TOWN BOARD WORK SESSION AGENDA

Wednesday, November 14, 2018 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order
II. Approval of Minutes – October 10, 2018
III. Monthly Reports - October
IV. Public Hearings - None
V. Guests
   a. Mary Wynne - discussion regarding 2567 Browncroft Blvd. - Costello
VI. Action Items
   a. Irene Gossin Park - Grade & Fill Permit Request - Valentine
   b. Contract with Community Champions to Address Property Compliance - LaFountain
VII. Informational Items
   a. Panorama Trail Project Status - Valentine
   b. BayTowne Plaza Property Maintenance Agreements - Valentine
VIII. Held Items
   a. Jomanda Way, Expanding No Shooting Petition - LaFountain
   b. Sign Ordinance Updates/Proposed Ordinance Revision - Costello/LaFountain
   c. Private Storm Pipe Agreement, 88 Stoneledge Way - Valentine
   d. Development of Apartment Building at 1384 Empire Blvd. - Costello
IX. Old Business – (NONE)
X. New Business
XI. Executive Session
XII. Next Meeting:- November 28, 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 Moore  
Councilman Quinn  

Also  
**Present:**  
Heidi Boehl  
Jim Costello  
Lisa Grosser  
Eric Tait  
Mark Valentine

II. **Approval of Minutes – 10/10/18**
CM Quinn moved for the approval of the Minutes of October 10, 2018, CW Metzler seconded the motion.

III. **Monthly Reports** – Most reports for October are in, Public Works, Assessor and Personnel will be in by Friday.

IV. **Public Hearing** – None

V. **Guests**

a. Mary Wynne – Discussion Regarding 2567 Browncroft Blvd. – Costello
Jim Costello introduced Mary Wynne and reviewed that a 12 unit apartment complex was proposed at the June 6th Public Hearing. On August 8th at the Town Board Work Session, three (3) apartment units were approved. A condition of the approval was that plans be reviewed by the Board. The plans have been submitted to the Building Inspector for approval.

Mary Wynne stated the building currently has 20 rooms, plus the white building for a total of approximately 7,000 square feet. She would like to review the Board’s long term goal for the property. Wynne submitted several documents to the Board for their review which include: Historic Preservation Overlay District definition, Population Characteristics, an Economic Summary, Summary of Real Estate Trends and an article pertaining to the type of community that would rent a large apartment. Wynne then explained her experience with rental properties and her preference for this property.
Supervisor LaFountain stated that the Board would like to review the materials submitted tonight and will have Ms. Wynne back for a discussion at a future Work Session.

Wynne reviewed the three (3) unit plan and explained that apartment one would have (5) bedrooms, apartment two would have (6) bedrooms, and apartment three would be (1) bedroom. Each bedroom would have its own bathroom. Wynne added that repairs that are being done to the property are bringing the home back to the original standards.

Costello stated restrictions could be put in place on the property to prohibit certain activities now and in the future. Covenants could be included in the approval which could place constraints on how the property is leased in the future.

LaFountain advised the Board if any additional information is needed to contact Costello. This will be discussed at a future Work Session.

VI. ACTION ITEMS

a. Irene Gossin Park – Grade and Fill Permit Request – Valentine
Mark Valentine introduced Kevin Farrell, Genesee Land Trust who has submitted an application for a Fill and Excavation permit to create a 40’ by 40’ gravel parking lot across the street from Rothfuss Park.

Kevin Farrell explained that Mindy Maclaren has donated 18.08 acres on Five Mile Line Road to create a nature preserve, which will include trails for recreational use. A gravel parking area is proposed, with an access easement from an adjacent property which is also owned by Mindy Maclaren. The gravel lot will hold four (4) cars and additional parking would be available across the street at Rothfuss Park. Farrell continued to say he is working with an eagle scout to add a split rail fence around the area. A wood engraved sign would also be added at the entrance of the preserve.

Councilman Quinn asked what would happen if Maclaren sold 1665 Five Mile Line Road.

Farrell stated there would be a cross access easement with the property. We have also been working on having the R G & E and Town easements on the property lifted.

Valentine stated the easements that pertained to the previous application for a daycare on the property have been released, only the drainage and hiking easements will be maintained. Valentine added the property includes frontage on Five Mile Line Road and they could work with the County DOT to obtain a full curb cut into the preserve if the access easement was eliminated.
Quinn stated, the property at 1651 Five Mile Line Road is owned by R G & E, will access be allowed on that land also.

Farrell said Maclaren has an agreement with the property owner to mow and maintain the area. When the parcel is turned over to the Land Trust, we will work with R G & E to keep it a contiguous parcel.

Supervisor LaFountain asked when the project will be completed.

Farrell said we plan to get the parking lot completed before the end of the year. The land will be open to the community in 2019.

Valentine added there are wetlands in a wooded area to the southwest and those have been delineated.

Councilwoman Metzler moved to approve the grade and excavate permit, Councilwoman Kohl seconded and all present voted “Aye.”

Supervisor LaFountain said a letter will be sent to the applicant confirming approval.

b. Contract with Community Champions to Address Property Compliance – LaFountain

Supervisor LaFountain stated that he, the Town Attorney, Jim Costello and Heidi Boehl had a conference call with the Community Champions group who has experience with over 200 communities across the United States. The group works with banks and property owners who are in foreclosure. In Penfield currently there are 133 properties in foreclosure and 61 properties in pre-foreclosure. The group has worked with the Towns of Greece and Gates. Greece collected enough in fees to fund an additional Code Enforcer. There are no upfront costs to the Town.

LaFountain continued to say an Ordinance would have to be passed and the Town Attorney is currently reviewing the draft. Once approved a resolution would be submitted authorizing the Supervisor to sign a contract with the Community Champions. It is recommended a resolution be submitted at the next Legislative Session on December 5, 2018 and a Public Hearing will be scheduled by the end of December or early January 2019.

LaFountain continued to say contracting with the Community Champions will make our processes more efficient and will be better for the community overall.

Costello stated we have had a difficult time resolving issues with zombie homes in the Town. This company works with banks and lending institutions and will require the properties be maintained.
LaFountain stated the group identifies the bank which owns the property. The Town gets $300 per property from the bank and this fee will be used to fund a portion of the Community Champions fees. The banks are penalized for not taking care of the property.

Councilwoman Kohl moved to schedule a Public Hearing to establish an Ordinance, Councilman Moore seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on December 5, 2018.

c. Community Center Roof Replacement Bid Review – Tait

Eric Tait submitted a summary of bids received to the Board for its review. Tait reviewed that the first phase of roof replacement at the Community Center was completed in 2018 and this bid is for the second phase which totals 38,000 square feet.

Tait reviewed that Spring Sheet Metal and Roofing, LLC was the lowest bidder. Tait also confirmed with Jim Kreckman, Building Foreman, that Spring Sheet Metal replaced the roof on the Mack Building in 2013. Funds to perform the work are in the 2019 budget. Tait added that Phase 1 of the project was upgraded to a 75 mil roof with a 25 year warrantee, which he also recommends for Phase 2. Work would be completed in spring 2019.

Councilwoman Metzler moved to accept the bid from Spring Sheet Metal and Roofing, LLC for $465,300, Councilman Quinn seconded and all present voted “Aye.” A resolution will be submitted at the next Legislative Session on December 5, 2018.

VII. INFORMATIONAL ITEMS

a. Panorama Trail Project Status – Valentine

Mark Valentine reviewed that the Sumket property received a grade and fill permit to clear some of the area and create an access road, which has been completed. Currently they are looking to pursue office space with the area. A formal application has not yet been received, but it would go before the Planning Board. This would come back to the Town Board if rezoning was requested.

b. Baytowne Plaza Property Maintenance Agreements – Valentine

Mark Valentine introduced Paul Colucci, DiMarco Baytowne Associates, and Alan Rainbow, Property Manager. Valentine submitted copies of two (2) Property Maintenance Agreements and an area overlay to the Board for its review. Valentine said as a result of a recent outdoor event, residents brought up concerns with amplification and outdoor noise. The PMA, exhibit B covers the back property which includes Wal-Mart. This PMA includes a clause stating outdoor amplification or outdoor speaker systems are prohibited. The second PMA covers Baytowne Plaza and the remaining portion of the plaza and the expansion to the north. This original PMA has no constraints pertaining to amplification or the use of outdoor speakers. The applicants have proposed using the outdoor green space for special events.
Councilwoman Kohl asked if Temporary Recreation Permits would apply to the plaza or the individual tenants.

Jim Costello said each business would be allowed three (3) annual Temporary Recreation permits. The property owners would like to have a farmers market and outdoor movies. They have applied to the Zoning Board of Appeals for a Conditional Use Permit to allow these events on a sustained basis. The hearing is tomorrow night, November 15, 2018. The area includes the flag pole and the green space east of Verizon, and south of the U of R medical building.

Supervisor LaFountain stated he and staff will meet with the residents who brought up concerns regarding noise and explain the difference between the two (2) Property Maintenance Agreements.

Colucci said the community events would start spring 2019 and an event calendar would be rolled out.

Kohl asked how the events would be advertised.

Colucci said a public relations representative would work with the Town and could also host community events. There would also be advertising via print and radio.

Kohl asked if there would be signage on the property.

Colucci said he is currently working with the Town on event signage. Colucci added he has also reached out to the residents who had concerns with noise.

Costello asked what the hours would be for the outdoor events.

Colucci said movies would begin at dusk, the farmers market would be during the day. Other events would be 10:00 AM to 10:00 PM, May 1 to October 31 and an event calendar would be established. Individual tenants would be responsible to obtain their own permits. The property hosting events is 1970 Empire Blvd., located from Brandt Point Drive to the flag pole.

VIII. HELD ITEMS
a. Jomanda Way, Expanding No Shooting Petition – LaFountain
b. Sign Ordinance Updates/Proposed Ordinance Revision – Costello/LaFountain
c. Private Storm Pipe Agreement, 88 Stoneledge Way – Valentine
d. Development of Apartment Building at 1384 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 28, 2018

XIII. Adjournment - Supervisor LaFountain adjourned the regular Work Session at 8:20 PM.

Lisa Grosser, RMC
Deputy Town Clerk