verizon Wireless**

BY:  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Exhibit A

<b>Site Name</b>	<b>Landlord Site Identifier (List on Permit or Agreement #)</b>
NYMONRIRON_PortlandPkwy_02 - A	2020-SC47
NYMONRIRON_PortlandPkwy_03 - A	2020-061
NYMONRIRON_PortlandPkwy_04 - A	2020-SC42
NYMONRIRON_NorranDr_01 - A	2020-SC45
NYMONRIRON_NorranDr_02 - A	2020-SC46
NYMONRIRON_DixSt_01 - A	2020-062
NYMONRIRON_DixSt_03 - A	2020-065
NYMONRIRON_Strathmore_01 - A	2020-SC33
NYMONRIRON_Strathmore_02 - A	2020-SC35
NYMONRIRON_FleetwoodDr_01 - A	2020-064
NYMONRIRON_FleetwoodDr_03 - A	2020-SC43
NYMONRIRON_FleetwoodDr_04 - A	2020-SC51
NYMONRIRON_FleetwoodDr_06 - A	2020-SC44
NYMONRIRON_FleetwoodDr_07 - A	2020-SC72
NYMONRIRON_SeymourRd_01 - A	2020-SC41
NYMONRIRON_SeymourRd_02 - A	2020-SC22
NYMONRIRON_SeymourRd_03 - A	2020-SC38
NYMONRIRON_SeymourRd_04 - A	2020-SC49
NYMONRIRON_SeymourRd_05 - A	2020-SC50
NYMONRIRON_HurstborneWest_02 - A	2020-SC24
NYMONRIRON_HurstborneWest_04 - A	2020-SC73
NYMONRIRON_Brockley_01 - A	2020-SC23
NYMONRIRON_Brockley_02 - A	2020-SC30
NYMONRIRON_HurstborneEast_01 - A	2020-SC21
NYMONRIRON_HurstborneEast_02 - A	2020-27
NYMONRIRON_Brockley_03 - A	2020-SC25
NYMONRIRON_YorkshireRd_01 - A	2020-SC29
NYMONRIRON_SmylesDr_05 - A	2020-SC26
NYMONRIRON_SmylesDr_04 - A	2020-SC28
NYMONRIRON_SmylesDr_03 - A	2020-SC31
NYMONRIRON_SmylesDr_02 - A	2020-SC32
NYMONRIRON_SmylesDr_01 - A	2020-SC48
NYMONRIRON_ViewCrestDr_05 - A	2020-SC40
NYMONRIRON_ViewCrestDr_02 - A	2020-SC37
NYMONRIRON_ViewCrestDr_01 - A	2020-SC36
NYMONRIRON_CashmereCt_03 - A	2020-068
NYMONRIRON_CashmereCt_02 - A	2020-067
NYMONRIRON_CarlsamDr_04 - A	2020-070
NYMONRIRON_CarlsamDr_02 - A	2020-069
NYMONRIRON_VintonRd_03 - A	2020-060
NYMONRIRON_VintonRd_02 - A	2019-SC19
NYMONRIRON_RansfordAve_08 - A	2020-058

NYMONRIRON_RansfordAve_06 - A	2019-SC18
NYMONRIRON_RansfordAve_05 - A	2020-053
NYMONRIRON_RansfordAve_04 - A	2019-SC17
NYMONRIRON_RansfordAve_03 - A	2020-055
NYMONRIRON_RansfordAve_02 - A	2019-SC07
NYMONRIRON_RansfordAve_01 - A	2020-056
NYMONRIRON_WinfieldRd_05 - A	2019-SC15
NYMONRIRON_WinfieldRd_02 - A	2020-059
NYMONRIRON_BrandonRd_07 - A	2019-SC11
NYMONRIRON_LakeBreeze_06 - A	2019-266
NYMONRIRON_LakeBreeze_05 - A	2019-267
NYMONRIRON_LakeBreeze_04 - A	2019-268
NYMONRIRON_LakeBreeze_03 - A	2019-264
NYMONRIRON_LakeBreeze_02 - A	2019-265
NYMONRIRON_BrandonRd_05 - A	2019-SC16
NYMONRIRON_BrandonRd_04 - A	2019-SC10
NYMONRIRON_BrandonRd_03 - A	2020-SC39
NYMONRIRON_BrandonRd_02 - A	2019-SC20
NYMONRIRON_BrandonRd_01 - A	2019-SC09
NYMONRIRON_GarfordRd_03 - A	2019-SC12
NYMONRIRON_VintonRd_08 - A	2020-057
NYMONRIRON_VintonRd_07 - A	2020-054
NYMONRIRON_VintonRd_06 - A	2019-SC08
NYMONRIRON_VintonRd_04 - A	2019-SC06
NYMONRIRON_CashmereCt_01 - B	2020-066
NYMONRIRON_DixSt_02 - B	2020-063
NYMONRIRON_PortlandPkwy_01 - B	2020-SC34

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD ADOPTING A  
RESOLUTION FOR THE AWARD OF A BID FOR THE INSTALLATION OF  
PLAYGROUND EQUIPMENT FOR THE REDI IRONDEQUOIT BAY STATE MARINE  
PARK PROJECT**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th day of September, 2020 at 7:00 P.M. local time; there were:

**PRESENT:**

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member
Harter Secrest & Emery LLP	Attorney for the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, due to the severely increased high-water level of Lake Ontario in the last few years, New York State has formed the Lake Ontario Resiliency and Economic Development Initiatives (REDI) and allocated funding to increase the resilience of several projects. The Town of Irondequoit has received awards to increase the resiliency of the Irondequoit Bay State Marine Park including the installation of a playground (the "Project"); and

**WHEREAS**, the Town of Irondequoit issued an Invitation to Bid and caused the Notice to Bid for the Project to be published in the *Irondequoit Post* on August 27, 2020, and published the Invitation to Bid on the Town website in compliance with General Municipal Law § 103, Chapter 51 of the Irondequoit Town Code, and Town Law Article 12, requesting bids for Lake Ontario REDI Irondequoit Bay State Marine Park and Culver Road Storm Sewers Projects Contract Playground Installation (Town Bid No. 2020-11), in order to compute the best value to the Town; and

**WHEREAS**, sealed bids were received and publicly opened and read on September 10, 2020; and

**WHEREAS**, the lowest responsible bidder was Titan Development Inc. in the amount of \$164,500; and

**WHEREAS**, funding for this expense will be available in account #399.7110.2012 (Marine Park); and

**WHEREAS**, pursuant to Resolution 2020-147; the Town Board adopted a Negative Declaration for the Project and therefore all requirements of the State Environmental Quality Review Act have been met.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board awards the bid for Installation of Playground Equipment for the REDI Irondequoit Bay State Marine Park Project to Titan Development Inc. in the amount of \$164,500.

**AND, BE IT FURTHER RESOLVED THAT**, the Town Board authorizes the Town Supervisor to execute any and all documents related to this award.

This resolution shall take effect immediately upon its adoption.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting	_____
Town Board Member	Perticone	voting	_____
Town Board Member	Romeo	voting	_____
Town Board Member	Freeman	voting	_____
Town Supervisor	Seeley	voting	_____

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD  
ADOPTING A NEGATIVE DECLARATION FOR THE SENECA ROAD SLOPE  
STABILIZATION PROJECT**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th Day of September, 2020 at 7:00 P.M. local time there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP                      Attorney to the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, the Town of Irondequoit is in the process of reviewing the stabilization of two portions of Seneca Road (the “Project”), a roadway owned and maintained by the Town of Irondequoit; and

**WHEREAS**, the Project is an Unlisted Action under the State Environmental Review Act (“SEQRA”); and

**WHEREAS**, the Town Board has received and reviewed the Short Environmental Assessment Form (“EAF”) dated August 25, 2020 from the Commissioner of Public Works with respect to the creation of the Project, attached hereto and made a part hereof and has considered the potential environmental impacts of such the Project pursuant to the requirements SEQRA and found that the proposed action will not result in any significant adverse environmental impacts.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board adopts the Negative Declaration for the Project in the form attached hereto and determines that no Environmental Impact Statement is required.

**AND, BE IT FURTHER RESOLVED**, that the Town Supervisor shall file the Negative Declaration along with this Resolution with the Town Clerk and forward these documents to any person who requests a copy, maintain the EAF and Negative Declaration in a file regularly accessible to the public.

**AND, BE IT FURTHER RESOLVED**, that the requirements of 6 NYCRR 617 have been met.

This resolution shall take effect immediately upon its adoption.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting_____
Town Board Member	Perticone	voting_____
Town Board Member	Freeman	voting_____
Town Board Member	Romeo	voting_____
Town Supervisor	Seeley	voting_____

# Short Environmental Assessment Form

## Part 1 - Project Information

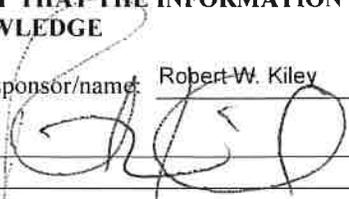
### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Town of Irondequoit			
Name of Action or Project: Stabilization of Seneca Rd.			
Project Location (describe, and attach a location map): Seneca Road; near 652 and 643 Seneca Rd.			
Brief Description of Proposed Action: The Town seeks to stabilize two embankments which have eroded due to multiple water main breaks.			
Name of Applicant or Sponsor: Town of Irondequoit: Attn: Robert Kiley		Telephone: 585-336-6033	
		E-Mail: rkiley@irondequoit.org	
Address: 2629 E. Ridge Rd			
City/PO: Rochester		State: NY	Zip Code: 14617
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? <span style="float: right;">.25 acres</span>			
b. Total acreage to be physically disturbed? <span style="float: right;">.25 acres</span>			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">.50 acres</span>			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Right Of Way			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: N/A	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A	NO	YES	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: Robert W. Kiley	Date: 8/25/2020	
Signature: 	Title: Commissioner of Public Works	

Project:

Date:

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

**Short Environmental Assessment Form**  
**Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The project will consist of two sites located on east and west side of Seneca Road, a local roadway owned and maintained by the Town of Irondequoit. Due to a plethora of water main breaks over the past several years, the road embankments have eroded and need to be reinforced to ensure that the road profile is stable and will not slough. To secure the road side slopes, the Town will look to install driven sheet pile retaining wall system system or similar stabilization technique to ensure that the road is secure for the traveling public and eliminate the chronic erosion issues along the roadway embankments.

While this project is upland and nearly 400 feet away from the waters edge, the project is located within the 500 hundred foot wetland buffer. The project will mitigate the discharge of sediment by the use of proper erosion and sediment controls. Further, the end result of the project will eliminate the chronic erosion from impacting local waterbodies.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Irondequoit	
Name of Lead Agency	Date
David A. Seeley	Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**EXTRACT OF MINUTES OF MEETING OF TOWN BOARD ADOPTING A RESOLUTION AUTHORIZING THE CAPITAL IMPROVEMENT PROGRAM FOR THE TOWN OF IRONDEQUOIT FOR 2021 THROUGH 2026**

At the regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th day of September 2020 at 7:00 P.M. local time; there were

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery, LLP	Attorney to the Town
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Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, it is necessary for the Town to establish a multi-year plan for the implementation of capital improvements; and

**WHEREAS**, a plan including projects to be implemented during the six (6) years from 2021 through 2026 has been presented to the Town Board and is attached to this resolution; and

**WHEREAS**, this document is a plan, is subject to change at any time, and does not provide financing of any project or commit the Town to undertaking any project; and

**WHEREAS**, financing for each project is required to be authorized by the Town Board in separate resolutions through either borrowing, appropriations in the annual operating budget, grant funding, or other specific sources; and

**WHEREAS**, actions undertaken by the Town of Irondequoit must comply with environmental impact assessment requirements as prescribed by 6 NYCRR Part 617 State Environmental Quality Review (SEQR); and

**WHEREAS**, that Town of Irondequoit Capital Improvement Plan (“CIP”) contains a variety of projects and activities that vary in scale and scope; and

**WHEREAS**, the New York Department of Environmental Conservation (NYSDEC) has designated in 6 NYCRR § 617.5[c] various “Type II” actions which will not have a significant impact on the environment and therefore are not subject to review pursuant to the New York State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, the CIP contains projects that classified as Type II actions because they are among the listed Type II actions identified in 6 NYCRR §617.5; and

**WHEREAS**, the 2022 Town Hall Improvements (upgrades to and replacement of HVAC system components) is classified Type II because the action involves maintenance or repair of existing facilities or structures (6 NYCRR §617.5[c][1]) and replacement, rehabilitation or reconstruction of a structure or facility in kind on the same site (6 NYCRR §617.5[c][2]); and

**WHEREAS**, the 2022 Public Safety Building Improvements (upgrades to and replacement of HVAC system components) is classified Type II because the action involves maintenance or repair of existing facilities or structures (6 NYCRR §617.5[c][1]) and replacement, rehabilitation or reconstruction of a structure or facility in kind on the same site (6 NYCRR §617.5[c][2]); and

**WHEREAS**, the 2022, and 2024 Parks and Recreation Upgrades to Playgrounds and Town Parks (various improvements to our parks and playground equipment, including but not limited to: playground construction and equipment replacement and upgrades, and other various improvements to Town Parks) is classified Type II because the actions involved the maintenance or repair of existing facilities or structures (6 NYCRR §617.5[c][1]), replacement, rehabilitation or reconstruction of a structure or facility in kind on the same site (6 NYCRR §617.5[c][2]), installation of telecommunications cables in existing highway or utility rights of way (6 NYCRR §617.5[c][7]); and

**WHEREAS**, the 2022, and 2024 DPW Road Paving and Improvements (roadway resurfacing projects throughout the Town) is classified Type II because the actions involve maintenance or repair of existing facilities or structures (6 NYCRR §617.5[c][1]), repaving of existing highways not involving the addition of new travel lanes (6 NYCRR §617.5[c][5]), street openings or right-of-way openings for the purpose of repair or maintenance of existing utility facilities (6 NYCRR § 617.5[c][6]); and

**WHEREAS**, the 2022 Seneca Road Slope Stabilization Project (stabilization of both sides of the slope) is an unlisted action and pursuant to Town Board Resolution \_\_\_\_\_ a negative declaration was filed; and

**WHEREAS**, the 2022, 2024 DPW Sidewalk Improvements (replace broken sidewalks, remove curb step barriers at intersections) is classified as Type II because the actions involve maintenance or repair of existing facilities or structures (6 NYCRR §617.5[c][1]) and replacement, rehabilitation or reconstruction of a structure or facility in kind on the same site (6 NYCRR §617.5[c][2]); and

**WHEREAS**, the 2021, and 2023 Camp Eastman Improvements (rehabilitation of several of the cabins at Camp Eastman to equip them with Fire Alarm and occupant notification systems, and (construction of a new lodge facility located at Camp Eastman) is classified as Type II because the action involves construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities (6 NYCRR §617.5[c][9]) and maintenance or repair of existing facilities or structures (6 NYCRR §617.5[c][1]) and replacement, rehabilitation or reconstruction of a structure or facility in kind on the same site (6 NYCRR §617.5[c][2]); and

**WHEREAS**, the, 2021, 2023, and 2025 DPW Sewer Laterals and Mains Project (excavation and replacement of lateral sewer services at various locations throughout the Town) is classified Type II because the actions involve maintenance or repair of existing facilities or structures (6 NYCRR §617.5[c][1]) and street openings or right-of-way openings for the purpose of repair or maintenance of existing utility facilities (6 NYCRR § 617.5[c][6]); and

**WHEREAS**, the 2021, 2022, and 2024 DPW Drainage Improvements (reconstruction and installation of storm sewers, roadside drainage, and stormwater drainage facilities, and other improvements) are classified Type II because the actions involve the maintenance or repair of existing facilities or structures (6 NYCRR §617.5[c][1]), replacement, rehabilitation or reconstruction of a structure or facility in kind on the same site (6 NYCRR §617.5[c][2]), extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list (6 NYCRR §617.5[c][13]), and conducting concurrent engineering and other studies necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action (6 NYCRR §617.5[c][27]); and

**WHEREAS**, the 2021 and 2023 DPW Pump Station Upgrades (reconstruction of a pump station in need of rehabilitation) are classified Type II because the actions involve the maintenance or repair of existing facilities or structures (6 NYCRR §617.5[c][1]) and replacement, rehabilitation or reconstruction of a structure or facility in kind on the same site (6 NYCRR §617.5[c][2]); and

**WHEREAS**, the replacement of the water main on Seneca Road, which such project will be performed by the Sea Breeze & Vicinity Water District (“SBWD”) and financed by the issuance of Town bonds charged against properties within the SBWD, is classified Type II because the actions involve maintenance or repair of existing facilities or structures (6 NYCRR §617.5[c][1]), replacement, rehabilitation or reconstruction of a structure or facility in kind on the same site (6 NYCRR §617.5[c][2]), and street openings or right-of-way openings for the purpose of repair or maintenance of existing utility facilities (6 NYCRR § 617.5[c][6]).

**NOW, THEREFORE BE IT RESOLVED**, that the Capital Improvement Program for 2021 through 2026 is approved by the Town Board.

This resolution shall take effect immediately upon its adoption.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting _____
Town Board Member	Perticone	voting _____
Town Board Member	Romeo	voting _____
Town Board Member	Freeman	voting _____
Town Supervisor	Seeley	voting _____

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD  
ADOPTING A RESOLUTION APPROVING AN ADDITIONAL SERVICES CHANGE  
ORDER TO RAMBOLL IN SUPPORT OF THE IRONDEQUOIT BAY STATE MARINE  
PARK PROJECT**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th Day of September, 2020 at 7:00 P.M. local time there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Peticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP                      Attorney to the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, the Town of Irondequoit via Town Board resolution 2020-073 entered into an agreement with Ramboll for architectural and engineering services for the Lake Ontario Resiliency and Economic Development Initiative (“REDI”) project at the Irondequoit Bay State Marine Park (“The Project”); and

**WHEREAS**, Ramboll, in support of the Project, has or will provide additional services to the Town in support of the Project; and

**WHEREAS**, Ramboll has detailed these additional services and associated fees via a formal letter, attached hereto and made part thereof as Addenda A of this Resolution; and

**NOW, THEREFORE, IT IS RESOLVED**, that the Town Board of the Town of Irondequoit authorizes the additional services in the amount of \$53,700; and

**AND, THEREFORE, IT IS FURTHER RESOLVED**, that the Town Board Authorizes the Town Supervisor to execute any and all documents necessary with respect to the additional services, including a change order.

This resolution shall take effect immediately.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member  
Town Board Member  
Town Board Member  
Town Board Member  
Town Supervisor

Wehner  
Perticone  
Freeman  
Romeo  
Seeley

voting \_\_\_\_\_  
voting \_\_\_\_\_  
voting \_\_\_\_\_  
voting \_\_\_\_\_  
voting \_\_\_\_\_

**Attachment A**

(Letter from Ramboll)



WATER

Robert Kiley, PE  
Commissioner of Public Works  
Town of Irondequoit  
2629 East Ridge Rd.  
Rochester, NY 14622

Date August 31, 2020

**Engineering Services for the Lake Ontario REDI Projects IBSMP and Culver Road Storm Sewer Projects**

Dear Bob:

During execution of the referenced project, the Town requested that Ramboll provide additional services to enhance the overall project, to accommodate an extremely aggressive design schedule and to address New York State permitting requirements. Below, we have identified the additional engineering services provided to date as necessary for completion of the project.

Ramboll  
Harro East Building  
400 Andrews Street, Suite 710  
Rochester, NY 14604  
USA

T 585-295-7700  
F 585-263-2869  
<https://ramboll.com>

**Additional Services:**

1. **Additional Geotechnical Borings:** Ramboll had anticipated advancing two borings to a total depth of 60 feet. During the field operations, unanticipated soil conditions were observed requiring that both borings be advanced deeper into suitable foundation soils. An additional \$1,070 for borings by CME Associates, Inc. and additional observation and soil sample analytical testing time by Ramboll were incurred by Ramboll.  
Cost: \$ 2,400
2. **Additional Design Activities:**  
After public comment period, the Town agreed to redesign several project components to maintain community character. In addition, the NYSDEC requested that the Town redesign and/or add project components as a result of the permitting process. These items and the subsequent costs were not anticipated when the scope of work for this project was prepared and Ramboll is requesting reimbursement for costs incurred to date.  
Cost: \$ 18,000

Ref Project 75382



3. Playground Installation Contract:

In lieu of including the playground installation within scheduled Contract G, the Town requested that Ramboll prepare a separate playground installation contract for installation of playground equipment purchased directly by the Town. Activities under this item include coordination with GameTime (equipment supplier), preparation of Bidding Documents (Contract Documents and Plans/details), Bid Phase Services and administering a third construction contract.

Cost: \$16,500

4. Permitting:

Permitting has been substantially more time consuming than anticipated, requiring additional coordination with NYSDEC, conference calls, preparation of re-submittal packages and the addition of one more submittal package, currently being prepared.

Included with Item 4 is \$400 in permit application fees to the NYSDEC.

Cost: \$ 16,800

Total: \$ 53,700

If this proposal is acceptable to the Town please provide written authorization amending the value of Ramboll's Agreement from \$253,900 to \$ 307,600.

If there any questions, please don't hesitate to reach out to me [Michael.manning@ramboll.com](mailto:Michael.manning@ramboll.com) or (585) 489-2589.

Yours sincerely

**Michael Manning**

Director - Municipal Water  
072-WTR MUNICIPAL ENGINEERING RES

D 585-295-7711

M 585-489-2589

[michael.manning@ramboll.com](mailto:michael.manning@ramboll.com)

cc: Rick Duff, Ramboll

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD ADOPTING A RESOLUTION REGARDING SANITARY SEWER EASEMENT AT 1880 HUDSON AVENUE**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th Day of September, 2020 at 7:00 P.M. local time there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP                      Attorney to the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, the Town of Irondequoit has approved the development located at 1880 Hudson Ave for the construction of several single-family homes; and

**WHEREAS**, the Town is required to obtain a permanent sanitary sewer easement on the parcel located at 1880 Hudson Ave to ensure that the Town will have access to clean and maintain said sanitary sewer system; and

**WHEREAS**, the Planning Board classified this subdivision as an Unlisted Action and adopted a Negative Declaration pursuant to the State Environmental Quality Review Act for this project at their May 18, 2020 Planning Board meeting referencing Case Number: PB 2020-03-4.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board approves and accepts the permanent sanitary sewer easement from 1880 Hudson Ave to the Town of Irondequoit in such form as approved by the Attorney for the Town.

**AND, BE IT FURTHER RESOLVED**, that the Town Board authorizes the Town Supervisor to execute any and all documents related to this easement.

This resolution shall take effect immediately.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member  
Town Board Member  
Town Board Member  
Town Board Member  
Town Supervisor

Wehner  
Perticone  
Freeman  
Romeo  
Seeley

voting \_\_\_\_\_  
voting \_\_\_\_\_  
voting \_\_\_\_\_  
voting \_\_\_\_\_  
voting \_\_\_\_\_

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD ADOPTING A RESOLUTION AUTHORIZING AN INTER FUND LOAN**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th Day of September, 2020 at 7:00 P.M. local time there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP                      Attorney to the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, pursuant to Town Board Resolution 2020-073 the Town Board previously authorized an interfund loan to account # 399.7110.2013 for the purposes of the construction of the Irondequoit Bay State Marine Park and Culver Rd Storm Sewer Project; and

**WHEREAS**, the Town will be reimbursed 95% of the project cost by the State of New York via a Grant Disbursement Agreement with the Dormitory Authority; and

**WHEREAS**, the Grant Disbursement Agreement for the project has not yet been executed and as such it is necessary to loan additional funds from the General Fund Balance, up to \$250,000, into capital fund 399; and

**WHEREAS**, once the Grant Disbursement Agreement is executed with the State of New York, the General Fund Balance will be made whole.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby approves the additional inter fund loan, up to \$250,000 from the General Fund to capital fund 399; and

This resolution shall take effect immediately.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting_____
Town Board Member	Perticone	voting_____

Town Board Member  
Town Board Member  
Town Supervisor

Freeman  
Romeo  
Seeley

voting \_\_\_\_\_  
voting \_\_\_\_\_  
voting \_\_\_\_\_

**EXTRACT OF MINUTES OF MEETING OF TOWN BOARD OF THE TOWN OF IRONDEQUOIT CALLING FOR A PUBLIC HEARING IN ACCORDANCE WITH SECTION 202-b OF THE TOWN LAW TO CONSIDER AUTHORIZING PUMP STATION UPGRADES WITHIN THE TOWN OF IRONDEQUOIT CONSOLIDATED SEWER DISTRICT**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York, duly held at the Town of Irondequoit Town Hall located at 1280 Titus Avenue, in said Town of Irondequoit, on the 15th Day of September, 2020 at 7:00 p.m. local time, there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member
Harter Secrest & Emery, LLP	Attorney to the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, the Town Board (the “Town Board”) of the Town of Irondequoit, Monroe County, New York (the “Town”) is considering authorizing the upgrade and replacement of the Fox Hall Pump Station within the Town of Irondequoit Consolidated Sewer District (the “Project”); and

**WHEREAS**, a map, plan, and report has been prepared showing the extent of the Project; and

**WHEREAS**, the Town’s engineers have estimated that the maximum cost of undertaking the Project is \$350,000.00; and

**WHEREAS**, the Town Board now intends to conduct a public hearing in accordance with Section 202-b of the Town Law with respect to undertaking the Project at such estimated maximum cost.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby calls for a public hearing to be held at the public meeting of the Town Board to be held on October 20, 2020 at 7:\_\_\_ p.m. at the Town of Irondequoit Town Hall, 1280 Titus Avenue,

Rochester, New York 14617, to consider if it is in the public interest to undertake the Project at a maximum cost of \$350,000 and to hear all persons interested in the subject thereof; and it is

**FURTHER RESOLVED**, that the Town Clerk is hereby directed to cause notice of such public hearing to be published and posted in the manner prescribed by law.

This resolution shall take effect immediately.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting _____
Town Board Member	Perticone	voting _____
Town Board Member	Freeman	voting _____
Town Board Member	Romeo	voting _____
Town Supervisor	Seeley	voting _____

**NOTICE OF PUBLIC HEARING  
UPGRADES WITHIN THE TOWN OF IRONDEQUOIT  
CONSOLIDATED SEWER DISTRICT**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Irondequoit, Monroe County, New York (the “Town”), by resolution dated September 15, 2020, ordered that a public hearing be held at the Town of Irondequoit Town Hall, 1280 Titus Avenue, Rochester, New York 14617, on October 20, 2020 at 7:35 p.m. to consider whether it is in the public interest to approve the hereinafter described project:

The Town Board is considering whether to authorize the upgrade and replacement of the Fox Hall Pump Station within the Town of Irondequoit Consolidated Sewer District (the “Project”).

The estimated maximum cost of the Project is \$350,000.

All persons interested in the aforementioned Project, and the subject matter thereof, are invited to attend.

Barbara Genier, Town Clerk

Dated: September 16, 2020

**EXTRACT OF MINUTES OF MEETING OF TOWN BOARD OF THE TOWN OF IRONDEQUOIT CALLING FOR A PUBLIC HEARING IN ACCORDANCE WITH SECTION 202-b OF THE TOWN LAW TO CONSIDER AUTHORIZING IMPROVEMENTS TO THE TOWN OF IRONDEQUOIT CONSOLIDATED SEWER DISTRICT**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York, duly held at the Town of Irondequoit Town Hall located at 1280 Titus Avenue, in said Town of Irondequoit, on the 15th Day of September, 2020 at 7:00 p.m. local time, there were:

PRESENT:

- |                                 |                          |
|---------------------------------|--------------------------|
| David Seeley                    | Town Supervisor          |
| Patrina Freeman                 | Town Board Member        |
| John Perticone                  | Town Board Member        |
| Kimie Romeo                     | Town Board Member        |
| Peter Wehner                    | Town Board Member        |
| <br>Harter Secrest & Emery, LLP | <br>Attorney to the Town |

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, the Town Board (the “Town Board”) of the Town of Irondequoit, Monroe County, New York (the “Town”) is considering authorizing certain improvements to the Town of Irondequoit Consolidated Sewer District (the “District”) consisting of the reconstruction and/or replacement of sanitary sewer mains and laterals throughout the Town (the “Project”); and

**WHEREAS**, a map, plan, and report has been prepared showing the extent of the Project; and

**WHEREAS**, the Town’s engineers have estimated that the maximum cost of undertaking the Project is \$500,000.00; and

**WHEREAS**, the Town Board now intends to conduct a public hearing in accordance with Section 202-b of the Town Law with respect to undertaking the Project at such estimated maximum cost.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby calls for a public hearing to be held at the public meeting of the Town Board to be held on October

20, 2020 at 7:\_\_\_ p.m. at the Town of Irondequoit Town Hall, 1280 Titus Avenue, Rochester, New York 14617, to consider if it is in the public interest to undertake the Project at a maximum cost of \$500,000 and to hear all persons interested in the subject thereof; and it is

**FURTHER RESOLVED**, that the Town Clerk is hereby directed to cause notice of such public hearing to be published and posted in the manner prescribed by law.

This resolution shall take effect immediately.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting _____
Town Board Member	Perticone	voting _____
Town Board Member	Freeman	voting _____
Town Board Member	Romeo	voting _____
Town Supervisor	Seeley	voting _____

**NOTICE OF PUBLIC HEARING  
TOWN OF IRONDEQUOIT CONSOLIDATED SEWER DISTRICT**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Irondequoit, Monroe County, New York (the “Town”), by resolution dated September 15, 2020, ordered that a public hearing be held at the Town of Irondequoit Town Hall, 1280 Titus Avenue, Rochester, New York 14617, on October 20, 2020 at 7:35 p.m. to consider whether it is in the public interest to approve the hereinafter described project:

The Town Board is considering whether to authorize certain improvements to the Town of Irondequoit Consolidated Sewer District (the “District”) consisting of the reconstruction and/or replacement of sanitary sewer mains and laterals throughout the Town (the “Project”).

The estimated maximum cost of the Project is \$500,000.

All persons interested in the aforementioned Project, and the subject matter thereof, are invited to attend.

Barbara Genier, Town Clerk  
Dated: September 16, 2020

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD  
CALLING FOR A PUBLIC HEARING TO CONSIDER AUTHORIZING  
FINANCING FOR THE REPLACEMENT OF THE WATER MAIN ALONG  
SENECA ROAD**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York, duly held at the Town of Irondequoit Town Hall located at 1280 Titus Avenue, in said Town of Irondequoit, on the 15th day of September, 2020 at 7:00 P.M. local time, there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member
Harter Secrest & Emery, LLP	Attorney to the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, the Town Board (the “Town Board”) of the Town of Irondequoit, Monroe County, New York (the “Town”) is considering authorizing the financing of a project to replace the water main along Seneca Road within the Sea Breeze & Vicinity Water District (“SBWD”), such project to be performed by the SBWD (“Project”); and

**WHEREAS**, a map, plan and report has been prepared for the Project; and

**WHEREAS**, the Town’s engineers have estimated that the maximum cost of undertaking the Project to be \$500,000.00; and

**WHEREAS**, the Town Board now intends to conduct a public hearing in accordance with Section 202-b of the Town Law with respect to authorizing the financing for the Project at such estimated maximum cost.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby calls for a public hearing to be held at the public meeting of the Town Board to be held on October 20, 2020 at 7: [redacted] p.m. at the Town of Irondequoit Town Hall, 1280 Titus Avenue, Irondequoit, New York 14617, to consider if it is in the public interest to undertake the financing of the Project at a maximum cost of \$500,000 and to hear all persons interested in the subject thereof; and it is

**FURTHER RESOLVED**, that the Town Clerk is hereby directed to cause notice of such public hearing to be published and posted in the manner prescribed by law.

This resolution shall take effect immediately.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting _____
Town Board Member	Perticone	voting _____
Town Board Member	Freeman	voting _____
Town Board Member	Romeo	voting _____
Town Supervisor	Seeley	voting _____

**NOTICE OF PUBLIC HEARING  
TOWN OF IRONDEQUOIT  
SENECA ROAD WATER MAIN**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Irondequoit, Monroe County, New York (the “Town”), by resolution dated September 15, 2020, ordered that a public hearing be held at the Town of Irondequoit Town Hall, 1280 Titus Avenue, Irondequoit, New York 14617, on October 20, 2020 at 7:\_\_\_ p.m. to consider whether it is in the public interest to approve the hereinafter described project:

The Town Board is considering whether to authorize the financing of a project to replace the water main along Seneca Road within the Sea Breeze & Vicinity Water District (“SBWD”), such project to be performed by the SBWD (“Project”).

The estimated maximum cost of the Project is \$500,000.

All persons interested in the aforementioned Project, and the subject matter thereof, are invited to attend.

Barbara Genier, Town Clerk

Dated: September 16, 2020



400 SENECA ROAD

ROCHESTER, N.Y. 14622

(585) 467-6341

Fax (585) 467-9304

August 28, 2020

Mr. Robert Kiley  
Commissioner of Public Works  
Town of Irondequoit  
1280 Titus Avenue  
Rochester, New York 14617

RE: Seneca Road Water Main Replacement

Dear Bob,

The Sea Breeze & Vicinity Water District will be looking to do a water main replacement project on Seneca Road, east of Seabreeze Drive that will need to be Bonded.

The project will consist of replacing approximately 1,350 LF of water main, renew all water services and curb boxes to each home. Additionally, a Pressure Reducing Valve w/strainer will be installed at the top of Seneca Road in a vault below grade.

District Engineer, Labella Associates has estimated the total cost, including Engineering to be \$500,000.00.

If you need any additional information, please feel free to let me know.

Respectfully,

Lindsay Putnam  
Superintendent  
Sea Breeze & Vicinity Water District

**EXTRACT OF MINUTES OF MEETING OF TOWN BOARD OF THE TOWN OF IRONDEQUOIT CALLING FOR A PUBLIC HEARING IN ACCORDANCE WITH SECTION 202-b OF THE TOWN LAW TO CONSIDER AUTHORIZING DRAINAGE IMPROVEMENTS WITHIN THE TOWN OF IRONDEQUOIT TOWNWIDE DRAINAGE DISTRICT**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York, duly held at the Town of Irondequoit Town Hall located at 1280 Titus Avenue, in said Town of Irondequoit, on the 15th Day of September, 2020 at 7:00 p.m. local time, there were:

PRESENT:

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery, LLP                      Attorney to the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, the Town Board (the “Town Board”) of the Town of Irondequoit, Monroe County, New York (the “Town”) is considering authorizing the reconstruction of storm sewers, installation of stormwater drainage facilities, and various land grading projects relating to drainage, erosion, and slope stabilization within the Townwide Drainage District (collectively, the “Project”); and

**WHEREAS**, a map, plan, and report has been prepared showing the extent of the Project; and

**WHEREAS**, the Town’s engineers have estimated that the maximum cost of undertaking the Project is \$500,000.00; and

**WHEREAS**, the Town Board now intends to conduct a public hearing in accordance with Section 202-b of the Town Law with respect to undertaking the Project at such estimated maximum cost.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby calls for a public hearing to be held at the public meeting of the Town Board to be held on October

20, 2020 at 7:\_\_\_ p.m. at the Town of Irondequoit Town Hall, 1280 Titus Avenue, Rochester, New York 14617, to consider if it is in the public interest to undertake the Project at a maximum cost of \$500,000 and to hear all persons interested in the subject thereof; and it is

**FURTHER RESOLVED**, that the Town Clerk is hereby directed to cause notice of such public hearing to be published and posted in the manner prescribed by law.

This resolution shall take effect immediately.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting _____
Town Board Member	Perticone	voting _____
Town Board Member	Freeman	voting _____
Town Board Member	Romeo	voting _____
Town Supervisor	Seeley	voting _____

**NOTICE OF PUBLIC HEARING  
TOWN OF IRONDEQUOIT TOWNWIDE DRAINAGE DISTRICT**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Irondequoit, Monroe County, New York (the “Town”), by resolution dated September 15, 2020, ordered that a public hearing be held at the Town of Irondequoit Town Hall, 1280 Titus Avenue, Rochester, New York 14617, on October 20, 2020 at 7:3\_ p.m. to consider whether it is in the public interest to approve the hereinafter described project:

The Town Board is considering whether to authorize the reconstruction of storm sewers, installation of stormwater drainage facilities, and various land grading projects relating to drainage, erosion, and slope stabilization within the Townwide Drainage (collectively, the “Project”).

The estimated maximum cost of the Project is \$500,000.

All persons interested in the aforementioned Project, and the subject matter thereof, are invited to attend.

Barbara Genier, Town Clerk  
Dated: September 16, 2020

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD ADOPTING  
A RESOLUTION AUTHORIZING THE CALLING OF A PUBLIC HEARING  
CONCERNING THE ADOPTION OF A LOCAL LAW CONCERNING THE  
RETENTION AND DISPOSITION OF RECORDS**

At a regular meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 15th day of September, 2020 at 7:00 P.M. local time; there were

**PRESENT:**

David Seeley	Town Supervisor
Patrina Freeman	Town Board Member
John Perticone	Town Board Member
Kimie Romeo	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP

Attorneys for the Town

Town Board Member \_\_\_\_\_ offered the following resolution and moved its adoption:

**WHEREAS**, at a regular meeting of the Town Board, Town Board Member \_\_\_\_\_ introduced a proposed local law to amend Chapter 175, Article II, of the Irondequoit Town Code pertaining to the Retention and Disposition of records, and the proposed local law is attached hereto as **Exhibit A**; and

**WHEREAS**, the New York State Archives (“State Archives”) develops records retention and disposition schedules, and local governments are required to review and adopt such schedules; and

**WHEREAS**, before August 1, 2020, the State Archives issued separate retention and disposition schedules for counties (“Schedule CO-2”), municipalities (“Schedule MU-1”), miscellaneous local governments (“Schedule MI-1”), and schools (“Schedule ED-1”); and

**WHEREAS**, effective August 1, 2020, the State Archives adopted a consolidated retention and disposition schedule for all units of local government which supersedes and replaces the existing schedules, and is titled the Retention and Disposition Schedule for New York Local Government Records (LGS-1); and

**WHEREAS**, local governments must adopt the Retention and Disposition Schedule for New York Local Government Records (LGS-1) by January 1, 2021, when the four existing schedules expire; and

**WHEREAS**, the Town of Irondequoit (“Town”) adopted the current retention and disposition schedule, Schedule MU-1, by a local law adopted February 23, 1989, and has thereafter by resolution adopted revisions to Schedule MU-1; and

**WHEREAS**, because the Town adopted Schedule MU-1 by local law, it is necessary to adopt a local law amending the Irondequoit Town Code to adopt the new consolidated Retention and Disposition Schedule for New York Local Government Records (LGS-1); and

**WHEREAS**, pursuant to Municipal Home Rule Law § 10(1)(i), the Town may adopt local laws concerning its property, affairs, and governance; and

**WHEREAS**, pursuant to Municipal Home Rule Law § 20(5) no local law shall be passed by the Town Board until a public hearing is held; and

**WHEREAS**, the Town Board hereby determines that the action contemplated for public hearing, namely the adoption of legislation approving the new Retention and Disposition Schedule for New York Local Government Records (LGS-1), is not an action subject to the State Environmental Quality Review Act, and therefore no further environmental review is required.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby schedules a public hearing on this matter on October 20, 2020 at 7:35 p.m.

This resolution shall take effect immediately upon its adoption.

Seconded by Town Board Member \_\_\_\_\_ and duly put to vote, which resulted as follows:

Town Board Member	Wehner	voting	_____
Town Board Member	Perticone	voting	_____
Town Board Member	Romeo	voting	_____
Town Board Member	Freeman	voting	_____
Town Supervisor	Seeley	voting	_____

# **Exhibit A**

**(Proposed Local Law)**

**PROPOSED LOCAL LAW NO. \_\_\_ OF 2020**  
**TO AMEND CHAPTER 175 ARTICLE II OF THE TOWN OF IRONDEQUOIT TOWN CODE**  
**CONCERNING RETENTION AND DISPOSITION OF RECORDS**

Be it enacted by the Town Board of the Town of Irondequoit as follows:

**Section 1.** Sections 175-9 and 175-10 of the Code of the Town of Irondequoit, pertaining to the adoption of a standard for the retention and disposition of records, are hereby amended by striking the matter shown in brackets and strikethrough font, and adding the matter shown in bold underscored font, as follows:

§ 175-9 Adoption of standard.

~~[Records Retention and Disposition Schedule MU-1]~~ **Retention and Disposition Schedule for New York Local Government Records (LGS-1)**, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, as amended or changed, and containing legal minimum retention periods for municipal government records, is hereby adopted for use by all municipal officers in disposing of municipal government records listed therein.

§ 175-10 Disposition.

In accordance with Article 57-A of the Arts and Cultural Affairs Law, as amended or changed:

A. Only those records will be disposed of that are described in ~~[Records Retention and Disposition Schedule MU-1]~~ **Retention and Disposition Schedule for New York Local Government Records (LGS-1)** after they have met the minimum retention period prescribed therein.

B. Only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established time periods.

**Section 2.** This law shall be effective upon filing with the Secretary of State of New York, as required by the Municipal Home Rule Law.