TOWN BOARD WORK SESSION AGENDA

Wednesday, May 23, 2018 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order

II. Approval of Minutes – May 9, 2018

III. Monthly Reports - None

IV. Public Hearings - None

V. Guests
   a. Steve Phillipone - Sidewalk Waiver Request for Crowne Pointe - Valentine

VI. Action Items
   a. Review Bids for DPW Pole Barn - Tait
   b. 78 Whitespire Lane - Hold Harmless Agreement Request - Valentine
   c. 2150 Fairport Nine Mile Point Road - Conditional Use Permit - Restaurant - Costello
   d. 2106 Five Mile Line Road - Itinerant Vendors License - Costello
   e. Sidewalk Policy Update - Valentine

VII. Informational Items
   a. (NONE)

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. Tree Preservation Guidelines - Valentine
   e. Starbucks Relocation to 1798 Penfield Road - Costello
   f. YMCA Roadway Dedication - Valentine

IX. Old Business – (NONE)

X. New Business

XI. Executive Session

XII. Next Meeting: June 13, 2018

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 1303.
Questions regarding video coverage contact Penfield TV at (585) 340-8661.
I. Call to Order

Present:
Supervisor LaFountain
Councilwoman Kohl
Councilwoman Metzler
Councilman Quinn

Also Present:
Jim Costello
Lisa Grosser
Eric Tait
Mark Valentine

Absent
Councilman Moore

II. Approval of Minutes – 5/9/18
CM Quinn moved for the approval of the Minutes of May 9, 2018, CW Metzler seconded the motion.

III. Monthly Reports – None

IV. Public Hearing – None

V. Guests
• Steve Phillipone – Sidewalk Waiver Request for Crowne Pointe – Valentine

Mark Valentine introduced Steve Phillipone and explained that the Crowne Pointe Subdivision is currently building Phases 3 and 3B. In 2006, a sidewalk waiver was granted which allowed sidewalks to be installed along Plank Road and internally on only one (1) side. Referring to the map, this request is for a stub portion covering two (2) lots along the cul-de-sac.

Steve Phillipone explained his reasoning for requesting the waiver which includes: the sidewalk would serve only two (2) homes, it is across the street from existing sidewalk which is on the inside loop of the development and would be a cost savings of approximately $3,000. Phillipone continued to say 1,760 square feet of sidewalk has been completed along Plank Road and top soil will be added and seeded to complete the area. Funds saved by allowing this waiver could be used for additional plantings and a berm along Plank Road. Many trees in the area were lost in the recent wind storm.

Councilman Quinn stated that he is not in favor of the waiver. The sidewalks should be internally on the entire development and this stub to the cul-de-sac should be included.
Councilwoman Kohl asked if PRC had any comments.

Valentine said they are indifferent, there are pluses and minuses on both ends.

Councilwoman Metzler stated she is okay with the waiver.

Kohl stated she does not feel the sidewalk is essential, and is okay with the waiver.

Councilwoman Metzler motioned to grant the sidewalk waiver as requested, Councilwoman Kohl seconded. There were three (3) votes “yes”, and one “no.”

Valentine addedPhillipone will pay the $500 sidewalk waiver fee for each of the two (2) affected lots.

VI. ACTION ITEMS

a. Review Bids for DPW Pole Barn – Tait
Eric Tait submitted a bid summary to the Board for its review. Secor Building Solutions was the lowest bidder at $165,462.00. A grant has been obtained through Senator Funke’s office for a portion of the costs. A pre-bid meeting was held on site and Secor and Fingerlakes Construction attended. Secor also had some follow up calls and have a good understanding of the bid specs.

Supervisor LaFountain asked about the timing of the construction.

Tait stated per the bid specs, the materials must be ordered within 14 days of awarding the contract. Secor could start within a month, and the project would be completed by September 2018.

Councilwoman Metzler asked the amount of the grant.

Tait stated the grant amount is $129,000.

LaFountain stated there is money in the 2018 Building/Facility budget to cover the difference.

Tait stated he recommends awarding the bid to Secor Building Solutions.

Councilwoman Metzler motioned to award the bid to Secor Building Solutions, Councilman Quinn seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on June 6, 2018.
b. 78 Whitespire Lane – Hold Harmless Agreement Request – Valentine
Mark Valentine explained that the owner of 78 Whitespire Lane would like to install a fence over a Storm Sewer Easement. The fence would be located over the pipe. Valentine explained the liability of the agreement to the resident, and he is aware that if there is a need to access the Storm Sewer, the fence will be taken down and it is the resident’s responsibility to put it back up. The resident has also been advised to hand dig the posts near the pipe. Valentine noted on the survey map, there is also a location in the corner of the property where the resident may want to add a shed, and he is not supportive of that. The Board agreed that the shed should not be located within the drainage easement.

Councilwoman Metzler asked that the resident advise his neighbors of the installation of the fence.

Supervisor LaFountain confirmed the resident understands his responsibility and that he cannot block drainage.

Councilman Quinn motioned to allow the Hold Harmless Agreement, Councilwoman Kohl seconded, and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on June 6, 2018.

c. 2150 Fairport Nine Mile Point Road – Conditional Use Permit – Restaurant – Costello
Jim Costello reviewed that a Public Hearing was held May 16, 2018. Mr. Chen is interested in opening up a Cambodian restaurant with seating for 15-20, 3-5 employees, and hours of operation 10:00 AM to 11:00 PM. Chen owns the property and signage will be consistent with existing signage in the area.

Councilwoman Kohl motioned to issue the Conditional Use Permit to allow the restaurant. She asked that a condition of “no drive-thru allowed” be included in the approval. Councilman Quinn seconded and all present voted “Aye.” A resolution will be submitted at the next Legislation Session on June 6, 2018.

Costello added there is only one (1) dumpster on site.

d. 2106 Five Mile Line Road – Itinerant Vendors License – Costello
Jim Costello reviewed that a Public Hearing was held on May 16, 2018. Al and Laurie Broccolo would like to sell flowers and produce from a van on the property. The van would be parked on Friday afternoon and removed Saturday afternoon. They are currently selling via a Temporary Recreation Permit, which was issued May 11. Sales would continue to September 29, 2018. The van has been located in the parking lot, because the property has been wet. They want to relocate the van to the grass area.
Costello would like to add verbiage to the approval specifying if there are any issues, the van needs to be relocated to the parking lot. Signage will also need to be reviewed, they will have an A-frame sign on the property.

Councilwoman Metzler motioned to issue the Itinerant Vendors License, Councilman Quinn seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on June 6, 2018.

Quinn asked that start/end dates and hours be specified in the resolution.

Costello added he will confirm the Saturday start time with Broccolo.

e. Sidewalk Policy Update – Valentine
Valentine submitted a packet for the Board to review with proposed updates to the Sidewalk Policy. Valentine said the policy originated in 1979 and was last amended in 2000. Valentine stated this proposed update includes the intent of the policy. To clarify the purpose of the policy, there is a difference between East and West Penfield, and we want to continue with sidewalks on the west side, but on the east side there is nothing to tie new sidewalks into and there is not a current need to construct sidewalks. The fees have been updated to keep on pace with current construction costs. The proposal is to increase the standard waiver fee from $500 to $1,000 per residential lot. The proposed formula will be used on the east side to balance costs. We will review the number of lots, number of feet of public road frontage, internal sidewalks and whether it is residential or commercial. The fee will be tied to the annual County sidewalk bid price. The full compliance cost is calculated and approximately 50% of that cost would be the waiver fee. There is a maximum of $5,000 per residential lot and $10,000 per commercial lot. The fees collected go into the sidewalk budget for future use. This calculation will result in a more equitable cost for all developers.

Valentine referred to the map in the packet and is proposing an Administrative Waiver be allowed for properties east of NYS RTE 250. PRC could grant the waiver, and if there was any question it could be brought before the Town Board.

Costello added that easements would be taken at the time a waiver is granted.

Valentine stated there are currently no sidewalks east of Dublin Road, if this changes in the future the policy could be amended and costs can be updated.

Councilman Quinn asked if the lots along the east/west dividing line are defined.
Valentine said yes, the proposed line is along existing north/south property lines.

Quinn asked if the line can be more definitive including latitude and longitude coordinates.

Valentine said we can review that.

Quinn stated that he would like to review the proposal further before taking action.

Supervisor LaFountain advised the Board if they need any additional information or examples to discuss it with Mark Valentine.

Councilman Quinn motioned to table the Sidewalk Waiver Policy until June 13, 2018. Councilwoman Metzler seconded and all present voted “Aye.”

VII. INFORMATIONAL ITEMS
   a. None

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. Tree Preservation Guidelines – Valentine
   e. Starbucks Relocation to 1798 Penfield Road – Costello
   f. YMCA Roadway Dedication – Valentine

IX. Old Business – None

X. New Business – None

XI. Executive Session – Real Estate, Litigation and Human Resource Matters – None

XII. Next Meeting – June 13, 2018

XIII. Adjournment – Supervisor LaFountain adjourned the regular Work Session at 7:41 PM.

Lisa Grosser, RMC
Deputy Town Clerk