I. Call to Order

II. Approval of Minutes  August 10, 2011

III. Monthly Reports - July

IV. Public Hearing - None

V. Guests - None

VI. ACTION ITEMS

Law and Finance
1. 1833 Penfield Road Change of Use Application – Costello
2. Windham Woods Rezoning Technical Correction – Costello

Public Works
1. Sidewalk Issues – Camden Park Subdivision/Dugway Knolls– Valentine
2. Extension 19 Forcemain Replacement – Schedule – DiFrancesco/Costello
4. Request for Administrative Approval – 1805 Penfield Road for Acupuncture Office- Costello
5. Drainage Easement Abandonment, 667 & 673 Panorama Trail - Costello

Public Safety - None

Community Services
1. Review of Bids for Gym Pads/Stage Doors - Bilow

VII. INFORMATIONAL ITEMS

Law and Finance
1. Status of Jomanda Way – Benway/Costello

Public Works - None

Public Safety - None

Community Services
2. Status of Daniel Penfield Statue Installation - Costello
I. **Call to Order**

Present:

Supervisor LaFountain  
Councilwoman Kohl  
Councilwoman Metzler  
Councilman Moore  
Councilman Quinn  

Also Present:  

Geoff Benway  
Chris Bilow  
Jim Costello  
Lisa Grosser  
Kathy Kanauer

II. **Approval of Minutes** – 8/10/11

CW Metzler moved for the approval of the Minutes of August 10, 2011, CM Moore seconded the motion.

III. **Monthly Reports** – All July reports, except for Personnel, have been submitted. Personnel’s report is expected tomorrow.

IV. **Public Hearing** – None

V. **Guests** – None

VI. **ACTION ITEMS**

**Law and Finance**

1. **1833 Penfield Road – Change of Use Application – Costello**

Jim Costello had e-mailed the Board after his visit to the Henrietta location of Jewelry and Coin Exchange. The business is only selling jewelry and coins. His recommendation is to approve this Change of Use Application as the letter of intent states the proposed use is to sell jewelry and coins only. The owner is interested in using the existing Met Life sign. The sign will be refurbished to read Penfield Jewelry and Coin Exchange.

The Board agreed and a Resolution will be prepared for the next Legislative Session on September 7, 2011.

2. **Windham Woods Rezoning Technical Correction – Costello**

Jim Costello said in February a portion of the Windham Woods Subdivision was granted rezoning from BN-R to R-1-20. Geoff
Benway checked the legal description and found a discrepancy. The map from 1980 did not show a .126 acre portion when the approval was given for the change in zoning of 4.22 acres. Costello spoke with Town Attorney Horwitz and it was determined that another Public Hearing would not be required. This change is considered a technical correction. Resolution #11T-091 was approved on February 16, 2011. This portion is contained in two (2) lots. If it is not corrected, it could hold up a potential owner from receiving a mortgage.

The Board agreed and an Amended Resolution to include the .126 acre portion in the rezoning will be submitted at the next Legislative Session on September 7, 2011.

Public Works
1. Sidewalk Issues – Camden Park Subdivision/Dugway Knolls
   - Valentine/Benway
Geoff Benway said there are two (2) projects currently with developer Michael D’Amico. Camden Park Phase 1 was started and the developer went bankrupt. D’Amico purchased Phase 2 and 3 of Camden Park. There are 400 feet of sidewalks in Phase 1 which remain incomplete. D’Amico also owns Dugway Knolls. There are 180 feet of sidewalks which remain incomplete in Dugway Knolls. D’Amico has asked to waive the completion in Dugway Knolls as the sidewalks are at a logical stopping point. For waving the sidewalks in Dugway Knolls, he will complete the sidewalks in Phase 1 of Camden Park.

The Board agreed and a Resolution will be submitted for the September 7, 2011 Legislative Session.

2. Extension 19 Forcemain Replacement Schedule – DiFrancesco/Costello
Jim Costello said Mark DiFrancesco had submitted a time line to the Board for the completion of the Extension 19 Forcemain Replacement. He would like to submit the Resolution scheduling the Public Hearing at the next Legislative Session on September 7, 2011. This will allow the project to begin in 2011.

The Board agreed and a Resolution will be submitted.

Jim Costello said Platinum Office Park currently has Phase 2 submitted for approval. There is an access easement currently in place. This allows traffic to travel south to the post office and the plaza. This easement will need to be changed to allow a reconfiguration of parking. We would like to release the existing easement and create a new easement. The change in parking is to meet the requirements for additional parking spaces needed due to expansion of the building.

Councilman Quinn asked if signs will be posted to direct the traffic through the parking area?
Costello said not yet, but signs may be added. Utilizing this parking lot and access will relieve traffic pressure on NYS Route 250.

The Board discussed and agreed. A Resolution will be submitted for the next Legislative Session on September 7, 2011.

4. Request for Administrative Approval – 1805 Penfield Road for Acupuncture Office – Costello
Jim Costello said since this agenda was published, the business owner has found a better suited location at 1782 Penfield Road. This property is located behind Salon Enza and requires less work for the applicant to open his business. This location was previously office space and housed LA Communications.

The acupuncture office will require three (3) people, one (1) Doctor and two (2) assistants. Hours of operations will be Monday through Saturday 9:00 AM to 7:00 PM. They anticipate serving three (3) to five (5) customers daily. The property is currently owned by Mike Buonaccorso. There exists cross parking and cross access agreements with all properties that utilize the parking area.

The Board agreed and Costello will prepare a document for the Board’s review.

Supervisor LaFountain said this business will complement the area and it is a good fit.

5. Drainage Easement Abandonment, 667 & 673 Panorama Trail – Costello
Jim Costello said Alan Hanford recently purchased the property to the south of his business. He will demolish the existing building and use the property for additional parking for the Penfield Racquet Club. Costello said that PRC discussed the discovery of an existing storm easement on the back of the property. There is no sewer or drainage in the area, and it is actually the side of a hill. PRC suggests releasing the easement back to the property owner.

The Board agreed and Costello will finalize the paperwork.

Public Safety – None

Community Services
1. Review of Bids for Gym Pads/Stage Doors – Bilow
Chris Bilow said they had received a grant approximately two (2) years ago for $190,000 and have identified two (2) main priorities at the Community Center Building. The stage doors have become dangerous and they try not to use them. Replacement of the Gym padding was started five (5) years ago and they would like to complete the project. One bid was received for each project. The cost of the gym pads is $9,345 and the cost to replace the stage doors is $42,258.
The Board agreed and will approve $51,603 to be used for the projects. A Resolution will be submitted at the next Legislative Session on September 7, 2011.

VII. INFORMATIONAL ITEMS

Law and Finance
I. Status of Jomanda Way - Benway/Costello
Jim Costello said he sent a certified letter to the one (1) resident of Jomanda Way who had not confirmed she agrees with replacing the road. He has not yet received a response. We will continue our work on finalizing costs and will meet with the bonding agent.

Public Works - None

Public Safety - None

Community Services
I. Cost of Preservation Work for the Daniel Seymour Penfield Painting - Kanauer
Kathy Kanauer said five (5) years ago a painting was donated of Daniel Seymour Penfield, the grandson of Daniel and Mary Penfield. It is a large painting approximately 33” x 38” and has been in storage since being donated. She has contacted West Lake Conservatory to quote the restoration. Kanauer has half of the expense budgeted in 2011. The quote is good for 60 days and the estimated completion time frame is 8 to 12 weeks. Half of the cost is due before the work is started with the balance due on completion. We will have to budget the balance in 2012 when the painting will be completed.

The Board approved the restoration of the painting.

2. Status of Daniel Penfield Statue Installation - Costello
Jim Costello said Groundwater and Environmental Services have given the approval to move forward with the installation of the Daniel Penfield Statue in Shaufelberger Park. Bob Ainsworth has reviewed the site and ordered parts for the platform and will put in a concrete pad. There is an existing bench that will be utilized and a plaque will be added. The unveiling is scheduled for mid October.

VIII. HELD ITEMS
I. Pond Ownership - Staff - Not discussed
2. Bay Breeze Estates Sec. III Right-Of-Way - Costello
Not discussed

IX. Old Business - None
X. **New Business** - Relocation of The Upper Crust
The owner of the Upper Crust has been asked to leave her current location by the end of the month. This has been a well established business in the Four Corners area. The Board has the ability to approve the relocation of a business within the same district. She is looking to move into the old Donna B’s location that is currently owned by Dr. Ciccone. Her business is primarily internet and corporate. This can be approved with an administrative approval.

The Board agreed and Costello will prepare the paperwork for approval.

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

XII. **Adjournment** - Supervisor LaFountain adjourned the Work Session at 8:02 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