

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, December 12, 2007

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

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; W. Scott Copp, Director, Building Department; Susan C. Roberts, Town Clerk; Karen L. Heim, Deputy Town Clerk; T. C. Lewis, Planning Board; S. Chris Fredette, Conservation Board.

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

Councilperson LaFay made a motion, seconded by Councilperson Saum, that the minutes of the Town Board meeting and the Executive Session of November 28, 2007 be approved as submitted by the Town Clerk.

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

PUBLIC HEARINGS
REZONING REQUEST
RESIDENTIAL B TO RESTRICTED BUSINESS
SPECIAL USE PERMIT
HEALTH CLUB & FITNESS CENTER
1135 FAIRPORT ROAD

Supervisor Smith opened the Public Hearings and asked the Clerk for proofs of publication and affidavits of posting. Proofs of publication were given in the Fairport ER Post on November 28, 2007; affidavits of posting were also November 28, 2007.

Supervisor Smith said the Public Hearings will be held concurrently; the first for the rezoning, the second because, under Section 208-14 Q of the Code of the Town of Perinton, Public Buildings and Grounds, the proposed use needs a Special Use Permit from the Town Board.

Robert Cantwell, BME Associates, represented the applicant, 1157 LLC. He said that the request for rezoning was to allow the construction of a single-story, 9,440 sq. ft. health and fitness club. The site is bounded by railroad tracks to the south, an office building, owned by the applicant, to the east, a golf course and commercial buildings to the north and residences to the west.

The applicants have reviewed the 2000 Fairport Road Subarea Comprehensive Plan Update. They have met with the Town's architectural consultant and have incorporated his suggestions into the proposal. They have also met with the site plan review committee.

The existing single family house at 1135 Fairport Road will be removed and replaced with the new building. The existing parking lot for 1157 Fairport Road will be reconfigured to accommodate both buildings and allow an additional 65 parking spots. There will be no direct access to the health club from Fairport Road. The existing curb cut will be closed; all access will be from Sunset Trail.

Landscaping, lighting and stormwater management will be improved on both parcels. The building at 1157 Fairport Road will be upgraded with interior and facade improvements. Both buildings will have two front facades: the north facade, facing Fairport Road and the south facade, facing the parking lot. The facades will be compatible.

Mr. Cantwell said that there will be a 50' buffer to the property line. Buffering between the new construction and the residences to the west will be improved. The two houses are now 70' apart; the new building will be 100' from the residence to the northwest and 220' from the residence to the southwest.

Supervisor Smith asked if there were any questions or comments from the audience. Eric Nixon, 14 Harvest Road, asked if this was a new iteration of the Planned Development District rezoning request from 2006. Mr. Cantwell said that proposal had been withdrawn; this was a new proposal.

There being no further questions or comments 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 Knapp, that the proposed rezoning of 1.25 acres at 1135 Fairport Road from Residential B to Restricted Business be referred to the Planning and Conservation Boards for their comments.

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

MEMBERSHIP CHANGES BUSHNELL'S BASIN FIRE ASSOCIATION

Councilperson Glossner made a motion, seconded by Councilperson LaFay, that the following changes in the membership of the Bushnell's Basin Fire Association be approved:

Resident Active Firefighter	Adam Horneber 4 Smallwood Drive Pittsford, NY 14534
	David Testa 34 Chipping Ridge Fairport, NY 14450

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

MONROE COUNTY SNOW & ICE CONTRACT AMENDATORY AGREEMENT

Commissioner Beck presented the Board with an amendatory agreement with Monroe County that modified the Inter-Municipal Agreement for Snow Removal and Ice Control Services for the 2007-2008 winter season. The original contract was instituted for a 10 year term from October 1, 2003 - September 30, 2013. The amendatory agreement provides for an annual adjustment to the lane mile payment rates. The agreement compensates the Town of Perinton with a flat rate of \$3,022 per lane mile for plowing plus a flat rate of \$5,799 for installation of snow fence and sweeping. The total contract amount is \$219,687, an increase of \$13,337 over last year's amount.

Councilperson Knapp offered the following resolution, seconded by Councilperson Saum:

WHEREAS, Monroe County owns, operates and maintains a highway system in the towns and villages of the county, and

WHEREAS, the County Superintendent of Highways has general charge and supervision of the work of constructing, improving, repairing and maintaining all County roads, and

WHEREAS, County funds may be expended for the control and removal of snow and ice from County roads, and

WHEREAS, the County may contract with the Town of Perinton for snow removal and for salting or otherwise treating County roads for the purpose of removing the danger of ice and snow, and

WHEREAS, the Town has appropriated snow and ice removal equipment and sufficient snow and ice control personnel to contract with the County for snow and ice control services,

NOW, THEREFORE, BE IT RESOLVED, in consideration of the mutual covenants, agreements and consideration hereinafter set forth and pursuant to Sections 118-b, 135-a and 142-d of the New York State Highway Law, the parties hereto mutually agree that the Town of Perinton will provide snow and ice control services on the County highway system and that the County will reimburse the Town for the provision of these services under a lump sum reimbursement contract.

BE IT FURTHER RESOLVED, that this agreement, titled Intermunicipal Agreement Between Monroe County and the Town of Perinton, dated October 2003, shall be for a period of ten (10) years beginning October 1, 2003 and expiring on September 30, 2013. Annual adjustments to the rates may be made. The rates and renewal or extension of the agreement shall be at the mutual consent of all parties.

In consideration of the performance by the Town of Perinton, the County agrees to pay for Standard Activities to the Town each year during the term of this agreement \$3,022.00 per lane mile for 70.78 lane miles. In addition the County agrees to pay for Special Activities performed by the Town of Perinton under this agreement either by unit price or by actual cost method. The estimated Special Activities Payment is \$5,799 for snow fence and sweeping combined.

The total of the Standard Activities payment and the Special Activities payment for the period is \$219,687.00.

BE IT FURTHER RESOLVED, that James E. Smith, Supervisor of the Town of Perinton is authorized to sign the above agreement for the Town of Perinton.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

HIGHWAY DEDICATIONS

The Commissioner of Public Works advised the Board that seven roads in the Town of Perinton have been on maintenance bond for a period of two year. 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 Knapp, seconded by Councilperson Saum, 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 streets 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 specified subdivision are now dedicated to the Town:

Hyacinth Lane	Wisteria Grove
Rosewalk Lane	Wisteria Grove
Periwinkle Drive	Wisteria Grove
Lavender Circle	Wisteria Grove
Sablewood Circle	Willingate Subdivision
Donna Lea	County Clare, Section 6
La Tour Manor	Beaumont Estates, Section 3

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

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, Copper Beech Run and Springvale Pass, each in the Magnolia Manor Section 1 Subdivision.

The following resolution was offered by Councilperson Glossner, seconded by Councilperson Saum:

BE IT RESOLVED, that the Town Board consents and agrees to provide road maintenance and services to the residents living on Tea Olive Lane, Copper Beech Run and Springvale Pass, which are all located in Section 1 of Magnolia Manor Subdivision, until these roads are eligible for dedication.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

MONROE COUNTY AMENDATORY AGREEMENT ALL SEASONS COUNTY/TOWN WORK AGREEMENT

DPW Commissioner Beck presented the 2008 All Seasons County/Town Work Agreement, a one year contract with options for ten additional one-year term extensions. The new agreement provides for an increase in the fringe benefit rate to 54%. The roadside mowing reimbursement rate is \$75.68 per mile mowed for each pass; the dead animal pickup rate is \$26.15 per center lane mile. Neither rate covers Town costs. Mr. Beck said that the County had agreed to renegotiate these reimbursement rates. Mr. Beck did not believe the reimbursement issues were significant enough to withhold approval of the contract. He asked the Board to approve the contract and authorize the Supervisor to sign the contract.

Councilperson Saum made a motion, seconded by Councilperson Knapp, that Board approve the 2008 All Seasons County/Town Work Agreement and that the Supervisor be authorized to sign that agreement.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

AUTHORIZE GRANT APPLICATION

Commissioner Beck reported that State funding is available for records retention projects from the State Archives & Records Administration (SARA). A portion of the funding is specifically designated for GIS implementation projects. The Department of Public Works would like to apply for a 2008 SARA grant for GIS implementation.

The DPW has purchased ArcView, GIS software which it uses in conjunction with Pictometry to create zoning, highway, sewer district, open space and Town-owned property maps. Aerial view property maps are produced for each Planning Board application. Mapping features are used extensively by the sewer and highway crews.

Commissioner Beck said that the GIS system has been an asset to DPW operations. He would like to incorporate the full potential of GIS, not only to the DPW, but for many of the other Town departments. Grant funding would allow the Town to bring GIS applications to other Town departments and enable the construction of digital data layers containing information on the Town's storm and sanitary sewer system, the highway network, all road signs, all streetlights, all storm water management ponds etc. which would be available on every desktop and laptop computer in the Town's system.

Before the Town can apply for grant funding it needs to put together a GIS needs assessment. Bergmann Associates, 200 First Federal Plaza, Rochester, has had experience with both GIS needs assessments and GIS grant applications. Mr. Beck asked for authorization to hire Bergmann Associates to prepare a GIS needs assessment for the Town of Perinton; then to prepare the application for a SARA GIS Implementation grant.

A motion was made by Councilperson Glossner, seconded by Councilperson LaFay, that the Commissioner of Public Works be authorized to hire Bergmann Associates, 200 First Federal Plaza, 28 East Main Street, Rochester, NY 14614, to complete a GIS needs analysis for the Town of Perinton and, based on the data collected, prepare a grant application for a 2008 SARA GIS Implementation Grant at a cost not to exceed \$5,000.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

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 November be approved.

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 8:25 pm.

Respectfully submitted,

Susan C. Roberts
Town Clerk