PENFIELD TOWN BOARD AGENDA
Wednesday, June 16, 2010 7:30 PM
Supervisor R. Anthony La Fountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Communications and Announcements

III Public Participation

IV Additions and Deletions to Agenda

V Approval of Minutes - May 19, 2010 & May 26, 2010

VI Petitions

VII Resolutions by Function

Law and Finance
#10T-154 Authorization to Maintain Properties and Assess the Charges to the 2011 Property Tax Bills
#10T-155 Authorization for Supervisor to Sign a License and Hold Harmless Agreement to Allow a Fence within Drainage Easement at 21 Galante Circle

Public Works - None

Public Safety - None

Community Services
#10T-156 Authorization for Supervisor to Sign Recreation Contracts

VIII Old Business

IX New Business

X Public Participation

XI Adjournment
I. Call to Order:

Present:

Supervisor LaFountain
Councilwoman Kohl
Councilwoman Metzler
Councilman Moore
Councilman Quinn

Also Present:

Geoff Benway
James Costello
Mark DiFrancesco
Katie Evans
James Fletcher
Donna Masters

II. Approval of Minutes: - None

III. Monthly Reports: - Supervisor LaFountain reported that all reports are in with the exception of the Local History Room and the Planning Department.

IV. Public Hearing: - None

V. Guests: - None

VI. ACTION ITEMS:

Public Safety - None

Community Services
1. Statue Update and Relocation – Supervisor LaFountain advised that the suggestion for location of the statue was the Four Corners, however, this would require removing landscaping that is in Schaufelberger Park, including a tree. The bench and millwheel will not go in until Exxon Mobil does their work depending on what their abatement is. Right now, they are not taking phone calls or answering e-mails.

CW Kohl said that we need to know when.

J. Costello said that they had to negotiate an agreement with Mr. Kendick. We will continue to communicate and reach out and as soon as we know, the entire Board will know.

Supervisor LaFountain added the fact that the statue should be placed where it will get some attention.

CW Metzler said that this statue will serve as a historic focal point and will lift the aesthetics of the Four Corners. CM Quinn, CM Moore and CW Kohl indicated that they are fine with the location.

Supervisor LaFountain also advised that there is no guarantee that the statue will be in the Four Corners this year; we still need funding for the bench and millwheel and we will have to see what the proceeds are from the golf tournament. The sculptor has indicated that he wants to be completely done with this within the next few weeks.
J. Costello said we will talk with him and include Bob Ainsworth for the template as well.

**Law and Finance**

1. Canandaigua National Bank Signage – Supervisor LaFountain advised the Board that a request came in from the bank to install two (2) signs. One sign would be located on Liberty Street leading to their property and one on the northwest corner of Five Mile Line Road advertising their branch, ATM and “this way”; they are looking to work within the right-of-way.

J. Costello said that the only issue is the rezoning of the 805 Liberty Street parcel; many restrictions were passed by this Board.

Supervisor LaFountain said “no” to the Five Mile Line Road sign as well as the Liberty Street sign. It could set a bad precedent as well.

CW Metzler said she is not comfortable with this right now; CM Moore agreed.

2. Comprehensive Plan/Hamlet/Sewer Capacity – Supervisor LaFountain said we are proactive for funding a sewer capacity study in this area. There are three (3) potential basins for “flow to”.

CM Moore questioned the cost of one, two or three basins and where would the money come from; also the commercial vs. residential development.

M. DiFrancesco answered that the cost would be less than $50,000 for all three basins and funding would come from the Sewer Repair/Renovation fund. This particular fund is reimbursable and currently there is over $100,000 in the account. This would tell us what the capacity of the current system is to identify areas where upgrades can be made. This is based on the recommendations of the Comprehensive Plan and the engineering firm looks at it as well.

CW Kohl referenced the Route 250 Corridor Study and Land Use Plan; possibly an addendum could be added.

G. Benway said along Route 250 we could be okay since the Village of Webster has capacity.

CW Kohl asked if a concept plan for the hamlet could move forward with a special district being formed.

M. DiFrancesco said yes, an improvement district for the cost of the study. He believes that NYS Town Law does allow for this.

CW Metzler said that she supports exploring the cost of the study.

M. DiFrancesco said this would begin with the RFP process, multi-level.

Supervisor LaFountain said we should look at the three (3) basins and then all totaled. A Resolution would be prepared to out for the RFP’s, advertise for a few weeks, and then move forward for an engineering firm for this. Lastly, there would be a 30 day Permissive Referendum period.

All Town Board members were in agreement with the above path forward.

**Public Works** - None

**VII. INFORMATIONAL ITEMS:**

**Public Safety** - None

**Community Services** - None
Law and Finance

❖ Review of Development Projects – G. Benway reported that Commission Ditch will be done this week and we still have to go down to Perinton and clean the pond, but this is amazing! Dennis Sanzotta, Highway Department, did a great job.
❖ Willow Pond contract – this must be reviewed by Attorney Horwitz first; it will go on to Supervisor LaFountain for his signature.
❖ Supervisor LaFountain reported that water was coming from the pipe, down Penfield Road at Panorama Trail. G. Benway will obtain the details from his office. B. Ainsworth should check the multi-use trail from Philbrick Park down to Panorama Trail. M. DiFrancesco has a rain gauge on Extension No. 19 for G. Benway to be aware of.
❖ Five Mile Line Road Update Project – J. Fletcher advised that paving will be done on Saturday from Route 441 to Whalen Road; they will try again for this Saturday.

2. Update of Development Projects – J. Costello provided the following updates:
❖ Ruoff property – Dan Heiman has been down to the property helping to clean up the site and he is doing a fantastic job. There is a meeting next Tuesday regarding what to do with this park. We will be getting a RFP (request for proposals) out very soon.
❖ Humphrey House – the barn will be torn down next week. J. Fletcher said that he had stopped down there and spoke with Doug McCord; there will be a few dumpsters there to block the parking spots (in the event that any cobblestones start rolling down the street). The bench may be salvageable.
❖ Lugiа’s – they started up yesterday. As far as Mrs. Weckesser, this home was in a state of disrepair for many years; it looks good now. She has called and complained about their truck. The issue is that Lugiа’s has a generator attached to their truck and is self-contained. The generator is too loud. They will be coming in with a plan to be rid of the generator. However, they are pleased with the grand opening yesterday.
❖ Falvo Funeral Home – they do not have enough parking for certain events held there and people are parking along the road (Route 250). We will talk to them regarding additional parking. The recommendation from NYSDOT would be to have “no parking” along that stretch of road.
❖ Deb Sheehan – there is a problem with Mr. McCord complaining of smells coming from her business for nails; she will be looking for another site in the Four Corners. She is moving forward for the Chocolate Fest in July. The Fire Marshal will be walking the site since there will be flame retardant tents located on the site for this event. She wants to utilize Motts Lane, but there is an insurance issue which would require a rider for our land. The lawn will have to be mowed as well.
❖ Connors Café – they are staying open until late July. There will be a Gold Star Ceremony, 98th Division, on the same day, July 17, and it will be a big event.
❖ LeBonVie restaurant – the dumpster enclosure and fence are fixed. However, the air conditioner is not okay and must be looked at. The sign is taking awhile. CM Quinn said he does not care for it.
❖ Joey’s Pasta House – they may be done mid-month.
❖ Cupcake operation – she is doing very well and she is excited.
❖ Ozzie’s – the exterior siding area has been primed; we want a plan from them to see what they are doing. The sign should be moved down closer to the intersection (the current sign that is there right now). Supervisor LaFountain said that we could try the sign closer to the intersection and go from there. J. Costello said that Monroe County did the cut reductions for the walkways and should be done within the next week or two.

Public Works - None

VIII. HELD ITEMS:
1. Recreation Facilities Update – Cooper – Not discussed
2. Garage Sales – Costello – Not discussed
3. Pond Ownership – Staff – Not discussed
4. Parking Lot Signage – Fletcher/Costello – Not discussed
5. Trapani Property, 85 Fellows Road Review Concept Plan – Evans/Costello – Not discussed
6. Heritage Festival - Rothfuss Park, October 16, 2010 – Supervisor LaFountain advised that Dave Woodward will follow up tomorrow morning with him regarding this item. Sue Foor said there are some very happy people with the Town’s response. There is a list of activities and Linanne Conroy was there from Recreation with some ideas and there will be a contact person from this department. Sue Foor will be the documentation person for this event. The event will run from 11:00 a.m. until 3:00 p.m. Food will be supplied by the East Penfield Church and the Health Department is okay with this.

CW Kohl asked if there is a budget for this event.

Supervisor LaFountain said yes there is. The Fire Department will hold a pancake breakfast. They will also have vintage tractors on hand and we will contact Town Historian Kathy Kanauer regarding what was available 100 years ago. This is sponsored by the farm families of Penfield and the Town of Penfield. Proceeds of this event will go to fire department, ambulance and Shepherd Home.

7. Arbor Ridge Expansion – Supervisor LaFountain received a voicemail from Mr. Barbato asking when he would hear back one way or the other regarding this development.

Supervisor LaFountain asked the Town Board members and staff if we have a potential issue with this?

CW Kohl said that they should move forward; she was impressed with this proposed plan.

CM Quinn asked what the alternatives are.

CW Metzler is open ended on the incentive zoning with some concern for some definitive’s for the incentive zoning.

Supervisor LaFountain said the first piece is on Fellows Road; incentives we are not sure of. As far as further east, current or future Comprehensive Plan?

Supervisor LaFountain said that we will send a letter stating that the Town Board looks favorably upon what is proposed, but you will need to work out sewer capacity. The Town Board will need to work out the incentives. After that, a meeting can be scheduled to meet and set the appropriate time.

Not on tonight’s agenda:

Laudadio property – J. Costello said we have met with Mr. Cavalcanti who is buying this property and is considering converting the three (3) cul-de-sacs (with private drive) into possible dedicated lots or private cul-de-sac lots (the Town does not plow private roads). The PRC (Penfield Review Committee) has recommended that they show us a plan that illustrates a loop and sidewalks as well. The PRC will look at this next week and report to the Town Board regarding a change to the incentive zoning. We will have to see what the benefits to the Town would be.

IX. Old Business: - None

X. New Business: - None

XI. Executive Session – Real Estate, Litigation and Human Resource Matters: - No Session held this evening.

XII. Adjournment: - Supervisor LaFountain adjourned the Work Session at 8:30 p.m.