

PERINTON TOWN BOARD MEETING  
1350 Turk Hill Road, Fairport, NY 14450  
Wednesday, May 28, 2008

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

ABSENT: James E. Smith Supervisor

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.

Deputy Supervisor Knapp called the meeting to order at 8:00 pm and asked for a moment of silence in memory of Donna Smith, mother of Supervisor James Smith, who had died that morning. She then introduced the Board and staff present.

Councilperson LaFay made a motion, seconded by Councilperson Saum, that the minutes of the Town Board meeting of May 14, 2008 be approved as submitted by the Town Clerk.

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

#### ADOPT EDUCATION/MEMBERSHIP POLICY

Deputy Supervisor Knapp said that the proposed policy has been reviewed by the Town Board. It will formalize the Town's policy on certifications and continuing education, training and professional development seminars, organizational membership and leadership.

A motion was made by Councilperson Saum, seconded by Councilperson LaFay, that the following education/membership policy be adopted as proposed:

**Policy: Certifications, Continuing Education and Memberships in External Professional Organizations.**

It is well understood that dialogue and association with others working in our profession, can be both educational and informative. The Town benefits from these interactions and supports employee participation in such organizations. It is also understood that several positions in the Town require one or more forms of certification and/or continuing education. At the same time, the Town has adopted this policy to insure that there are appropriate limits in place.

**A. Certifications and Continuing Education**

1. Many town employees hold job titles that require certifications, licenses, and/or continuing education credits to properly perform their duties for the Town. When the town determines a license or certification is necessary, designated employees are eligible to attend appropriate educational sessions to fulfill the requirements needed to obtain and or retain such certifications, licenses and or continuing education credits. Attendance at such sessions requires prior approval from the employees' appropriate Department Head (Assessor, Town Clerk, Court Clerk, Commissioner of Recreation and Parks, Commissioner of Public Works, Director of Finance), or in the case of Department Heads, of the Town Supervisor.

2. Town department heads are responsible for articulating these staff positions and their certifications and/or licenses. The department head shall provide the Town Supervisor and Town Board with a complete list of recommended certifications by employee position and the associated continuing educational requirements annually. The Supervisor will make a final determination on acceptable certifications and/or licenses.
3. The cost of the certification and continuing education shall be identified and included in the annual department budget request. This cost shall be monitored closely by department heads to insure the Town is receiving value for the certifications.

**B. Education, Training and Professional Development**

1. Some staff positions do not require certifications but the employee(s) and Town benefit from these staff attending education and training seminars and conferences. Staff is eligible to attend education and training sessions that improve professional development.
2. All education, training, and professional development opportunities must be authorized by the department head, and included in the department's annual budget, as amended.
3. Education and training sessions take place at the local, state and national level. The staff should attend education and training at the local level where possible. Subject to approval by the appropriate Department Head (Assessor, Town Clerk, Court Clerk, Commissioner of Recreation and Parks, Commissioner of Public Works, Director of Finance), or in the case of Department Heads, of the Town Supervisor, any employee may attend seminars, conventions, or conferences related to their field up to a maximum of five days per year (not inclusive of required certification/continuing education sessions as described above). No more than one-half of a department's (Assessment, Building, Town Clerk, Court Clerk, Parks, Recreation, Highway, Sewer, DPW/Engineering) professional staff may attend a local meeting, convention, conference or seminar at a time.
4. Attendance at a state conference or convention is limited to supervisory staff and above. No more than 1/2 of the department supervisory staff and above may attend state level education and training session per year. Supervisory staff is limited to one state level training per year. Director level staff and department heads are limited to two trainings per year.
5. Attending a conference beyond the state level (i.e. regional, national) requires the approval of the Department Head and the Town Supervisor.
6. Staff will not be guaranteed attendance at any educational opportunity or training.

**C. Organizational Membership:**

1. Town staff may be allowed to be members of organizations that benefit the town. These memberships must be authorized by the department head and approved annually by the Town Board. The costs of the membership must be included in the departments' budget.
2. When membership or appointment provides an employee with a stipend, all work associated with such shall be accomplished on the employee's personal time with their own equipment. This includes, travel, telephone and email correspondence, work accomplished on a computer, etc.

**D. Organizational Leadership:**

- 1 Each department (Assessment, Building, Town Clerk, Court Clerk, Parks, Recreation, Highway, Sewer, DPW/Engineering, Finance) may have only one staff member serving as an officer/ board of director in any organization at any time. Only two staff members may serve on a committee in any organization at any time.
- 2 No individual may serve more than 8 years as an officer/board of director/committee member of any one organization during their tenure with the Town. Individuals may not serve as an officer, board member or committee member of more than one organization at the same time.
- 3 Staff may not serve as an officer/board of director/committee member of any organization above the State level (i.e. Regional or National).

**Exceptions:**

- Requests for exceptions to this policy shall be submitted in writing to the appropriate Department Head and the Town Supervisor for consideration. The final decision on such a request will be rendered by the Town Supervisor.

Definitions:

**Department Head**-Employee in charge of a single or multiple departments, e.g. Commissioner of Public Works, Commissioner of Recreation and Parks

**Director Level staff**-Employee in charge of a department unit, reports to department head, e.g.. Director of Recreation, Highway Superintendent

**Supervisory Level staff**-individuals holding the following titles are considered supervisory level staff for purposes of this policy:

Department of Public Works:

Highway Forman (2)  
Shop Forman (1)

Recreation and Parks:

Senior Recreation Supervisor  
Aquatics Supervisor (full time)  
Recreation Supervisor (full time)  
Park Foreman

Ayes: Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved.

DECISION  
REZONING REQUEST  
584 WEST WHITNEY ROAD  
LIMITED COMMERCIAL TO INDUSTRIAL

Deputy Supervisor Knapp began by reviewing the rezoning process. The Town Board's role in the rezoning process is to review and determine the best use for the land in question. The proposed project will be considered in general terms but, should the rezoning be approved, site-specific issues such as lighting, parking, building size and location, would be addressed by the Planning Board during the site plan approval process.

An Order for Hearing, the first public meeting about a rezoning proposal and the first formal step in an application for rezoning, was held on March 26, 2008. The developer explained the proposed rezoning to the Town Board and to the audience and answered questions about the project. The developer asked that a date be set for a Public Hearing on the rezoning.

The Public Hearing was held April 28, 2008. The proposal was then referred to the Perinton Planning and Conservation Boards for their review.

The Conservation Board has reviewed the project and recommends a Negative Declaration for the purposes of SEQR, with findings that the rezoning involves no change in the land itself. In addition, the proposed use for the land will not necessarily have any environmental impact. The Conservation Board will address any site plan issues at the Planning Board Site Plan review.

The Planning Board, in a memo dated May 27, 2008, stated that it unanimously favored the rezoning. There is already Industrial zoning on the property immediately to the east.

The proposal conforms with the guidelines offered in the Fairport-Baird-Whitney Roads Subarea Report to the Town's 2000 Comprehensive Plan because it provides a neighborhood service to the residents of the immediate area.

Mini-warehouses are low-intensity use. Because other industrial uses may be more intensive the Planning Board recommended that the rezoning be restricted to mini-warehouse use only. The Planning Board also recommended that a minimum of 50 feet of the existing woodland along the northern edge of the property be restricted from development to protect the townhouses to the north.

Councilperson Glossner made a motion, seconded by Councilperson Saum, that the proposed rezoning be given a Negative Declaration under the New York State Environment Quality Review Act (SEQR) because, as per the Conservation Board memo of May 13, 2008, the rezoning involves no change in the land itself and the proposed use for the land will not necessarily pose any environmental impact.

Ayes: Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

Deputy Supervisor Knapp offered the following motion, seconded by Councilperson Glossner:

As the Town Board has received a response from Monroe County Planning and has received positive recommendations from the Conservation and Planning Boards, I move that 4.0 acres of the property located at 584 West Whitney Road, tax account #152.07-1-16, be rezoned from Limited Commercial to Industrial zoning. The rezoned area will be from a line 210 feet north of the right-of-way to the rear property line. This rezoning is dependent on the following conditions:

1. The Industrial zoning shall be limited to use as mini-warehouses.
2. A 150' buffer shall be retained along the north property line. No grading, removal of trees or construction of structures shall occur within this buffer with the exception of a storm water management facility that will be constructed in this area.
3. The storm water management facility shall be constructed in the most western portion of this buffer area as physically possible.
4. As much buffering as possible shall be retained between the storm water management facility and the townhouse units to the north.

It appears that the proposed rezoning will be a benefit to the town because it will provide a transition from the Limited Commercial uses on Whitney Road to the townhouses to the north. Mini-warehouses are low traffic and noise generators. With appropriate landscaping and elevations the proposed use will not adversely impact the Deer Run townhouses.

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

#### DEPOSIT OF SURPLUS EQUIPMENT FUNDS

Deputy Supervisor Knapp reported that each year various departments cull surplus equipment from their stock and sell it at Municipal Auction.

The Department of Public Works realized \$67,786.00 from sales of its surplus equipment at auction. In addition to selling equipment at auction, the Sewer Department will be transferring a 2003 crew-cab pickup truck with 57,929 miles to the Highway Department to replace a 1999 crew-cab pickup that was sold at auction. The estimated value of the truck is \$12,000. The reimbursement of \$12,000 from the Highway Department to the Sewer Department is reflected in the amounts the Commissioner has designated for the capital reserve funds. He asked that \$55,224.03 be deposited in the Highway Equipment Capital Reserve Account and that \$12,561.97 be deposited in the Sewer Equipment Capital Reserve Account

The Parks Department realized \$19,683.00 from the sale of its surplus equipment at auction. Recreation & Parks Commissioner James Donahue would like to deposit that money into the Capital Reserve Account for Parks Equipment.

Councilperson Saum made a motion, seconded by Councilperson LaFay, that \$19,683.00, the money received by the Parks Department from the sale of surplus equipment, be deposited in the Capital Reserve Fund for Parks Equipment, that \$55,224.03, be deposited in the Highway Equipment Capital Reserve Account (the amount received by the Highway Department minus the \$12,000 for the Sewer Department truck) and that \$12,561.97 be deposited in the Sewer Equipment Capital Reserve Account ( the amount received by the Sewer Department plus the \$12,000 for the 2003 crew-cab pickup truck).

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

#### AWARD BID BALL FIELD GROOMING EQUIPMENT

Deputy Supervisor Knapp said that, in a memo dated May 22, 2008, Parks and Recreation Commissioner Donahue reported that bids had been opened on May 22, 2008 for a 2008 baseball infield grooming machine. Two bids were received. The low bid, from Grassland Equipment, did not meet specifications for the engine, hydraulic system or hydraulic cultivator attachment. Commissioner Donahue and Parks Director Morgan recommended awarding the bid to the next low bidder, who did meet all specifications.

A motion was made by Councilperson Saum, seconded by Councilperson Glossner, that the bid for a 2008 baseball field infield grooming machine be awarded to S. V. Moffett Company, 33 Thruway Park Drive, West Henrietta NY 14586, for a 2008 Jacobsen Groom Master II #88009 for a bid of \$16,554.00 because it was the lowest bid to meet all specifications.

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

APPROVE APPLICATION FOR A  
NEW YORK STATE DEPARTMENT OF CONSERVATION  
URBAN AND COMMUNITY FORESTRY GRANT

Commissioner Beck reported that the NYSDEC makes available grant funding for urban and community forestry projects such as tree inventories and management plans, tree shrub planting and maintenance and green infrastructure projects, including green roofs and rain gardens.

In January 2007 Bergmann Associates, on behalf of the Town of Perinton, submitted a Stormwater Pollution Prevention Plan to NYSDEC for the re-development of the Perinton Public Works facility. The report described the hydrologic limits of the site and explained why development of a stormwater management pond on site was impossible. It also documented the fact that the DPW site discharges stormwater into a 4th order stream, negating the necessity of the Town's constructing a management practice which would control stormwater quantity per the standards of the NYS Stormwater Management Design Manual.

The Town has proposed the implementation of a "Stormwater Credit System" which would create a combination of off-site and on-site water quality volume. The on-site volume would be created through the development of three rain gardens; the off-site volume would be created by modifying an existing dry pond elsewhere in the watershed.

The Commissioner requested approval to submit an application to the NYSDEC Urban and Community Forestry Grant Program to assist with funding for the on-site rain gardens. The gardens would develop an alternative stormwater management practice which would control and treat small volumes of run-off from the Public Works site by using a combination of soil media and plant materials to filter stormwater in shallow basins. Each of the three rain gardens would be built in conjunction with the Public Works Redevelopment project. They would be designed to passively filter pollutants, including solids, heavy metals, nutrients and hydrocarbons from certain stormwater run-off hot spot asphalt areas on the Public Works site.

Commissioner Beck said that the estimated cost of the development of the rain gardens is approximately \$39,030 (including all labor, materials and equipment) The Town is requesting \$13,270 in grant funding to help offset this cost. The matching portion of the grant would be satisfied by using Town employees and equipment, equaling approximately \$25,760. He asked the Board to authorize the Supervisor to file an application for, and execute an agreement for, a 50% Matching Funds Urban and Community Forestry Grant for the establishment of three rain gardens as part of the DPW Redevelopment Project.

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

BE IT RESOLVED: that James E. Smith, Supervisor of the Town of Perinton, or such person's successor, is hereby authorized and directed to file an application for a 50% Matching Funds Urban and Community Forestry Grant in an amount not to exceed \$17,500.00 and upon approval of said request, to enter into and execute a Project Agreement with the New York State Department of Environmental Conservation for such financial assistance to the Town of Perinton for the Department of Public Works Rain Garden Project.

Ayes: Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

AUTHORIZATION TO SUBMIT  
TRANSPORTATION ENHANCEMENTS PROGRAM GRANT APPLICATION  
TURK HILL ROAD SIDEWALKS

Commissioner Beck said that, at its May 14, 2008 meeting, the Town Board authorized the Supervisor to sign a contract with Stuart Brown Associates for preparation of a 2008 TEP grant application for construction of sidewalks on Turk Hill Road. The TEP grant application process requires: one, that the Town Board authorize the Supervisor to submit the grant application and two, the Town Board commit to covering the local match for the grant.

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

WHEREAS, the New York State Department of Transportation (NYSDOT) is administering the Transportation Enhancements Program (TEP) to provide federal reimbursement for projects intended to benefit the traveling public, increase transportation choices and access, enhance the built and natural environment, and provide a sense of place. Among the project eligible for reimbursement are the provision of bicycle and pedestrian facilities and the conversion and use of abandoned railway corridors for pedestrian and bicycle trail, and

WHEREAS, NYSDOT is currently administering a round of solicitations for transportation-related projects, with applications for funding due June 27, 2008, and the Town of Perinton is prepared to submit a request for funding for the construction of sidewalks along both sides of Turk Hill Road from the Turk Hill Road/Summit Street intersection, where sidewalks currently end, to the Perinton Community and Aquatics Center, and

WHEREAS, the proposed project will provide safe pedestrian access to the Town of Perinton Community Center, which is a significant activity center in the Town, from residences along Turk Hill Road, from residential neighborhoods in the Village of Fairport and from the Village's downtown business district by eliminating the safety hazard presented by the existing lack of sidewalks along Turk Hill Road and will fill a gap in the Town's 50 mile sidewalk system, allowing safe pedestrian access to the Route 31/250 commercial area and to the Fairport High School.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Perinton Town Board fully supports the proposed project and authorizes the Supervisor to sign and submit an application for funding for the Construction of Sidewalks Along Turk Hill Road under the 2008 Transportation Enhancements Program.

BE IT FURTHER RESOLVED, that the Town of Perinton is hereby designated the Lead Agency for legal and administrative purposes with regard to the submittal of the TEP application and will be indicated as the Project Sponsor and the Project Applicant in the grant application.

BE IT FURTHER RESOLVED, that the Town of Perinton will provide the local share of the project costs.

Ayes: Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

AUDIT APPROVED

A motion was made by Councilperson LaFay, seconded by Councilperson Saum that Audit #5 for May 2008 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

APRIL MANUAL II

General Fund \$42,535.35

The above items were paid with checks #70178-70180.

MAY AUDIT

General Fund	\$63,581.36
Town Outside of Village	99,693.28
Recreation	72,349.43
Highway General Repair	19,866.71
Highway Snow & Miscellaneous	54,881.19
Joint Sewer	81,219.70
Special Recreation	3,657.35
Debt Service Sewer	3,862.00
Trust & Agency	225.00
Egypt Fire Protection District	449.44
Fairmont Hills Maintenance District	2,685.00
Wisteria Grove Maintenance District	1,056.75
DPW Redevelopment	453,865.66
Orchards Sewer Project	924.00
Pinecrest - Exit 51	<u>6,916.360</u>
	\$865,233.17 Total

The above items were numbers 1450 - 1793..

MAY MANUAL I

General Fund	\$63,682.75
Town Outside of Village	2,997.99
Recreation	45,045.13
Joint Sewer	12,286.81
Midlands Lighting District	443.21
Lake Lacoma Lighting District	15.30
Meadows Lighting District	444.23
Deer Run Lighting District	1,552.72
Misty Meadows Lighting District	<u>119.79</u>
	\$126,587.93 Total

The above items were paid with checks # 70182 -70184, 70198 - 70204, 70215.

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 8:20 pm.

Respectfully submitted,

Susan C. Roberts  
Town Clerk