

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, April 11, 2012

PRESENT: James E. Smith Supervisor
Patricia S. Knapp Councilperson
Peg S. Havens Councilperson
Stephen C. Van Vreede Councilperson

ABSENT: Joseph H. LaFay Councilperson

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; Jennifer A. West, Town Clerk; Jeffrey Myers, Commissioner of Recreation and Parks; Michael Doser, Director of Code Enforcement and Development; Carol Johnston, Deputy Town Clerk.

Supervisor Smith called the meeting to order at 8:00 pm and introduced the Board and staff present.

Councilperson Havens made a motion, seconded by Councilperson Van Vreede, that the minutes of the Town Board meeting of March 28, 2012 be approved as submitted by the Town Clerk.

Ayes: Smith, Knapp, Havens, Van Vreede
Nays: None
Unanimously Approved

PUBLIC HEARING
SPECIAL USE PERMIT EXTENSION
THOMAS CREEK ICE ARENA
80 LYNDON ROAD

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication for the Public Hearing was given in the Fairport East Rochester Post on April 5, 2012; affidavit of posting was also April 5, 2012.

Mike Montalto, Parrone Engineering, stated that he was appearing before the Board on behalf of Paul Durso, owner of Thomas Creek Ice Arenas. Mr. Montalto stated that they are requesting an extension of their Special Use Permit to allow construction of a third ice arena. The third rink is to be developed on the existing 24.36 acre Thomas Creek Ice Arena complex located off of Lyndon Road.

Mr. Montalto stated that the modified Special Use Permit was granted by the Town Board on June 23, 2010 with a condition that construction begin within a year of obtaining the Special Use Permit. Mr. Durso obtained Planning Board and Zoning Board approvals in May of 2011, yet did not begin construction as costs of construction were too high. Mr. Montalto stated that Mr. Durso is now ready to move forward with the project and that his plans are in the hands of the Department of Public Works for their signatures. Mr. Montalto stated that there are no changes to the plans that were previously approved in June of 2010.

Supervisor Smith asked whether the Planning Board and Zoning Board approvals were current and Commissioner Beck stated that they are all valid. Supervisor Smith then reviewed the conditions of the June 23, 2010 Special Use Permit and stated

that the new condition would be that construction must begin within one year of the Special Use Permit extension.

Chris Fredette, 3 Cabernet Circle and a Conservation Board member, asked whether the third skating rink would be Olympic size and Mr. Montalto stated that the size was reduced to standard size during the project design phase and presented to the Town Planning Board as such in 2011. Supervisor Smith stated that the Town Board has a memo from the Conservation Board dated April 9, 2012 and it states “based on our assumption that this application will again undergo Site Review by the Planning Board...” Supervisor Smith clarified that Site Plan review will not take place again for this project and that the Conservation Board was okay with that. Ms. Fredette said that they were.

There being no additional questions, and all those wishing to be heard having been heard, the Public Hearing was closed.

Councilperson Havens made a motion, seconded by Councilperson Van Vreede, that the granting of the Special Use Permit extension for Thomas Creek Ice Arena be given a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) based upon the fact that this construction will in no way negatively impact the environment and based upon the Conservation Board memo of April 9, 2012.

Ayes: Smith, Knapp, Havens, Van Vreede
Nays: None
Unanimously Approved

Councilperson Knapp made a motion, seconded by Councilperson Van Vreede to approve granting a Special Use Permit extension for Thomas Creek Ice Arena based on the following:

- Construction must commence within one year of Special Use Permit approval on April 11, 2012.

Ayes: Smith, Knapp, Havens, Van Vreede
Nays: None
Unanimously approved

**APPROVE CHANGE TO THE MEMBERSHIP
OF THE BUSHNELL’S BASIN FIRE ASSOCIATION, INC**

A motion was made by Councilperson Havens, seconded by Councilperson Knapp, that the following change in the membership of the Bushnell’s Basin Fire Association, Inc. be approved:

Active Lifetime to Inactive Lifetime Member	Mr. William Irish 10 Chesham Way Fairport, NY 14450
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Ayes: Smith, Knapp, Havens, Van Vreede
Nays: None
Unanimously approved

CONSIDER APPROVAL OF THE TOWN OF PERINTON
AGRICULTURAL AND FARMLAND PROTECTION PLAN

Code Enforcement and Development Director Doser stated that the Town received a grant from the NYS Department of Agriculture and Markets in 2010 to perform a planning study on agricultural and farmland protection. The Town was able to combine that effort with a planning study on future development in Southeast Perinton.

Mr. Doser stated that the consultant, Stuart I. Brown Associates, managed and produced the document. The Town held a stakeholder meeting with local farmers, and the consultant conducted additional one-on-one interviews with several of those farmers to further probe the issues. Mr. Doser further stated that the result is a study that examines the important contributions of farming in our community, the natural beauty and character farmland provides to our Town, and the consideration agriculture should be given in land-use decisions.

Mr. Doser stated that the plan makes the following key recommendations to the Town:

1. Continue to explore development rights acquisition of farm parcels.
2. Continue to administer the term easement program.
3. Continue to monitor Town drainage near farm parcels.
4. Adjust zoning regulations to provide additional support for agriculture.
5. Continue to utilize subdivision review to minimize impact of development on farming.
6. Publicize and enhance understanding of farming's value to community.
7. Support direct marketing of farm products.

Mr. Doser stated that this plan was recently approved by the Monroe County Agricultural & Farmland Protection Board on March 22, 2012 and he is now requesting that the Town Board also approve the plan.

Supervisor Smith asked where this plan would be available for residents to read and access. Mr. Doser stated that it would be in the Code Enforcement and Town Clerk's Offices and available on line on the Town website. Supervisor Smith also requested that a copy be available in the Fairport Library.

Judy McNulty, 647 Thayer Road, asked whether the Town had a definition of agriculture, as she believes that some may be gaining unfair advantage when they are classified as a farm for the purpose of a farming easement with the Town. Chris Fredette, Conservation Board, agreed and stated that a clear definition would also help the Conservation Board determine whether a property is to be classified under a Conservation Easement as an Agricultural Easement or as Open Space. Supervisor Smith stated that he would pursue this.

Councilperson Havens made a motion, seconded by Councilperson Knapp, that the approval of the Agricultural Protection Plan/Southeast Perinton Planning Study be given a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) based upon the fact that this approval will in no way negatively impact the environment.

Ayes: Smith, Knapp, Havens, Van Vreede
Nays: None
Unanimously Approved

A motion was made by Councilperson Knapp, seconded by Councilperson Havens to approve the Town of Perinton Agricultural and Farmland Protection Plan/Southeast Perinton Planning Study.

Ayes: Smith, Knapp, Havens, Van Vreede
Nays: None
Unanimously approved

**AUTHORIZE DECLARATION OF SURPLUS COMPUTER, RECREATION AND
PARKS AND DPW EQUIPMENT**

Supervisor Smith stated that the Town Board has memos from the DPW and Recreation and Parks regarding surplus equipment that is sent to auction annually. Supervisor Smith stated that the equipment must be declared as surplus equipment so that the Town is able to sell it. He further stated that this process is used to offset the purchase of new equipment and in the case of the DPW and Recreation and Parks equipment, will be sold at the Municipal auction to be held on May 12, 2012 in Palmyra, New York.

The list of DPW equipment is as follows:

PER 2	Chevrolet ¾ ton, HD 4x4 Pickup
PER 221	Ford L9513 6-wheel plow truck with plows
PER 28	International 6-wheel plow truck with plows
PER 43	Chevrolet ¾ ton, HD 4x4 Pickup
PER 46	Ford LS 9513 10-wheel Chassis with Heil 25 Yard Packer
PER 248	Ford LS 9000 6-wheel Dump with 16' box
PER 123	Giant Leaf Vac Model 6800 Lindsay Sand Blaster-300LA 140 PSI@650F Helment with Filter
PT 6	Sterling 10-wheel Chassis with Camel PD vacuum
PT 9	Ford Escape AWD

The list of Parks and Recreation Equipment is as follows:

2002 Chevrolet C3500 Heavy Duty truck
2002 Jacobsen HR-9016 large area mower
2002 Ferris 61 mower
1995 Smithco Leaf Sweeper
Steam Cleaner, hot pressure washer
2-each, Bechtold walk-behind mowers
1-each Green Machine chain saw

4-each, 2004 Precor 956-2 Treadmills
1-each, 1997 Minuteman MC32036 Floor Scrubber

Supervisor Smith further stated that the Town Board has a memo from Mr. Donahue in the Information Technology Office with a page of computer components such as monitors, printers and computers, which are obsolete. They must be declared surplus in order to be discarded, recycled or to be taken to auction.

A motion was made by Councilperson Havens, seconded by Councilperson Van Vreede, that the DPW and Recreation and Parks and computer equipment documented in the Town Board memos be declared surplus vehicles and

equipment and sold at the municipal auction on May 12, 2012 (DPW and Parks and Recreation) and that the computer equipment be properly recycled.

Ayes: Smith, Knapp, Havens, Van Vreede
Nays: None
Unanimously approved

APPROVE APPOINTMENT
RECREATION AND PARKS ADVISORY BOARD

Supervisor Smith stated that the Recreation and Parks Advisory Board has had a vacancy since Stephen Van Vreede was elected to the Town Board. Supervisor Smith recommended that the Town Board approve Paul Fioravanti, 35 Kirkby Trail, Perinton, who is interested in being appointed to the Recreation and Parks Advisory Board. Supervisor Smith stated that the opening has a term expiring December 31, 2012 and is recommending that the Town Board appoint Paul Fioravanti to the remainder of that term and an additional full seven-year term to expire on December 31, 2019.

Councilperson Van Vreede, made a motion, seconded by Councilperson Havens, to appoint Paul Fioravanti, 35 Kirkby Trail, Perinton as a member of the Recreation and Parks Advisory Board with a term expiring December 31, 2019.

Ayes: Smith, Knapp, Havens, Van Vreede
Nays: None
Unanimously approved

A motion was made by Councilperson Van Vreede, seconded by Councilperson Havens, that the reports from the Finance Director, Town Clerk and the Code Enforcement and Development Department for the month of March 2012 be approved.

Ayes: Smith, Knapp, Havens, Van Vreede
Nays: None
Unanimously approved

Priscilla Peterson, 49 Winding Brook Drive, representing the Citizens Alliance for a Pristine Perinton, commented that the workshop, "How to craft and adopt local laws", which was scheduled for this Friday has been rescheduled to May 18, 2012 from 1:00-5:00pm at a location to be determined. Ms. Peterson also stated that she received an email stating that some companies will use propane instead of slick-water for the hydrofracking process to try to get around the laws that are presently in place. She will forward that email to Supervisor Smith.

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:25 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk