Town Board Work Session Agenda
February 27, 2013
7:00 PM

I. Call to Order

II. Approval of Minutes February 13, 2013

III. Monthly Reports - None

IV. Public Hearing - 7:30 PM - To Consider Changes to TOP Design Specifications

V. Guests – 7:00 PM – Bob Kieffer – Blue Ridge Road Dedication

VI. ACTION ITEMS

Law and Finance
1. Acquisition of 1833-1839 Penfield Road - Costello

Public Works
1. Purchase/Lease Proposal – Jet/Vac Sewer Cleaner – Public Works Dept. – Williams/Benway/DiFrancesco
2. Sidewalk Waiver Request – 1698 Kennedy Road – Benway

Public Safety - None

Community Services
1. 2012 Recreation Master Plan Update - Bilow

VII. INFORMATIONAL ITEMS

Law and Finance
1. Future Public Hearings for Special Permits - Costello

Public Works
1. Mailbox Replacement, 47 Legacy Circle - LaFountain
2. Sherwood Forest Pump Station Evaluation – DiFrancesco

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
A Public Hearing was held before the Penfield Town Board on Wednesday, February 27, 2013 at 7:30 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

Present:  R. Anthony LaFountain  Supervisor
Linda Kohl  Councilwoman
Paula Metzler  Councilwoman
Andy Moore  Councilman
Robert Quinn  Councilman

Also Present: Lisa Grosser  Deputy Town Clerk
Geoff Benway  Town Engineer

Absent: Richard Horwitz  Town Attorney

Supervisor LaFountain called the meeting to order.

Public Hearing #1  To Consider Revisions to the Town of Penfield Design Specifications
(See Resolution #13T-074)

The Deputy Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on February 14, 2013 and was posted on the Town Clerk Bulletin Board and Website. Supervisor LaFountain stated that he had spoken with Town Attorney Horwitz and this Public Hearing is properly before the Board.

Geoff Benway stated that the Town of Penfield Design Specifications provides guidance to developers and engineers for the design of commercial and residential projects. The specifications were first established in 1980, and the most recent revision was April of 2010.

Mr. Benway reviewed some of the updates which include revisions to reflect the new Public Works department and the elimination of the Sanitary Sewer department. The Intensified Lighting District now requires 51% of resident owners and total assessment. There were minor changes to fill requirements, mud and dust control. Changes include the addition of conditional certificate of occupancy and certificate of substantial completion. Changes have been made to be in compliance to the NYSDEC Stormwater Design Manual for design and use of green infrastructure practices, conformance with the NYS Fire Code for private drive and turnout requirements, and paving requirements to be in compliance with the NYSDOT specifications. The approved tree species list has also been updated.

Benway continued to say that a summary of the changes was sent to several engineering firms that do work in the Town and one (1) comment was received.

Councilwoman Metzler asked what was the comment?

Benway said it was requested that under SWPPP (Stormwater Pollution Prevention Plan) it be noted “as required,” because if the disturbance is not over an acre of land it is not required to be submitted to NYSDEC. Benway said this clarification has been incorporated into the specifications.

Supervisor LaFountain said this is an ongoing housekeeping effort and none of the changes are major or significant. The next step would be to adopt the specifications at the next Legislative Session on March 6, 2013.

Public Participation - None

Hearing closed at 7:40 PM.

Lisa Grosser,
Deputy Town Clerk
I. Call to Order

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

Also Present:
Geoff Benway
Chris Bilow
Jim Costello
Mark DiFrancesco
Bob Garbeck
Lisa Grosser

II. Approval of Minutes – 2/13/13
CM Quinn moved for the approval of the Minutes of February 13, 2013, CW Metzler seconded the motion.

III. Monthly Reports – None

IV. Public Hearing – Minutes to follow
#1 – To Consider Changes to TOP Design Specifications

V. Guests – 7:00 PM Bob Keiffer – Blue Ridge Road Dedication
Geoff Benway reviewed that the Homeowner’s Association initially requested dedication of Blue Ridge Road in February of 2012. Mr. Keiffer had core samples of the pavement taken and recommended an alternative pavement section be considered. The Board responded in July of 2012 that they would not take dedication of the road until it could be brought to Town Specifications for a dedicated road.

Bob Keiffer stated that he does not want the Town to take dedication of a substandard road, but proposes equivalent pavements sections that would have comparable strength, longevity and serviceability. He stated that this is a good site with great topography, good soils, positive drainage and minor traffic. The road is 25 years old and holding up very well. He proposes adding 1” of top course to equal the structural value of the Town Specifications. Studies have shown that one (1) inch of asphalt pavement has the equivalent strength of two (2) inches of crushed stone. Once the road is brought to equivalent strength the Homeowner’s Association would request dedication.
Supervisor LaFountain asked how this road compares to Jomanda Way?

Benway said Jomanda Way originally had a 9 to 12 inch base of stone. We recycled the top pavement layer to add additional stone base and then installed the binder and top coat of asphalt. This brought the road up to Town Standards. Jomanda Way did not have gutters so it was easy to raise the grade a little.

Councilwoman Metzler asked Benway to compare the current state of Blue Ridge Road to the previous state of Jomanda Way.

Benway said Jomanda Way was a mess, with the pavement badly deteriorated and cracked.

Metzler asked if there had been any other exceptions given to the standard in the past?

Benway said no, the Town Specifications have not changed much over the years. The equivalent of one (1) inch asphalt to two (2) inches stone is a proven method by Illinois State DOT.

Councilwoman Kohl asked Benway’s feeling on the situation?

Benway said he sees the difficulty in granting this waiver because if you look at the map there are five (5) other streets in this area that will need to be upgraded.

Metzler said if we grant this waiver can we require the Homeowner’s Association not to seek dedication on any of the other roads in their subdivision?

Bob Keiffer said he cannot speak on the Homeowner’s Association behalf with regards to the other roads, but he feels that Blue Ridge is the only private road that is a through road.

Councilman Moore inquired about the condition of the gutters.

Benway said the existing gutters are in good condition and approximately 180 feet of gutters is missing. The HOA would be installing the gutters and repairing the catch basins with this improvement project.

Councilman Quinn asked if Jomanda Way was widened?

Benway said yes, the pavement was widened to obtain a solid base and a 20 foot wide pavement section. Benway noted that the ROW at Jomanda Way was 60 foot, but the most we can get on Blue Ridge Road is 40 feet due to existing home setbacks. Benway stated that Blue Ridge Road is already at the necessary 20 foot width.

Quinn asked what would be the Homeowner’s Association financial contribution?
Mr. Keiffer said the Homeowner’s Association would pay to bring the road to the equivalent standard at a cost of between $60,000 to $70,000. The work will be performed by a contractor or a check can be written to the Town to perform the work. This price includes gutter and catch basin improvements.

Quinn asked what the cost would be to bring the road to Town Standards?

Keiffer said the road would have to be fully replaced, which is cost prohibitive, and they would not be seeking dedication if this is the requirement.

Jim Costello asked what is the total number of residents on Blue Ridge Road?

Benway said there are 68 town houses.

Metzler asked if the homeowners on Jomanda Way could have proposed something similar to this approach?

Benway said they originally did. The residents suggested having a contractor add an overlay which would have been cosmetic only, not an equivalent standard.

Keiffer said Jomanda Way was not structurally sound and could not have been brought to an equivalent standard with an additional top course.

LaFountain asked Mr. Keiffer to elaborate if we recycle in place, do we have to replace the gutters?

Keiffer said he doesn’t think the stone base can be brought to Town Standards without disturbing the gutters.

LaFountain suggested that the Homeowner’s Association could be requested to wave their right to future roadway dedications.

Costello asked if the Homeowner’s Association has a plan for replacing all of the roads.

Keiffer said they have a fund for the maintenance of all private drives in the subdivision. Their goal is to replace the roads over the next five (5) years in the order in which they were built.

Moore said we need to see if the Homeowner’s Association would sign off on any future road dedications.

Costello asked if residents of Blue Ridge Road would remain in the Homeowner’s Association if the Town took dedication of this road?
Keiffer said they will remain members of the Homeowner’s Association.

The meeting adjourned at 7:29 PM for the Public Hearing.

The meeting reconvened at 7:42 PM.

VI. ACTION ITEMS

Law and Finance
1. Acquisition of 1833-1839 Penfield Road – Costello

Jim Costello said that this is the former Hawkins Liquor Store property. The Town is proposing to acquire this property to ease the parking situation in the southeast quadrant of the Four Corners. Costello offered to prepare a proposed Resolution for Town Attorney Dick Horwitz to review.

The Board agreed and the Resolution will be submitted at the next Legislative Session on March 6, 2013.

Public Works
1. Purchase/Lease Proposal – Jet/Vac Sewer Cleaner – Public Works Dept. – Williams/Benway/DiFrancesco

Ronnie Williams said we have received a quote for a lease to own Jet/Vac Sewer Cleaner for $354,000. We are currently using three (3) pieces of equipment for maintenance on both storm and sanitary sewers. In May of 2012 we ceased operations because our equipment does not meet the NYS DOT regulatory requirements for transporting biowaste. Our existing equipment has out lived its usefulness. The new equipment can be used to clean and maintain storm sewers to meet the new regulations. Removal of leaves and road residue should reduce seasonal storm sewer flooding.

Mark DiFrancesco said we had been using two (2) pieces of equipment which can be replaced by this single unit. This would allow the street sweeper to be used for its primary function. This equipment is an industry standard, and most towns currently have their own.

Williams stated that recent changes in intergovernmental purchasing agreements allow us to purchase this equipment through the Monroe County contact.

DiFrancesco wasn’t aware of this change and will update the proposal. The standard lease interest rate is 2.04% and because of the Town’s outstanding credit rating Bob Beedon was able to obtain the lease at 1.77%. This will reduce the annual payments to $73,000 per year. The equipment will be funded 50% from sewer and 50% from drainage fund. We will trade in our old equipment, but would like to keep the small flush truck as it can be used to transport water for paving jobs. The sweeper and the large flush truck can be sold at auction and those funds can be put toward the lease price of this new equipment.
Williams said the pre-assessment value of the old equipment looks good and it will take 30 days to process through auction.

DiFrancesco said to hire a private company to do this work for the Town would cost approximately $155,000 per year. For the Town to do the work, including equipment and labor, the cost would be $72,000 to $75,000.

Supervisor LaFountain asked if we do not replace this equipment what will happen?

DiFrancesco said the street sweeper is not designed to haul grit or material waste. We would need to develop a compliant dump site. The county has two (2) sites we can dump at, but we need to comply with standards for the transportation of material. Using the two (2) existing pieces of equipment creates a safety issue, especially on busy roads. Historically we have been reactive rather than proactive with regards to cleaning storm sewers.

LaFountain asked if there are issues with the way current material is being handled?

Williams said yes, we are not meeting the standard requirements. We cannot obtain the NYSDOT permit for transportation with our current equipment. We need to put together a program to meet stormwater requirements. Our current sewer pumps are going down and having failures because debris is getting in them. We need to be able to clean the wet well systems and put them on a cycle to prevent the need for repairs.

Councilwoman Metzler asked if there might be an opportunity to use this equipment for additional revenue. Would a neighboring town be interested in renting the equipment from us?

DiFrancesco said all the other towns currently own this equipment.

Costello said there may be an opportunity to use this equipment to aid some of the Town’s commercial businesses.

DiFrancesco said we are already so far behind in our upkeep of storm sewers that we won’t have down time for years.

Williams said he is not opposed to looking into some areas where we can use this equipment for additional revenue.

The Board approved and a Resolution will be forthcoming.

2. Sidewalk Waiver Request – 1698 Kennedy Road – Benway
Geoff Benway said this property is owned by Peter and Kristine Samuel who have subdivided the original parcel into three (3) parcels. They wish to build a home for their parents on one (1)
lot and a sidewalk easement is required as part of the subdivision approval. The Sidewalk Policy requires a fee for the waiver of $500.00.

The Board agreed and the waiver will be granted.

Public Safety – None

Community Services
1. 2012 Recreation Master Plan Update – Bilow
Chris Bilow reviewed that the process to update the Master Plan was started in April of 2012. It was done internally by an active committee who met regularly. We took the old plan which was geared toward facilities and changed it to a more program driven plan. Bob Garbeck worked on the parks portion of the plan. We took input from stakeholder groups who rely on the Town, and the Town in turn relies on these groups as well. This draft was sent to Karen Ferguson, who was the NYS Regional Director for parks grants. Our new contact Lynn, suggested we include an analysis of park conditions which can be used to identify areas of need for future grants. We also met with the School District for updates to both their indoor and outdoor facilities.

Supervisor LaFountain commended Mr. Bilow and his group for this excellent Master Plan. He reviewed that the next steps would be to have a Public Hearing in the next couple of weeks. He suggests having the Public Hearing on a Work Session night near the end of March or early April. We will hold the hearing open for a couple of weeks and adopt the new Master Plan by May 2013.

Councilman Moore suggested that representatives from the stakeholder groups be encouraged to attend the Public Hearing.

Councilwoman Kohl said she is very pleased with this updated Master Plan. It was a learning experience and this is such a better product.

VII. INFORMATIONAL ITEMS

Law and Finance
1. Future Public Hearings for Special Permits – Costello
Jim Costello stated that there are several upcoming Public Hearings. There are three (3) scheduled for March 6, 2013. First is for the expansion of Rosey’s Italian Café which will be taking over half of the former State Farm leased space at 2135 Five Mile Line Road. Second, is Tom Amore regarding a restaurant at 1830 Penfield Road. The third is Phase II and III of Abbington Place Subdivision. The Board will be receiving PRC comments shortly regarding Abbington Place.

Costello continued to say he has someone interested in taking over Elegant Expressions as a breakfast/lunch restaurant. The Public Hearing is scheduled for March 20, 2013. He has someone
interested in the Dollop building for a Jamaican takeout restaurant. He will put this on the next Work Session agenda.

Public Works
1. Mailbox Replacement, 47 Legacy Circle - LaFountain
Supervisor LaFountain said we received an email from the resident at 47 Legacy Circle regarding mailbox replacement. The resident’s mailbox was knocked over by the highway plow during a snow storm. The mailbox was replaced with our standard replacement and the resident is not happy. He is asking the Board to deviate from the standard and pay $550 to replace his mailbox to the original style the builder had put in.

The Board does not approve reimbursing the resident and a letter will be sent.

2. Sherwood Forest Pump Station Evaluation - DiFrancesco
Supervisor LaFountain stated that there is no action on this at this time and this is on hold.

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 - No Session tonight

XII. Adjournment - Supervisor LaFountain adjourned the Work Session at 8:46 PM.