



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

REGULAR TOWN BOARD MEETING

April 16, 2024

7:00 PM

AGENDA

4/16/2024 4:15PM

PLEDGE OF ALLEGIANCE

ROLL CALL

SUPERVISOR'S REMARKS & ANOUNCEMENTS

PUBLIC INPUT

FINANCIAL REPORT

APPROVAL OF MINUTES

March 11, 2024 Workshop Meeting

March 19, 2024 Regular Town Board Meeting

ITEM(S) FOR BOARD ACTION:

Appointments

04A2024-1 Resolution Authorizing the Permanent Appointment of a Recreation Director in the Irondequoit Recreation Department

04A2024-2 Resolution Authorizing the Appointment of an Investigator in the Irondequoit Police Department

04A2024-3 Resolution Authorizing the Permanent Appointment of a Custodian in the Building Maintenance Department

04A2024-4 Resolution Authorizing the Permanent Appointment of a Town Clerk and Receiver of Taxes

04A2024-5 Resolution Authorizing the Appointment of a Fire Marshal in the Developmental Services Department

Comptroller

04A2024-6 Resolution Authorizing the Scheduling of a Public Hearing Pertaining to the Adoption of the Irondequoit 2024 Community Development Block Grant Program

Human Resources

04A2024-7 Resolution Authorizing the Amendment of the Town's Jury Duty Policy

04A2024-8 Resolution Authorizing the Adoption of a Fraternization and Workplace Dating Disclosure Policy

04A2024-9 Resolution Authorizing an Employee to Attend the PSHRA Annual Conference in Washington, D.C.

04A2024-10 Resolution Ratifying and Approving the Agreement Between I-Square, LLC and the Town of Irondequoit Relating to the Litigation Captioned Town of Irondequoit v. I-Square, LLC, Supreme Court, State of New York, Monroe County (Index No. 2023014260)

Police

04A2024-11 Resolution Authorizing Attendance at the 2024 Bivona Child Advocacy Center Child Abuse Summit

04A2024-12 Resolution Authorizing Attendance at Criminal Investigations Using Cellular Technologies Basic 40 Hour Cellular Investigations Course

04A2024-13 Resolution Authorizing Attendance at the New York Association of Hostage Negotiators 2024 Annual Conference

04A2024-14 Resolution Calling for a Public Hearing on a Local Law Implementing a Moratorium on Issuance of Secondhand Dealer Licenses

04A2024-15 Resolution Authorizing the Purchase of One (1) 2023 Dodge Charger Police AWD Vehicle for the Irondequoit Police Department

Public Works

04A2024-16 Resolution Awarding a Bid for Titus Avenue Sidewalk Improvements

04A2024-17 Resolution to Declare Certain Equipment as Surplus Property

Recreation

- 04A2024-18 Resolution** Authorizing the Supervisor to Enter into Various Contracts with Vendors for Youth, Family, Adult, Group Exercise, and Senior Recreational Programming for Summer 2024
- 04A2024-19 Resolution** Authorizing the Recreation Department to Make a Donation of Partial Proceeds from Pickleball Tournament

Supervisor

- 04A2024-20 Resolution** Authorizing the Supervisor to Enter into a Memorandum of Understanding with E.R.A.S.E. for the 2024 Juneteenth Event
- 04A2024-21 Resolution** Authorizing Attendance at the 2024 Town Finance School in Geneva, New York
- 04A2024-22 Resolution** Authorizing Attendance at the 2024 Town Finance School in Albany, New York

Town Clerk

- 04A2024-23 Resolution** Approving the Special Event License for the Sunset House 22nd Annual 5k Run and Fitness Walk
- 04A2024-24 Resolution** Approving the Special Event License for the Ridge-Culver Volunteer Fire Association's Community Parade and Street Dance Fundraiser

NEXT WORKSHOP MEETING: May 13, 2024 @ 4 P.M.

NEXT REGULAR TOWN BOARD MEETING: May 21, 2024 @ 7 P.M.

Workshop Meeting of the Town Board of the Town of Irondequoit, held in the Broderick Room at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 11th day of March 2024 at 4:00 P.M, there were:

PRESENT:	Supervisor	Andraé Evans
	Town Board Member	Ann Cunningham
	Town Board Member	Grant Malone
	Town Board Member	John Perticone
	Town Board Member	Peter Wehner

Harter Secrest & Emery, LLP Attorney for the Town

Others in attendance included Department Heads.

Supervisor Evans called the meeting to order, Pledge was said, and Deputy Town Clerk Elder called Roll.

PRESENTATIONS FROM LABELLA ASSOCIATES REGARDING THE UPDATING THE TOWN ZONING CODE: Wes Pettee explained that the project will be split into two phases: work that should be done immediately and work that will be done later. The initial code requiring an update was adopted in 1977 and over the years, the zoning code has become a bit disjointed and confusing. Without a comprehensive rewrite, things can fall through the cracks. He would like to streamline the process currently in place to approve a project. He would like to clarify and simplify the work done by the Planning Board and Zoning Board of Appeals. Phase Two would be to include and involve the public in the process. This is where the zoning map would be used to learn the zoning districts. This will be a ten- to twelve-month process. LaBella would like the Town Board to select members to a Zoning Update Committee to work in this phase and get the word out on the project to the public. Mr. Pettee would like to get the work started in June of this year and complete the work in August of 2025. Attorney Megan Dorrite stated that the Town has a contract with LaBella now and is not required to bid the work out or prepare a Request for Proposal but the Town will need a resolution for approval of the additional services to the current contract. Supervisor Evans feels this zoning code update will bring Irondequoit up to date with the new technology that didn't exist when the initial zoning code was adopted.

SUPERVISOR'S REMARKS: *Supervisor Evans congratulated Amy Holland who wrote about the Irondequoit Public Library Disability Inclusion Initiative which was published in the American Libraries Magazine. *He announced that this is Women's History Month, and he recognized several women-owned Town businesses on International Business Day, March 8th, by handing out flowers and visiting their businesses. *There will be a special marketing event, March 21st, to highlight women-owned businesses. *He stated that he visited the students at Eastridge High School and the Rock Science School. It is important to have the students know that their voice matters. *Reynold Armond was inducted into the Hall of Fame. He enlisted in the Marines and gave the ultimate sacrifice in the line of duty on August 7, 2007. Supervisor Evans met with his mother and uncle and shared thoughts with each other. *He announced the Solar Eclipse that will be occurring on April 8th at 3:20 p.m. The Town Hall will be closed that day. *He attended a Pancake Breakfast at the Helmer Nature Center and found it to be very good.

DEPARTMENT HEAD UPDATES:

Assessor Anthony Costanza reported that his department is working on exemptions that have come in and the tentative roll that will be published on May 1st. They will also be hearing grievances in May. The final roll will be due by July 1st. Everything is going smoothly in the department.

Director of Information Technology Kevin LaBarr reported that his department is finishing up on some projects. He is working with the Comptroller's Office to integrate the financial system that is now live.

Commissioner of Public Works Erin Magee reported that she hopes all the residents have received their Brush Pick Up Cards by now letting them know when the trucks will be in their area. The department is about three quarters of the way through the tree trimming program; there is one more quadrant to do. She stated that they are working on the paving program. The sidewalk project on Titus and Hudson Avenues is out to bid and the Seneca Road project is getting started.

Community Development Coordinator Mary Werner reported that her department has finished the clean-up plans by storing all old files in the attic and making room in the office for new files. She has submitted her required reports to the State for 2023. She reported that there were approximately 1,300 complaints received and 500 building permits were issued, along with 700-725 Certificates of Occupancy or Compliance.

Director of Recreation Shannon Grieve reported that her department has sent out the Summer Activity Guide. She has asked all departments to submit information so the residents will have program information for June, July and August. The Women's Business Expo will be held on March 21st in honor of Women's History Month. Her department is working with Helmer Nature Center on Eclipse events to be held on April 8th from 1 to 5 p.m. Summer camp registration is coming up on March 14th for all Irondequoit residents. Registration for non-Irondequoit residents will be on March 21st. Summer staff recruitment is on-going. The Winter Market takes place on the first Thursday of each month from 4 to 7 p.m.

Director of Human Resources Jason Vinette reported that his department has been filling positions as fast as they come in. He is continuing to update Town policies and procedures.

Chief of Police Scott Peters reported that his department will be getting the K-9 unit ready for school where the dogs will be for about 12 weeks; the unit will then come back to the Town in June. They unit will go back to school in the fall and then be certified as detection dogs. He is looking to fill two spots for the upcoming recruit class and working on a lateral move for a police officer. He is working to keep the department fully staffed. He will be promoting some officers and putting an officer in the ATF Task Force.

Deputy Town Clerk Latasha Elder reported that the Clerk's Office has hired an Office Clerk IV, Chase Stokes. He is in the training process now. He has already taken and passed the course to become a passport agent. The department is very busy with taxes and FOIL requests.

Chief Court Clerk Sally Nash reported that the Courts are handling all the hearings for people who want to dispute the tickets given by the Department of Transportation's for violations in a

work zone area and for passing a stopped school bus. Hopefully, her department will be hiring a full-time clerk for newly elected Judge Brian Green a part-time clerk. The Court office will then be fully staffed.

Attorney Megan Dorritie gave a couple of updates on ongoing litigation. For I-Square, a bit of a standstill exists. Mr. Nolan fired his attorneys, and he can't proceed in court without council. Those attorneys asked the court for permission to withdraw based on the fact that the attorneys have been excused by their client. Mr. Nolan was given to March 19th to find new council. Regarding 690 Titus Avenue, that was put on hold pending settlement talks. On the Wade litigation, this has been pending for a very long time. It is being handled by insurance council. Mr. Wade filed a lawsuit against many Town employees and representatives claiming that he was injured by a gas leak in his apartment. The Court has finally granted a motion to dismiss. This case is over. Mr. Wade could still appeal the Court's decision.

Comptroller Diana Marsh stated that her department is preparing for the annual audit which begins on March 18th. She noted that the new financial system is up and running and they are trying to consolidate the information from the prior system to the new system. She is preparing for the 2024 CDBG (Community Development Block Grant) Program. Applications have been sent out and are due by March 22nd. There is a BAN issuance for the Department of Public Works garage and that will be issued on March 28th.

REVIEW OF AGENDA ITEMS FOR MARCH 19, 2024 RTB MEETING:

Financial Report: **Comptroller Diana Marsh** noted that she will be giving two reports this month--the final preliminary report for December and then the current report for February.

This report is a preliminary look at the 2023 year-end financial results for the Town as of February 29th. The 2023 books were open through the end of February to allow for receipt and processing of outstanding commitments and to account for and properly record all 2023 revenue owed to the Town; however, the books are now closed. 2023 preliminary results will not be presented again in this forum. Following the annual audit, the Town's auditors from the Bonadio Group will present highlights of the audited 2023 Financial Statements and Audit Report.

The preliminary 2023 year-end financial results as of February 29, 2024: the Town's total expenses are slightly higher than budget at 101.1%--a sum of \$43,921k. The amount includes \$736k of encumbrances.

The General Fund expenses are below budget at 99.7% or \$27,382k. The actual expenditures are \$27,111k—98.8% of budget; the remaining 1% is due to \$272k of encumbrances. Outstanding encumbrances include contracted services for IT and various vehicles and equipment for which delivery was delayed.

Overall, the expenses in the Highway funds are higher than budget at 111.7%, a total of \$7,302k. The costs in these funds result from considerable total expenses for salt, paving and fuel as projected. The overage of expenditures is due to increased paving work completed in 2023

and is offset by additional CHIPS funding received. The Library expenditures total \$2,819k—100.8% of budget. Expenses in the Sewer fund of \$4,198k (95.7% of budget.) The \$941k of Stormwater Drainage expenses are represented at 100% of budget.

The General Fund has received revenue of \$29,001k—109.8% of the budget. The Real Estate taxes totaled \$12,007k as budgeted. Payment in Lieu of Tax revenue equated to \$252k—97.7% of budget. Other major revenue recorded or accrued by the Town include: Sales Tax in the amount of \$7,091k (124.4% of budget); AIM payments of \$613k at 100%, 89.4% or \$595k of Franchise Cable TV revenue; and Mortgage Tax of \$960k—97% of budget.

Regarding the entire Town: \$45,473k or 107.4% of revenue and appropriated fund balance is documented. At year-end, the Library revenue totals \$2,821k—100.9% of budget. 110.6% or \$7,223k of revenue was recorded by the Highway. Revenue of \$4,362k or 99.4% has been verified by the Sewer fund. Stormwater Drainage has received \$883k, 99.4% of its budgeted revenue.

The 2024 financial results for the Town as of February 29th: total expenses, actual as well as encumbered, are \$7,953k or 18.8% of budget, higher than the 16.7% of the year that has elapsed. The breakdown is: actual expenses \$7,278k (17.2%) and encumbered expenses \$675k (1.6%). Encumbrances have not all been entered in the financial system as we are transitioning to a new financial system.

The General Fund expenses are at 22.6% of the budget or \$6,057k. The breakdown is as follows: actual expenditures - \$5,847k and encumbrances \$210k. Together, the expenses in the Highway funds are \$806k or 12.9% of budget. Actual expenses represent \$611k (9.7%) and current encumbrances are \$195k (3.1%). Expenditures in the Library are under budget at \$253k or 8.9%. The Sewer fund expenses are 16.4% of budget, equating to \$674k. The expenses in Stormwater Drainage total \$60k—6.4% of budget.

The General Fund revenue received is \$14,556 or 54.7% of budget. Included in revenue is \$12,790k of Real Estate Tax—100% of budget. \$205k of PILOT (Payment in Lieu of Tax) revenue has been received—approximately 88% of budget.

Regarding the entire Town: \$26,783k or 64.3% of revenue has been received to date. 100% of Real Estate Tax and Special District fees totaling \$23,894k have been received. The Library has received \$2,746k or 96.5% of its budgeted revenue. The Highway funds collective receipts of

\$4,309k represent 71.3% of its budgeted revenue. Sewer fund has received \$3,746k—97.5% of that fund's budget. \$934k or 99.4% of Stormwater Drainage budget has been received.

APPROVAL OF MINUTES: Minutes from the following meetings to be approved:

February 9, 2024	Special Town Board Meeting
February 12, 2024	Workshop Meeting
February 22, 2024	Regular Town Board Meeting
February 28, 2024	Special Town Board Meeting

REVIEW OF AGENDA ITEMS FOR THE MARCH 19, 2024 REGULAR TOWN BOARD MEETING:

PUBLIC HEARINGS: There will be three (3) Public Hearings to be held beginning at 7:35 p.m. The **first** public hearing is on the matter of providing an opportunity for public comments on the CDBG Program; the **second** public hearing is on the matter of granting a Special Use Permit for 5370 St. Paul Boulevard; and the **third** public hearing is on the matter of issuing a Special Use Permit for 300 St. Joseph Street.

APPOINTMENTS: There are six (6) resolutions to be voted on. The **first** appointment would be for Olivia Phillips to be appointed Court Clerk to the newly elected Court Justice Brian Green. The Court would like Ms. Phillips to begin work as soon as possible but the Town Board has to approve the appointment before the candidate begins work. The **second** appointment would authorize the permanent appointment of Andrew Whitaker as Captain in the Irondequoit Police Department. The **third** appointment would authorize the transfer from the Warsaw Police Department of Joel Hulme to the Irondequoit Police Department. The **fourth** appointment would authorize the permanent appointment of Joseph Coon as Police Lieutenant in the Irondequoit Police Department. The **fifth** appointment would authorize the provisional appointment of Chase Stokes as Office Clerk IV in the Irondequoit Town Clerk's Office. The **sixth** appointment would authorize the permanent appointment of Stephen McDaniels as custodian in the Building Maintenance Department.

COMPTROLLER: Comptroller Diana Marsh reviewed two (2) resolutions. The **first** resolution would authorize a series of balanced appropriation transfers within several funds of the 2023 Operating Budget. The **second** resolution would authorize a Capital Lease Financing Agreement for a pickup truck for the Bureau of Public Works.

HUMAN RESOURCES: Director Jason Vinette reviewed one (1) resolution amending the Town's Personnel Policy to include an Updated Sexual Harassment Prevention Policy

IT: Director Kevin LaBarr reviewed one resolution authorizing the purchase of CSG Cards for all Town security and fire panels and associated transfer of funds.

POLICE: Chief Scott Peters reviewed three (3) resolutions. The **first** resolution declares certain items as surplus and authorizes the auction or destruction of an ATV that is 24 years old. The **second** resolution authorizes the three (3) officers to attend Vehicle Crimes Investigation Course for Law

Enforcement at Saratoga Sheriffs Department Training Facility in Ballston Spa, NY. Chief Peters stated that the Town has had numerous car thefts and feels this training will be very beneficial for the department. The **third** resolution authorizes attendance at the 2024 Dog Control Educational Seminar. Animal Control Officer Scott Donahue will be attending this one-day seminar.

PUBLIC WORKS: Commissioner Erin Magee reviewed two (2) resolutions from her department. The **first** resolution authorizes the Supervisor to enter into an Intermunicipal Agreement with East Irondequoit Central School District. The **second** resolution declares a vehicle as surplus property. Commissioner Magee will be walking in a **third** resolution to authorize the Supervisor to enter into an agreement with Monroe County Social Services and Rochester Works, Inc. Rochester Works is a training program that places interested individuals at the public works department to learn what that department does. There is no fee due from the Town as Rochester Works pays the expenses.

RECREATION: Director Shannon Grieve reviewed three (3) resolutions. The **first** resolution authorizes the Supervisor to enter into a contract for Senior Golf Leagues for spring/summer 2024. The **second** resolution accepts gifts for Irondequoit's Winterfest Celebration. The **third** resolution accepts the proposal for Sound and Lighting Services for Town Special Events.

ITEMS FOR BOARD ACTION:

3WS2024-1 Resolution Authorizing Appointments to the Deer Management Program Board

On a motion made by Councilmember **Cunningham**, seconded by Councilmember **Wehner**, a resolution was adopted **appointing Carrie Burdick, Gwendolyn Mendez and Krista Greer to the Deer Management Program Board with their terms expiring on December 31, 2024.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-059

3WS2024-2 Resolution Authorizing the Closure of Town Hall for the Solar Eclipse

On a motion made by Councilmember **Malone**, seconded by Councilmember **Wehner**, a resolution was adopted **authorizing the closure of Town Hall on the day of the total solar eclipse, April 8, 2024, and offers those essential employees that have to work a floating holiday as compensation.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-060

3WS2024-3 Resolution Authorizing a Change to the Date for the April Town Board Workshop Meeting

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Perticone**, a resolution was adopted **rescheduling the April Town Board Workshop meeting from April 8, 2024 at 4:00 p.m. to April 9, 2024 at 4:00 p.m.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2024-061***3WS2024-4 Resolution Authorizing Changes to the Dates for the April Planning Board Workshop and Meeting**

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Malone**, a resolution was adopted **authorizing changes to the dates for the April Planning Board Workshop and Meeting from April 8, 2024 to April 15, 2024, and the April Planning Board regular meeting from April 22, 2024 to April 29, 2024.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2024-062***3WS2024-5 Resolution Authorizing the Permanent Appointment of a Director of Developmental Services**

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Perticone**, a resolution was adopted **approving the permanent appointment of William Lang Jr. as Director of Developmental Services.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2024-063***3WS2024-6 Resolution Concluding Payment of Temporary Stipends to Staff Members of the Community Development Department**

On a motion made by Councilmember **Cunningham**, seconded by Councilmember **Wehner**, a resolution was adopted **authorizing the conclusion of the payment of stipends originally granted in Resolution Nos. 2022-154 and 2023-348.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

*Resolution Number 2024-064***3WS2024-7 Resolution Authorizing Capital Lease Financing of One (1) Pickup Truck for the Bureau of Public Works**

On a motion made by Councilmember **Cunningham**, seconded by Councilmember **Wehner**, a resolution was adopted **authorizing capital lease financing for one (1) new 2023 Ford F550 XL truck for the Bureau of Public Works in the total amount of \$134,842.43 with JP Morgan Chase Leasing.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-065

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Malone**, the agenda was amended to reflect the hiring of Olivia Phillips as Court Clerk to Justice Brian Green.

Judge Brian Green is very pleased with the appointment of Ms. Phillips.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Malone**, pursuant to Section 105 of the Public Law, an Executive Session was called at 5:23 p.m. to discuss matters leading to the appointment of a particular individual.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

EXECUTIVE SESSION

The next meeting is the Regular Town Board meeting on Tuesday, March 19, 2024 @ 7:00 p.m. in the Broderick Room of the Town Hall.

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Malone**, the Executive Session was adjourned at 6:04 p.m. and the Workshop Meeting was reconvened.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

On a motion made by Councilmember **Malone**, seconded by Councilmember **Perticone**, the Workshop Meeting was adjourned at 6:05 p.m.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

Respectfully submitted,



Barbara Genier, Town Clerk

Regular Town Board Meeting of the Town Board of the Town of Irondequoit, held in the Broderick Room at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the **19th day of March 2024**, at 7:00 P.M., local time, there were:

PRESENT:	Town Supervisor	Andraé Evans
	Town Board Member	Ann Cunningham
	Town Board Member	John Perticone
	Town Board Member	Peter Wehner
	Attorney for the Town	Harter Secrest & Emery LLC

Others in attendance included Chief of Police Scott Peters, Comptroller Diana Marsh, Human Resources Director Jason Vinette, Director of Recreation Shannon Grieve, Planning and Zoning Coordinator Michelle Nichols, Assistant to the Supervisor Justine Bartnick, Commissioner of Public Works Erin Magee, Director of Development Services Bill Lang, Assessor Anthony Costanza and Deputy Town Clerk Latasha Elder.

Supervisor Evans called the meeting to order, the Pledge was said, and Deputy Town Clerk Elder called Roll.

RECOGNITION: Recognizing the St. Paul Blvd Fire Association for their 100th Anniversary.

SUPERVISOR’S REMARKS AND ANNOUNCEMENTS: * Supervisor Evans reported that most of Town Hall will be closed on April 8th, 2024, due to the Solar Eclipse. Irondequoit Police and the Department of Public Works will be available. The Recreation Center is hosting an event with the Helmer Nature Center. There will be food trucks, crafts and full viewing of the event. Parking will be limited so please take shuttle from the Rec center to the event at the Helmer Nature Center. The Town Board Workshop has been moved to April 9th, 2024 at 4pm. Honoring Barbara Genier who is retiring at the end of this month for all the work that she has given to our community.

PUBLIC INPUT:

Christina Smithdell, 31 Schnackel Drive, stated she was in support of STR and also wanted a review of the code allowing fences over access easements. Ms. Smithdell stated that her rights are being restricted and would like different codes for homes that are only accessibility by easements. She uses her home as an STR to supplement her income and also uses them when she travels. She stated that her neighbor at 39 Schnackel Dr. does not support STR and that is why she is being treated the way she has been.

Mike Nolan, I-Square 500 Bakers Park, requested a public meeting with the Town Board to work towards a resolution regarding the current lawsuit. The Judge in the case encouraged the parties to work together on a resolution and issued a continuance on case until early May. Mr Nolan states he just wants to have an open conversation.

Marsha Enright, 75 Clay Avenue, stressed her nonsupport of STRs. Asked board to vote no on any rentals less than 20 days.

As there were no other speakers, Public Input was closed.

FINANCIAL REPORT

Comptroller Marsh noted that the 2023 books were open through the end of February to allow for receipt and processing of outstanding commitments and to account for and properly record the remaining revenue that is owed the Town. The books are now closed. At a Town Board meeting, the Town’s auditors from The Bonadio Group will present highlights of the audited 2023 Financial Statements and Audit Report. Comptroller Diana Marsh reviewed the preliminary financial results for the Town as of February 29, 2023: The Town’s total expenses are slightly higher than budget at 101.1%-a sum of \$43,921k. The amount includes \$736k of encumbrances. The General Fund expenses are below budget at 99.7% or \$27,382k. The actual expenditures are \$27,111K-98.8% of budget; the remaining 1.05 is due to \$272k of encumbrances. Outstanding encumbrances include contracted services for IT and various vehicles and equipment for which delivery was delayed. Overall, the expenses in the highway funds are higher than budget at 111.7%, a total of \$7,302k. The costs in these funds result from considerable total expenses for salt, paving, and fuel as projected. The overage of expenditures is due to increased paving work completed in 2023 and is offset by additional CHIPs funding received. The library expenditures total \$2,819k-100.8% of budge. Expenses in the Sewer Fund of \$4,198k-95.7% of budget. The \$941k of Stormwater Drainage expenses represent 100.0% of budget. The General Fund has received revenue of \$29,001k-109.8% of the budget. The real estate taxes totaled \$12,0007k as budgeted. Payment in Lieu of Tax revenue equated to \$252k-97.7% of budget. Other major revenue recorded or accrued by the Town include Sales Tax in the amount of \$7,091k-124.4% of

budget; AIM payments of \$613k at 100%, 89.4% or \$595k of Franchise Cable TV revenue; and Mortgage Tax of \$960k-97.0% of budget. Regarding the entire Town: \$45,473k or 107.4% of revenue and appropriated fund balance is documented. At year-end, the library revenue totals \$2,821k-100.9% of budget.

110.6% or \$7,223k of revenue was recorded by the Highway. Revenue of \$4,362k or 99.4% has been verified by the Sewer Fund. Stormwater Drainage has received \$883k, 99.4% of its budgeted revenue.

This concludes the preliminary 2023 yearend financial report as if February 29, 2024.

The 2024 financial results for the Town as of February 29th: total expenses – actual as well as encumbered- are \$7,953k or 18.8% of budget-higher than the 16.7% of the year that has elapsed. The breakdown is: actual expenses & 7,278k (17.2%) and encumbered expenses \$675k (1.6%). Encumbrances have not all been entered in the financial system as we are transitioning to a new financial system. The General Fund expenses are at 22.6% of the budget or \$6,057k. Here is the breakdown: actual expenditures - \$5,847k and encumbrances \$210k. Together, the expenses in the highway funds are \$806k or 12.9% of budget. Actual expenses represent \$611k (9.7%) and current encumbrances are \$195k (3.1%). Expenditures in the Library are under budget at \$253k or 8.9%. The Sewer Fund expenses are 16.4% of the budget equating to \$674k. The expenses in Stormwater Drainage total \$60k-6.4% of budget. The General Fund revenue received is \$14,556k or 54.7% of budget. Included in revenue is \$12,790k of real estate tax-100% of budget. \$250k of PILOT (Payment In Lieu Of Tax) revenue has been received- approximately 88.00% of budget. Regarding the entire Town: \$26,783 or 64.3% of revenue has been received to date. 100% of real estate tax and special district fees totaling \$23,894k have been received. The Library has received \$2,746k or 96.5% of its budgeted revenue. The highway funds collective receipts of \$4,309k represent 71.3% of its budgeted revenue. Sewer Fund has received \$3,746k-97.5% of that funds budget. \$934k or 99.4% of stormwater drainage budget has been received.

This concludes the February 2024 financial report.

On a motion made by Councilmember **Cunningham**, seconded by Councilmember **Wehner**, the Financial Report was accepted.

UPON VOTING	Town Board Member	Perticone	Aye
	Town Board Member	Wehner	Aye
	Town Board Member	Cunningham	Aye
	Town Supervisor	Evans	Aye

APPROVAL OF MINUTES:

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Wehner**, the February 9, 2024, Special Town Board Meeting Minutes were approved.

UPON VOTING MOTION WAS UNANIIMOUSLY APPROVED WITH
COUNCILMEMBER CUNNINGHAM ABSTAINING

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Perticone**, the February 12, 2024 Workshop Minutes were approved.

UPON VOTING MOTION WAS UNANIIMOUSLY APPROVED WITH
COUNCILMEMBER CUNNINGHAM ABSTAINING

On a motion made by Councilmember **Cunningham** seconded by Councilmember **Wehner**, the February 22, 2024, Regular Town Board Meeting Minutes were approved.

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the February 28, 2024, Special Town Board Meeting Minutes were amended to include Councilmember **Perticone's** comments regarding the appointment of a new assessor. On a

motion made by Councilmember **Wehner**, seconded by Councilmember **Perticone**, the amendment was adopted.

UPON VOTING

MOTION WAS UNANIIMOUSLY APPROVED

On a motion made by Councilmember **Cunningham**, seconded by Councilmember **Wehner**, all minutes were approved.

UPON VOTING

MOTION WAS UNANIIMOUSLY APPROVED

ITEMS FOR BOARD ACTION:

PUBLIC HEARINGS

On a motion made by Councilmember **Cunningham**, seconded by Councilmember **Wehner**, the public hearing was opened.

7:35PM

03PH2024-1 On the Matter of Providing Opportunity for Public Comment on Irondequoit's Community Development Block Grant Program (CDBG)

Barbara Johnson stated CDBG is a federal funded program for low to moderate income target areas. Approx. \$800,000. This is the second public hearing of the program year.

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the public hearing was closed.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

03PH2024-2 On the matter of Providing Opportunity for Public Comment on a Special Use Permit for Fifth Frame Brewing Company to operate a restaurant, eating establishment, or drinking establishment with seating for more than 30 patrons, on premises 5370 St Paul Blvd, in a C-Business District.

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Wehner**, the public hearing was opened.

Michelle Nichols spoke on behalf of the Zoning and planning board. No longer going to planning board since site plan has been amended to include all moveable parts.

Johnm Mervine, 183 Yorkshire, He seeks to revitalize Summerville area.

Rose Novack, president of the board of Westage at the Harbor, voiced her concerns regarding 3rd street. It was stated that that issue has been resolved.

Mr. James, 5359 St Paul Blvd lives across from bar for 45 years. He stated he has concerns about there already being 2 bars in the area. Wants to know the number of occupancies, more than 30 isn't specific enough. Issues with noise, smoking, and parking. James stated he is not in favor of this resolution.

Nancy Griffin, 15 Second Street, favors this resolution other than the over 30 occupancy, there is no where for patrons to park.

Katie James 5359 St Paul Blvd in favor of a restaurant, but noise starts wearing on residents. Concerned about drinking and cars speeding in the neighborhood.

On a motion made by Councilmember **Cunningham**, seconded by Councilmember **Wehner**, the public hearing was closed.

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

3PH-2 RESOLUTION APPROVING A SPECIAL USE PERMIT FOR 5370 ST. PAUL BLVD IN THE C-BUSINESS DISTRICT

On a motion made by Councilmember **Cunningham** seconded by Councilmember **Wehner**,

the resolution was adopted **approving a special use permit for 5370 St Paul Blvd in the C-Business District.**

Establishment should be open by late summer.

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-068

03PH2024-3 On the matter for providing opportunity for public comment on a conditional special use permit for Scott and Sandi Miller to construct one additional in-law dwelling unit, on premises 300 St Jospeh St in an R-R Rural residential district.

On a motion made by Councilmember **Cunningham**, seconded by Councilmember **Wehner**, the public hearing was opened.

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Michelle Nichols spoke regarding SEQRA requirements.

Sandi Miller, 300 St Joseph Street gave a history of the Miller family in Irondequoit. Strictly used for family members. Town of Generations

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the public hearing was closed.

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

3PH-3 RESOLUTION APPROVING A SPECIAL USE PERMIT FOR 300 ST JOSEPH ST. IN THE R-R RURAL RESIDENTIAL DISTRICT

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Perticone**, the resolution was adopted **approving a special use permit for 300 St Joesph St. to construct and additional in-law dwelling unit.**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-069

Appointments

03A2024-4 RESOLUTION AUTHORIZING THE TEMPORARY APPOINTMENT OF AN ACTING TOWN CLERK AND RECIEVER OF TAXES

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the resolution was adopted **approving the appointment of Latasha Elder as the Temporary Acting Town Clerk and Receiver of Taxes**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-066

03A2024-5 RESOLUTION AUTHORIZING THE PERMANENT APPOINTMENT OF A POLICE CAPTAIN IN THE IRONDEQUOIT POLICE DEPARTMENT

On a motion made by Councilmember **Cunningham**, seconded by Councilmember **Perticone**, the resolution was adopted **approving the appointment of Andrew Whitaker as Police Captain in the Irondequoit Police Department.**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-067

03A2024-6 RESOLUTION AUTHORIZING THE TRANSFER OF A POLICE OFFICER TO THE IRONDEQUOIT POLICE DEPARTMENT

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Cunningham**, the resolution was adopted **approving the transfer of Joel Hulme to the Irondequoit Police Department**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-070

03A2024-7 RESOLUTION AUTHORIZING THE PERMANENT APPOINTMENT OF A POLICE LIEUTENANT

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Wehner**, the resolution was adopted **approving the permanent appointment of Joseph Coon as Police Lieutenant**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-071

03A2024-8 RESOLUTION AUTHORIZING THE PROVISIONAL APPOINTMENT OF AN OFFICE CLERK IV IN THE IRONDEQUOIT TOWN CLERK'S OFFICE

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the resolution was adopted **approving the provisional appointment of Chase Stokes as an Office Clerk IV in the Town Clerk's Office**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-072

03A2024rE-9 RESOLUTION AUTHORIZING THE PERMANENT APPOINTMENT OF A CUSTODIAN IN THE BUILDING MAINTENANCE DEPARTMENT

On a motion made by Councilmember **Cunningham** seconded by Councilmember **Wehner**, the resolution was adopted **approving the permanent appointment of Stephen McDaniels as Custodian in the Building Maintenance Department.**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-073

03A2024-10 RESOLUTION AUTHORIZING A SERIES OF BALANCED APPROPRIATION TRANSFERS WITHIN SEVERAL FUNDS OF THE OPERATING BUDGET

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Wehner** the resolution was adopted **approving a series of balanced appropriation transfers within several funds of the 2023 Operating Budget.**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-074

03A2024-11 RESOLUTION AUTHORIZING CAPITAL LEASE FINANCING AGREEMENT WITH JP MORGAN EQUIPMENT LEASING FOR PICKUP TRUCK FOR THE BUREAU OF PUBLIC WORKS

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Perticone**, the resolution was adopted **approving the capital lease financing agreement with JP Morgan Equipment Leasing for a pickup truck for the Bureau of Public Works**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-075

03A2024-12 RESOLUTION RATIFYING AND APPROVING THE AGREEMENT BETWEEN A POLICE OFFICER IN THE IRONDEQUOIT POLICE DEPARTMENT AND THE TOWN OF IRONDEQUOIT RELATING TO THE OFFICER'S RETIREMENT FROM SERVICE

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Perticone**, the resolution was adopted **ratifying and approving the agreement between Anthony DiFante and The Town of Irondequoit relating to the officer's retirement from service.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-076

03A2024-13 RESOLUTION AUTHORIZING THE AMENDMENT OF THE TOWN'S PERSONNEL POLICY TO INCLUDE AND UPDATED SEXUAL HARASSEMENT PREVENTION POLICY

On a motion made by Councilmember **Cunningham**, seconded by Councilmember **Wehner**, the resolution was adopted **approving the amendments to the Town's Personnel Policy to include an updated sexual harassment prevention policy.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-077

03A2024-14 RESOLUTION AUTHORIZING THE PURCHASE OF CSG CARDS FOR ALL TOWN SECURITY AND FIRE PANELS AND ASSOCIATED TRANSFER OF FUNDS

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the resolution was adopted **approving the purchase of CSG cards for all town security and fire panels with associated transfer of funds.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-078

03A2024-15 RESOLUTION DECLARING SURPLUS ITEMS AND ATUHORIZING THE AUCTION OR DESTRUCTION OF SAID ITEMS

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Wehner**, the resolution was adopted **declaring surplus items and authorizing the auction or destruction of said items.**

UPON VOTING

MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-079

03A2024-16 RESOLUTION AUTHORIZING 3 OFFICERS TO ATTEND VEHICLE CRIMES INVESTIGATION COURSE FOR LAW ENFORCEMENT AT SARATOGA SHERIFFS DEPARTMENT TRAINING FACILITY IN BALLSTON SPA NY

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the resolution was adopted **approving 3 officers to attend the Vehicle Crimes Investigation Course for Law Enforcement at Saratoga Sheriffs Department Training Facility in Ballston Spa, NY**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-080

03A2024-17 RESOLUTION AUTHORIZING ATTENDANCE TO THE 2024 DOG CONTROL EDUCATIONAL SEMINAR

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the resolution was adopted **approving Scott Donahue to attend the 2024 Dog Control Educational Seminar.**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-081

**03A2024-18 RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO
AN INTERMUNICIPAL AGREEMENT WITH EAST IRONDEQUOIT
CENTRAL SCHOOL DISTRICT**

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Perticone**, the resolution was adopted **authorizing the Supervisor to enter into an intermunicipal agreement with East Irondequoit Central School District.**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-082

03A2024-19 TO DECLARE CERTAIN EQUIPMENT AS SURPLUS PROPERTY

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Wehner**, the resolution was adopted **declaring certain equipment as surplus property at the Department of Public Works.**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-083

03A2024-20 RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH MONROE COUNTY DIVISION OF SOCIAL SERVICES AND ROCHESTER WORKS, INC

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the resolution was adopted **authorizing the Supervisor to enter into an agreement with Monroe County Division of Social Services and Rochester Works, INC.**

UPON VOTING MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-084

**03A2024-21 RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A
CONTRACT FOR SENIOR GOLF LEAGUES FOR SPRING/SUMMER
2024**

On a motion made by Councilmember **Perticone**, seconded by Councilmember **Wehner**, the resolution was adopted **authorizing the Supervisor to enter into a contract with Senior Golf Leagues for Spring/Summer 2024**

MOTION WAS UNANIMOUSLY APPROVED

**03A2024-22 RESOLUTION ACCEPTING GIFTS FOR IRONDEQUOIT'S
WINTERFEST CELEBRATION**

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the resolution was adopted **approving the acceptance of gifts for Irondequoit's Winterfest Celebration**

MOTION WAS UNANIMOUSLY APPROVED

03A2024-23 RESOLUTION ACCEPTING THE PROPOSAL FOR SOUND AND LIGHTING SERVICES FOR TOWN SPECIAL EVENTS

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the resolution was adopted **approving the proposal for sound and lighting services for town special events with DCM Productions, LLC**

MOTION WAS UNANIMOUSLY APPROVED

**03A2024-24 RESOLUTION AUTHORIZING THE TOWN ENGINEER TO UPDATE
THE TOWN'S ZONING CODE**

On a motion made by Councilmember **Cunningham**, seconded by Councilmember **Wehner**, the resolution was adopted **approving the Town Engineer to update the Town's Zoning Code**

MOTION WAS UNANIMOUSLY APPROVED

Resolution Number 2024-088

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Upcoming Meetings:

Town Board Workshop Meeting:
Regular Town Board Meeting:

Tuesday, April 9, 2024 @ 4 PM
Tuesday, April 16, 2024 @ 7 PM

On a motion made by Councilmember **Wehner**, seconded by Councilmember **Cunningham**, the Regular Town Board Meeting was adjourned at 8:31 PM.

MOTION WAS UNANIMOUSLY APPROVED

Respectfully submitted,

Latasha Elder, Acting Town Clerk

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION AUTHORIZING THE PERMANENT APPOINTMENT OF A
RECREATION DIRECTOR IN THE IRONDEQUOIT RECREATION DEPARTMENT**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans

Town Supervisor

Ann Cunningham

Town Board Member

Grant Malone

Town Board Member

John Perticone

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, on November 14, 2022, by Resolution No. 2022-297, the Town Board appointed Shannon Grieve as provisional Recreation Director, a position she still occupies; and

WHEREAS, this was a provisional appointment, because no list had been established at the time; and

WHEREAS, the Recreation Director exam was held, Ms. Grieve took the exam and she received 100% on the examination. As a result, per Civil Service guidelines she is immediately reachable on the certified list; and

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the permanent appointment of Shannon Grieve as the Recreation Director to be paid an annual salary of \$77,290.17, which shall be paid from budget code 001.7140.0100.1100.7146.

This resolution shall take effect immediately.

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

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION AUTHORIZING THE APPOINTMENT OF AN INVESTIGATOR IN THE
IRONDEQUOIT POLICE DEPARTMENT**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans

Town Supervisor

Ann Cunningham

Town Board Member

Grant Malone

Town Board Member

John Perticone

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 a retirement, there is a vacancy in the Irondequoit Police Department for an Investigator; and

WHEREAS, this is an internal title and no civil service approval or requirements are needed; and

WHEREAS, the Chief of Police has interviewed several candidates and would like to appoint Joseph Shevlin to fill the vacant investigator title; and

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the appointment of Joseph Shevlin as Police Investigator to be paid an annual salary of \$105,542.00, which shall be paid from budget code 001.3120.0100.1100.

This resolution shall take effect immediately.

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

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION AUTHORIZING THE PERMANENT APPOINTMENT OF CUSTODIAN
IN THE BUILDING MAINTENANCE DEPARTMENT**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans

Town Supervisor

Ann Cunningham

Town Board Member

Grant Malone

Town Board Member

John Perticone

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, there is a need for a Custodian in the Building Maintenance Department; and

WHEREAS, Steven Pfluke has held the title of Light Laborer since August 2015 and has taken and passed the Civil Service examination for Custodian; and

WHEREAS, the list has been canvassed and Mr. Pfluke has expressed interest in this promotion.

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the permanent appointment of Steven Pfluke as a Custodian, to be paid an hourly rate of \$18.76, which shall be drawn from budget code 001.1621.0100.1100.

This resolution shall take effect immediately.

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

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION AUTHORIZING THE PERMANENT APPOINTMENT OF A TOWN
CLERK AND RECEIVER OF TAXES**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans

Town Supervisor

Ann Cunningham

Town Board Member

Grant Malone

Town Board Member

John Perticone

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, Latasha Elder was appointed as the acting Town Clerk and Receiver of Taxes at the March 26, 2024, Town Board Meeting; and

WHEREAS, The Town Board and Town Supervisor would like to appoint Latasha Elder permanently as the Town Clerk and Receiver of Taxes.

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the permanent appointment of Latasha Elder as the Town Clerk and Receiver of Taxes, to be paid an annual salary of \$77,290.00, which shall be drawn evenly from budget codes 001.1410.0100.1100 and 001.1330.100.1100.

This resolution shall take effect immediately.

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

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION AUTHORIZING THE APPOINTMENT OF A FIRE MARSHAL IN THE
DEVELOPMENTAL SERVICES DEPARTMENT**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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, due to a promotion, there is a vacancy in the Irondequoit Developmental Services Department for a Fire Marshal; and

WHEREAS, this is a Competitive Civil Service title and per Civil Service guidelines this certified list has been canvassed; and

WHEREAS, the interview Committee has interviewed several candidates on the certified list as well as eligible candidates and would like to appoint Jeffrey David to fill the vacant Fire Marshal title; and

WHEREAS, Jeffrey David’s qualifications and civil service roster have been reviewed by Monroe County Civil Service and Mr. David is eligible to be reinstated to this title at the Town of Irondequoit.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the appointment of Jeffrey David as Fire Marshal to be paid an annual salary of \$60,765.00, which shall be paid from budget code 001.3410.0100.1100.

This resolution shall take effect upon hire.

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

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD
ADOPTING A RESOLUTION AUTHORIZING THE SCHEDULING OF A
PUBLIC HEARING PERTAINING TO THE ADOPTION OF THE
IRONDEQUOIT 2024 COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM**

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 16th day of April, 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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, the Town of Irondequoit is a Community Development entitlement community and, as such, receives an annual block grant from the U.S. Department of Housing and Urban Development (“HUD”); and

WHEREAS, the Town is expecting to receive a block grant from HUD for its 2024 Community Development Block Grant Program, which will begin August 1, 2023, and end on July 31, 2025, in the approximate amount of \$895,000; and

WHEREAS, the Town has prepared a Community Development Block Grant Program in anticipation of receiving HUD funding for its 2024 program year; and

WHEREAS, the Town is required to hold a public hearing on this matter in compliance with program rules and regulations promulgated by HUD.

NOW THEREFORE BE IT RESOLVED, that the Town Board schedules a public hearing at the regular meeting of May 21, 2024, at 7:35 pm in the matter of adoption of the Irondequoit 2024 Community Development Block Grant Program in the approximate amount of \$895,00 for submittal by the Town Supervisor to HUD.

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	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION AUTHORIZING THE AMENDMENT OF THE TOWN’S JURY DUTY
POLICY**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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, the Town’s Jury Duty policy (the “Policy”) has not been updated since it was adopted on August 21, 2007; and

WHEREAS, the Director of Human Resources has reviewed the Policy and suggests that it could be improved ; and

WHEREAS, the Director of Human Resources recommends that the Town Board amend the Policy as reflected in Attachment A hereto so as to remain compliant with all applicable laws and keep current with best practices.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes amendment of the Town’s Jury Duty Policy as reflected in Attachment A.

AND BE IT FURTHER RESOLVED, that the Director of Human Resources is directed to post, distribute, and provide notice the Policy as amended as required by law and past practice.

This resolution shall take effect immediately.

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

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____

Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

<u>POLICY / PROCEDURE</u> Jury Duty	Policy No.	1.11
	Effective	Proposed
	Page 1 of 1	

The Town of Irondequoit recognizes the importance of fulfilling civic responsibilities, including jury duty. We support our employees' participation in the judicial process and encourage them to serve when called upon.

We understand that jury duty may require time away from work, and we are committed to accommodating such absences without any adverse impact on employment status and opportunities.

Employees summoned for jury duty are required to inform their supervisor of their jury duty summons promptly. They should provide copies of any relevant documentation to facilitate any necessary arrangements.

Employees will be compensated without charge to leave credits under the following conditions:

1. Full-Time Employees (Permanent):
 - Full-time permanent employees required to report for jury duty, who miss work on a normally scheduled workday, will receive their regular wages for the duration of their jury duty service.
2. Other Than Permanent Full-Time Employees:
 - Employees who are not classified as permanent full-time, but are scheduled to work, will be compensated as follows:
 - Regular wages will be provided for the first three (3) days of jury duty.
 - Beginning on the fourth (4th) day of jury service, the Town expects that the State pays the jury fee to employees.
3. Additional Clarifications:
 - Employees are required to provide documentation of their jury duty service to receive compensation.
 - Employees must keep their supervisors informed about their jury duty and provide updates on the duration of their service.
 - Employees who have fulfilled their jury duty before the end of their regularly scheduled work shift must report to work and complete their shift.
 - Represented employees should review their appropriate collective bargaining agreement, which takes precedence over this policy for such employees.

We believe that serving on a jury is not only a duty but also a privilege that upholds the integrity of our legal system. Therefore, we encourage our employees to fulfill their civic duty with pride and diligence.

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION AUTHORIZING ADOPTION OF A FRATERNIZATION AND
WORKPLACE DATING DISCLOSURE POLICY**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans

Town Supervisor

Ann Cunningham

Town Board Member

Grant Malone

Town Board Member

John Perticone

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, according to the Society for Human Resource Management's Workplace Romance Survey, more than one out of four U.S. workers have been in a workplace romance; and

WHEREAS, the Town recognizes the importance of maintaining a professional and equitable workplace; and

WHEREAS, the Director of Human Resources recommends that the Town adopt the Fraternization and Workplace Dating Disclosure Policy attached hereto as **Attachment A**, which will prevent conflicts of interest, favoritism, workplace harassment, abuse, and/or coercive situations that may arise from personal relationships between employees.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the adoption of a Fraternization and Workplace Dating Disclosure Policy as reflected in Attachment A hereto.

This resolution shall take effect immediately.

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

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____



a town for a lifetime IRONDEQUOIT *New York*

Fraternization & Workplace Dating Disclosure Policy

Purpose: The purpose of this policy is to maintain a professional work environment and prevent conflicts of interest, favoritism, workplace harassment, abuse, and/or coercive situations that may arise from personal relationships between employees. **Scope:** This policy applies to all employees, including full-time, part-time, temporary, and contract workers.

Policy:

1. **Definition of Fraternization:** Fraternization refers to any personal relationship, romantic or otherwise, between employees that may influence or appear to influence the workplace environment.
2. **Prohibited Relationships:** Employees are prohibited from engaging in romantic or intimate relationships with:
 - a. Direct reports or supervisors
 - b. Subordinates in any capacity
3. **Disclosure:**
 - a. Employees involved in a pre-existing personal relationship, as outlined above, must disclose it to their immediate supervisor or Human Resources promptly. Employees subsequently engaged in such a relationship that has lasted beyond three months, must promptly disclose the relationship to their immediate supervisor or Human Resources. Disclosure should occur within seven days of the relationship reaching the specified duration. Any employee involved in a workplace romantic or intimate relationship must complete the Consensual Relationship Agreement to comply with the disclosure requirement.
 - b. Failure to disclose such relationships may result in disciplinary action.
4. **Conflict of Interest:** Employees involved in a personal relationship must ensure that it does not create a conflict of interest or affect their ability to perform their job duties objectively and professionally. If a conflict arises, employees must notify their supervisor or Human Resources immediately. Employees involved in a relationship may be reassigned to different teams or roles if necessary to avoid conflicts.
5. **Confidentiality:** All disclosures will be treated confidentially. Supervisors and Human Resource personnel will handle the information discreetly and only share it with relevant parties on a need-to-know basis.
6. **Non-Retaliation:** Employees who disclose their relationships will not face retaliation or adverse consequences. Retaliation against employees who report relationships or concerns related to this policy is strictly prohibited.

7. **Reporting and Compliance:** The records of disclosed relationships will be maintained in the Department of Human Resources.
8. **Consequences:** Violations of this policy may result in disciplinary action, up to and including termination of employment, depending on the severity of the infraction and the impact on the workplace.

Implementation: This policy shall be communicated to all employees upon hiring and will be included in the employee handbook. Any questions or concerns regarding this policy should be directed to the Department of Human Resources.

Review: This policy will be reviewed periodically to ensure its effectiveness and compliance with relevant laws and regulations.

Director of Personnel

Date

Town Supervisor

Date

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION AUTHORIZING AN EMPLOYEE TO ATTEND THE PSHRA ANNUAL
CONFERENCE IN WASHINGTON, D.C.**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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 Public Sector Human Resources Association (PSHRA) will hold its annual meeting and conference in Washington, DC from September 4 – September 6, 2024; and

WHEREAS, it is in the best interest of the Town of Irondequoit to provide adequate educational opportunities for employees to maintain high standards and keep abreast of current methods and laws; and

WHEREAS, the Director of Personnel is an elected member and Treasurer of the PSHRA Executive Council; and

WHEREAS, as a PSHRA Officer, PSHRA will pay for the airfare and one night of lodging expenses; and

WHEREAS, the remaining cost of this training is a budgeted expense in the 2024 Human Resources budget.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes Jason Vinette, Director of Personnel, to attend the PSHRA Annual Conference held in Washington, DC at a cost not to exceed \$1,587.00, which shall be paid from budget code 001.1430.4100.

This resolution shall take effect immediately.

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

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING
A RESOLUTION RATIFYING AND APPROVING THE AGREEMENT BETWEEN I-
SQUARE, LLC AND THE TOWN OF IRONDEQUOIT RELATING TO THE
LITIGATION CAPTIONED TOWN OF IRONDEQUOIT V. I-SQUARE, LLC,
SUPREME COURT, STATE OF NEW YORK, MONROE COUNTY (INDEX NO.
2023014260)**

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 16th day of April, 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans

Town Supervisor

Ann Cunningham

Town Board Member

Grant Malone

Town Board Member

John Perticone

Town Board Member

Peter Wehner

Town Board Member

Harter Secrest & Emery LLP

Attorney for the Town

Nixon Peabody LLP

Attorney for the Town

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

WHEREAS, I-Square owns and operates a commercial and residential development in the Town known as “I-Square” (the “I-Square Development”). The I-Square Development includes, *inter alia*, a cottage-style housing development for senior citizens known as the Brookside Cottages located at 775 Titus Avenue, Irondequoit, New York, as well as the Irondequoit Brewing Company (the “IBC”), which is located at the same address;

WHEREAS, I-Square received approval for its original site plan for the I-Square Development in July 2017 from the Town’s Planning Board (the “Planning Board”). I-Square subsequently received approval for an expanded site plan, including the Brookside Cottages and other construction at a Planning Board meeting on May 21, 2018 (together, the “Approved Site Plan”);

WHEREAS, on November 29, 2023, the Town filed an action in the Supreme Court of the State of New York, Monroe County (Index No. E2023014260) alleging that the as-built configuration of the I-Square Development failed to conform to the Approved Site Plan and violated the New York State Uniform Fire Prevention and Building Code (the “Fire Code”) §§ 503.2.4 and 503.2.5 and the Town Code of the Town of Irondequoit (the “Town Code”) §§ 235-85, 204-73, and 204-76 (the “Litigation”);

WHEREAS, the Town moved for a temporary restraining order and preliminary injunction in the Litigation on November 30, 2023, to abate certain of the alleged Fire Code violations and the Court granted the Town’s request for injunctive relief via an Order entered on January 18, 2024;

WHEREAS, the Town and I-Square wish to resolve all issues raised in the Litigation; and

WHEREAS, the Town and I-Square have agreed upon the terms of a Settlement Agreement which sets forth certain Town Board and Planning Board approvals I-Square must obtain on or before June 14, 2024, subject to the Agreement’s ratification and approval by the Town Board; and

WHEREAS, the Town Board entered into executive session to review the terms of the aforementioned agreement.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the ratification and approval of the settlement agreement between I-Square and the Town of Irondequoit in substantially the same form as attached hereto as Exhibit A.

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	Perticone	voting_____
Town Board Member	Wehner	voting_____
Town Board Member	Malone	voting_____
Town Board Member	Cunningham	voting_____
Town Supervisor	Evans	voting_____

EXHIBIT A

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Settlement Agreement and Mutual Release (the “Agreement”) is entered into as of the last date of signature below (the “Effective Date”), by and between the **TOWN OF IRONDEQUOIT** (the “Town”) and **I-SQUARE, LLC**, a New York limited liability company (“I-Square”). Collectively, the Town and I-Square are referred to herein as the “Parties” and each of the Town and I-Square, individually, are referred to as a “Party.”

RECITALS

WHEREAS, I-Square owns and operates a commercial and residential development in the Town known as “I-Square” (the “I-Square Development”). The I-Square Development includes, *inter alia*, a cottage-style housing development for senior citizens known as the Brookside Cottages located at 775 Titus Avenue, Irondequoit, New York, as well as the Irondequoit Brewing Company (the “IBC”), which is located at the same address;

WHEREAS, I-Square received approval for its original site plan for the I-Square Development in July 2017 from the Town’s Planning Board (the “Planning Board”). I-Square subsequently received approval for an expanded site plan, including the Brookside Cottages and other construction at a Planning Board meeting on May 21, 2018 (together, the “Approved Site Plan”);

WHEREAS, on November 29, 2023, the Town filed an action in the Supreme Court of the State of New York, Monroe County (Index No. E2023014260) alleging that the as-built configuration of the I-Square Development failed to conform to the Approved Site Plan and violated the New York State Uniform Fire Prevention and Building Code (the “Fire Code”) §§ 503.2.4 and 503.2.5 and the Town Code of the Town of Irondequoit (the “Town Code”) §§ 235-85, 204-73, and 204-76 (the “Litigation”);

WHEREAS, the Town moved for a temporary restraining order and preliminary injunction in the Litigation on November 30, 2023, to abate certain of the alleged Fire Code violations and the Court granted the Town’s request for injunctive relief via an Order entered on January 18, 2024;

WHEREAS, the Parties have reached an agreement to fully and finally resolve any and all claims in the Litigation upon the terms set forth below;

NOW, THEREFORE, in consideration for the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties do hereby agree as follows:

AGREEMENT

1. Recitals and Definitions. The above recitals are true and correct and are hereby incorporated herein by this reference. All capitalized terms not defined herein shall have the meaning given to them in the Town's Complaint, dated November 29, 2023, filed in the Litigation.

2. I-Square's Undertaking.

a. I-Square shall keep in place in perpetuity the "No Parking" signs along the Brookside Cottages' Driveway that were installed following the Court's instruction on December 8, 2023;

b. Within seven (7) business days of the Effective Date, I-Square shall install a firelock, as approved by the Fire Marshal for the Town of Irondequoit, on the man-gate at the top of the retaining wall separating the IBC parking lot from the Brookside Cottages' Driveway which is necessary to allow first responders to access the dead-end of the Brookside Cottages' Driveway;

c. The Fire Marshal for the Town of Irondequoit shall inspect the Brookside Cottages' Driveway and, within his or her discretion, may approve the configuration of the Driveway as a fire apparatus access road following I-Square's compliance with subsections (a) and (b) above. If the Fire Marshal denies such approval, this Agreement shall have no further force or effect;

d. Within seven (7) business days of the Effective Date, I-Square shall supply the Fire Marshal of the Town of Irondequoit, or other official designated by the Town, with an as-built drawing of the Brookside Cottages that reflects the correct location of the unit addresses for each unit therein. The Fire Marshal or other designated official shall work with the Monroe County 911 Center and any other appropriate entity to update addresses in the mapping software used by first responders, and I-Square shall cooperate to the extent necessary to accomplish the same;

e. Prior to April 30, 2024, I-Square shall submit a complete application to the Planning Board for final approval of the as-built configuration of the I-Square Development. Specifically, I-Square shall obtain final approval for the deviations from the Approved Site Plan as alleged by the Town in the Litigation, including:

- i. The number of residential units constructed in the Brookside Cottages;
- ii. The number of parking spaces built in the Brookside Cottages;
- iii. The parking lot in the northeast corner of the I-Square Development;
- iv. The curb cut in the parking lot along the west side of Lorraine Drive in

the I-Square Development; and

- v. The location of the outdoor dining area at the IBC and the number of seats thereof (subject to subparagraph 1 below; (which shall comply with the limits set by the Town Code, unless a variance or special use permit is obtained to exceed that allowance);
 1. I-Square acknowledges that the current outdoor seating capacity exceeds that which is allowed under the Town Code and, therefore, agrees to apply to the Town Board of the Town of Irondequoit (the “Town Board”) for a Special Use Permit pursuant to Town Code § 235-28(A)(8). Nothing herein shall require the Town Board to approve the Special Use Permit shall limit its ability to request modifications to or to impose conditions on the outdoor dining but this Agreement shall have no further force or effect if the Special Use Permit is denied or I-Square is unable or unwilling to comply with the modifications or conditions imposed.

For the avoidance of doubt, nothing in the foregoing shall foreclose or prohibit the Planning Board from requiring any modifications to the items outlined in subparagraph (e) above as a condition of granting final approval, nor shall the foregoing require the Planning Board to grant final approval.

3. Stay of Litigation. To allow time for I-Square to complete the items set forth in Paragraph 2 above, the Parties agree to request a stay of the Litigation through June 14, 2024. If I-Square has not complied with the requirements set forth in Paragraph 2 above by June 14, 2024 (including by making any modifications required by the Planning Board) or if the Planning Board has denied final site plan approval, the stay shall be lifted and the Litigation shall proceed, except that, to the extent the Planning Board has requested modifications to the site and I-Square is making good faith efforts to comply, the Parties may agree to extend the stay. In the event the stay is lifted, this Agreement shall be of no further effect and shall not be admissible in evidence by either party for the purposes of establishing liability or in support of any defense.

4. Dismissal of the Action. Within three (3) business days of I-Square’s receipt of final approval from the Planning Board, if any, and/or the Town’s confirmation that any modifications to the site requested by the Planning Board have been made, if any, the Parties shall file a joint stipulation of dismissal discontinuing the Litigation.

5. Mutual Release. The Parties agree to the following mutual releases, effective only upon the dismissal of the Litigation pursuant to Paragraph 4 above:

- a. I-Square, on behalf of itself and any of its successors and assigns, members, managers, agents, employees, shareholders, attorneys, and anyone else acting on its behalf hereby waives, releases, acquits, and forever discharges the Town, and all of its past, present, and future elected officials, employees, agents, attorneys, and anyone acting on its

behalf (collectively, the “**Released Town Parties**”), from any and all claims, actions, causes of action, demands, liabilities, suits, administrative proceedings, damages, payments, charges, obligations, and judgments, whether arising by statute, in contract or tort, at law or in equity, under any theory of liability, whether presently known or unknown, whether asserted or unasserted, or recognized by the law of any jurisdiction, relating in any way to, in connection with, or in regards to the claims that were raised in the Litigation.

b. The Town, on behalf of itself and any of its past, present, and future elected officials, employees, agents, attorneys, and anyone acting on its behalf hereby waives, releases, acquits, and forever discharges I-Square, and any of its successors and assigns, members, managers, agents, employees, shareholders, attorneys, and anyone else acting on its behalf (collectively, the “**Released I-Square Parties**”), from any and all claims, actions, causes of action, demands, liabilities, suits, administrative proceedings, damages, payments, charges, obligations, and judgments, whether arising by statute, in contract or tort, at law or in equity, under any theory of liability, whether presently known or unknown, whether asserted or unasserted, or recognized by the law of any jurisdiction, relating in any way to, in connection with, or in regards to the claims that were raised in the Litigation. For the avoidance of doubt, the Town does not release I-Square from any liability for any existing or future violations that may be present at the I-Square Development that were not specifically raised in the Litigation.

6. Consideration. The actions described in Paragraphs 2-5, above, as well as any additional mutual promises and understandings referenced herein, shall be, and are agreed to be, sufficient and lawful consideration to support this Agreement and all mutual covenants and commitments made herein.

7. Nature of Agreement; No Admission of Liability. The Parties have agreed that the promises and covenants contained herein are not to be construed or act as an admission of liability by any Party with respect to the Litigation. The Parties agree and understand that the execution and delivery of this Agreement is made in compromise and that one of the benefits to entering into this Agreement is to avoid the costs and inconvenience of any proceeding with the Litigation.

8. Binding. This Agreement will be binding upon and will inure to the benefit of the Parties and their respective heirs, representatives, successors, and assigns.

9. Informed Consent. In entering into this Agreement, the Parties expressly warrant, represent, and agree that they are not relying on any statement or representation of any other Party that is not expressly set forth herein. The Parties hereto expressly disclaim reliance on any representation or statement not made in this Agreement in deciding to enter into this Agreement. The Parties are each represented by counsel who read and fully advised the Parties on the entire content of this Agreement and the legal consequences of the release contained herein.

10. Construction and Absence of Presumptions; Amendment. This Agreement has been negotiated by the respective Parties, and, in the event of a dispute as to the meaning or intent of any of its terms, no Party shall be entitled to the benefit of the rule of construction that ambiguous terms should be construed against the drafter. No modification, amendment or waiver

of any of the provisions contained in this Agreement, nor any future representations concerning the subject matter of this Agreement, shall be binding upon any Party unless made in writing and signed by such Party.

11. Entire Agreement. This Agreement contains the entire agreement and understanding concerning the Litigation or related subject matter between all the Parties, and there are no other agreements or representations in connection therewith.

12. Counterparts. This Agreement can be signed in multiple counterparts, each of which shall be deemed an original, fully enforceable counterpart for all purposes hereof, but all of which shall constitute one and the same instrument. For purposes of execution, signatures can be delivered by facsimile or by email, which shall be deemed to be an original.

13. Representations and Warranties. Each Party represents that it has the authority and standing to settle the Litigation.

14. Governing Law, Venue and Jurisdiction for Disputes. This Agreement shall be governed by and construed in accordance with the laws of the State of New York without regard to its conflicts of law provisions. Should any suit be brought to enforce or construe this Agreement, such suit must be brought exclusively in the Supreme Court of the State of New York, Monroe County.

15. Savings Provision. If any term or condition of this Agreement, or the application thereof to any entity or circumstance, is declared invalid or unenforceable for any reason, that part shall be severed from the balance of this Agreement, and neither the remainder of this Agreement nor the application of such term or condition to any other entity or circumstance shall be affected thereby, and each remaining term or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

16. Miscellaneous.

a. Wherever the context shall require, all words in this Agreement in the masculine gender shall be deemed to include the feminine and neutral gender, all singular words shall include plural, and all plural shall include the singular;

b. All covenants and agreements contained herein shall survive the execution of this Agreement.

c. Headings and captions contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

d. The individuals executing the Agreement represent and warrant that they have the authority to sign on behalf of their respective Parties.

e. This Agreement may not be modified or altered, except in writing executed by all parties. A copy of this agreement will be acceptable as an original.

IN WITNESS WHEREOF, the Parties hereto have each caused this Agreement to be executed by their duly authorized representatives.

TOWN OF IRONDEQUOIT

Name:
Title:
Date:

I-SQUARE, LLC

Name:
Title:
Date:

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING
A RESOLUTION AUTHORIZING ATTENDANCE AT THE 2024 BIVONA CHILD
ADVOCACY CENTER CHILD ABUSE SUMMIT**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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, the Bivona Child Advocacy Center will be hosting the 2024 Child Abuse Summit in Rochester, NY, from April 24th-April 25th, 2024 (the “Training”). This multi-disciplinary training is a must for anyone who works with children to educate law enforcement about collaborative ways to prevent, treat, and investigate child abuse. More information on this training can be found in **Attachment A** hereto; and

WHEREAS, an Investigator from the Irondequoit Police Department would like to take advantage of the Training; and

WHEREAS, funding for the Training is available in the 2024 Police Department budget, Account 001.3120.4100. The cost for this training is \$396.00.

NOW THEREFORE BE IT RESOLVED, the Town Board authorizes the interested Investigator to attend the 2024 Child Abuse Summit in Rochester, NY, from April 24th-April 25th, 2024.

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 Perticone	voting_____
Town Board Member Wehner	voting_____
Town Board Member Malone	voting_____
Town Board Member Cunningham	voting_____
Town Supervisor Evans	voting_____

Child Abuse Summit 2024



2024

CHILD ABUSE SUMMIT

WED, APRIL 24 + THURS, APRIL 25

at the Joseph A. Floreano Rochester Riverside Convention Center | Rochester, NY

REGISTER FOR THE CHILD ABUSE SUMMIT

When registering for the Child Abuse Summit, please be advised that several registration options are available to attendees: Keynote Registration, 2-day Summit Registration, and 1-day Summit Registration. Upon completing your personal information during the registration process, you will be prompted to select the event registration of your preference.

Two-Day Registration: \$495
1-Day Registration for April 24: \$275
1-Day Registration for April 25: \$225
Keynote Only Registration: \$50

For questions or assistance registering as an attendee
please contact ce@srahec.org.

The Child Abuse Summit is nationally recognized as the premier child abuse conference in the Northeast region. This cutting-edge multi-disciplinary training is a must for anyone who works with children including social workers, law enforcement, prosecutors, mental health and medical professionals, school personnel, day care providers, the faith-based community and more.

The speakers and workshops are presented by regional and national experts on a wide variety of topics. The goal of our Summit is to educate members of our community- and beyond- about collaborative ways to prevent, treat, and investigate child abuse.

featuring KEYNOTE SPEAKER MICHAEL JR.

Known as one of today's most gifted communicators, Michael Jr brings laughter and encouragement to audiences all over the world. Using comedy and dynamic storytelling he inspires audiences to discover and activate their purpose. This unique skill set has landed him on stages like *The Tonight Show* on NBC, *TEDx* talks and *Jimmy Kimmel Live*. His mission to make laughter commonplace in uncommon places means that he also seeks opportunities to share his gift with those in homeless shelters and prisons. You can find him in Sony Pictures' feature film *War Room*, as well as starring roles in *Selfie Dad*, *Laughing on Purpose*, and *More Than Funny*.



Plenary Speaker: Richard Guerry

Apps like TikTok continue to grow; Deep Fakes are becoming a more common issue, AI is being deployed on a larger scale, Communication in online gaming is growing more frequent for children at younger ages, and; Wearable tech like Snapchat Specs & Meta Smart Glasses will continue to evolve, thus the need for responsibility, as well as empathy and kindness has become even more paramount. Richard Guerry is the founder of the non-profit organization the Institute for Responsible Online and Cell-Phone Communication (IROC2.org) and one of the nation's most sought after speakers on digital safety, empathy and mindfulness. He is the author of multiple cyber safety books and has been a featured speaker at numerous national & international conferences.

VIEW THE FULL SPEAKER LINEUP

If you need assistance registering as an attendee, sponsor, or exhibitor
please contact ce@srahec.org.

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BOARD & COMMITTEE LOGIN



BIVONA CHILD ADVOCACY CENTER
THE SKALNY BUILDING
1 MOUNT HOPE AVENUE | ROCHESTER, NEW YORK 14620
(585) 935-7800 | info@bivonacac.org

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING
A RESOLUTION AUTHORIZING ATTENDANCE AT CRIMINAL INVESTIGATIONS
USING CELLULAR TECHNOLOGIES BASIC 40 HOUR CELLULAR
INVESTIGATIONS COURSE**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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 Chief of Police recommends that Investigator Brad Lape attend the Criminal Investigations Using Cellular Technologies Basic 40 Hour Cellular Investigations Course being hosted by the Greece Police Department at 6 Vince Tofany Blvd Rochester, New York beginning May 13th, 2024 and ending May 17th, 2024. More information on this training is provided in **Attachment A** hereto; and

WHEREAS, the approximate cost of the training is \$1,000 and funding for this training is available in the 2024 Police Department budget, Account 001-3120-4100.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes Investigator Brad Lape to attend the Criminal Investigations Using Cellular Technologies Basic 40 Hour Cellular Investigations Course being hosted by the Greece Police Department at 6 Vince Tofany Blvd Rochester, New York beginning May 13th, 2024 and ending May 17th, 2023 at the cost of \$1,000.00 to be paid from Account 001-3120-4100.

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 Perticone	voting_____
Town Board Member Wehner	voting_____

Town Board Member	Malone	voting_____
Town Board Member	Cunningham	voting_____
Town Supervisor	Evans	voting_____

Criminal Investigations Using Cellular Technologies

Basic 40 Hour Cellular Investigations Course

May 13-17, 2024 Hours: 0800 – 1700

— Hosted By —

Greece Police Department

6 Vince Tofany Blvd. Rochester, NY 14612

The 40 Hour Cellular Investigations Course is open to any sworn investigator, crime analyst or fugitive operator possessing fundamental knowledge of call detail records, and who wants to advance their proficiency utilizing call detail record meta-data for successful investigations and trial presentations.

This course provides motivated investigators comprehensive training in the evidentiary value of call detail records and geolocation data. The course syllabus incorporates several case studies for attendees to investigate using meta data from each major provider and other sources of geolocation information. The case study workshops allow students to experience the process of investigating call detail records from beginning to end, instilling knowledge and confidence to build a final case they can effectively testify to in court. This course is constantly evolving to keep up with the ever-changing world of cellular technology. This 40-Hour course focuses on best investigative practices and is a pre-requisite to the Subject Matter Expert Certification Course.

Students are required to bring laptops with Microsoft Excel and Google Earth PRO pre-installed. Students will be required to work with call detail records and geolocation information throughout the course. Students are encouraged to review these applications and have a basic understanding of them prior to class. This course is designed to use lecture, case studies and practical workshops to demonstrate and teach investigative techniques.

Topics Covered Include:

- | | | |
|--------------------------------|--------------------------------------|-------------------------------|
| • Provider Specifics | • Establishing Exigent Orders | • Court Presentations |
| • Provisioning GPS Information | • GPS Technologies | • Exigent and Live Monitoring |
| • Legal Concerns | • Cellular Theory | • Drive Testing Principles |
| • Metadata Retention | • In-depth Case Studies | • Pattern Analysis |
| • Undercover Operations | • Round Trip Time (RTT) | • Social Media and Devices |
| • Court Orders/Search Warrants | • Per Call Measurement Detail (PCMD) | |

Materials Needed:

- Laptop and mouse
- Google Earth PRO installed
- Microsoft Excel installed

Registration Fee:

\$1,000 per person
Register on-line [here](#)

For more information, please contact our training coordinator at
trainingcoordinator@lexisnexisrisk.com | risk.lexisnexis.com/letraining | 844.367.9389

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING
A RESOLUTION AUTHORIZING ATTENDANCE AT THE NEW YORK
ASSOCIATION OF HOSTAGE NEGOTIATORS 2024 ANNUAL CONFERENCE**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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 Chief of Police recommends that Investigator Brad Lape and Officers James Frascati and Luke Perreaud attend the New York Association of Hostage Negotiators 2024 Annual Hostage Negotiation Conference in Rochester, New York, beginning May 22, 2024 and ending May 24, 2024. The conference is described in **Attachment A** hereto; and

WHEREAS, funding for this conference is available in the 2024 Police Department budget, Account 001-3120-4100. Approximate cost will be \$1,197.00 for all three IPD attendees.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes Investigator Brad Lape and Officers James Frascati and Luke Perreaud to attend the New York Association of Hostage Negotiators 2024 Annual Hostage Negotiation Conference in Rochester, New York, beginning May 22, 2024 and ending May 24, 2024.

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 Perticone	voting_____
Town Board Member Wehner	voting_____
Town Board Member Malone	voting_____
Town Board Member Cunningham	voting_____
Town Supervisor Evans	voting_____

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Welcome to the New NYAHN Website!

Welcome to the NYAHN Website and our Association. Speaking on behalf of all the Board Members, we are confident you will find this Association an extremely beneficial and worthwhile endeavor in your negotiation efforts.

Our goal with the creation of this Association is two-fold. To create an organization to focus on negotiations training in New York and to have a national voice in the art of police negotiations. As you may know, hostage negotiations originated in New York City in 1973 that was developed by Dr. Schlossberg and Captain Frank Bolz. The absence of a formal organization in New York to continue with the goals of negotiations has prompted the need to develop this association to continue with quality training and networking that will continue to facilitate successful negotiations in policing and corrections.

We appreciate your interest and anticipated participation in the development of this association. Together we can create an organization that will be a tremendous benefit to us all.

Please take the time to navigate our website and join our Association in the hopes of fostering long standing relationships with your fellow negotiators in NY and Canada.

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Quick Contact

Your Name:

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD
ADOPTING A RESOLUTION CALLING FOR A PUBLIC HEARING ON A
LOCAL LAW IMPLEMENTING A MORATORIUM ON
ISSUANCE OF SECONDHAND DEALER LICENSES**

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 16th day of April, 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans
Ann Cunningham
Grant Malone
John Perticone
Peter Wehner

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

Harter Secrest & Emery LLP

Attorney 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 implementing a six-month extension on the current moratorium on issuance of secondhand dealer licenses, and the proposed local law (the “Proposed Law”) is attached hereto as **Attachment A**; and

WHEREAS, the Town Board previously determined that recent surges in crime, including theft and the sale of stolen goods, are detrimental to the community and enhanced supervision of secondhand dealers would benefit the Town and its residents; and

WHEREAS, on December 5, 2023, the Town Clerk filed with the Secretary of State a copy of Town of Irondequoit Local Law No. 13 of 2023, titled “MORATORIUM ON ISSUANCE OF SECONDHAND DEALER LICENSES(the “Moratorium”); and

WHEREAS, the Moratorium allows time for the Board and Town Staff to review, clarify, and update the Town’s need for regulations surrounding authorization of secondhand dealers to do business in the Town. Additionally, the Moratorium allows the Town to adopt such other regulations as may be necessary to promote and preserve the health, safety and welfare of the Town and its citizens; and

WHEREAS, the moratorium also allows time for the Town to balance the benefit of fostering business within the Town with the welfare of the Town and its residents, and will include a more comprehensive review of specific local impacts due to the land development

patterns, communities, and resources of cultural, historic, agricultural, or ecological value in the Town; and

WHEREAS, Town Staff has been working to refine regulations surrounding authorization of secondhand dealers to do business in the Town; and

WHEREAS, Town Staff needs additional time to contemplate fully and develop proposed new regulations surrounding authorization of secondhand dealers to do business in the Town, and recommends that the Town Board extend the Moratorium by six months; and

WHEREAS, the Town Board has considered the matter in the context of the State Environmental Quality Review Act, and determines that establishing an extension to a moratorium is a Type II action for State Environmental Quality Review Act purposes, as described in 6 NYCRR § 617.5(c)(36) (adoption of a moratorium on land development or construction), and thus is not subject to review under Part 617 of the State Regulations.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby schedules a public hearing on this proposed extension to the Moratorium on **May 21, 2024, at 7:36 p.m.**

AND BE IT FURTHER RESOLVED, that the Town Clerk shall refer the Proposed Law to the County Planning Board for comment and also give notice of the hearing by publishing a notice in the Town Newspaper specifying the time when and the place where such hearing will be held, and in general terms describing the Proposed Law, such notice to be published once at least three days prior to the day specified for such hearing.

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	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

ATTACHMENT A

TOWN OF IRONDEQUOIT LOCAL LAW # __ OF 2024

“EXTENSION OF MORATORIUM ON ISSUANCE OF SECONDHAND DEALER LICENSES”

Section 1. Enactment and Title.

The Town Board of the Town of Irondequoit does hereby enact the Town of Irondequoit “Extension of Moratorium on Issuance of Secondhand Dealer Licenses” local law. This Local Law shall impose a six-month extension of the current moratorium on applications and proceedings for secondhand dealer licenses within the Town of Irondequoit.

Section 2. Authorization, Purpose and Intent.

On December 5, 2023, and pursuant to the authority and provisions of the New York State Constitution, and Section 10 of the Municipal Home Rule Law, and the statutory powers vested in the Town of Irondequoit to regulate and control land use and to protect the health, safety and welfare of its residents, the Town Board of the Town of Irondequoit (the “Town Board”) hereby declares a six (6) month extension on the current moratorium on applications and proceedings for secondhand dealer licenses within the Town of Irondequoit (the “Town”).

This extension on the current moratorium will allow additional time for the Board and Town Staff to review, clarify, and update the Town’s need for regulations surrounding authorization of secondhand dealers to do business in the Town. Additionally, this extension of the current moratorium will allow the Town to adopt such other regulations as may be necessary to promote and preserve the health, safety and welfare of the Town and its citizens.

The Town Board has determined that recent surges in crime, including theft and the sale of stolen goods, are detrimental to the community and enhanced supervision of secondhand dealers would benefit the Town and its residents.

This extension of the current moratorium will allow additional time for the Town to balance the benefit of fostering business within the Town with the welfare of the Town and its residents, and will include a more comprehensive review of specific local impacts due to the land development patterns, communities, and resources of cultural, historic, agricultural, or ecological value in the Town.

Section 3. Scope of Controls.

During the effective period of this Local Law:

A. The Town Board, the Code Enforcement Officer, the Planning Board, and the Zoning Board of Appeals shall not conduct any review or consider or grant any special permit or other approval that will result in the approval, establishment, or granting of any secondhand dealer license within the Town.

B. To the extent permitted by law, this extension of the current moratorium shall supersede all relevant provisions of the New York State Town Law, the New York State Building Code, any relevant Town local law and any other applicable law, rule or regulation, that may be in conflict herewith. If any ambiguity or conflict exists, this local law shall govern, and the presumption shall in each case be that the moratorium is in effect.

Section 4. No Consideration of New, Revised, or Renewal Applications.

No new, revised, or renewal applications for secondhand dealer licenses shall be accepted for filing, review, or consideration, nor shall any such applications be undertaken, reviewed, considered or issued by any board, officer, employee or agent of the Town, except for as specifically set forth in Section 10 of this local law. Nor shall any language or term in this moratorium effect, or be construed to result in, any default approval, and any matter now pending shall be stayed in place during the pendency of this moratorium, with all deadlines or other timelines suspended for the same number of days that this moratorium is in effect.

Section 5. Term.

The extension of the current moratorium imposed by this Local Law shall be in effect for a period of six (6) months from June 6, 2024. This moratorium may be extended, or rescinded or removed, by local law.

During the period of this moratorium the Town shall continue to endeavor to adopt a comprehensive set of regulations for issuance of secondhand dealer licenses.

Section 6. Location.

The extension of the current moratorium imposed by this Local Law shall apply to the territorial limits of the Town of Irondequoit. Any dispute as to whether a property is encompassed within the geographic area detailed above shall be resolved by reference to the Monroe County Real Property Tax Service Office and the official New York corporate boundary maps for the Town of Irondequoit.

Section 7. Penalties.

The following provisions shall apply generally, and the violation of this Local Law shall allow and permit enforcement in any one or more of the following manners:

A. When any term, provision, or requirement of this Local Law is violated the Enforcement Officer may issue a written notice of violation to the Applicant (or other Person in violation hereof). The notice of violation shall contain; (i) the name and address of the Person alleged to have violated this Local Law; (ii) the address, when available, or a description of the building, structure or parcel upon which the violation occurred or is occurring; (iii) a brief statement specifying the nature of the violation; (iv) a statement of the fine or penalty that may or could be assessed against any Person to whom the notice of violation is directed; and (v) a clear statement identifying whether the notice commences or may commence a civil or criminal proceeding. The failure to comply with a written notice of violation by correcting the violation is in itself a separate violation of this Local Law and may be further enforced as such. In addition,

Executive Law § 382 may be duly enforced separately from any such notice, and both notices may take the form of a single notice which must, in addition to the above, contain the information and be served as required by said § 382.

B. The Enforcement Officer may issue stop work orders for violations of this Local Law. Any Person receiving a stop work order shall be required to halt all clearing, grading, construction, and any other or related activities, until the Enforcement Officer or a court of competent jurisdiction allows work to re-commence.

C. The Town may also maintain actions or proceedings in the name of the Town in a court of competent jurisdiction to compel compliance with, restrain by injunction the violation of any provision or requirement of this Local Law, including to prevent, enjoin, correct, enforce, or abate any violation of, or non-conformance with, any provision or requirement of this local law or the terms and conditions set forth in any waiver or approval issued hereunder. In any such proceeding the Town shall not be required to: (i) prove the lack of an adequate remedy at law; or (ii) to post a bond or other undertaking as a condition or requirement for any preliminary, interim, or permanent restraining order or injunction. No such action or proceeding shall be commenced without the appropriate authorization from the Town Council.

D. This Local Law may be enforced civilly or criminally by seeking fines, penalties, and like punishments to deter future violations and sanction offenders. All provisions of New York law and process generally applicable to misdemeanors shall apply to any criminal proceeding brought upon any violations of this Local Law, including for purposes of conferring jurisdiction. The following civil and criminal fines and penalties shall apply to any violation of the requirements or terms of this Local Law:

1. For a first offense, any Person that violates any of the provisions of this Local Law shall be (i) guilty of a violation and subject to a fine of not more than \$500, or (ii) subject to a civil penalty of not more than \$1,000.000 to be recovered by the Town in a civil action. Every such Person shall be deemed guilty of a separate offense for each week that such violation, disobedience, omission, neglect or refusal shall continue. Similarly, a separate civil penalty shall apply and be assessable for each week that such violation, disobedience, omission, neglect or refusal shall continue.
2. For a second offense, being any violation that is found to have occurred within 2 years of any prior civil or criminal determination of any violation of this Local Law, a Person shall be (i) guilty of an unclassified misdemeanor and subject to a fine of not more than \$2,500, or (2) subject to a civil penalty of not more than \$5,000 to be recovered by the Town in a civil action. Every such Person shall be deemed guilty of a separate unclassified misdemeanor for each week that such violation, disobedience, omission, neglect, or refusal shall continue. Similarly, a separate civil penalty shall apply and be assessable for each week that such violation, disobedience, omission, neglect, or refusal shall continue.

3. The above fines are in addition to any penalty, fine, or sentence allowed or imposable pursuant to said Executive Law§ 382.

E. Upon any violation of this Local Law by an Applicant or any Person, the Town may, and the Enforcement Officer shall, decline and refuse to issue any approvals, endorsements, certifications, building permits, certificates of occupancy, certificates of compliance, and any similar or other document or approval until the Applicant or Person rectifies and cures such violation.

F. Any Person violating this Local Law may be required to restore land to its prior or undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Town may take necessary corrective action, the cost of which shall become a lien upon the property until paid. In addition, the Town may commence any one or more civil proceedings in the Town Court, or any other court or tribunal of competent jurisdiction, to recover the costs of such restoration.

G. For purposes of this Local Law the Justice Court of the Town is hereby vested and imbued with jurisdiction to: (i) issue administrative or other warrants in compliance with the New York Criminal Procedure Law and administrative codes of the State of New York; and (ii) hear and adjudicate allegations relating to the criminal or civil violation of this Local Law and to thereafter, if appropriate, impose any fine, penalty, or sanction.

H. Criminal matters arising in relation to enforcement matters under this local law shall be and be classified as offenses per the following guidelines: (i) first offenses shall be deemed violations; (ii) second offenses shall be deemed unclassified misdemeanors; and (iii) violations of Executive Law§ 382 shall be classified as set forth by New York State in such § 382.

I. No remedy or penalty specified in this local law shall be the exclusive remedy available to the Town to address any violation of, or non-compliance with, the requirements of this local law. The rights and remedies of the Town are independent of each other and cumulative. The grant of any right or remedy in this Local Law is in addition to, and not in limitation of or in substitution for any other right or remedy of the Town, whether sounding in law, equity, or admiralty. Further, the election by the Town of any one right or remedy does not forestall or prevent the simultaneous or future election of any other right or remedy, whether relating to enforcement, sentencing, or otherwise.

Section 8. Exemptions and Non-Conforming Uses.

Notwithstanding any provision hereof to the contrary, any secondhand dealer that has already been issued all necessary approvals or permits from the Town (the “Town Approvals”) may continue such projects and such support activities that are being conducted in the Town as of the effective date of this Local Law, so long as such supporting activities are in all respects being conducted in accordance with all applicable laws and regulations and any conditions of approval, including all Town Approvals. Such limited right to proceed when Town Approvals have been issued shall include the right to apply for and obtain a building permit, so long as the same is or are in conformance with any existing Town Approvals.

Any expansion of a lawful, pre-existing, non-conforming use shall not be grandfathered under this Section and instead shall in all respects be prohibited as contemplated by Section 3 hereof. "Grandfathered" and allowed lawful pre-existing uses neither have nor possess any right to expand such non-conforming use whether above or below ground, and no such right shall be deemed, construed, or implied to exist.

Section 9. Validity.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section 10. Hardship.

The Town Board is hereby authorized to accept and review (after public notice and hearing and in accordance with the requirements of law and of this Local Law) requests for a waiver application of the provisions of this Local Law by persons aggrieved hereby.

No such waiver shall be granted by the Town Board without a showing by the applicant that applicable regulations and restrictions have caused unnecessary hardship.

A. Unnecessary Hardship. In order to prove such unnecessary hardship, the Applicant is required to demonstrate to the Town Council that, with respect to every permitted use under Town land use, each of the following four criteria is satisfied: (i) the Applicant cannot realize a reasonable return on the entire parcel of property, and such lack of return is substantial as demonstrated by competent financial evidence; (ii) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; (iii) the requested waiver, if granted, will not alter the essential character of the rural, hamlet, or other neighborhood; and (iv) the alleged hardship has not been self-created.

B. Reasonable Rate of Return. In evaluating whether the Applicant can realize a reasonable rate of return, the Town Council must examine whether the entire original or expanded property holdings of the Applicant are incapable of producing a reasonable rate of return (and not just the site of the proposed development project). No waiver shall be granted unless, in addition to satisfying all other applicable provisions of law and this Law, the Town Council finds that the Applicant has clearly demonstrated by detailed "dollar and cents" proof, the inability to obtain a reasonable return for the entire parcel (and not just the site of the proposed project) and for each and every permitted use in the area of the Town the property is located.

C. Unique Hardship. No waiver shall be granted unless, in addition to satisfying all other applicable provisions of the law and this Law, the Town Council finds that the entire parcel of which the project is a part possesses unique characteristics that distinguish it from other properties in the area.

D. Essential Character of the Neighborhood. In making its determination, of whether the proposed development project will alter the essential character of the neighborhood, the Town Council shall take into account factors that are of vital importance to the citizens of the Town including without limitation: (i) the rural residential and agricultural character of the

Town, (ii) its irreplaceable recreation, historic, and tourism sites, (iii) the extent of hazard to life, limb or property may result from the proposed development project, (iv) health impacts, (v) the social and economic impacts of traffic congestion, noise, dust, odors, emissions, solid waste generation and other nuisances, (vi) the impact on property values, and (viii) whether the Applicant will engage in the type of development that will result in degradation to the air quality, water quality or scenic or other natural resources of the Town. In order to find that the proposed development project does not alter the essential character of the neighborhood, the Council shall interpret the public interest in said essential character of the neighborhood to require, at a minimum, that the project will not do any of the following: (x) pose a threat to the public safety, including public health, water quality or air quality, (y) cause an extraordinary public expense, or (z) create a nuisance.

E. Self-Created Hardship. The Town Council may find that the Applicant suffers from a self-created hardship in the event that the Council finds that (i) the Applicant's inability to obtain a reasonable return on the property as a whole results from having paid too much or from a poor investment decision; (ii) the Applicant previously divided the property and is left with only a portion which suffers from some unique conditions for which relief is sought and which did not apply to the parcel as a whole; (iii) when the Applicant purchased the property, he or she knew or should have known the property was subject to the land use restrictions; or (iv) that the Applicant transferred or obtained property rights with only a unilateral expectation of development or return on investment, particularly if the development or project envisioned was speculative or of an investment character, and it shall be material to this question to examine the degree to which the investment in land rights or use rights was partial (such as leasing, easements, or licensure) as opposed to in fee (actual acquisition of fee simple title), and whether the anticipated income, profits, or receipts were conditional, contingent, or guaranteed.

In the event the Town Board grants a waiver from the provisions of this Local Law to the Applicant, the Applicant shall be required to comply with all provisions of the Town's then applicable land use regulations and other laws and regulations, together with any amendments to such law or regulations which may be enacted during the term of this Local Law. Any waiver that is granted shall grant only the minimum waiver that the Town Council deems necessary and adequate to address the unnecessary hardship proven by the Applicant, and at the same time preserve and protect the character of the neighborhood and health, safety, and welfare of the community.

Section 11. Effective Date.

This Local Law shall take effect on June 6, 2024.

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD
ADOPTING A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1)
2023 DODGE CHARGER POLICE AWD VEHICLE FOR THE 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 16th day of April 2024, at 7:00 pm, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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, it is necessary for the Town to purchase one (1) new 2023 Dodge Charger Police all wheel drive vehicle to be used by the Irondequoit Police Department (the “Vehicle”); and

WHEREAS, the Town is authorized to make purchases through the contract of any county within the state at the same prices and under the same terms and conditions as such county pursuant to Irondequoit Town Code 51-5(B)(4) and New York State General Municipal Law §103(3); and

WHEREAS, New York State awarded a contract to Tasca Kingston Chrysler Dodge Jeep Ram Fiat located at 129 NY-28, Kingston, NY 12401, for certain vehicles, including 2023 Dodge Charger Police All Wheel Drive vehicle (Contract No. PC70310); and

WHEREAS, the Police Department would like to utilize the contract to purchase one (1) new 2023 Dodge Charger Police All Wheel Drive vehicle; and

WHEREAS, the quoted cost to purchase one (1) new 2023 Dodge Charger Police All Wheel Drive vehicle is \$36,221.50 (see **Attachment A**); and

WHEREAS the purchase of the 2023 Dodge Charger Police All Wheel Drive vehicle purchase would be requested to use fund balance due to previous years’ fleet vehicle insurance reimbursements.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the purchase of one (1) new 2023 Dodge Charger Police All Wheel Drive vehicle from Tasca Kingston Chrysler Dodge Jeep Ram Fiat located at 129 NY-28, Kingston, NY 12401 in the amount of \$36,221.50.

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 Perticone	voting_____
Town Board Member Wehner	voting_____
Town Board Member Malone	voting_____
Town Board Member Cunningham	voting_____
Town Supervisor Evans	voting_____

Tasca Kingston Chrysler
Dodge Jeep Ram Fiat

Date/Time: 3/25/2024 1:38:26 PM

Buyer: Irondiquoit Police Dept.

Salesperson: George Moylan

2023 Dodge Charger Police KJ24003

FRESH ARRIVAL

VIN: 2C3CDXKG3PH704594

Color: Pitch Black Clearcoat

Body Type: 4dr Car

PHOTOS
COMING
SOON



MSRP/Retail	\$44,750.00
Selling Price	\$36,024.00
Total Savings	\$8,726.00
Government Fee	\$22.50
Proc/Doc Fee	\$175.00
Total Taxes	0.00
Total Payment	\$36,221.50

With Approved Credit

X
Customer Signature _____ Date _____

X
Manager Signature _____ Date _____

DODGE CHARGER PURSUIT ALL-WHEEL DRIVE

THIS VEHICLE IS MANUFACTURED TO MEET SPECIFIC UNITED STATES REQUIREMENTS. THIS VEHICLE IS NOT MANUFACTURED FOR SALE OR REGISTRATION OUTSIDE OF THE UNITED STATES.
MANUFACTURER'S SUGGESTED RETAIL PRICE OF THIS MODEL INCLUDING DEALER PREPARATION

Base Price: **\$42,635**

DODGE CHARGER POLICE AND
Exterior Color: Pitch Black Exterior Paint
Interior Color: Black Interior Color
Interior: Heavy-Duty Cloth Bucket Seats with Vinyl Rear
Engine: 3.6L V6 24V VVT Engine
Transmission: 8-Speed Automatic 8500RE Transmission
STANDARD EQUIPMENT (UNLESS REPLACED BY OPTIONAL EQUIPMENT)
FUNCTIONAL/SAFETY FEATURES

Advanced Multistage Front Air Bags
Supplemental Front Seat-Mounted Side Air Bags
Supplemental Side-Curtain Front and Rear Air Bags
ParkView® Rear Back-Up Camera
ParkSense® Rear Park-Assist System
300-HP Power Rating
Active Transfer Case with Front Axle Disconnect
3.07 Rear Axle Ratio
Dodge Clean Air System
Electric Power Steering
Power Steering Cooler
Electronic Stability Control
All-Speed Traction Control
Hill-Start Assist
Rain-Brake Support
Ready-Alert Braking
Police ABS 4-Wheel Heavy-Duty Disc Brakes
Secure Park
220-Amp Alternator
800-Amp Maintenance-Free Battery
Spot Lamp Wiring Prep
Column Mount Automatic Shift Lever
Heavy-Duty Suspension
Load Leveling and Height Control
Engine Hour Meter
Severe-Duty Engine Cooling
The Pressure Monitoring Display
Push-Button Start
INTERIOR FEATURES
Uconnect® 4 with 7-Inch Touch Screen Display
Google Android Auto™
Apple CarPlay®
Integrated Voice Command
Re-Mappable Steering Wheel Buttons
Red/White Front Dome Lamp
6-Way Power Driver Seat
Mini Floor Console
Black Vinyl Floor Covering

Tilt / Limited Telescope Steering Column
"Last Call" Underhood Plaque
EXTERIOR FEATURES
18-Inch x 7.5-Inch Steel Wheels
P235/60R18 BSW Performance Tires
Bi-Function LED Projector Headlamps
Full-Size Spare Tire
Acoustic Windshield
Acoustic Front Door Glass
Power Mirrors with Manual Fold-Away
OPTIONAL EQUIPMENT (they Replace Standard Equipment)
Heavy-Duty Cloth Bucket Seats with Vinyl Rear
Customer Preferred Package 29A
Black Left Spot Lamp
LED Spot Lamps
Destination Charge
\$1,595

TOTAL PRICE: * **\$44,750**

WARRANTY COVERAGE
5-year or 60,000-mile Powertrain Limited Warranty,
3-year or 36,000-mile Basic Limited Warranty
Ask Dealer for a copy of the limited warranties or see your owner's manual for details.

**5 YEAR/60,000 MILE
POWERTRAIN WARRANTY**

SL SHE TO SOURCE

Assembly Plant/Port of Entry: BRAMPTON, ONTARIO, CANADA
VIN: 2C3-CDXK3PH-704594 L-4-ION 4410 1214-0

THIS LABEL IS ADDED TO THIS VEHICLE TO COMPLY WITH FEDERAL LAW. THE LABEL CANNOT BE REMOVED OR ALTERED PRIOR TO DELIVERY TO THE ULTIMATE PURCHASER.
* STATE AND/OR LOCAL TAXES IF ANY, LICENSE AND TITLE FEES AND DEALER SUPPLIED AND INSTALLED OPTIONS AND ACCESSORIES ARE NOT INCLUDED IN THIS PRICE. DISCOUNT IF ANY, IS BASED ON PRICE OF VEHICLE IF REMOVED OR EXCLUDED.

For more information visit: www.dodge.com
or call 1-800-4AODDGE

FCA US LLC

EPA DOT Fuel Economy and Environment

Gasoline Vehicle

Fuel Economy

These estimates reflect new EPA methods beginning with 2017 models. Large cars range from 14 to 131 MPG. The best vehicle rates 132 MPG.

21 MPG

combined city/hwy
18 27
city highway

4.8 gallons per 100 miles

You spend

\$2,500

in fuel costs over 5 years compared to the average new vehicle.

Annual fuel cost

\$2,100

Fuel Economy & Greenhouse Gas Rating (tailpipe only)

1 4 10
Best

Smog Rating (tailpipe only)

1 3 10
Best

This vehicle emits 415 grams CO2 per mile. The best emits 0 grams per mile (tailpipe only). Producing and distributing fuel also creates emissions; learn more at fuelconomy.gov.

Actual results will vary for many reasons, including driving conditions and how you drive and maintain your vehicle. The average new vehicle gets 23 MPG and costs \$8,000 to fuel over 5 years. Cost estimates are based on 15,000 miles per year at \$2.95 per gallon. MPGe is miles per gasoline gallon equivalent. Vehicle emissions are a significant cause of climate change and smog.

fuelconomy.gov

Calculate personalized estimates and compare vehicles

GOVERNMENT 5-STAR SAFETY RATINGS

This vehicle has not been rated by the government for overall vehicle score, frontal crash, side crash, or rollover risk.

Source: National Highway Traffic Safety Administration (NHTSA)
www.safercar.gov or 1-888-327-4236

PARTS CONTENT INFORMATION

FOR VEHICLES IN THIS CARLINE:
U.S./CANADIAN PARTS CONTENT: 70%
MAJOR SOURCES OF FOREIGN PARTS CONTENT: 18%
MEXICO: 18%
NOTE: PARTS CONTENT DOES NOT INCLUDE FINAL ASSEMBLY, DISTRIBUTION, OR OTHER NON-PARTS COSTS.

FOR THIS VEHICLE:
FINAL ASSEMBLY POINT:
BRAMPTON, ONTARIO, CANADA
COUNTRY OF ORIGIN:
ENGINE: UNITED STATES
TRANSMISSION: UNITED STATES

VEHICLE PROTECTION
A PRODUCT OF FCA US LLC
Ask for Major Vehicle Protection for your vehicle. We built it. We back it.

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING
A RESOLUTION AWARDDING A BID FOR TITUS AVENUE SIDEWALK
IMPROVEMENTS**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
AnnCunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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, it is desirable to replace approximately 250 +/- linear feet of existing asphalt/concrete sidewalk and subbase along Titus Avenue near Hudson Avenue to provide an even transition and sidewalk surface from the corner of Hudson Avenue to the north Irondequoit Plaza entrance near Curtis Rd (the “Project”); and

WHEREAS, the Town of Irondequoit issued an Invitation to Bid for the Project and caused the Notice to Bid to be published in the *Daily Record* on March 1, 2024, as well as publishing the Invitation to Bid on the Town website in compliance with General Municipal Law § 103 and Chapter 51 of the Irondequoit Town Code, requesting bids for the Project (Town Bid No. 2024-2), in order to ascertain the best value to the Town; and

WHEREAS, sealed bids were received and publicly opened and read on March 26, 2024; and

WHEREAS, the lowest responsible bidder was Rochester Earth, Inc. in the amount of \$109,490; and

WHEREAS, the Project is a Type II action for purposes of the New York State Environmental Quality Review Act (“SEQRA”) as provided by 6 NYCRR §617.5(c) (1) (maintenance or repair involving no substantial changes in existing structure or facility) and (6) (street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities), and therefore no further review under SEQRA is required; and ; and

WHEREAS, funding for this expense will be available in account # H3155411-520180.

NOW THEREFORE BE IT RESOLVED, that the Town Board awards the bid for the Project to Rochester Earth, Inc. in the amount of \$109,490.

AND BE IT FURTHER RESOLVED, the Town Board authorizes the Town Supervisor to execute any and all documents related to this award as approved by the Attorney for the Town.

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	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD
ADOPTING A RESOLUTION TO DECLARE CERTAIN EQUIPMENT AS
SURPLUS PROPERTY**

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 16th day of April, 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans
Ann Cunningham
Grant Malone
John Perticone
Peter Wehner

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

Harter Secrest & Emery LLP

Attorney for the Town

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

WHEREAS, the Department of Public Works uses certain equipment to perform services for the Town, and from time to time such equipment needs to be replaced or is no longer used; and

WHEREAS, each piece of equipment listed on the **Attachment A** hereto is several years old and no longer used by the Town; and

WHEREAS, the Town intends to auction the equipment listed in Attachment A at an online auction to occur in May 2024.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby declares said equipment (serial numbers set forth in Attachment A, which is attached hereto and made a part hereof) as surplus and authorizes the Town Supervisor to execute and deliver such documentation as necessary to auction said equipment at the next appropriate municipal equipment auction.

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	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____

Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

Attachment A

DPW Surplus Equipment

<u>Year</u>	<u>Fleet #</u>	<u>Description</u>	<u>KVS#</u>
Highway			
2010	155	Ford F450 Service Truck w/ Crane VIN: 1FDAF4HYOAEB36732	006816
2012	S-1	Trackless MT-6 Municipal Tractor/Sidewalk Plow	007012
2012	S-3	Trackless MT-6 Municipal Tractor/Sidewalk Plow	007013
2012		Trackless MT-6 hydraulic attachments: ▪ Flail Mower – Model# BFBB ▪ Tire kit for Flair Mower attachment ▪ Street Sweeper Broom – Model# AS0C26 ▪ Snow Blower – Model# B3 ▪ Snow Blower – Model# B3 ▪ Reversible V-Plow – Model# HV5 ▪ Reversible V-Plow – Model# HV5 ▪ V-Plow – Model# V3 ▪ V-Plow – Model# V3	

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO VARIOUS
CONTRACTS WITH VENDORS FOR YOUTH, FAMILY, ADULT, GROUP EXERCISE
AND SENIOR RECREATIONAL PROGRAMMING FOR SUMMER 2024**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans

Town Supervisor

Ann Cunningham

Town Board Member

Grant Malone

Town Board Member

John Perticone

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 desires to contract with several vendors to provide Youth, Family, Adult, Group Exercise, and Senior recreational programs in Summer 2024; and

WHEREAS, the Youth, Family, and Adult programs are paid for with fees received from participants; and

WHEREAS, the Group Exercise programs are paid for with a combination of health insurance reimbursement and fees received from participants; and

WHEREAS, the Senior programs are paid for with a combination of grant money and fees received from participants; and

WHEREAS, the Town of Irondequoit seeks to contract for Youth, Family, Adult, Group Exercise, and Senior recreational programming services with the vendors specified in **Attachment A**, which is attached hereto and made a part hereof.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to enter into contracts with the various vendors in Attachment A in such form as approved 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	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

Attachment A
April 16, 2024

Instructor Name	Rate of Pay	Type of Class
Randy Crudup	70% of fees	Martial Arts
Amy Cuomo-Oberst	\$37/class date	Group Exercise
Michelle Hensel	\$35/class date	Group Exercise
Anja Jabs-Devins	\$40/class date	Group Exercise
Kathleen Kraft	\$30/class date	Group Exercise Substitute
Carol Lang	\$40/class date	Group Exercise
Tara McKee	70% of fees	Youth Dance
Dave Nicchetta/Strike Back Martial Arts	80% of fees	Inclusive Martial Arts
Carole Nier	\$27/class date	Group Exercise
Sue Piccirilli	\$30/class date	Group Exercise
Samantha Richards	\$35/class date	Group Exercise
Mike Rizzo	70% of fees	Youth Lacrosse
Bob Stokes	70% of fees	Pickleball Lessons
Rebecca Watro	\$30/class date	Group Exercise

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION AUTHORIZING THE RECREATION DEPARTMENT TO MAKE A
DONATION OF PARTIAL PROCEEDS FROM PICKLEBALL TOURNAMENT**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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, the Town of Irondequoit will be holding a Pickleball Tournament event on April 28, 2024, which is organized by the Recreation Department; and

WHEREAS, participants in the pickleball tournament pay an entry fee, which will cover the cost of offering the tournament; and

WHEREAS, the Town desires to share a portion of the proceeds from the event with the Father Tracy Advocacy Center in support of their services; and

WHEREAS, revenue from this event is allocated in budget line 001.0001.2001.7153.

NOW THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Recreation Department to donate a portion of the proceeds of the pickleball tournament to the Father Tracy Advocacy Center.

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	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING
A RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH E.R.A.S.E. FOR THE 2024
JUNETEENTH EVENT**

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 16th day of April, 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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, Juneteenth is a holiday of seminal importance which marks the end of slavery in the United States. In 2021, the Town Board recognized Juneteenth by adding it to its special events calendar for 2022, ensuring that the Town honors Juneteenth and commemorates its historic importance; and

WHEREAS, E.R.A.S.E. is a tax exempt non-profit organization dedicated to eradicating racism in all forms, promoting activism, and improving equity through diversity; and

WHEREAS, in 2022, the Town partnered with E.R.A.S.E. to host the E.R.A.S.E. Third Annual Juneteenth Event on June 19, 2022, at the Irondequoit Town Hall, featuring live music and performances, cuisine, children's activities, and other events; and

WHEREAS, again in 2023, the Town partnered with E.R.A.S.E. to host the E.R.A.S.E. Fourth Annual Juneteenth Event on June 19, 2023, at the Irondequoit Town Hall, featuring live music and performances, cuisine, children's activities, and other events; and

WHEREAS, recent E.R.A.S.E. Annual Juneteenth Events have been remarkable successes, drawing hundreds of attendees from Irondequoit and neighboring communities, and exhibiting the cultural and historical import of the Juneteenth holiday in model and exemplary fashion; and

WHEREAS, the Town wishes to designate E.R.A.S.E. as its partner to host future Juneteenth events at the Irondequoit Town Hall and the Irondequoit Community Center. A copy of the Memorandum of Understanding between the Town and E.R.A.S.E. is attached as **Attachment A**.

WHEREAS, this year, 2024, the Town will partner with E.R.A.S.E. to host the 2024 Juneteenth Event on June 15, 2024, at the Irondequoit Town Hall, featuring live music and performances, cuisine, children’s activities, and other events; and

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the proposed partnership with E.R.A.S.E. as reflected in **Attachment A**.

AND BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to execute the MOU found at Attachment A.

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

Town Board Member Perticone	voting_____
Town Board Member Wehner	voting_____
Town Board Member Malone	voting_____
Town Board Member Cunningham	voting_____
Town Supervisor Evans	voting_____

**MEMORANDUM OF UNDERSTANDING
E.R.A.S.E. ANNUAL JUNETEENTH EVENT**

THIS MEMORANDUM OF UNDERSTANDING is made as of this ____ day of __, 2024, by and between the TOWN OF IRONDEQUOIT (“Town”), a municipal corporation with offices at 1280 Titus Avenue, Rochester, New York 14617, and IRONDEQUOIT ELIMINATING RACISM & SEEKING EQUITY (“E.R.A.S.E.”), a tax exempt non-profit organization with offices at 1400 Portland Avenue, Suite 24, Rochester, New York 14621. The Town and E.R.A.S.E. are referred to herein each as a “Party” and together as the “Parties.”

This Memorandum of Understanding requires annual renewal prior to any preparatory activities for the event contemplated herein, including without limitation, selecting a date, reserving Town equipment or buildings, and announcing it to the public. Each year, the Parties shall mutually agree to renew this Memorandum of Understanding in writing.

WITNESSETH:

WHEREAS, Juneteenth is a holiday of seminal importance which marks the end of slavery in the United States. In 2021, the Town Board recognized Juneteenth by adding it to its special events calendar for 2022, ensuring that the Town honors Juneteenth and commemorates its historic importance; and

WHEREAS, E.R.A.S.E. is a tax exempt non-profit organization dedicated to eradicating racism in all forms, promoting activism, and improving equity through diversity; and

WHEREAS, for several years, E.R.A.S.E. has held a Juneteenth celebration in conjunction with the Town (the “Juneteenth Event”); and

WHEREAS, the Juneteenth Event has been a remarkable success in recent years, drawing hundreds of attendees from Irondequoit and neighboring communities, and exhibiting the cultural and historical import of the Juneteenth holiday in model and exemplary fashion; and

WHEREAS, the Town wishes to designate E.R.A.S.E. as its partner to host the 2024 Juneteenth Event at the Irondequoit Town Hall; and

WHEREAS, in 2024, the Fifth Annual Juneteenth Event will take place on June 15, 2024, and will feature live music and performances, cuisine, children’s activities, and other events at Irondequoit Town Hall (the “2024 Juneteenth Event”); and

Whereas, simultaneously with the Juneteenth Event, E.R.A.S.E. will be hosting a 5k race throughout parts of Irondequoit (“the E.R.A.S.E. Juneteenth Race”); and

WHEREAS, the Parties agree that both the Town and E.R.A.S.E. shall be considered equal partners in the planning, organization, and execution of the 2024 Juneteenth Event;

NOW THEREFORE BE IT UNDERSTOOD between the Parties as follows:

Town Responsibilities

1. The Town designates E.R.A.S.E. as its community partner to co-host the 2024 Juneteenth Event at Town Hall.
2. The Town will provide E.R.A.S.E. with the exclusive use of the Town Hall Central Lawn, West Lawn, and Gazebo—and the first-right to reserve other Town property and facilities—on either the Friday, Saturday, and Sunday preceding June 19th or the Friday, Saturday, and Sunday succeeding June 19th, provided that E.R.A.S.E. elects the weekend for the event, and reserves such property and facilities, no later than March 1 of each year.
3. The Town will recognize the 2024 Juneteenth Event on the Town’s annual special events calendar, subject to Town Board approval, as is required for all special events.
4. From July through December each year, the Town will attend and participate in bi-monthly planning meetings with E.R.A.S.E. for the next annual Juneteenth Event, and from January through June each year, will attend such planning meetings monthly.
5. The Town will provide garbage cans and garbage collection/clean up services on a daily basis during the 2024 Juneteenth Event.
6. The Irondequoit Police Department will staff two officers at Town Hall to provide security during the 2024 Juneteenth Event.
7. The Irondequoit Police Department will staff five officers to provide security during the E.R.A.S.E. Juneteenth Race.
8. The Irondequoit Police Department will provide parking access and control services during the 2024 Juneteenth Event.
 - 8.1. The Town will provide parking attendants and crossing guards at Town Hall during the 2024 Juneteenth Event.
 - 8.2. The Town will provide two blocker trucks and their associated staffing to enhance safety measures during the Juneteenth Event. These vehicles will be coordinated by the Town and used to establish roadblocks.
9. The Town will provide no fewer than two and no more than four staff from the Department of Public Works to provide assistance during the E.R.A.S.E. Juneteenth Race.
10. The Town will provide E.R.A.S.E. with access to the electric and water facilities available at Town Hall during the 2024 Juneteenth Event. To the extent that E.R.A.S.E. has greater need for electricity and/or water than is normally available at Town Hall, E.R.A.S.E. is solely responsible for providing the additional electricity and/or water.
 - 10.1. This includes, but is not limited to, spider boxes, power cords, and generators.
11. The Town will provide access to bathrooms on Town Hall Campus for the 2024 Juneteenth Event,

or alternatively and at its election, the Town may provide portable bathrooms for the 2024 Juneteenth Event.

11.1. The Town will provide janitorial staff for the bathrooms.

12. The Town will provide marketing and promotion of the 2024 Juneteenth Event and the E.R.A.S.E. Juneteenth Race in collaboration with E.R.A.S.E.
13. The Town may terminate this Memorandum of Understanding for any reason, with or without cause, upon providing 30 days' written notice to E.R.A.S.E.

E.R.A.S.E. Responsibilities

1. E.R.A.S.E. will be an equal partner in organizing and planning the 2024 Juneteenth Event. The event will be considered a collaborative effort between the Town and E.R.A.S.E., notwithstanding the inclusion of the event on the Town's Special Events calendar.
2. From July through December each year, E.R.A.S.E. will conduct bi-monthly planning meetings for the next Juneteenth Event, and from January through June each year, such planning meetings will occur monthly.
3. Each year, E.R.A.S.E. must elect the weekend of the Annual Juneteenth Event and reserve any Town property and facilities for the event, by no later than the first day of March.
4. E.R.A.S.E. will provide marketing and promotion for the 2024 Juneteenth Event and the E.R.A.S.E. Juneteenth Race in collaboration with the Town.
5. E.R.A.S.E. will be responsible for selecting and paying all performers, caterers, and other vendors at its sole cost and expense and under no circumstance shall the Town incur any obligation for the selection or payment of performers, caterers, and other vendors. The Town reserves the right to reject any performers, caterers, and other vendors scheduled for the 2024 Juneteenth Event for any or no reason.
 - 5.1. E.R.A.S.E. will submit vendor permits and electrical needs to the Town no later than May 31st.
 - 5.2. E.R.A.S.E. will schedule a mandatory vendor meeting held no later than May 31st.
 - 5.3. E.R.A.S.E. will schedule a mandatory venue walkthrough no later than June 7th.
6. E.R.A.S.E. will reimburse the Town for the cost of providing Irondequoit Police Officers for the E.R.A.S.E. Juneteenth Race, valued at approximately \$1,000.00.
7. E.R.A.S.E. will reimburse the Town for the cost of providing Department of Public Works Staff for the E.R.A.S.E. Juneteenth Race, valued at approximately \$430.12.
8. E.R.A.S.E. will pay all the costs for all associated components of the E.R.A.S.E. Juneteenth Race, including but not limited to, the race company, awards, and an ambulance.
9. E.R.A.S.E. must apply for and obtain all applicable licenses, permits, and the like from the Town

for the 2024 Juneteenth Event and the E.R.A.S.E. Juneteenth Race and satisfy all conditions for such licenses, permits, and the like, including but not limited to obtaining full and complete insurance coverage for the event, its participants, vendors, and visitors.

10. E.R.A.S.E. will be responsible for all set-up and take-down functions for the 2024 Juneteenth Event. Set-up must be completed prior to the commencement of the first day of the 2024 Juneteenth Event and take-down must be completed within two days of the completion of the 2024 Juneteenth Event. Following the 2024 Juneteenth Event, E.R.A.S.E. will restore all Town property and facilities used for the event to its prior condition.
11. E.R.A.S.E. will indemnify the Town and hold the Town harmless all claims, lawsuits, and the like arising from or related to the 2024 Juneteenth Event, including reimbursing the Town for any attorneys' fees and costs incurred in defense of any such claim, lawsuit, or the like.

[Signature Page to Follow]

IN WITNESS WHEREOF, the parties have signed this Memorandum of Understanding as of the date first above written.

TOWN OF IRONDEQUOIT

E.R.A.S.E.

BY: _____
NAME: Andraé Evans
TITLE: Supervisor

BY: _____
NAME:
TITLE:

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING
A RESOLUTION AUTHORIZING ATTENDANCE AT THE 2024 TOWN FINANCE
SCHOOL IN GENEVA, NEW YORK**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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, the Association of Towns offers its “Town Finance School,” on May 7 and 8, 2024 in Geneva, NY; and

WHEREAS, a Town Councilmember and the Town Comptroller would like to take advantage of this training opportunity; and

WHEREAS, funding for this course for the Town Councilmember is available in the Town Board’s Training budget, Account 001.1010.4100. Funding for this course for the Town Comptroller is available in **Comptroller’s Training budget, Account ____**. The Town would cover the Registration fees which would total in the amount of \$400.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Councilmember and Comptroller to attend the meeting and training described herein;

AND BE IT FURTHER RESOLVED, that the Town Board authorizes payment for the training as described herein.

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 Perticone	voting_____
Town Board Member Wehner	voting_____
Town Board Member Malone	voting_____
Town Board Member Cunningham	voting_____
Town Supervisor Evans	voting_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING
A RESOLUTION AUTHORIZING ATTENDANCE AT THE 2024 TOWN FINANCE
SCHOOL IN ALBANY, NEW YORK**

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 16th day of April 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	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, the Association of Towns offers its “Town Finance School,” on May 14 and 15, 2024 in Albany, New York; and

WHEREAS, the Supervisor would like to take advantage of this training opportunity; and

WHEREAS, funding for this course is available in the Town Supervisor’s Training budget, Account, 001.1220.4100. The Town would cover the Registration fees which would total in the amount of \$400.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to attend the meeting and training described herein;

AND BE IT FURTHER RESOLVED, that the Town Board authorizes payment for the training as described herein.

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 Perticone	voting_____
Town Board Member Wehner	voting_____
Town Board Member Malone	voting_____
Town Board Member Cunningham	voting_____
Town Supervisor Evans	voting_____

Resolution Number 2024-_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD
ADOPTING A RESOLUTION APPROVING THE SPECIAL EVENT LICENSE FOR
THE SUNSET HOUSE 22nd ANNUAL 5K RUN AND FITNESS WALK**

At a regular meeting of the Town Board of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 16th day of April, 2024, at 7:00 p.m. local time, there were:

PRESENT:

Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	Town Board Member
PeterWehner	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 Clerk's Office received an application for a Special Event License from the Sunset House to conduct its 22nd Annual Sunset House 5K Run and Fitness Walk on Saturday, May 25, 2024, beginning at 9:00 a.m.; and

WHEREAS, proof of current insurance, which expires on October 1, 2024, has been reviewed and approved by the Town Insurance carrier; and

WHEREAS, the Sunset House is in the process of notifying all affected residents of the event.

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the Special Event License for the Sunset House to conduct its 22nd Annual Sunset House 5K Run and Fitness Walk on Saturday, May 25, 2024, beginning at 9:00 AM with assembly at the Irondequoit United Church of Christ, and ending at Noon at the United Church of Christ, on the condition that the Sunset House notifies all affected residents of the event.

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 Perticone voting _____

Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD
ADOPTING A RESOLUTION APPROVING THE SPECIAL EVENT LICENSE FOR
THE RIDGE-CULVER VOLUNTEER FIRE ASSOCIATION'S COMMUNITY PARADE
AND STREET DANCE FUNDRAISER**

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 16th day of April, 2024, at 7:00 p.m. local time, there were

PRESENT:

Andraé Evans

Ann Cunningham

Grant Malone

John Perticone

Peter Wehner

Town Supervisor

Town Board Member

Town Board Member

Town Board Member

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 Clerk's Office received an application from the Ridge-Culver Volunteer Fire Association requesting permission to conduct their Community Parade and Street Dance Fundraiser on Saturday, June 22, 2024; and

WHEREAS, all affected residents in the area will be notified of the event and road closures; and

WHEREAS, the Parade will begin at 6 p.m., proceed south on Kings Highway S. from Queens Lane, and end at Bishop Kearney High School; and

WHEREAS, the Street Dance will take place immediately following the Parade from 7 p.m. to 11 p.m. on the Bishop Kearney High School Property; and

WHEREAS, proof of current insurance, which expires on June 23, 2024, has been received and approved by the Town's Insurance Carrier.

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the Special Event License for the Ridge-Culver Volunteer Fire Association to hold its Community Parade and Street Dance Fundraiser on Saturday, June 22, 2024 from 5 p.m. to 11 p.m.

This resolution shall take effect immediately upon adoption.

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

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____