Town Board Work Session Agenda  
July 13, 2011  
7:00 PM

I. Call to Order

II. Approval of Minutes  June 22, 2011

III. Monthly Reports - June

IV. Public Hearing - None

V. Guests - None

VI. ACTION ITEMS

   Law and Finance
   1. 1751 Penfield Road Special Permit – Costello
   2. 1825 Penfield Road Special Permit – Costello
   3. 1350 Empire Blvd. Special Permit – Costello
   4. Rezoning of Properties Adjacent to Harris Whalen Park – Costello
   5. Rezoning of Properties SE Corner of NYS Rte 441/250 – Costello

   Public Works
   1. 2011 Sidewalk Program – LaFountain

   Public Safety
   1. Stop Signs – Hilltop and Valley View Drive – Moore/Benway
   2. Four Corners Signage – Costello/Fletcher

   Community Services
   1. Pickle Ball Court(s) - Conroy

VII. INFORMATIONAL ITEMS

   Law and Finance
   1. Status of Jomanda Way – Benway/Costello
   2. Status of Mott’s Lane – Benway/Costello

   Public Works
   1. 2011 Drainage Project Update – Benway
   2. Status of Chapter 18 Update – Benway

   Public Safety - None

   Community Services - None
Town Board Work Session Minutes  
July 13, 2011  
7:00 PM

I. Call to Order

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

Also Present:
Geoff Benway  
Linanne Conroy (arrived at 7:35 PM)  
Jim Costello  
Lisa Grosser  
Mark Valentine

II. Approval of Minutes

CM Quinn moved for the approval of the Minutes of June 22, 2011, CW Moore seconded the motion.

III. Monthly Reports

The reports for the month of June will be reported on at the next Work Session.

IV. Public Hearing – None

V. Guests – None

VI. ACTION ITEMS

Law and Finance
1. 1751 Penfield Road Special Permit – Costello  
Jim Costello submitted a draft Resolution to the Board for review to allow an attorney’s office at 1751 Penfield Road. Comments discussed at the recent Public Hearing have been addressed. Any requests for change in signage will be submitted to the Board at a future date.

The Board agreed and a Resolution will be submitted at the next Legislative Session on July 20, 2011.
2. 1825 Penfield Road Special Permit – Costello
Jim Costello submitted a draft Resolution to the Board for review to allow a sushi restaurant at 1825 Penfield Road. A design layout has been submitted and dine-in seating has been reduced to 27 seats. Also concerns discussed at the Public Hearing regarding employee parking have been addressed.

The Board agreed and a Resolution will be submitted at the next Legislative Session on July 20, 2011.

3. 1350 Empire Blvd. Special Permit – Costello
Jim Costello submitted a draft Resolution to the Board for review to allow Bayside Boat and Tackle at 1350 Empire Blvd. The Sheriff’s Marine Unit has inspected the fleet of boats to verify they are all sea worthy. A boat has been added to the fleet and life preservers, fire extinguishers, horns and flares have been included. The Coast Guard Auxiliary has inspected the site. The goal is to have the business operational as soon as possible. There will be a phased approach to all improvements they are requesting. Phase I would be to open the snack shop and begin renting paddle boats. Phase II would require applying for an Article 24 permit through the Department of Environmental Conservation and coming before the Board again.

Costello met with Sheriff’s Marine unit regarding problems with the prior owner renting boats. The new owner is aware of past problems and is considering taking renters keys so they will stay in compliance with the rental agreement.

Councilwoman Metzler would like something added to make sure the applicant complies with any recommendations made by the Marine Sheriff's Unit.

Supervisor LaFountain asked that Chris Fay’s name be deleted from the Resolution and replace it with the Marine Sheriff’s unit so that no changes would be required for a long term agreement. He also suggested that stronger wording is added to the Resolution to make it clear that we are approving Phase I only and he would have to come before the Board before anything could begin on Phase II.

The Board agreed and a Resolution will be submitted at the next Legislative Session on July 20, 2011.

4. Rezoning of Properties Adjacent to Harris Whalen Park – Costello
Supervisor LaFountain said we have received Petitions from both properties adjacent to Harris Whalen Park and properties at the southeast corner of NYS Rte 441 and NYS Rte 250. Items four (4) and five (5) will be combined for discussion purposes.
Councilwoman Kohl said we need to have a Public Hearing regarding rezoning of the properties before we look at any individual applications. A Public Hearing should be scheduled to discuss rezoning the properties to commercial after the holiday.

Councilman Moore reiterated that two (2) petitions have been received for two (2) locations and having Public Hearings would be the appropriate avenue.

Supervisor LaFountain said by waiting until after Labor Day we can make sure everyone has an opportunity to share their opinion. Staff will discuss with Dick Horwitz, Town Attorney and prepare a Resolution to schedule Public Hearings on a Work Session night. It should be the only item on the agenda and we will discuss both areas for rezoning.

5. Rezoning of Properties SE Corner of NYS Rte 441/250 - Costello
This was discussed with item four (4) above.

Public Works
1. 2011 Sidewalk Program – LaFountain
Supervisor LaFountain said he met with the Ronnie Williams from the Highway Department and they have agreed to install the sidewalks, so the project does not have to be contracted out. Work will begin the first week in August along Panorama Trail. This will be followed by repairs as identified on the priority list.

Councilwoman Kohl inquired about the time frame.

Supervisor LaFountain said three (3) weeks. They will begin at Browncroft Boulevard and work towards Farm Brook Drive.

Councilwoman Metzler said this project demonstrates good fiscal responsibility of the Town. There will be a manager on site and by doing the work in house it is a cost savings.

Supervisor LaFountain said the Highway’s work load at MCC has been reduced so time was available without bumping any projects. Ronnie Williams has spoken with Jim Fletcher and Mark Valentine and is ready to move forward.

Public Safety
1. Stop Signs - Hilltop and Valley View Drive - Moore/Benway
Councilman Moore said the Transportation Committee has been reviewing requests to add three (3) stop signs at the intersection of Valley View and Hilltop Drive, just east of Baird Road. The Engineering Department has been out to review the area and gather data. The Transportation Committee reviewed the data and there are concerns regarding failure to yield, right-of-way and children in the area. The Monroe County Department of Transportation has also submitted suggestions. This is a unique
intersection and motorists need clarification. The Transportation Committee voted unanimously to add the stop signs.

Councilman Quinn asked if notification or flags will be put up to advise motorists that there are new stop signs.

Benway said flags would be added to the signs.

The Board agreed and a Resolution will be submitted at the next Legislative Session on July 20, 2011. The signs will be installed the following week.

2. Four Corners Signage – Costello/Fletcher

Supervisor LaFountain said we have had previous conversations with the State and Monroe County Department of Transportation. There are issues with trees and multiple signage in the area. We want to get the information across, but not add to the visual pollution.

Jim Costello said the state did not like a sign with a double arrow going both north and south at NYS Rte 441. They want to see right turn arrows at east and west bound lanes. A suggestion is to add these signs to the cross arms of the traffic signal. Jim Fletcher is working with the State and anticipates the recommendations will be received within the next month.

Supervisor LaFountain asked if using the cross arm is of concern.

Benway said the sign would be anchored by drilling into the cross arm. We would need state approval first.

Councilman Quinn asked if there are any other options.

Benway said placement on the ground, but the signs would have to be placed so far from the intersection it would not be useful.

Costello said he will continue to research and will follow up at the next Work Session.

Community Services

1. Pickle Ball Court(s) – Conroy

Linanne Conroy submitted a memo to the Town Board along with a video explaining the sport of Pickle Ball. Pickle Ball has been around for a number of years, and interest is growing. Some of our neighboring towns are starting to offer it. She would like to start with an indoor court. We are planning to refinish the gymnasium floor at the Community Center in August and it is a good time to add the lines. Estimated cost to add lines for Pickle Ball is $500.00. The court is smaller than a volleyball court and should not affect the basketball players. If this is successful, next year we could look into adding the lines to an outdoor tennis court. The net would have to be lowered approximately four (4) inches.
This is a great way to embrace wellness in the community. Pickle Ball is multigenerational. We would start with a beginner program and also offer some open play time. We would focus on the 50 plus audience, and may add youth and teen programs later.

Councilwoman Metzler inquired about additional equipment costs.

Conroy said a portable net is approximately $165.00 and additional equipment would cost approximately $125.00.

Councilwoman Metzler confirmed that costs are already budgeted for in the 2011 Budget.

Supervisor LaFountain said he has recently been hearing more about Pickle Ball in the community.

Supervisor LaFountain suggested that Conroy plan to update the Board in the February/March time frame to discuss the opportunity for outdoor courts next year.

The Board agreed and a Resolution will be prepared for the next Legislative Session on July 20, 2011.

VII. INFORMATIONAL ITEMS

Law and Finance
1. Status of Jomanda Way – Benway/Costello
Jim Costello has met with owners and the president of the homeowners association. They have $33,000 in cash and anticipate an additional $3,000 by mid 2012.

Geoff Benway said that he has received an estimate from CP Ward. A survey of the road was completed and it was determined we only need to add pavement along one side of the road. The cost for pavement on one (1) side only is $143,000. This is a reduction from the original estimate of $200,000 for doing both sides.

Costello said the residents are aware that an updated subdivision map including legal and engineering fees will be required before they can move forward. The cost is not enough to bond alone and we would like to add this to an existing project, such as the Collingsworth sewer improvement project for bonding. The bonding agent would need to approve this with the updated net cost for the project of $110,000.

Supervisor LaFountain said he is concerned about adding to the sewer improvement project bonding, we just decided to put the Parkview/White Village project on hold due to the debt load. What would happen if we waited another year?
Costello said will you support this next year? What if the support levels do not increase on the Parkview/White Village project and that is placed on hold?

Benway said the entire cost of the Jomanda Way improvements are to be paid by the residents of this street only, this would not add to the overall town debt load.

Councilman Quinn inquired about repayment of the bond.

Costello said it would appear as a line item on the resident’s tax bill.

Benway said estimated cost per resident is $1,000 - $1,700 per year.

Supervisor LaFountain said we are looking at balancing the debt and do not want to increase the debt load to our residents. We will leave this on the agenda for the next Work Session and review the financials before we move forward.

2. Status of Mott’s Lane - Benway/Costello
Geoff Benway said he has met with the New York State Department of Transportation regarding some right-of-way issues that are still outstanding with the project. We are currently negotiating to purchase a small parcel of land to continue with the project.

Jim Costello said staff will be meeting next week to finalize details of this project.

LaFountain asked what is the time frame to obtain the permit from the State?

Benway said work will be completed this season once we obtain the parcel and the permit. The project needs to get approved so we can access the $100,000 we were awarded for this project.

Public Works
I. 2011 Drainage Project Update - Benway
Geoff Benway has submitted an update of spending under the drainage levy with his monthly report. Most projects are moving ahead. We have six (6) neighborhood projects that we have received the easements and are now going out to bid.

Supervisor LaFountain asked if there is anything with the County contract?

Benway said no, we bid it out and try to use the landscape contractors. The landscape contractors use smaller equipment that is less intrusive, and do a nice job repairing the lawns.

Supervisor LaFountain inquired about the status of the dam.
Benway said the draft report has been submitted to the Department of Environmental Conservation to reclassify the property. We are currently working on a notification for an Emergency Action Plan.

Supervisor LaFountain asked if the Department of Environmental Conservation had reviewed the site and the tree removal?

Benway said the expert out of Albany sent a letter stating he is waiting for an update on the compliance measures. Benway advised that trees have been removed and the draft report is completed. The Department of Environmental Conservation will be out next month to evaluate.

Metzer asked what is the time frame for the reclassification?

Benway said we have submitted the study to Department of Environmental Conservation, we are showing progress so there is no time frame.

Supervisor LaFountain asked that Benway keep the Town of Perinton updated on the progress. He said Supervisor Smith was very supportive and it was a cost savings to combine our efforts. We have a great working relationship with the Town of Perinton.

2. Status of Chapter 18 Update – Benway

Geoff Benway said he has been looking at both Brighton and Greece ordinances and reviewing uses both permitted and prohibited activities. 300 brochures have been mailed to the residents that live near town ponds and properties, and he has received calls thanking him for the information. Now that some residents realize they were doing something prohibited, they are going to make changes.

Councilwoman Metzler said are we waiting for input from the Watershed Management Committee?

Benway said the draft will be ready for their next meeting September 4th. They will be able to comment before there is action by the Town Board.

Public Safety - None

Community Services - None

VIII. HELD ITEMS

1. Pond Ownership – Staff – Not discussed
2. Bay Breeze Estates Sec. III Right-of-Way – Costello – Not discussed

IX. Old Business – None

X. New Business – None
XI. Executive Session – Real Estate, Litigation and Human Resource Matters – No Session tonight

XII. Adjournment – Supervisor LaFountain adjourned the Work Session at 8:00 PM.
VIII. HELD ITEMS
1. Pond Ownership – Staff
2. Bay Breeze Estates Sec. III Right-of-Way – Costello

IX. Old Business - None

X. New Business - None

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

XII. Adjournment