TOWN BOARD WORK SESSION AGENDA
Wednesday, October 25, 2017, 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order

II. Approval of Minutes – October 11, 2017

III. Monthly Reports - None

IV. Public Hearings - None

V. Guests
   a. (NONE)

VI. Action Items
   a. Fence in Utility Easement at 33 Peak Hill Drive - Costello
   b. Hold Harmless Agreement Request at 225 Millford Crossing - Costello
   c. Hold Harmless Agreement Request at 9 Shadow Creek Drive - Costello
   d. Authorizing Supervisor to sign Inter-Municipal Agreement with Monroe County
      Regarding 239-m Reviews - Costello

VII. Informational Items
   a. Update of Status of Mixed Use District - Costello

VIII. Held Items
   a. Jomanda Way, Expanding No Shooting Petition - LaFountain
   b. Preservation of Curb Cut and Parking Requirement Relief, 2136 Penfield Road - Costello
   c. Sign Ordinance Updates/Proposed Ordinance Revision - Costello/LaFountain
   d. Bayview Landing Subdivision, 1185 Empire Blvd. - Costello

IX. Old Business – (NONE)

X. New Business

XI. Executive Session

XII. Next Meeting:- November 8, 2017

XIII. Adjournment

This meeting will be video recorded and broadcast live via the town’s website www.penfield.org and the
Town’s Government Access Cable channel 12, digital 5.12. Questions regarding video coverage contact
Penfield TV at (585) 340-8661.
I. Call to Order

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

Also Present:
Jim Costello
Lisa Grosser

II. Approval of Minutes – 10/11/17
CM Quinn moved for the approval of the Minutes of October 11, 2017, CW Metzler seconded the motion.

III. Monthly Reports – All reports have been submitted except the Local History Room, Finance, Assessor and Personnel which are expected by the end of the week.

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS
a. Fence in Utility Easement at 33 Peak Hill Drive – Costello
Jim Costello stated that staff met with Mr. DiPasquale at his residence. The sanitary sewer is located north of his property and the storm sewer is adjacent to the garage wall. We cannot allow encroachment into the easement. PRC recommends allowing the fence to be located on the edge of the easement area. Staff will meet with the fence company just prior to installation to verify the location of the fence.

Councilwoman Metzler moved to allow the fence on the easement line, but not in the easement, Councilwoman Kohl seconded and all present voted “Aye.”

Supervisor LaFountain directed Costello to draft a letter summarizing this discussion to the applicant.

b. Hold Harmless Agreement at 225 Millford Crossing – Costello
Jim Costello introduced Tim Porter. Staff reviewed Porter’s property and found the catch basin line bends towards the neighbor’s property. Costello submitted the Newbury Park as-built map to the Board for its review. The storm sewer is not tied into the catch basin at the street. The catch basin runs along the back property line, then goes under the roadway and
ties into a manhole across the street. The pipe is located along the property line where Porter would like to install the fence.

Costello continued to say Staff recommends the fence be offset and not to disturb the pipe. The pipe is a plastic 12” pipe, four (4) feet deep at the catch basin and gets deeper as it gets closer to the road.

Porter stated he is asking for leniency from the five (5) foot variance requirement. He added the fence posts would be installed at a two (2) foot depth.

Supervisor LaFountain stated if the pipe is damaged during installation of the fence, it would have to be repaired. LaFountain suggested test digging be done in the area prior to installation.

Costello asked if the Board had a preference on what distance Porter should install the fence from the center line.

Councilwoman Kohl said she would defer to Staff for that decision.

Costello recommended the fence be installed two (2) to three (3) feet from the center line, just to get off of the pipe.

LaFountain added that the pipe could be located anywhere in the easement.

Costello suggested the applicant may want to dig the fence post holes manually.

Councilwoman Metzler asked when the fence will be installed.

Porter said installation will take place in November.

Councilwoman Metzler motioned for the approval of the fence pending location inspection by Staff, Councilman Quinn seconded and all present voted “Aye.”

c. Hold Harmless Agreement at 9 Shadow Creek Drive – Costello
Jim Costello introduced Mike and Genevieve Stefiuk. Costello submitted a Utility Plan for the property to the Board for its review. The storm sewer is located along the property line, it then goes under the road to the manhole. The pipe along the back of the property picks up storm water from Country Lane, but does not follow the entire property line. The applicants would like to tie into the existing fence along the property line which is located at 7 Shadow Creek Drive. The fence will also tie into the front of the garage. The culvert is located in the rear of their property, just along the property line. Costello will verify that it is a 12” plastic pipe. The Hold Harmless agreement would be for the two (2) sections of fence that will tie into existing fence.
Costello continued to say he could not find a Hold Harmless Agreement on file for the fence in the easement at 7 Shadow Creek Drive. Costello will follow up with the homeowners.

Councilwoman Metzler motioned to allow the fence, Councilwoman Kohl seconded and all present voted “Aye.”

d. Authorizing Supervisor to sign Inter-Municipal Agreement with Monroe County Regarding 239-m Reviews – Costello

Jim Costello stated in the past all applications for properties located on State or County roads were sent to Monroe County, which is unnecessary. Costello said the County has had a filtering program where they asked us not send things that are not appropriate. If the County agrees that it is something they don’t need to see, it can be an attachment to an agreement. We have been working with Tom Goodwin, Planning Manager for Monroe County. We have reached an agreement on the final process. In the future, any applications that do not impact the right-of-way or the road will not be copied to Monroe County. Costello added this process can begin once the resolution is passed and the County Executive signs the agreement.

Councilman Quinn moved to approve the authorization, Councilman Moore seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on November 1, 2017.

VII. INFORMATIONAL ITEMS
   a. Update of Status of Mixed Use District – Costello

Jim Costello stated we have finalized the SEQR process and are working on the resolutions for rezoning lands, the new Zoning Ordinance and acceptance of the Mixed Use manual. All resolutions are being reviewed by Town Attorney Horwitz, and once finalized will be submitted at the next Legislative Session on November 1, 2017. We will start reviewing applications after the resolution has been passed.

VIII. HELD ITEMS
   a. Jomanda Way, Expanding No Shooting Petition – LaFountain
   b. Preservation of Curb Cut and Parking Requirement Relief, 2136 Penfield Road – Costello
   c. Sign Ordinance Updates/Proposed Ordinance Revision – Costello/LaFountain
   d. Bayview Landing Subdivision, 1185 Empire Blvd. – Costello

IX. Old Business – None

X. New Business – None

XI. Executive Session – Real Estate, Litigation and Human Resource Matters – None
XII. Next Meeting - November 8, 2017

XIII. Adjournment - Supervisor LaFountain adjourned the regular Work Session at 7:22 PM.

Lisa Grosser, RMC
Deputy Town Clerk