

PERINTON TOWN BOARD MEETING  
 1350 Turk Hill Road, Fairport, NY 14450  
 Wednesday, December 11, 2013

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

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; Jennifer A. West, Town Clerk; Michael Doser, Director of Code Enforcement and Development; Jeffrey Myers, Commissioner of Recreation and Parks; Chris Fredette, Conservation Board; T.C. Lewis, Planning Board; Michael Barker, Supervisor-Elect; Ciaran Hanna, Councilperson-Elect.

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 November 20, 2013 be approved as submitted by the Town Clerk.

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

PUBLIC HEARING  
 SPECIAL USE PERMIT  
 WEGMANS FOOD MARKET  
 6604 PITTSFORD-PALMYRA ROAD

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication was given in the Fairport East Rochester Post on November 28, 2013; affidavit of posting was also November 28, 2013.

Supervisor Smith explained that Wegmans is located in a commercial zoning district in the Town and expansion to a facility of greater than 15,000 sq. ft. in a commercial district requires a Special Use Permit from the Town Board. Supervisor Smith explained that the Public Hearing was an opportunity for the applicant to explain his proposal, answer any questions that neighbors or Board members may have and hear comments regarding the proposed expansion to the Wegmans Food Market. A woman in the audience asked what the standards are for the Special Use Permit and Supervisor Smith stated that there are a dozen standards in the Town Code and that the main issues are compatibility with its surroundings and that the Board will be looking at environmental issues, traffic and most likely will refer this matter to the Planning and Conservation Boards for their input prior to an actual decision by the Town Board. Supervisor Smith further explained that this proposal by Wegmans has been before the Town previously and received site plan approval from the Town Planning Board. At that time, the requirement that the applicant be granted a Special Use Permit by the Town Board was not part of the Town Code and therefore the applicant is before the Town Board for the first time. Town Attorney Place explained that the applicant was granted an area variance for the clock tower which is still valid and that there is no statute of limitations on that variance. Supervisor Smith also stated that this matter would most likely be on the early February Planning Board agenda and that agenda information would be accessible on the Town's website ([www.perinton.org](http://www.perinton.org)) or by calling Lori Stid,

Planning Board secretary or Town Clerk West at Town Hall (223-0770). A gentleman asked about the variance for the height of the clock tower and Supervisor Smith stated that that is covered by the variance previously granted.

Arthur Pires, of Wegmans Food Market Real Estate Site Development introduced Garth Winterkorn of Costich Engineering and Greg Pinkney, on-staff architect for Wegmans. Mr. Pires explained that they are seeking a Special Use Permit to allow for a 31,300 sq. ft. expansion to the Wegmans Food Market located at 6604 Pittsford-Palmyra Road. Mr. Pires handed the Board and Town staff additional renderings of the site, parking plan, elevation and expansion diagrams, which he showed with display boards for the audience. Mr. Pires explained that the proposed 31,300 sq. ft. expansion would be to the east side of the existing store, single story and would be part of the food market building when complete. This expansion would remove approximately 70 parking spaces on the east side of the building. To compensate for that they would reconfigure the parking lot by narrowing the distance between the major drive aisle division lines in the parking field (same configuration as the new East Avenue store). The driveway closest to Applebees would be shifted 200 feet south (closer to Applebees) to allow for additional parking in that area and to improve traffic flow.

Mr. Pires then summarized his belief that the proposed expansion fit with the twelve standards in the Town Code for granting of the Special Use Permit- does it fit on the property, is there sufficient access to the property with the addition, is there suitable flow throughout the parking lot, is there any detriment to any other parcels or businesses on the lot or any change in the character around the parcel itself. He further stated that he believed that Georgetown Commons was constructed in 1972 and that the Wegmans commercial development has coexisted nicely with the residential property.

Mr. Pires reviewed conceptual plans for the rear of the building where deliveries are made on the rear service road, reviewing the site lines from the Georgetown properties. Mr. Pires stated that they are willing to work with Georgetown residents, Valley Creek and Town staff to devise plans for landscaping, paths, etc.

Mr. Pires showed the elevation for the expansion and upgrade to the existing building, stating that the store would look much like the new East Avenue store with brick, decorative block at the lower level, sheet metal awnings and clock tower. He further stated that the illumination for the clock tower would be low level light bulbs, architectural washing and located below the clock and wash up to the clock which itself would be illuminated with low wattage LED lighting. The height of the clock tower would be 80 foot (as approved in 2001) with the tower located at the east end of the building.

The rooftop of the store would be between 21 and 28 feet high. The lower parapet would be 33 feet tall and the higher parapet would be 38 feet tall. The entire store would be upgraded to a 2013 look. Compressors and condensers will also be upgraded with insulation where possible. Mr. Pires stated that during peak seasons, the refrigeration trucks are parked behind the building with the refrigeration units running. He stated that they have switched from diesel engines on these trucks to electronic engines to reduce the noise in the area.

The interior of the new addition will either be a restaurant or Market Café. Mr. Pires stated that the parking lot lighting will be approximately 27 feet high, metal halide LED lighting which can be better directed and more uniform for safety concerns in the parking area.

Councilperson Havens asked how the proposed store compares with the Calkins Road Wegmans in size and Mr. Pires stated that the Calkins Road store is 100,000 sq. ft. and the expanded Perinton store would be 122,000 sq. ft. The Pittsford store is 135,000 sq. ft (124,000 sq. ft on first floor plus mezzanine).

The following individuals commented or had questions at the Public Hearing:

Mary Innes Wagner, President, Georgetown Commons HOA  
Maureen Dell, 55 Georgetown Lane  
Sue Davis, 307 Lyndon Road  
Eileen Wierzbicki, 104 Roselawn Avenue  
John DeSeyn, 304 Wilkinson Road  
Tom Newcomb, 1 Blackwatch Trail  
Doug Barrett, 311 Lyndon Road  
Nina Vossler, 2 Blackwatch Trail

Residents asked about how many sides the clock tower would have and Mr. Pires stated three (not on the back of the building). Another gentleman stated that he reviewed the entire file from the previous Wegmans application, noting that most of the conversation revolved around the clock tower and in his opinion, clock towers only belong on municipal or public buildings. Another resident asked about the height of the clock tower and Mr. Pires stated that the steeple would be 80 feet. Town Attorney Place confirmed that the 10 conditions in the original variance for the clock tower are still in place for this application.

Residents also asked about the lighting at the back of the building and whether it was possible to lower the lighting that projects onto the Georgetown property and Mr. Pires stated that they will look at that. He stated that their driving force is security at the back of the building. He added that the lighting would be LED and more focused. Mr. Pires stated that the replacement greenery at the back of the building would be mature. He also stated that they would consider moving the walkway from Georgetown to Wegmans although they are concerned about the elevation/steepness and did not want steps or for the walkway to be at the rear of the building for safety reasons.

Another resident asked if Wegmans had ever surveyed shoppers regarding the idea of expansion and Mr. Pires stated that they have not, however, they have heard through blogs, emails and letters of the desire to expand the store. A few residents spoke in favor of the expansion as the store is crowded, especially during holidays.

Georgetown residents expressed concerns regarding overnight deliveries to the Wegmans store and asked the Board to consider imposing limitations on overnight deliveries.

Other residents questioned the parking lot and clock tower lighting for the new expansion plan, the parking lot design and traffic flow and impact near Applebees and whether this site would still be walkable/bikeable. Mr. Pires reiterated that the number of parking spaces would be similar to what is there now, and a few less in number than the Pittsford or Penfield stores and that they own the entire parking lot so they will take the walkability issue into consideration.

There being no further questions from the Board or the audience, and all those wishing to be heard having been heard, the Public Hearing was closed.

Councilperson LaFay made a motion, seconded by Councilperson Havens to refer the application for a Special Use Permit to allow for the expansion to a facility of greater than 15,000 sq. ft. in a commercial district for the Wegmans Food Market located at 6604 Pittsford-Palmyra Road to the Town Planning and Conservation Boards.

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

**PUBLIC HEARING  
SALE OF TOWN-OWNED PROPERTY**

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication was given in the Fairport

East Rochester Post on November 21, 2013; affidavit of posting was also November 21, 2013.

Supervisor Smith stated that in 2000, the Town purchased property known as the DeWitt property. He showed the Board and audience the 58-acre parcel on Turk Hill Road on a map. The property includes a home with a 2.75 acre lot. When the Town purchased the property for \$950,000 in 2000, the DeWitts intended to stay in the home on the property for their lifetime and they have since deceased.

Supervisor Smith stated that at the October 9, 2013 Town Board meeting, the Board authorized the listing of the DeWitt parcel located at 2112 Turk Hill Road. The property was listed for \$199,000 and includes a home and 2.75 acres of land. The Town has received a cash offer for \$200,000 which includes a few contingencies. The septic system will be repaired by the Town prior to the sale and the buyers have been notified that the Town may use the Town-owned adjacent land for Parks & Recreation uses in the future.

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

Councilperson Van Vreede made a motion, seconded by Councilperson Havens, that the sale of the property known as the DeWitt property located at 2112 Turk Hill Road be given a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) because the sale will in no way negatively affect the environment.

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

Councilperson Knapp made a motion, seconded by Councilperson LaFay to sell the Town-owned property located at 2112 Turk Hill Road for \$200,000 under the terms of the purchase and sale contract agreed upon by both parties.

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

Supervisor Smith thanked the Parks staff for a wonderful job preparing the property for sale.

#### AUTHORIZE SUPERVISOR TO SIGN VOLUNTEER BOARD TRAINING RESOLUTION

Supervisor Smith explained that in 2007 New York State enacted a requirement that the Town Supervisor sign a yearly resolution certifying that each Town Planning Board and Zoning Board member has completed four hours of training per year.

Councilperson Van Vreede proposed and Councilperson LaFay seconded the motion that the Supervisor be authorized to sign the following resolution for each member of the Town Planning and Zoning Boards:

WHEREAS, effective January 1, 2007, all Planning Board and Zoning Board of Appeals members in New York State, as well as alternate members of those boards, must complete a minimum of four hours of training each year; and

WHEREAS, the legislative body of the Town is required to approve the activities that satisfy this training requirement; NOW THEREFORE, be it

RESOLVED, that the Town Board hereby approves the above identified training as being compliant with the State law training requirements.

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

#### VOLUNTEER BOARD APPOINTMENTS

The following resolution was offered by Councilperson Knapp, seconded by Councilperson Havens:

WHEREAS, the term of Jayne M. LaFay as a member of the Perinton Recreation and Parks Advisory Board will expire on December 31, 2013,

NOW, THEREFORE, BE IT RESOLVED, that Jayne M. LaFay, 30 Brentwood Lane, Fairport, NY 14450 be reappointed as a member of the Perinton Recreation and Parks Advisory Board with a term to expire on December 31, 2020.

Ayes: Smith, Knapp, Havens, Van Vreede  
Abstain: LaFay  
Nays: None  
Approved

The following resolution was offered by Councilperson Van Vreede, seconded by Councilperson Havens:

WHEREAS, the term of Al K. Chesonis as the Chairman of the Perinton Recreation and Parks Advisory Board will expire on December 31, 2013,

NOW, THEREFORE, BE IT RESOLVED, that Al K. Chesonis, 3 Cantwell Place, Fairport, NY 14450 be reappointed as Chairman of the Perinton Recreation and Parks Advisory Board with a term to expire on December 31, 2015.

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

#### ANNOUNCE END OF PERMISSIVE REFERENDUM PROPERTY SALE

Supervisor Smith announced that the time of Permissive Referendum for the sale of Town-owned land on Fairport Road has expired.

#### ROADS ACCEPTED FOR MAINTENANCE/DEDICATION

Commissioner Beck advised the Board that three roads in the Town of Perinton could now be accepted for provision of services. Maintenance bonds have been posted for the roads; in two years they will be eligible for dedication. The roads are:

Tea Olive Lane	Magnolia Manor Section 2	0.21 of a mile in length
Nandia Pass	Magnolia Manor Section 2	0.08 of a mile in length
Stonebrook Drive	Stonebrook Development	0.42 of a mile in length

Acceptance of these roads makes them eligible to be included in town highway mileage for CHIPS funding.

The following resolution was offered by Councilperson Havens, seconded by Councilperson LaFay:

BE IT RESOLVED, that the Town Board consents and agrees to provide road maintenance and services to the residents living on Tea Olive Lane which is located

in the Magnolia Manor subdivision, Nandia Pass in the Magnolia Manor subdivision and Stonebrook Drive in the Stonebrook Development, until these roads are eligible for dedication.

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

Commissioner Beck advised the Board that two roads in the Town of Perinton have been on maintenance bond for a period of two years. They have been inspected and any noted deficiencies have been repaired. The Commissioner is satisfied that these roads can now be dedicated to the Town.

A motion was made by Councilperson Havens, seconded by Councilperson LaFay, that the Supervisor and the Town Board members be authorized to sign a consent that the Commissioner of Public Works of the Town of Perinton make an order laying out the aforesaid street to consist of the land described in said Deed of Dedication as more particularly set forth in said order, all in accordance with the provisions of the Highway Law applicable thereto and the following roads within the Perinton Dedicated Highway System are now dedicated to the Town:

Kenney Place	.16 of a mile in length
Cobbs Lane	.72 of a mile in length

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

ACCEPT COMMUNITY DEVELOPMENT BLOCK GRANT  
RS&E HIGHWAY/BIKEWAY REHABILITATION  
PROJECT AND AUTHORIZE SUPERVISOR TO SIGN GRANT

DPW Commissioner Beck stated that on September 11<sup>th</sup>, 2013, the Town of Perinton was awarded \$27,800.00.00 from Monroe County through their Community Development Block Grant Program to re-construct a portion of the RS&E Hikeway/Bikeway Trail from Pebble Hill Road to Hogan Road. The purpose of the proposed project is to:

- (1) Develop a consistent 10-foot wide trail with 2-foot grass shoulders. This will allow for bikers, walkers and mobility impaired users to share and enjoy the trail without having to stop or move off the trail while passing each other.
- (2) Re-surface the trail with stone-dust. This will provide an enhanced, firm and smooth riding/walking trail surface.
- (3) Upgrade the trail approach to existing road crossings and trailhead parking areas to control vehicle access onto the trail as well as designate appropriate vehicular parking areas. This will involve the installation of trail half-gates to restrict vehicles from parking adjacent to or directly accessing the trail from Pebble Hill Road, Ayrault Road and Hogan Road.
- (4) Improve surface drainage by shaping the trail with a moderate 2% cross-slope. This will reduce ponding on the trail's surface and limit rutting.
- (5) Provide safety upgrades by installing appropriate warning and regulatory trail signage as well as pedestrian cross walks at each road crossing.

Councilperson Knapp asked about the parking spaces at the trailhead on Ayrault Road and Commissioner Beck stated that they would be eliminated as parking is

available at the Center Park East parking lot and that a stone path would likely be constructed from that parking lot to the trail.

Commissioner Beck stated that it is intended that Town Forces will construct the improvements during the 2014 construction season.

Councilperson LaFay made a motion, seconded by Councilperson Van Vreede to accept the Community Development Force Account Agreement and to authorize the Supervisor to sign the agreement.

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

#### APPROVE 2014 DPW EQUIPMENT PURCHASE RECOMMENDATIONS

DPW Commissioner Beck reviewed the 2014 Department of Public Works Equipment Acquisition recommendations. He stated that this year, items will be acquired through New York State Bid Contracts, Chautauqua County Bid Contracts, Onondaga County Bid Contracts, Town of Pittsford Bid Contract, and Perinton Bid Contracts.

Commissioner Beck explained that the following outlines equipment purchases for the Highway Department that were included in the 2014 approved DPW Equipment Budget as well as fiscal year 2013 year end purchases and acquisitions being proposed for the Sewer Department, Sidewalk Equipment, and Code Enforcement and Development Department that were also included in the 2014 Budget or are fiscal year 2013 year end purchases. The following descriptions also include an item by item explanation for each recommended award:

#### Highway Department

##### Item #1

One – New 2014, ¾ Ton HD, 4x4 Extended Cab Pickup With Plow (Per-1)

This item is on the NYS Bid Contract and will be supplied through Van Bortel Ford. The contract amount for this item is \$34,363.58. Commissioner Beck also requested an additional \$2,000.00 for the acquisition and in-house installation of emergency lighting, an radio installation. He recommended that Item #1 be purchased from NYS Bid Contract (Van Bortel Ford) for the amount of \$34,363.58, and an additional \$2,000.00 expense be approved for the lighting and radio installation for a total price of \$36,363.58.

##### Item #2

One – New 2014, ¾ Ton HD, 4x4 Crew Cab Pickup With Plow (Per-3)

This item is on the NYS Bid Contract and will be supplied through Van Bortel Ford. The contract amount for this item is \$35,351.35. Commissioner Beck requested an additional \$2,000.00 for the acquisition and in-house installation of emergency lighting, and radio installation and that that Item #2 be purchased from NYS Bid Contract (Van Bortel Ford) for the amount of \$35,351.35, and an additional \$2,000.00 expense be approved for the lighting and radio installation for a total price of \$37,351.35.

##### Item #3

One - New Heavy Duty Ten-Wheel Cab & Chassis with 14' Dump Box, Plow Equipment, Material Controllers and Associated Hydraulics.

Commissioner Beck proposed that this item be acquired through the Onondaga County Equipment Bid Contract that was awarded to Regional International and Cyncon Equipment in the amount of \$191,209.40. He anticipates spending an additional \$10,000 on the vehicle for the in-house installation of emergency lighting, and fabrication of the material spreader, and radio installation. Commissioner Beck recommended that Item #3 be purchased from Onondaga County Bid Contract (Regional International and Cyncon Equipment) in the amount of \$191,209.40 and an additional \$10,000.00 expense be approved for the lighting, material spreader fabrication, and radio installation for a total cost of \$201,209.40.

Item #4- One (1) New 2014 5 Ton, Dual Steel Drum, Vibratory Roller

Bids to be opened by the Town of Perinton on January 13, 2013.

Item #5

One - New 2014, Trailer Mounted, Diesel Powered Leaf Vacuum

Commissioner Beck proposed that this be acquired through a Town of Pittsford Bid Contract that was awarded to ODB Company in the amount of \$23,843.00

Item #6 – One (1) New 2014 25 Cubic Yard Refuse Packer Body with Hydraulics to be installed on Owner Supplied Chassis

Bids to be opened by the Town of Perinton on January 13, 2013.

Item #7

One - New, 2014 10-Wheel Cab and Chassis (Per-42)

Commissioner Beck stated that this item is proposed to be acquired through the Onondaga County Equipment Bid Contract that was awarded to Regional International in the amount of \$122,990.00. He is also requesting an additional \$1,000.00 for the acquisition and in-house installation of emergency lighting, and radio installation. Commissioner Beck recommended that Item #7 be purchased from the Onondaga County Bid Contract (Regional International) in the amount of \$122,990.00 and an additional \$1,000.00 expense be approved for the lighting and radio installation for a total cost of \$123,990.00.

Item #8

One - New, 2014 Medium Duty 6 Wheel Cab and Chassis with 16' Box and Hydraulic Hoist (Per-49)

Commissioner Beck stated that this item is proposed to be acquired through the Onondaga County Equipment Bid Contract that was awarded to Regional International in the amount of \$117,731.32. He also requested an additional \$2,000.00 for the acquisition and in-house installation of emergency lighting, and radio installation and recommended that Item #8 be purchased from the Onondaga County Bid Contract (Regional International) in the amount of \$117,731.32 and an additional \$2,000.00 expense be approved for the lighting and radio installation for a total cost of \$119,731.32.00.

Item #9

One - New, 2014 Mid-Size, 4x4, SUV, Ford Explorer or Equal (Per-100)

Commissioner Beck recommended that Item #9 be acquired through the Chautauqua County Equipment Bid Contract that was awarded to Van Bortel Ford in the amount of \$29,781.60.

Item #10

Two - New, Portable Digital Radar Feedback Signs With Associated Software

Commissioner Beck proposed that Item #10 be purchase from RadarSign in the amount of \$3,835.00 each. These radar feedback signs are the same type that we have borrowed from Monroe County and had in use on various Town roads. He recommended that the Town purchase these devices from RadarSign for a total cost of \$7,670.00.

## Sewer Department

### Item #1

Two New, 2014, ½ Ton, Extended Cab, 4x4 Pickups (PT-20 & PT-23)

Commissioner Beck stated that these items are proposed to be acquired through the Chautauqua County Equipment Bid Contract that was awarded to Van Bortel Ford in the amount of \$23,556.30 each. He also requested an additional \$2,000.00 each for the acquisition and in-house installation of emergency lighting, and radio installation.

Commissioner Beck recommended that Item #1 be purchased from Chautauqua County Bid Contract (Van Bortel Ford) for the amount of \$23,556.30 each, and an additional \$2,000.00 each expense be approved for the lighting and radio installation for a total price of \$51,112.60.

### Item #2

FSI Pump Station Monitoring Controls System

Commissioner Beck explained that this is a digital monitoring system that will be installed on 5 of the Town sanitary sewer pump stations. It monitors a multitude of functions that occur within the stations on a real time ongoing basis. If irregularities are detected the system immediately sends an email and text message to three Town employees. The system enables the employees to electronically address many of the detected malfunctions through the use of a PC, smart phone or table, thus eliminating the need for an afterhours onsite visit. The stations also report electronically every day with data that allows DPW staff to determine if the station is functioning properly.

Town staff have tested 5 such monitoring systems and determined that both the function and cost of this particular system fits the Towns' needs best.

Commissioner Beck recommended the purchase of 5 FSI systems from Phoenix Sentry, a local company located in Farmington, New York for a total price of \$16,242.00.

### Item #3 – Emergency Standby Natural Gas Powered Generator

Bids to be opened by the Town of Perinton on January 13, 2013.

### Item #4

One - New, Bombardier Sidewalk Plow, With V Plow Attachment And Snow Blower

This is an item that has only one source for procurement, Cyncon Equipment. This piece of equipment will replace an existing sidewalk plow that is 14 years old.

Commissioner Beck recommended that this item be purchased from Cyncon Equipment for the total cost of \$136,335.00

## Code Enforcement & Development

### Item #1

One New, 2014, ½ Ton, Extended Cab, 4x4 Pickup (PT-7)

Commissioner Beck stated that this item is proposed to be acquired through the Chautauqua County Equipment Bid Contract that was awarded to Van Bortel Ford in the amount of \$23,556.30. He also requested an additional \$2,000.00 for the acquisition and in-house installation of emergency lighting, and radio installation.

Commissioner Beck recommended that Item #1 be purchased from Chautauqua County Bid Contract (Van Bortel Ford) for the amount of \$23,556.30, and an additional \$2,000.00 expense be approved for the lighting and radio installation for a total price of \$25,556.30.

Councilperson Havens made a motion, seconded by Councilperson LaFay to approve the purchase and bid recommendations for 2014 DPW Equipment Purchases as outlined by Commissioner Beck.

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

**APPROVE CHANGE ORDER #2 FOR THE INDIAN VALLEY  
SANITARY SEWERPROJECT – PHASE III**

Commissioner Beck explained information relative to Change Order #2 for Phase III of the Indian Valley Sanitary Sewer Project. The Change Order is being submitted to cover increases in the work required associated with grade modifications for a portion of Mill Road.

Commissioner Beck stated that the following two factors contributed to a design modification of the portion of Mill Road located between NYS Route 31 and the Up the Creek Horse Farm.

- Factor #1: Due to a design error, the finish grade elevation of Mill Road ended up being significantly higher than the existing driveways. This situation would have created drainage issues and unacceptable driveway grades for the property owners along Mill Road.
- Factor #2: The contractor erred in setting the string line for gutter installation long this section of Mill Road. As a result, the gutters were installed 2” to 4” higher than the design elevation, which was already too high, compounding the drainage and driveway issues.

Commissioner Beck stated that after much negotiation with both the design engineer and the contractor it was agreed that the contractor would remove and replace the concrete gutters at a new design elevation at no cost to the Town. The design engineer agreed not to charge the Town for any of the new design work required to correct the original design error. In addition, the design engineer has agreed to reimburse the Town the total cost of Change Order #2 which is \$30,619.43. This will be accomplished by applying credits against the charges incurred in the Construction Inspection line item of the project. Partial credits have been applied to the past two bills. The remainder will be applied when work on the project resumes in the spring.

Commissioner Beck reiterated that the total cost of Change Order #2 is \$30,619.43. That amount covers all of the extra costs associated with reconstructing the portion of Mill Road previously referenced. No other costs associated with correcting the problems are outstanding.

Commissioner Beck concluded by stating that the Town’s projected budget for the construction phase of this project was \$2,987,456.00. The contractor’s bid was \$2,288,822.00, which was \$698,634.00 under our budget. Change Order #1 for Phase III saved the Town an additional +/- \$3,900.00 placing the budget underrun at \$702,534.00. Approving Change Order #2 \$30,619.43 will still leave a budget underrun in the project construction line item of \$671,914.57. Since the total cost of Change Order #2 will be covered by credits taken from past and future Larsen Engineer billing, the Town will realize no cost increase due to the two errors that occurred.

A motion was made by Councilperson LaFay, seconded by Councilperson Havens, that the above change work order be approved as recommended by Commissioner Beck. Each is the result of a change in conditions and was not foreseen in the original plans.

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

Supervisor Smith added that the Town went out for permanent bonding for this project recently and as part of that was re-rated by the bond agency and received a AA+ rating which is a step up from the previous AA rating. That AA+ rating is reflected in the excellent rate that the Town received for the bond.

#### 2013 BUDGET ADJUSTMENTS

Supervisor Smith stated that he is requesting budget amendments to take care of a few required year-end purchases. In the IT area, the DPW server would be converted to a virtual server and the backup capability between Town Hall and DPW would be upgraded for net cash of \$46,000. In the DPW area, Perinton 100 (Commissioner Beck's vehicle) would be replaced at a cost of \$30,000, two radar signs purchased at \$4,000 each, garage doors in the Highway garage purchased at a cost of \$15,000 and office dividers installed in the Clerk and Assessment offices for \$5,000. The total cost is \$104,000.

Supervisor Smith requested that the budget be amended to increase IT Equipment by \$46,000, DPW Equipment by \$30,000, Traffic Control by \$8,000, Clerk by \$4,000, Assessment by \$1,000 and Highway Garage by \$15,000. This is offset by increasing the revenue line for Mortgage Tax by \$104,000.

Supervisor Smith also requested that the Board consider the purchase of a packer (cost \$195,000) and the replacement of a Bombadier (cost of \$140,000) with surplus tax money at year-end. He stated that this would be accomplished by increasing appropriations in Refuse and Garbage by \$195,000 and Sidewalks by \$140,000 and increasing revenue in Sales Tax by an offsetting \$335,000.

Councilperson Havens made a motion, seconded by Councilperson LaFay to approve the purchases as outlined by Supervisor Smith through the budget amendments as outlined.

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

A motion was made by Councilperson Van Vreede, seconded by Councilperson LaFay, that the reports from the Finance Director, Town Clerk and the Code Enforcement and Development Department for the month of November 2013 be approved.

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

#### AUDIT APPROVAL

A motion was made by Councilperson Van Vreede, seconded by Councilperson LaFay that Audit #12 for December 2013 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

#### DECEMBER AUDIT 1

General Fund	41,215.32
Town Outside of Village	89,032.29
Recreation	17,910.98
Highway General Repair	51,713.53
Highway Snow & Miscellaneous	18,497.06

Joint Sewer	6,102.50
Wisteria Grove Maint Dist	990.50
Fairmont Hills Maint Dist	1,770.00
O'Connor Rd Relocation Proj	44,435.00
Indian Valley Sewer Project	<u>356,918.20</u>
	\$626,815.38 Total

The above items were numbers 92140-92264.

DECEMBER MANUAL 1

General Fund	84,453.75
Town Outside of Village	4,757.10
Recreation	17,071.91
Joint Sewer	7,015.18
Forest Hills Fire Prot Dist	41,378.50
Deer Run Lighting Dist	<u>1,466.59</u>
	\$155,341.17 Total

The above items were numbers 92131-92138.

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

There being no further business before the Board and no further questions from the audience, the Board adjourned at 9:20 pm.

Respectfully submitted,

Jennifer A. West  
Town Clerk