Town Board Work Session Agenda  
December 12, 2012  
7:00 PM

I. Call to Order

II. Approval of Minutes  November 28, 2012

III. Monthly Reports - November

IV. Public Hearing – None

V. Guests - None

VI. ACTION ITEMS

   Law and Finance
   1. Baytowne Rezoning – Valentine
   2. No Parking Signs-Empire State Bar and Grill, 2014 Empire Blvd. – Tette

   Public Works
   1. Parkview/White Village Sewer Project - 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

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
Councilman Moore
Councilman Quinn

Also Present:
Mark DiFrancesco
Lisa Grosser
Dick Horwitz
Mark Valentine

II. Approval of Minutes - 11/28/12
CW Kohl moved for the approval of the Minutes of November 28, 2012, CM Quinn seconded the motion.

III. Monthly Reports - All reports for November are in except for Building/Zoning and Personnel.

IV. Public Hearing - None

V. Guests - None

VI. ACTION ITEMS

Law and Finance
1. Baytowne Rezoning - Valentine
Mark Valentine stated that he had distributed the Draft Resolution to the Board last Friday and included the latest sketch drawing. After review, Town Attorney Horwitz would like to incorporate a legal statement on page 10. Also included are comments and clarifications to conditions received from Town Engineer, Geoff Benway.

Supervisor LaFountain asked Mark Valentine to incorporate the changes from Horwitz, Benway and any additional changes discussed tonight and have a revised Draft Resolution to the Board for review by the end of the day tomorrow. The Board will then review and we would like to have the Final Resolution by Noon on Friday for the next Legislative Session on December 19, 2012.
Councilwoman Metzler asked that Valentine add clarification to the Resolution stating that the Planning Board was not the agency to make the determination if there should be rezoning. The roles of both the Planning Board and the Town Board need to be better clarified.

Councilwoman Kohl suggested the statement be modified to say that the Planning Board adopted and published the FEIS in connection with the rezoning, instead of the proposed rezoning.

LaFountain suggested changing the line in question to say rezoning application instead of proposed rezoning.

Councilman Quinn asked for clarification on the amount of acreage to be rezoned.

LaFountain said 7.95 acres of the R-1-12, and 6.1 acres of the MR.

Quinn referenced page 8 and asked to clarify that the original CP-02 plan suggested 9.41 acres be rezoned, and after the Town Board’s review it was reduced to 7.95 acres. He also agrees with Metzler and feels it is important to differentiate the role the Town Board took with the Public Hearing and include Councilman Moore’s comments from the recent Work Sessions. There is too much emphasis on the Planning Board process and the Planning Board’s recommendations. There needs to be a little more differentiation of the Town Board’s role.

Metzler said the Resolution should demonstrate the deliberations, hard work and extensive research of the Town Board. Also include the Town Board’s review of commentary received from the public. The Town Board’s due diligence needs to be codified in this Resolution.

LaFountain listed some items he would like corrected in the Resolution. On page 2 the year 2010 is referenced and it should be checked to verify if it should be 2011. On page 7, item 14 should say the CP-02 plan submitted. On page 8 and 9, he has renumbered the items in order of importance. Also on the back of page 9, he feels there should be additional clarification regarding the three (3) curb cuts. The intent is to take them out and create a smooth gutter line for the landscaped area. On the south side of the existing building F, there is an area that is used for existing outside storage. Items need to be removed and the area needs to be cleaned. The berm and wall on the east side of Building F, discussed at the last Work Session, needs to continue down to the southern plaza property line to help buffer Guygrace Lane. The parking in the rear of the building should be referred to as land banked, as opposed to just parking.

The Board is okay with the modifications discussed. They will review the revised Draft Resolution, along with Town Attorney
Horwitz and have the Final Resolution for the next Legislative Session on December 19, 2012.

Board Members and Supervisor LaFountain commended staff for their work to come up with the best project for the overall community.

2. No Parking Signs – Empire State Bar and Grill, 2014 Empire Blvd. - Tette

Supervisor LaFountain stated that this restaurant has been very successful, which has caused some parking problems in the area. Residents of Seabury Boulevard have expressed concerns. Additional parking will be secured off site for employees. The Town will be adding “No Parking” signs 300 feet off of Empire Boulevard.

The Board agreed and a Resolution will be submitted for the next Legislative Session on December 19, 2012.

Public Works

1. Parkview/White Village Sewer Project – DiFrancesco

Supervisor LaFountain stated that last night we had a Public Information Meeting and approximately 30 residents attended. The majority of the residents are supportive, and about 75% of the residents wish to connect to the sewer. There are still a few residents that are concerned about the expense, as their septic systems are still working fine and they do not wish to connect to the sewers.

Mark DiFrancesco submitted summaries of two (2) options to the Board for its review.

LaFountain explained that Option A is a review of the next steps. The percentage of residents that want to connect is very high. There are 11 new families in the neighborhood. DiFrancesco will contact them to explain what is happening. On January 16, 2013 we would authorize MRB to move forward.

LaFountain explained that Option B would take action immediately and the Resolution to authorize MRB to move forward would be December 19, 2012.

LaFountain stated he feels we should be sensitive to the residents concerns. It would be better to review the project with the residents before we move forward.

Councilwoman Metzler commended Mark DiFrancesco for handling resident’s comments last night. She would like time to review and feels we need a good handle on the pulse of the neighborhood.

LaFountain said by waiting we will only push back the start date by a couple of weeks. We want to make sure we are not missing anything.
DiFrancesco said the debt service rate is positioned well for the future. The delay is a small factor in the overall project.

LaFountain said we will follow up with the resident’s questions and discuss this again at the next Work Session on January 9, 2013.

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

IX. Old Business - None

X. New Business
Supervisor LaFountain stated at the last Work Session the Board reviewed Dr. Howitt’s Sketch Plan for 1185 Empire Boulevard. We should follow up with a letter from the Board. If any Board member has concerns, please advise Mark Valentine. He will draft a letter to Dr. Howitt for the Board’s review.

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

XII. Adjournment - Supervisor LaFountain adjourned the Work Session at 7:28 PM.