Town Board Work Session Agenda
May 30, 2012
7:00 PM

I. Call to Order

II. Approval of Minutes  May 9, 2012

III. Monthly Reports - None

IV. Public Hearing – None

V. Guests - 7:00 Steve Small – Board of Fire Commissioners for the Northeast Joint Fire District – Informational Update on the North Station Project

VI. ACTION ITEMS

Law and Finance
1. Request for a Moratorium on 1813/1817 Baird Road – Valentine
2. 1807 Penfield Road – Birding/Nature Store and Engineering Office – Costello
3. 1830 Penfield Road – Grocery Store – Costello

Public Works
1. Abbotswood Crescent/Baird Road Street Light Petition- DiFrancesco

Public Safety - None

Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS

1. Pond Ownership – Staff
2. Hydrofracking Petition to Consider a Moratorium – Town Board/Horwitz
3. Dedication of Blue Ridge Road, Cloister Lane and Jomanda Way – Benway
4. Oak Ridge Knolls Pond Modifications – Benway
5. License Agreement Request – 126 Jackson Rd. Ext – Dr. Alan Litvinov - DiFrancesco

IX. Old Business - None

X. New Business - None

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

XII. Adjournment
I. Call to Order

Present:
Supervisor LaFountain
Councilwoman Kohl
Councilwoman Metzler – Arrived at 7:21 PM
Councilman Moore
Councilman Quinn

Also Present:
Jim Costello
Lisa Grosser
Dick Horwitz – Arrived at 7:07 PM
Mark Valentine

II. Approval of Minutes – 5/9/12
CM Moore moved for the approval of the Minutes of May 9, 2012, CM Quinn seconded the motion.

III. Monthly Reports – None

IV. Public Hearing – None

V. Guests – 7:00 PM Steve Small – Board of Fire Commissioners for the Northeast Joint Fire District – Informational Update on the North Station Project.

Michael Hyman introduced himself as the past Fire Commissioner of the Northeast Joint Fire District. He also introduced John Rinebold, Commissioner, Richard Swingly, Vice Chairman and Steven Small, Executive Director of the Northeast Joint Fire District.

Steve Small submitted a booklet to the Town Board detailing the North Station Building Project. He also gave a brief history of the Northeast Joint Fire District. The Fire District hired the Center for Governmental Research, Inc. (CGR) to perform a district planning study to determine the staffing, equipment and facilities needs of the district for the next 20 years.

Small continued by saying one of the goals is for the Webster Fire Department to remain 100% volunteer. Nearly 40% of the Webster Fire Department Volunteers live north of NYS Route 104. The proposed location of the North Station would provide a quick response time by volunteers. The parcel is located at 566/600 Phillips Road and totals 3.57 acres.
Small added that the Union Hill Ambulance covers a portion of the Webster area. Having space within the North Station project for the Union Hill Ambulance would improve service delivery, share services and have potential for future cost savings.

Small reviewed the exterior and interior designs of the North Station. He also shared estimated construction and soft costs which total $5,600,000. A bond amount of $4,900,000 will be voted on July 24, 2012.

Supervisor LaFountain inquired as to the percentage of calls responded to outside of the district.

Mike Hyman stated that the district is part of the mutual aid response within Monroe County, if there is a call for help we go. Hyman continued to say that Union Hill also contracts with the Town of Ontario and will continue to do so.

LaFountain asked if residents would be paying for services outside of our area.

Hyman said that would only happen if existing districts combine. Currently the districts are separate entities. Hyman continued to say when the contract is drawn up with the Union Hill Ambulance, we will look at the number of calls to Ontario compared to calls within the Northeast Joint District. We receive a monthly report of activity and that will be built into the contract. Union Hill Ambulance will be paying to store their ambulance at the North Station facility.

Small shared the estimated timeline of the project noting that there will be a Public Meeting on June 14, 2012, 7:30 PM at Schlegel Road School. This will be followed by the bond vote on July 24, 2012, 3:00 PM to 9:00 PM at the Webster Presbyterian Church, 550 Webster Road. If approved construction will begin May 2013 and is estimated to be completed by December 2013.

Councilwoman Metzler inquired about notification of residents.

Small said information will be posted on the sign board outside of the fire hall, on the NEJFD website and advertised in the Webster Post and Webster Herald. He also said he would provide a PDF to Supervisor LaFountain to be placed on www.penfield.org website.

VI. ACTION ITEMS

Law and Finance

1. Request for a Moratorium on 1813/1817 Baird Road - Valentine

Mark Valentine submitted a letter that was received from Ian Cohen to the Board for their review regarding the Sparrow Pointe Subdivision. Also included was an article on Land Use Moratoria. Valentine stated that this letter had been received just prior to the last Planning Board meeting. Mr. Cohen’s concerns have
already been addressed through the standard Planning Board processes.

Supervisor LaFountain directed staff to prepare a memo from the Town Board to the Planning Board stating that this plan meets the Town’s current Comprehensive Plan, the land use regulations are adequate and the Board does not see a need for a Moratorium. All items of concern have been addressed through the SEQR and Planning process. Please also copy Town Attorney Horwitz on this memo.

Town Attorney Horwitz stated that the Planning Board does not have jurisdiction to consider a Moratorium.

Councilman Moore said that Cohen’s letter does not meet the requirements for a moratorium. He suggests the memo to the Planning Board reflects this statement.

Horwitz said this is not an appropriate circumstance to require a moratorium.

2. 1807 Penfield Road – Birding/Nature Store and Engineering Office – Costello
Jim Costello stated that he had submitted a Draft Resolution to the Board for its review. He had detailed some information regarding the dumpster, which will need to be enclosed and placed where it does not impact any traffic movement on the site. The current location of the dumpster may be on Town property. He will meet with Penfield Fire Marshal and property owner Ron Baroody to determine the final location of the dumpster. He also noted that the Final Resolution includes the total square footage of 936 feet and Sarah’s tenant will be responsible for 64 feet.

Supervisor LaFountain stated that there were no concerns regarding signage.

The Board approved and a Resolution will be prepared for the next Legislative Session on June 6, 2012.

3. 1830 Penfield Road – Grocery Store – Costello
Supervisor LaFountain stated that he had received an e-mail from Attorney Michael J. Ringrose, representing the applicant, requesting that the matter be held until he has had an opportunity to review it. Item will be held until the next Work Session on June 13, 2012

Public Works
1. Abbotswood Crescent/Baird Road Street Light Petition – DiFrancesco
Supervisor LaFountain said that due to Mark DiFrancesco’s absence this item will be held until the next Work Session on June 13, 2012.

Public Safety – None
Community Services - None

VII. INFORMATIONAL ITEMS

Law and Finance - None

Public Works - None

Public Safety - None

Community Services - None

VIII. HELD ITEMS

1. Pond Ownership – Staff
2. Hydrofracking Petition to Consider a Moratorium – Town Board/Horwitz

Supervisor LaFountain stated that Town Attorney Dick Horwitz had submitted a draft document to the Board for their review. At a recent workshop, held by the Association of Towns, a compelling presentation was made regarding Hydrofracking and consideration for a Moratorium.

Horwitz stated he has reviewed the Zoning Ordinance and Hydrofracking is not a permitted use in the Town, however, due to present mining/excavation operations in town, the Town may be susceptible to developmental pressure and/or hydrofracking. He encourages the Board consider a one (1) year Moratorium and legislation can be developed during that period. Hydrofracking is highly profitable, but known to destroy Town roads. We will want to review road protection laws and develop road use agreements.

The Board discussed and will review the draft documents submitted by Horwitz. This item will be discussed again at the next Work Session on June 13, 2012.

3. Dedication of Blue Ridge Road, Cloister Lane and Jomanda Way – Benway
4. Oak Ridge Knolls Pond Modifications – Benway
5. License Agreement Request – 126 Jackson Rd. Ext – Dr. Alan Litvinov – DiFrancesco

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 8:38 PM.