Town Board Work Session Agenda
April 27, 2016
7:00 PM

I. Call to Order

II. Approval of Minutes – April 13, 2016

III. Monthly Reports - None

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance
1. Request for Sidewalk Waiver at Barclay Park Subdivision – Costello
2. Review of Public Hearing for Cha Cha’s, 2124-2126 Five Mile Line Road – Costello
3. Sign Ordinance Update – LaFountain/Costello

Public Works
1. Request for Grade and Fill Permit - 1807 Salt Road, Scott Rothfuss - Valentine
2. Out of District Sewer Agreement - 1267 Fairport Nine Mile Point Road, Bill Vendel – Valentine
3. Update on the Review of Quotes for Professional Services for Drainage Projects – Valentine

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None

Public Works - None

Public Safety - None

Community Services - None
VIII. **HELD ITEMS**
1. Jomanda Way, Expanding No Shooting Petition – LaFountain
2. Sidewalk Waiver, 1445 Jackson Road – Valentine
3. Preservation of Curb Cut and Parking Requirement Relief, 2136 Penfield Road – Costello
4. Sable Oaks Roadway Dedication – Valentine
5. Jeff Luce, 1357 Marchner Road – Out of District Sewer – Valentine

IX. **Old Business** - None

X. **New Business** - None

XI. **Executive Session** – Real Estate, Litigation and Human Resource Matters

XII. **Adjournment**
I. Call to Order

Present:
Supervisor LaFountain
Councilwoman Kohl
Councilwoman Metzler
Councilman Moore
Councilman Quinn

Also Present:
Jim Costello
Lisa Grosser
Mark Valentine

II. Approval of Minutes – 4/13/16
CM Quinn moved for the approval of the Minutes of April 13, 2016, CW Metzler seconded the motion.

III. Monthly Reports – None

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance
1. Request for Sidewalk Waiver at Barclay Park Subdivision – Costello
Jim Costello stated that this item will be held for the next Work Session on May 11, 2016.

2. Review of Public Hearing for Cha Cha’s, 2124-2126 Five Mile Line Road – Costello
Jim Costello introduced Paula Catalano from Cha Cha’s.

Councilwoman Kohl stated that acoustic only, outdoor music should be allowed on a limited, trial basis.

Councilwoman Metzler added that the music should be allowed only once a week, and Catalano should be allowed to select which night would be most beneficial.

Councilman Quinn stated that it is important to clarify as a condition of approval, that the music will be allowed no more than three (3) times per month. The hours of 6:00 PM to 9:00 PM are reasonable, but we need to get clarification on the amplification of music. Catalano did request a speaker, but we don’t want rock bands performing.
Costello asked the Board how they feel about amplification of music.

Quinn stated it would be okay for keyboard or guitar music only, not drums.

Kohl stated it should be appropriate dinner music.

Metzler suggested we put no amplification as a condition in the Resolution. Catalano can come back before the Board to request amplification if it is necessary.

Costello suggests trying music, and if there needs to be a modification it can be revised.

Paula Catalano said it is difficult for patrons to hear on the patio. The amplification would be the same as if the music was inside the restaurant. The intent is to have ambient dinner music.

Costello suggested to place the amplifier so it does not face the residents to the south.

Catalano said the music is only for patrons on the patio.

Kohl said the Resolution should state the music is to be audible on the patio only.

Catalano said if the music is too loud, anyone can call her and she will adjust the volume.

Metzler said the Resolution should state the sound is not to exceed the boundaries of the patio.

Supervisor LaFountain suggested the Resolution should be worded similarly to the Jeremiah’s Restaurant Resolution for outdoor music.

Costello asked Catalano to confirm the time for outdoor music.

Catalano said from 6:00 PM to 9:00 PM once a week, but not every week and either on Thursday or Saturday night. She would like to start by the end of May and continue as long as the weather is good, through September.

Metzler asked if Catalano will be advertising live music?

Catalano said yes, on Facebook and a television commercial which will direct patrons to go to their Facebook page.

The Board discussed and agreed to allow music on the patio.
LaFountain directed Costello to prepare a Resolution to be submitted at the next Legislative Session on May 4, 2016.

3. Sign Ordinance Update - LaFountain/Costello
Jim Costello submitted an update to § 250-10.13 of the Sign Ordinance to the Board for its review. Costello added that Dr. Sanon has submitted a third application to the Zoning Board of Appeals for additional signage.

Councilman Quinn asked Costello to define “plaza” in the additional wording. Quinn added he views Wegmans’s as a plaza, but not the new BN-R zoned property across the street from Wegman’s.

Costello said he will work on that.

Supervisor LaFountain stated the Board will review the additional wording before a decision is reached.

Public Works
1. Request for Grade and Fill Permit – 1807 Salt Road, Scott Rothfuss – Valentine
Mark Valentine introduced Scott Rothfuss who is interested in filling a portion of his property. The need is for more than 50 cubic yards and is a 160 x 160 square foot area behind his property.

Councilman Moore asked if there would be any impact to neighboring properties?

Valentine said the neighboring properties are all farm land owned by the Rothfuss family. We would request that area drainage is maintained and would inspect the basin. The hours Rothfuss could work are Monday through Friday from 7:00 AM to 5:00 PM and Saturday from 8:00 AM to 1:00 PM.

Councilwoman Metzler asked if there are any drainage issues on the property?

Scott Rothfuss said no, there is a dip in the area that he is trying to eliminate. He would like to do the work now while the Town is currently hauling top soil from the Highway Department.

Supervisor LaFountain stated that the top soil pile at the Public Works facility is being cleared and a portion is being hauled to property owned by Dr. DiPietro. The top soil is being cleared to make way for the new solar panels to be installed.

Jim Costello stated that Terry Williams may also be interested in receiving some of the top soil.

Rothfuss asked if he can create a berm along Sweets Corners Road. He would like to add bushes to buffer his property in the future.
Valentine said yes, he can review this with Rothfuss, we want to make sure that drainage is not impacted.

The Board discussed and agreed to allow the issuance of a Grade and Fill Permit.

2. Out of District Sewer Agreement – 1267 Fairport Nine Mile Point Road, Bill Vendel – Valentine
Mark Valentine submitted a map to the Board for its review. As part of the approval of the Abbington Subdivision, Mr. Vendel was given approval to connect to the sanitary sewer. He is now ready to connect and requesting approval.

The Board discussed and agreed. Supervisor LaFountain added there are fees associated with connection and Vendel is responsible for those fees. A Resolution will be submitted at the next Legislative Session on May 4, 2016.

3. Update on Review of Quotes for Professional Services for Drainage Projects – Valentine
Mark Valentine submitted an updated proposal from Barton and Loguidice for 2016 Drainage projects. Valentine reviewed that Barton and Loguidice was the lowest bidder, but quoted a one-time fee. Valentine requested the quote be updated to an all-inclusive price, which has been updated and they are still the lowest bidder.

The Board discussed and agreed to award the project to Barton and Loguidice. A Resolution will be submitted at the next Legislative Session on May 4, 2016.

Councilwoman Metzler asked Valentine to include the Watershed Management Committee on the plan forward so they are in the loop.

Public Safety – None
Community Services – None

VII. INFORMATIONAL ITEMS

Law and Finance – None
Public Works – None
Public Safety – None
Community Services – None
VIII. HELD ITEMS
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IX. Old Business – None

X. New Business – None

XI. Executive Session – Real Estate, Litigation and Human Resource Matters – The Board went into an Executive Session regarding a legal matter.

XII. Adjournment – Supervisor LaFountain adjourned the regular Work Session at 7:24 PM.

Lisa Grosser, RMC
Deputy Town Clerk