Town Board Work Session Agenda
February 23, 2011
7:00 p.m.

I. Call to Order

II. Approval of Minutes – 2/8 11 and 2/9/11

III. Monthly Reports

IV. Public Hearing - None

V. Guests - None

VI. ACTION ITEMS

Law and Finance
1. Key Bank – Costello/Evans
2. Los Amigos Cantina Special Permit – Costello
3. Sign Ordinance Next Steps – Costello/Suveges/Morehouse
4. PEQR – Next Steps - Evans

Public Works - None

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None

Public Works
1. Jomanda Way Update – Benway
2. Update on NYSDOT Meeting of 2/17/11 – Benway

Public Safety - None

Community Services
1. Parks Planning – Cooper/Freitas

VIII. HELD ITEMS
1. Pond Ownership – Staff
2. Parking Lot Signage – Fletcher/Costello

IX. Old Business

X. New Business

XI. Executive Session – Real Estate, Litigation and Human Resource Matters

XII. Adjournment
Town Board Work Session Minutes
February 23, 2011
7:00 PM

I. Call to Order

Present:

Supervisor LaFountain
Councilwoman Kohl
Councilwoman Metzler
Councilman Moore
Councilman Quinn

Also Present:

Geoff Benway
Jim Costello
Katie Evans
Jim Fletcher
Lisa Grosser

II. Approval of Minutes – 2/8/11 and 2/9/11

CM Moore moved for the approval of the Minutes of February 8, 2011 and February 9, 2011, CW Metzler seconded the motion.

III. Monthly Reports – All are in with the exception of the Local History Room and Recreation.

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance

1. Key Bank

Representing Key Bank were Jerry Goldman of Fix Spindelman Brovitz, and Goldman, Joe King of Westlake Development and Scott Wallenhorst of Vocon

Councilman Moore asked if the applicants have contacted the Penfield School District?

Joe King said that he had spoken with Mark Sansouci. Mr. Carlevatti, Superintendent has been out of the office. They discussed adding fencing and landscaping on the north side of the site. The school district will be sending a letter to the Town with their concerns itemized.
Mr. King said that this application should not impact traffic on Harris Whalen Road as they have requested a full access curb cut from Penfield Road.

Supervisor LaFountain stated they would need to discuss the curb cut with the State Department of Transportation. He also asked what impact a right in/right out only curb cut has to the project?

Joe Wallenhorst said that Key Bank would like a full access curb cut to eliminate traffic issues on Penfield Road.

Jim Costello said they should contact the New York State Department of Transportation to see if a full access curb cut would be permitted.

Mr. Wallenhorst said he is in receipt of a PRC Memo containing 15 comments. He provided statistics of peak hours and estimated ATM traffic per day.

Jim stated he will prepare an application for re-zoning all of the properties in the district, including those properties east of Route 250 upon the Board’s direction. He will contact the residents in the area and they will file as petitioners. The Town Board will work with staff on the re-zoning of these properties. Once the properties are rezoned, an application for site plan approval may be submitted to the Planning Board for their review and consideration.

Supervisor LaFountain asked if the applicant will land bank parking. Mr. King will check with Key Bank, but does not think they will forego the additional parking. There will be (7) employees without the (4) spaces that would leave a total of 17 parking spaces on the east side.

Councilman Quinn asked if they have looked at any other locations?

Mr. King said “no” this is the only location they are interested in at this time.

Supervisor LaFountain requested Key Bank representatives to have a conversation with the state regarding the traffic and forward any information received to Town staff. He also said that the Board will work with staff on the rezoning of the properties. We also need the written response from the school district and we will discuss again at the next Work Session on March 9, 2011.

2. Los Amigos Cantina
The Public Hearing for Los Amigos Cantina was held on February 16, 2011. The Board discussed and agreed on the following:

- Midnight closing - Cannot serve customers past midnight, the business should be closing up.
• Outdoor Music – None at this time. It is not allowed in the Four Corners. Music is permitted inside only. Can apply for outdoor music at a later date.
• Dumpster enclosure – The dumpster needs to be enclosed by June 1, 2011.
• Sign Status – The existing back lit sign will need to be replaced. The applicant will provide a sign package for the Board’s review.
• Special Permits – Can be applied for as needed for special events.
• Outdoor Dining – There had been a prior approval for outdoor dining in the rear of the property for 24 customers. The Building and Zoning Administrator will need to review Code Requirements with the applicant.

Application will be approved subject to the identified conditions. Jim Costello will prepare a Resolution for a Special Permit to be issued at the Legislative meeting on March 2, 2011.

3. Sign Ordinance
Jim Costello referred to the 6th draft of the Sign Ordinance dated 2/9/11. The 7th draft will be coming out tomorrow.

Jim would like to add a statement as a guide to keep signs out of the Right-of-Way. Signs must be placed 20 feet from the gutter. This guideline would be acceptable for all Town and County roads. The State guidelines can be different but the majority would not be in the Right-of-Way if placed 20 feet from the gutter.

Supervisor LaFountain said for Costello to submit draft 7 with this statement in parenthesis. A Public Hearing will likely be needed to finalize the sign ordinance and definitions prior to adoption.

Jim would also like to change the term for “You Pick” signs from “60 Days” to “Growing Season”. The Board agreed that would be acceptable.

Supervisor LaFountain asked Jim to put together a calendar outlining the timeline for Resolution and Public Hearing dates. Jim will submit a Resolution to hold a Public Hearing on April 6, 2011.

4. Penfield Environmental Quality Review Law
Supervisor LaFountain stated that no comments have been received.

Katie Evans said that she will prepare a Local Law to repeal PRQR which is required to be filed with the Department of State Office following adoption. Since a new Local Law is required, it has to be referred to Monroe County Department of Planning and Development under Town Law 239-m which typically takes 30 days. The earliest repeal date would be April 6, 2011. Katie will work with Dick Horwitz, Doug Fox and Jim Costello on this.
Public Works - None

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None

Public Works

1. Jomanda Way

Geoff Benway has an updated report from MRB originally done in November 1995. This quote would bring the pavement up to Town standards. The street would be 20 ft. wide with a 12” base. The residents of Jomanda way would be funding this. The Town would create a Special District and acquire a bond to cover the cost. This cost would then be paid back to the Town by the residents of Jomanda Way over a 20 year period. Geoff needs to discuss the financing with Bob Beedon, Comptroller.

Geoff will meet with the residents and explain the costs. He will get together a petition for all residents to submit to the Town Board. Following, a Public Hearing will be scheduled.

Councilman Moore asked for clarification, if the project is bonded, will the labor need to go through the bid process?

Benway said that “yes it would.”

2. Update on New York State Department of Transportation Meeting

Geoff Benway gave a summary of his meeting with the SDOT. The SDOT is reviewing adding a turn signal at Five Mile Line Road and Penfield Road. If it is approved they are not sure the poles can handle the weight of the extra signals.

The contract has been signed for a signal at Jackson Road and Atlantic Avenue. They are testing for location of the pole as there is a 48” water main below. The State is evaluating adding turn lanes at Plank/Route 250 and Atlantic/Route 250. The right turn lane at Linden Ave. and Route 441, is being reviewed for improvement.

Penfield Road improvements have been pushed back to 2013. The State is considering cutting down the intersection at Harris and Huber Roads and widening the intersection of Salt and Carter Roads.

The signal has been ordered for Plank Road and Empire Blvd. It should go in this year. There will be some repair at Route 441 and Washington Street. The Browncroft Boulevard sidewalks will not be done until next season.
SDOT is not supportive of the Empire Boulevard lane restrictions. They are discussing adding a painted median or rumble strips to the centerline down the hill to Irondequoit.

Geoff stated that we are the only Town to meet with the NYSDOT. We may want to increase this to a couple of times per year to keep our priorities in their sight.

Public Safety - None

Community Services
1. Parks Planning - WITHDRAWN

VIII. HELD ITEMS
1. Recreation Facilities Update – Cooper – Not discussed
2. Pond Ownership – Staff – Not discussed
3. Parking Lot Signage – Fletcher/Costello – Not discussed

IX. Old Business - None

X. New Business
1. Katie Evans said that she has been contacted by the University of Guelph Ontario, Canada. They have 10 Rural Planning graduate students that will be attending the March 2, 2011 Legislative Session and will be at the Town Hall the following Thursday morning. They are interested in learning about the government structure in New York State. County Legislator Debbie Drawe will be speaking with them Thursday morning at 9:00 AM. Town Board members are welcome to attend.

XI. Executive Session - Real Estate, Litigation and Human Resource Matters - No Session tonight

XII. Adjournment - Supervisor LaFountain adjourned the Work Session at 8:07 PM