

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, July 11, 2007

PRESENT:	James E. Smith	Supervisor
	Patricia S. Knapp	Councilperson
	David C. Glossner	Councilperson
	Carolyn H. Saum	Councilperson
	Joseph H. LaFay	Councilperson

ALSO PRESENT: Thomas C. Beck, Commissioner of Public Works; W. Scott Copp, Director, Building Department; Susan C. Roberts, Town Clerk; Carol S. Johnston, Deputy Town Clerk; T. C. Lewis, Planning Board; Robert E. Salmon, Zoning Board of Appeals; S. Chris Fredette, Conservation Board.

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

Councilperson Knapp made a motion, seconded by Councilperson Saum, that the minutes of the Town Board meeting of June 27, 2007 be approved as submitted by the Town Clerk.

PUBLIC HEARING
SPECIAL USE PERMIT
SANDBOX KIDS INDOOR PLAYGROUND
1350 FAIRPORT ROAD

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting of the legal notice. Proof of publication of the legal notice was given in the Perinton Fairport Post on June 28, 2007; affidavit of posting was June 27, 2007.

Diana Morey, 200 Kreag Road, Fairport NY, addressed the Board. She said that she became familiar with the concept of indoor playgrounds while living in California and believed it was an idea which would work well in the Perinton area. Her plan is for an open play center for children from birth to eight years old. It will have age-appropriate toys and equipment, which will be rotated in and out of service on a regular basis. There will be no video games, just play equipment.

Admission will be charged on a per-child basis. Parents, who must stay and supervise their children, will not be charged admission. The fee will be a daily one, allowing parents to come and go through the course of the day. Staff will monitor the play area and the entrance gate, but will not be responsible for supervising the individual children. She will have snacks and beverages available.

Councilperson Glossner asked about fees charged. Ms. Morey said the cost would be \$6 per child for a full day's admission, with the option of leaving and returning. She said she would charge for the first two children in a family; additional children in the same family would not be charged. She would also offer party packages for 10 - 15 children at a time. The cost for those packages would vary depending on choices made by the person booking the party. Councilperson Glossner asked what the maximum capacity of the building, as determined by the Fire Marshal, would be. Ms. Morey said she did not know.

Ms. Morey said that she would stagger the party schedule so that there would be time to clean up the party room and allow the parking lot to empty between parties.

Councilperson LaFay asked how many children she expected to see day to day. Ms. Morey said that on weekdays she expected up to 20 children a day.

Councilperson Knapp asked if the parents who stayed would be interacting with their children. Ms. Morey said they would be supervising their children.

Councilperson Knapp asked about the number of employees. Ms. Morey said she would begin with four but would eventually expand to ten, all part-time. She would be the only full-time employee.

Supervisor Smith asked how many children she thought she could accommodate. Ms. Morey said that she thought the space could accommodate 75 at one time.

Supervisor Smith asked Ms. Morey to describe exactly where the space was in the building at 1350 Fairport Road. She said that the south wing was vacant. She would occupy about 2/3 of the central block. Supervisor Smith asked if she was on the first or second level. She said she was on the second. Entrance from the west parking lot would be up a flight of stairs; the handicapped entrance would be from the south parking lot. Once in the building everyone would enter and exit the play area from a single gate which would be monitored by staff.

Supervisor Smith asked about parking. Ms. Morey said that weekdays parking would be along the east side of the building or in the south parking lot. The business in the remainder of the building, Ontario Exteriors, operates Monday - Friday; on weekends an additional 22 parking places would open up in the northeast parking area.

Supervisor Smith asked Building Director Copp if Town staff has reviewed the proposal. Mr. Copp said that the Fire Marshal needs to determine the number of people who can safely occupy the building at one time. The proposal will also have to go before the Planning Board for review.

Councilperson Knapp asked about hours of operation. Ms. Morey said she would be opened 9am - 6 pm Monday through Friday and 9am to 7pm on Saturday. She will be closed on Sunday.

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.

A motion was made by Councilperson Saum, seconded by Councilperson LaFay, that the proposal to operate an indoor playground at 1350 Fairport Road be referred to the Planning and Conservation Boards for their review.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

PUBLIC HEARING
UNSAFE BUILDING
120 MIDVALE DRIVE

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting of the legal notice. Proof of publication was given in the Perinton Fairport Post on July 5, 2007; affidavit of posting was June 27, 2007.

Building Director Copp stated that a vacant building at 120 Midvale Drive, tax account # 152.06-1-15, has been determined to be unsafe and needs to be secured. The front and rear porches are in a state of collapse, porch floors are unsafe, electrical fixtures are damaged. The rest of the house is in need of major repairs. Mr. Copp presented the Board with photographs showing the physical condition of the house. Because the property cannot be entered without authorization, the photographs were taken from a neighboring property.

The owner of record has been notified, by mail on May 10, 2007, and by personal service (at 19 Rollingwood Drive) on July 6, 2007, that the property needs to be secured. Nothing has been done by the owner to secure the building. Mr. Copp asked the Board to authorize the removal of the front and rear porches, the enclosure of the house, the construction of proper steps to the doors and the termination of public utilities serving the property. He further asked that the utilities remain off until the building is fit to receive a Certificate of Occupancy.

Mr. Copp said that the front lawn was being mowed under Chapter 167 of the Code of the Town of Perinton. The back lawn cannot be mowed because of the debris.

Rebecca Jones, 117 Midvale Drive, said that carpenter ants from the house at 120 Midvale were infesting other houses in the neighborhood. She stated that the yard was filled with debris and an abandoned car. She asked the Board to authorize demolition of the house because it was not sound enough to be saved.

Lew Jones, 117 Midvale Drive, said the house is not sound. It is infested with insects and dry rot and is an eyesore and a danger to the neighborhood. He is concerned that a boarded up house will attract vandals.

Supervisor Smith asked what would need to be done to demolish the house at 120 Midvale Drive. Mr. Copp said that the house would have to be inspected more closely to determine if it warranted demolition. If the Board orders the porches removed and the house boarded up, the Building Inspector will be able to examine the house from closer range while work crews are on the property, but will not be able to enter the house without a search warrant. The Building Inspector needs to see the interior of the house to determine if it should be demolished. Mr. Copp also said that the owner of record has only been informed of the intent to remove the porches, terminate the electrical service and secure the house, not demolish the building. Once the Town has determined that the house should be demolished it will need to serve notice of that intent and hold a second Public Hearing before demolition could occur.

Mrs. Jones also asked about conditions at the house at 86 Midvale Drive. She said that there have been reports that there were guns and ammunition at the house.

Supervisor Smith asked for clarification about the house at 86 Midvale Drive. Building Director Copp said there has been a fire at that house. It has been secured, but there is access to the house. The Fire Marshal has talked to the owners, who are working with their insurance company to determine settlement for the fire damage. He said that, because of the comments at this meeting, the property would be inspected by the Code Enforcement Officer on July 12, 2007 to be sure the site was safe.

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.

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that, according to Section 95 of the Code of the Town of Perinton, and after duly considering the written report and recommendations of the Building Inspector regarding the condition of the house at 120 Midvale Drive, Fairport, NY, tax account # 152.06-1-15, the Town Board determine that the building is unsafe and dangerous and should be repaired as recommended by the Director of the Building Department. That is, the front and rear porches shall be removed, the exterior shall be provided with a weather-tight enclosure and public utilities serving the property shall be terminated. The building shall be posted prohibiting occupancy until permanent repairs can be made to the building and properly inspected by the Town of Perinton Building Department. Notice of this determination shall be served upon the owners of record. Such work shall begin within 10 days of service of the Notice of Unsafe Building and shall be completed within 30 days thereafter.

In addition, the Director of the Building Department shall commence such action as is necessary to be able to inspect the interior of the house to determine if it should be demolished.

Ayes: Smith, Knapp, Glossner, Saum
Nays: None
Abstention: LaFay
Approved with one abstention

END OF ESTOPPEL

Supervisor Smith announced that the end of the period of estoppel for the Stone Creek off-site sewer had ended.

A motion was made by Councilperson Saum, seconded by Councilperson LaFay, that the reports from the Finance Director, Town Clerk and the Building Department for the month of June be approved.

Ayes: Smith, Knapp, Glossner, Saum, LaFay
Nays: None
Unanimously approved

AUDIT APPROVED

A motion was made by Councilperson LaFay, seconded by Councilperson Saum that Audit #7 for July, 2007 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

JULY AUDIT

General Fund	\$36,301.26
Town Outside of Village	118,917.47
Recreation	47,895.74
Highway General Repair	96,580.51
Highway Snow & Miscellaneous	30,826.58
Joint Sewer	433.16
Special Recreation	6,540.00
Debt Service Sewer	2,206.00
DPW Redevelopment	7,130.87
Orchards Sewer Project	2,546.00
Boxwood Ext #49	300.00
Pinecrest - Exit 51	<u>192,584.34</u>
	\$542,261.93 Total

The above items were numbers 2100 - 2276.

JULY MANUAL I

General Fund	\$61,390.52
Town Outside of Village	3,324.45
Recreation	35,851.87
Joint Sewer	8,373.38
Trust & Agency	47,893.42
Midlands Lighting District	404.98
Deer Run Lighting District	1,388.96
Misty Meadows Lighting District	<u>109.45</u>
	\$158,737.03 Total

The above bills were paid with checks # 64016, 66852 - 66867, 67015, 67017, 67018.

Ayes: Smith, Knapp, Glossner, Saum, LaFay
Nays: None
Unanimously approved

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:30 pm.

Respectfully submitted,

Susan C. Roberts
Town Clerk