TOWN BOARD WORK SESSION AGENDA
Wednesday, September 11, 2019 7:00 PM
Supervisor R. Anthony LaFountain, presiding

I. Call to Order
II. Approval of Minutes – August 28, 2019
III. Monthly Reports - August
IV. Public Hearings - None
V. Guests
   a. (NONE)
VI. Action Items
   a. Conditional Use Permit Application for Perri's Pizza at 1837 Penfield Road - Costello
   b. Low Pressure Sewer Systems - New MCDOH & NYSDEC Regulations - Valentine
VII. Informational Items
   a. Greenlight Fiber Underground Installation, Cranberry Cove - LaFountain/ Valentine
VIII. Held Items
   a. Jomanda Way, Expanding No Shooting Petition - LaFountain
   b. Sign Ordinance Updates/Proposed Ordinance Revision - Costello/LaFountain
   c. Community Choice Aggregation, Penfield CCA Resident's Committee - LaFountain
   d. Conditional Use Permit and Site Plan Approval for Apartment Building at 1384 Empire Blvd. - Costello
IX. Old Business – (NONE)
X. New Business
XI. Executive Session
XII. Next Meeting: September 25, 2019
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.
Town Board Work Session Minutes  
September 11, 2019  
7:00 PM

I. Call to Order

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

Also Present:
Jim Costello
Lisa Grosser
Mark Valentine
Eric Tait

Supervisor LaFountain called for a Moment of Silence to remember the lives that were lost on September 11, 2001.

II. Approval of Minutes – 8/28/19
CM Quinn moved for the approval of the Minutes of August 28, 2019, CW Metzler seconded the motion.

III. Monthly Reports – Reports for August are in except for Finance, Personnel and Building/Zoning/Fire Marshal which are expected by the end of the week.

IV. Public Hearing – None

V. Guests
   a. None

VI. ACTION ITEMS

   a. Conditional Use Permit Application for Perri’s Pizza at 1837 Penfield Road – Costello
Jim Costello introduced Mike Perri and reviewed that the Public Hearing was held September 4, 2019. Signage was discussed as well as changing to white exterior windows, there will be a total of 20-28 employees with a maximum of six (6) on site at any time, hours of operation will be 10:00 AM to 10:00 PM. Mike Perri is interested in consolidating the dumpster area to share costs with neighboring businesses. The location of the grease recycle bin needs to be reviewed by the Fire Marshal.

Eric Tait stated that when the parking lot was reconfigured, an area was hashed out, on the east side of the building, to contain a grease dumpster.
Costello continued to say the applicant is requesting three (3) signs which is what had been approved for Guida’s Pizzeria. A 60 Sq. Ft. sign in the front, a 22 Sq. Ft. sign on the side and an 11 Sq. Ft. sign in the back. Based on the building size 60 Sq. Ft. of signage is allowed, and a waiver had been granted to Guida’s Pizzeria to allow the additional signage.

Supervisor LaFountain inquired about the window signage.

Perri said signage will be on the inside of the windows and will resemble etched glass.

Councilwoman Metzler moved to approve the Conditional Use Permit, to include the waiver for additional signage and approval of the location of the grease dumpster, Councilwoman Kohl seconded and all present voted “Aye.” A Resolution will be submitted at the next Legislative Session on September 18, 2019.

Tait said we will have a discussion with Baker Commodities regarding the location of the grease dumpster to ensure access for pick up.

b. Low Pressure Sewer Systems New MCDOH and NYSDEC Regulations – Valentine
Mark Valentine submitted two (2) letters to the Board for its review. A letter dated August 20, 2019 from the Monroe County Department of Health, and a second letter dated July 3, 2018 from the New York State Department of Environmental Conservation. The letters are referring to mandated changes regarding low pressure sewers. These changes were not adopted in the updated Town Design Criteria. The NYSDEC is requiring 24 hour repair or replacement of failed pumps, the Town own and be responsible for the main pressure line and the individual grinder pumps that pump into the LPSS and the grinder pumps be installed on property that the Town has clear title or right of access. Valentine continued to review the Monroe County Department of Health letter noting that if a gravity sewer system is shown to not be feasible, the LPSS must meet criteria found in the policy. Most notable of the requirements being the need for the Town to own and be responsible for individual grinder pumps and have clear title or right of access to the property for maintenance.

Councilwoman Metzler asked how many homes in Town have low pressure sanitary sewers.

Valentine said 13 homes on Waybridge Court. There is currently an application before the Planning Board for 72 homes that would require low pressure sanitary sewers. Valentine added there is a Special Improvement District currently in place for the homes on Waybridge Court which could be used to fund this change. The Town would have to obtain easements from property owners.
Councilman Quinn asked why these homes have low pressure sanitary sewers.

Valentine explained gravity sewers were not available in the area and the establishment of a regional pump station was cost prohibitive.

Quinn asked if this becomes a burden to the Town, do we re-look at who is allowed to have low pressure sanitary sewers.

Tait stated it was allowed in Waybridge Court as a trial run and it pre-dated these new requirements. It has been successful and another application is before the Planning Board now. It is through that application process we were made aware of these new requirements.

Valentine asked if low pressure sanitary sewers should be removed as an option for new builds, or do we update the Town Design Criteria with these new requirements.

Metzler asked if the Special Improvement District is used to fund and comply in the future, how are the costs being handled today.

LaFountain said currently any repairs/replacements are at the property owner’s expense.

Valentine said homeowners would pay into the Special Improvement District. The Town would own and maintain the low pressure sanitary sewers and use the funds in the Special Improvement District to repair/replace the pumps.

LaFountain said today the Town owns the main trunk line. If a pump fails it is the homeowner’s expense to repair/replace it. LaFountain continued to say it needs to be determined if existing low pressure sanitary sewers are included or excluded from this new requirement.

Valentine said we need to start the discussion to determine if this requirement is retroactive. We also need to find out if this is a policy or a law.

Councilwoman Kohl asked if Valentine had reached out to any other Towns.

Valentine said Webster has several low pressure sanitary sewers as well as Wayne County. Wayne County has their own Water and Sewer Authority which is a business that repairs/maintains sanitary sewers.

Councilwoman Metzler moved to table the discussion for additional information. We need to find out if this is a policy or law and if it covers existing, approved and future low pressure sanitary sewers. Councilman Quinn seconded and all present voted “Aye.”
Supervisor LaFountain suggested Mark Valentine have a discussion with the Rochester Area Home Builders Association regarding these requirements.

VII. INFORMATIONAL ITEMS

a. Greenlight Fiber Underground Installation, Cranberry Cove – LaFountain/Valentine

Mark Valentine reviewed that a pilot program was completed in Cranberry Cove. There were no calls, no issues or concerns with residents or Greenlight. Greenlight is now looking at going into new locations.

Eric Tait stated two (2) permits have been requested for Tuscany Lane and Crowne Pointe.

Valentine said Greenlight wants to continue work down State Road from the initial installation at Cranberry Cove subdivision.

Councilman Moore stated he appreciates both Valentine and Tait’s efforts. Penfield has been proactive by setting up meetings with Greenlight. Greenlight is making their own business decisions as to where they want to go and offer their services.

 Supervisor LaFountain said historically work had been done overhead, now Greenlight is working under ground.

Tait added they are using a different contractor for work on Tuscany Lane and Crowne Point, but trying to keep their installations uniform.

VIII. HELD ITEMS

a. Jomanda Way, Expanding No Shooting Petition – LaFountain
b. Sign Ordinance Updates/Proposed Ordinance Revision – Costello/LaFountain
c. Community Choice Aggregation, Penfield CCA Resident’s Committee – LaFountain
d. Conditional Use Permit and Site Plan Approval for 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 - September 25, 2019

XIII. Adjournment - Supervisor LaFountain adjourned the regular Work Session at 7:42 PM.

Lisa Grosser, RMC
Deputy Town Clerk