Town Board Work Session Agenda
April 13, 2011
7:00 p.m.

I. Call to Order

II. Approval of Minutes – 3/9/11 and 3/23/11

III. Monthly Reports - March

IV. Public Hearing - None

V. Guests - None

VI. ACTION ITEMS

Law and Finance
1. Sign Ordinance Next Steps – Costello/Morehouse/Suveges

Public Works
1. Sidewalk Construction 2011 – Valentine
2. Awarding Contract for Rubber Tired Excavator – Fletcher
3. 2011 Drainage Projects - Benway

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance
1. Abbington Place – Evans
2. Key Bank – Evans
3. 2014 Five Mile Line Road – Evans /Benway

Public Works
1. Living Next to Stormwater Ponds II Next Steps – Benway
2. MCWA Tank Relocation – Benway

Public Safety
1. Renaming Crowne Pointe Drive - Morehouse

Community Services
1. East Side Dog Park Update - LaFountain

VIII. HELD ITEMS
1. Pond Ownership – Staff
2. Four Corners Signage – Costello/Fletcher

IX. Old Business

X. New Business

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

XII. Adjournment
Town Board Work Session Minutes  
April 13, 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  
Jim Fletcher  
Lisa Grosser  
Harold Morehouse

II. Approval of Minutes - 3/9/11 and 3/23/11

CW Kohl moved for the approval of the Minutes of March 9, 2011 and March 23, 2011, CM Moore seconded the motion.

III. Monthly Reports - All March reports have been submitted.

IV. Public Hearing - None

V. Guests - None

VI. ACTION ITEMS

Law and Finance

1. Sign Ordinance Next Steps - Costello/Morehouse

Jim Costello stated the Public Hearing has been held and we now need to address the comments we have received. Some of the businesses in town have requested banners that say “open” or for special events. Currently, banners are not under the Sign Ordinance, but can be obtained by purchasing a Temporary Recreation Permit from the Building and Zoning Department. The current fee structure is based on the fact that a banner is displayed outside of the building, at a rate of $25 per week for up to (3) three weeks.

Written comments have been received from Mr. Sowden. He is concerned with identifying the right-of-way and proper placement of signs. The Ordinance reads that you must knock on the door to receive approval from the homeowner. If you receive permission, you may put up as many signs as you want, and they can be left up...
for the duration of the event. Signs must be removed within (2) two days after the event. We are still waiting for a response from Mr. Antetomaso regarding real estate signs. Costello feels banners should be treating like A frame signs. We have received many complaints about signs that have been put up by non-profit organizations. Costello said we are trying to minimize the visual pollution, it is distracting and residents do not want to look at it.

Harold Morehouse said businesses can apply to the Zoning Board of Appeals or the Town Board for a Special Permit, the sign can then be displayed for up to 52 weeks.

Costello said we will review the current criteria for obtaining a Temporary Recreation Permit and see how we can modify it to allow banners for local businesses.

Costello asked how should we respond to the comments received from the Boy Scouts pertaining to placement in the right-of-way?

Supervisor LaFountain said the placement of the signs must remain as it is, they must comply with the requirement to keep signs out of the right-of-way.

Supervisor LaFountain asked that staff make recommendations to the Board for options to offer banners to Penfield Businesses. This should include specific criteria regarding size and location. LaFountain asked Costello to have suggestions to present to the Board by the next Work Session.

Public Works
1. Sidewalk Construction 2011 - Benway
Geoff Benway submitted a summary of potential sidewalk construction projects, both primary and secondary for 2011, with estimated pricing. After discussion between Town Staff and the Town Board it was decided to prioritize as follows: Number 1 - Panorama Trail (from Farmbrook Dr. to Browncroft Blvd.), Number 2 - Empire Boulevard (from Daytona Ave. to Smith Rd.) and Number 3 - Repairs. If money is remaining and the weather allows we may be able to add Watson Road or another small project. It may also be an option to come in under budget and save the funding balance.

Supervisor LaFountain asked Benway to give the Board an opportunity to discuss the remaining balance before you do anything after the first (3) three priorities are accomplished.

Councilman Quinn inquired about the status of sidewalks for Baird Road.

Benway said last year we received a petition to add sidewalks on the west side of Baird Road, from the Perinton Town line north to NYS Route 441. We have inquired with the residents and most of the residents on the west side of the road do not support sidewalks.
Supervisor LaFountain asked Benway to meet with residents again to see if sidewalks are supported in the area.

Councilwoman Kohl asked if there could be a discussion regarding Mott’s Lane and timing of adding roads and sidewalks?

Supervisor LaFountain said we will add that as an item to the Next Work Session on April 27, 2011.

2. Awarding Contract for Rubber Tired Excavator – Fletcher
Jim Fletcher submitted the results of the bids for the Rubber Tired Excavator. Vantage Equipment was the lowest bidder, with a Volvo EW 180C. They have given us an option to trade in our old equipment. In the past we have sold some equipment at auction, but for this piece we have been advised that the trade-in value is more than what we might get at auction. The net cost of the excavator with trade is $165,789.

Supervisor LaFountain polled the Board and it was agreed to proceed with the purchase of the Volvo EW 180C and a Resolution will be prepared for the May 4, 2011 meeting.

3. 2011 Drainage Projects – Benway
Geoff Benway submitted a summary of potential drainage projects for 2011. The total drainage levy is $350,000. Benway explained the different types of projects and what would be required.

Supervisor LaFountain asked what would be the starting point for pond cleaning?

Benway said we should begin with Glenbrooke and Silverwoods as the neighbors have already shown an interest. They are supportive and it would be a nice test area as the Town owns the land. Benway presented the signs that will be put up to identify the area being cleaned. The signs would have to be installed by a highway employee.

Benway said that he has applied for (2) two grants to pay for this project. The grants are from the Department of Environmental Conservation, one is a Green Infrastructure grant and the other is from the Center for Environmental Information. The second grant is with the Town of Webster to do (7) seven demonstrations throughout the watershed. Benway said he should have a response on the grants by the end of May.

Supervisor LaFountain asked about the Embury Road culvert and the Empire Boulevard pond on the summary sheet with no costs, why is this?

Benway said he has done preliminary engineering on the Embury Road culvert. He is hoping for ARRA Funding (Stimulus Funds) so that we will have a “shovel ready” project. Regarding the Empire Boulevard project, Webster is trying to get the final DEC permits
to install the piping for this project. The Town of Penfield should have no costs for the Empire Boulevard Project. Our agreement in the past has been a cost share with Webster. Penfield pays the engineering cost and Webster pays for the construction.

Benway said that he has included a fee for Asset Management software and Phase II Education. This is a stand alone package and other departments would not need to purchase anything. This software module could be used directly to manage drainage projects.

Supervisor LaFountain asked Benway to have a list of the 2011 Ditch Cleaning priorities so that he can give this list to the Highway Department next week. In an effort to keep the Board updated on drainage projects regularly, please be prepared to give an update during the first Work Session of each month for the next (4-5) months.

**Public Safety** - None

**Community Services** - None

### VII. INFORMATIONAL ITEMS

**Law and Finance**

1. **Abbington Place - Costello**

Jim Costello said that the Public Hearing has been held. He has been working with neighbors regarding their concerns. The rate of run off has been reviewed for Bill Vendel’s property. There has been a reduction to the east portion in the right-of-way of NYS Route 250. On the east side we have been given a release to go on to the property if necessary. We have agreed to compensate the owner for any damages to crops caused by walking on his property.

Benway said that basins have been added to direct the flow to the pond. Nothing from this site will go to the Vendel property. The existing plan shows a berm south of the project area as requested by Mr. Vendel. Landscaping will also be added between the project and the Vendel property.

Supervisor LaFountain reviewed the Drainage Exhibit that was submitted. The comparison shows that with the proposed changes the existing drainage area to adjacent properties all will be reduced to zero acres.

LaFountain stated access to the sewer will also be available for the Vendel property along with the additional (2) two houses on NYS Route 250 that need access. The dimension of the sanitary sewer connection has been increased from 8” to 10” as requested by Mark DiFrancesco and Geoff Benway, this will provide additional capacity.
Supervisor LaFountain stated that the incentive was identified as $3,250.00 per lot for this project. To minimize the raising or the filling of the property, there may have to be blasting in the area to bring the project area down. The ADA homes are not considered part of the incentive, it was determined that they are just a part of good building practices.

Costello said the lateral for the sewer connection will be put in to connect the Vendel property prior to any construction of this project. Mr. Neufeld has agreed to get the lateral to the property line.

Costello inquired about the creation of an embellishment district, similar to lighting and sidewalk districts, the residents in that district will be responsible for the fees. The conditions brought up by PRC regarding the proposed sidewalk from Whitespire Lane to the right-of-way that comes up to NYS Route 250 have also been addressed. We are looking at geograde materials and will come back with a specific recommendation. We want something that is low maintenance and durable.

Supervisor LaFountain inquired about the entranceway to the subdivision. Will this be up to the Town to maintain in the future?

Jim Costello said that could be part of an embellishment district. The residents would pay for maintenance of the landscaping and this entry way.

Supervisor LaFountain asked the Board if they would be ready to give an approval Resolution prepared based on these conditions?

Board Members responded that they were ready to give approval.

Supervisor LaFountain directed Costello to prepare an approval Resolution for the Board to review before the next Legislative Session. Include in the Resolution incentives, extending the sewer, extending roadways, berms, landscaping and the cost per lot. Also indicate in the Resolution that the resident has requested specific berm and landscaping needs.

2. Key Bank - Costello
Jim Costello stated that the New York State Department of Transportation was the main issue. A letter has been received from the State stating that after reviewing the area they have agreed to allow full access on Penfield Road. The access is being allowed, because it was determined that traffic would back up on Harris Whalen for periods of time when buses are leaving the school. The New York State DOT was concerned that a turning lane would back up into the area allocated for the ATM. This access would be allowed until there is construction to the west of the project site. The access point can be put in as far west as they possibly can. If projects then develop to the west, the
access then would need to be moved to the property line to be shared with any new business. If this project is approved the NYSDOT will give us a final determination as to where that access should be.

Key Bank representatives are in agreement with this access and these contingencies.

Costello asked the Board if they are interested in re-zoning this one property or do they want to look at all of the properties in the area?

Councilman Quinn said he would want to rezone all of the properties at once, not individually.

Councilwoman Kohl said we would need to hold a Public Hearing to discuss this with the neighbors.

Councilwoman Metzler said she would like to review the types of businesses that would be allowed in that area.

Costello said he would gather the neighbors to create a formal petition. We currently have support from (3) three or (4) four of the (7) seven neighbors.

Supervisor LaFountain asked about rezoning the properties in the NYS Route 250 area, do we want to include them in this discussion?

The Board discussed and decided that the NYS Route 250 area neighbors should be included in this discussion. The Board will need to discuss the actual zoning and what type of businesses would be allowed.

Councilman Quinn said we will not make any decision on this parcel until a decision is reached on the rezoning of all of the properties.

Supervisor LaFountain asked that we share the New York State Department of Transportation information with the School District.

Joe King, Westlake Development, representing Key Bank asked what the timing of any decisions would be?

Supervisor LaFountain said once the petition is received from the residents the Board will make a decision if we can move forward. It will be a couple of months to complete the rezoning process.

3. 2014 Five Mile Line Road – Costello/Benway
Jim Costello said they have met with the neighbors and believe the drainage issues can be resolved. The Town Board and Town Staff asked what is really happening with the sewer system in that area.
Geoff Benway explained that there is a 12” line that goes into 8”, 10” and 12” pipes. Mark DiFrancesco took a video of the lines and found that there is debris in the pipes and that they are deteriorated. There is damage to the manholes, which may have led to the debris in the pipe. The cost to make these repairs will become part of the incentive for the project.

Benway said the peak flow from the project can be restricted not to exceed the 8” pipe.

Quinn asked if the County would be willing to pay for some of the repairs?

Benway said there are no NYSDOT funds in the County Budget to replace the storm sewers.

Supervisor LaFountain asked the Board if they are still supportive of this project fundamentally.

The Board Members responded that “yes” there are.

Supervisor LaFountain said we do need to have a conversation with the school district. We can clean out the debris from the pipes, and then we need to show the County the report from this evaluation. We also need to review the incentive components.

Public Works
1. Living Next to Stormwater Ponds II Next Steps – Benway
Geoff Benway reviewed the meeting that was held last night. It was attended by approximately 30 people, primarily residents from the Meadowbrook and Country Club East Subdivisions. A presentation was given by the Monroe County Soil and Water Conservation District and the Stormwater Coalition on ponds and maintenance issues that occur.

Supervisor LaFountain said we will plan for the Third Annual meeting next year at the end of March or early April. We want to keep this issue in front of the people. Storm water regulation is becoming more stringent as time goes on. The residents need to understand the regulations and responsibilities of storm water management.

Benway said he is working with Phyllis Ely to get a school involved in a community service project by decorating the rain barrels, and then auctioning them off. PCTV will be creating a video of the presentation and putting it on YouTube. They will also create a link on our website for additional information.

Supervisor LaFountain stated we will continue with the storm water communications in the Town.
2. MCWA Tank Relocation – Benway
Geoff Benway advised that the water tank located on Five Mile Line is owned by the Town and leased to the Monroe County Water Authority. The Water Authority will be moving the tank to a new plant on Basket Road in Webster. They are going to continue to maintain the property as they may need the facility for future use.

Harold Morehouse asked if there are cellular rays on the tower?
Benway said “yes there are."

Supervisor LaFountain asked that we get a copy of the lease and go over it with Bob Beedon. We will need to relocate the cellular antennas as we do not want to lose revenue.

Benway said the tank will be moved this Spring.

Supervisor LaFountain reiterated that the tank will be cleaned and treated off site before it is moved to the Webster site.

Public Safety
1. Renaming Crowne Pointe Drive – Morehouse
Harold Morehouse stated that the Subdivision and street name was approved in 2006. Emergency Services made a mistake and should not have approved the name. We have found that there is a Crown Point Drive in Webster and this has caused some confusion with delivery services. There are (2) additional street names that were approved for this subdivision, that have not yet been used.

Morehouse said we are proposing to a meet with the neighbors and discuss our concern for safety with Emergency Services. We can then determine if they are willing to volunteer a change in street name.

Supervisor LaFountain said we need to meet with the residents and explain the facts, it will be easier to make the change before there are more residents in this neighborhood.

Morehouse said there are (7) seven residents. We will set up a meeting in May.

Community Services
1. East Side Dog Park Update – LaFountain
Supervisor LaFountain stated that he has spoken with Dave Rinaldo, Deputy Director of Monroe County Parks and the Ellison Park Dog Park will be moving forward. They will be applying for permits within the next (3) three weeks. Anticipated start date for construction is May 16th. The park will be located in the bus area, where Park and Ride was located, of Ellison Park. It will consist of a ¾ acre pond surrounding by a walking path. The area will be fenced with a stone dust surface. The park should be completed by late June to early July. The County will collect an annual fee from residents that wish to utilize the park.
VIII. HELD ITEMS
   1. Pond Ownership – Staff – Not discussed
   2. Four Corners Signage – Fletcher/Costello – Not discussed

IX. Old Business – None

X. New Business
   1. Supervisor LaFountain added that he has received some correspondence regarding the Sign Ordinance. He asked Jim Costello to make copies of the letter and distribute them to the Board. As Costello is working on the banner piece that was previously discussed, please include anything that needs to be addressed from this communication.

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

XII. Adjournment – Supervisor LaFountain adjourned the Work Session at 9:11 PM.