

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, February 25, 2009

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; James A. Donahue, Commissioner of Recreation and Parks; Jennifer A. West, Town Clerk; T.C. Lewis, Planning Board.

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

Supervisor Smith invited the Boy Scout in the audience to introduce himself. Andrew Crammer of 40 Clarkes Crossing attended the Town Board meeting to understand local government in pursuit of his Citizenship in the Community merit badge.

Councilperson Knapp made a motion, seconded by Councilperson Saum, that the minutes of the Town Board meeting of February 11, 2009 be approved as submitted by the Town Clerk.

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

PUBLIC HEARING
SPECIAL USE PERMIT
ELITE DANCE STUDIO
6720 PITTSFORD-PALMYRA ROAD

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication in the Fairport ER Post was given on February 11, 2009; affidavit of posting was on February 17, 2009.

Daniel Saperstone, principal for Montcalm Services, LLC, addressed the Board as a representative of AJC Associates, the owners of Perinton Square Mall. Mr. Saperstone appeared before the Board regarding a Special Use Permit for Elite Dance Studio LLC. The dance studio would occupy a vacant store within the mall and Mr. Saperstone showed the Board a drawing of what the improvements to the space would look like and also called attention to the current parking plan for Perinton Square Mall which has 1100 spaces. There will be no change to the size of the space; merely internal partitioning added to create smaller dance studios within the space.

Councilperson Knapp asked about the hours of operation. Mr. Saperstone responded that they would be Monday through Friday 3 pm to 10 pm. The business will be catering to school-aged children and will therefore follow the school calendar as far as operating hours. In the summertime, the hours will be 10 am to 6 pm and those hours are within the mall's existing hours. Saturday and Sunday hours all year long will be 10 am to 6 pm. At a maximum, there would be 36 children in the dance studio at one time divided among the three rooms.

Councilperson Glossner asked how large the three rooms were. The rooms are 22' x 34', 24' x 34' and 28' x 34'. The space also includes a storage area, bathroom, snack area and waiting area for parents to wait for their children.

Councilperson Saum asked which entry to the mall this is closest to and he responded that it would be the Tops end of the mall. It will be in the space that is currently temporarily occupied by the Fairport Rowing Club. The space was formerly occupied by Scrapbook Creations and is located next to Radio Shack on the Tops side of Perinton Square Mall.

Councilperson Saum asked how many children might be in class at one time and what the drop-off situation might be. Mr. Saperstone said that there would be a maximum of 36 children at any one time and that there is plenty of parking. Councilperson Saum was concerned about those children that would be dropped off and Mr. Crecco mentioned that it is the dance studio owners' intention to have children dropped off at the rear entrance to the studio on the back side of Perinton Square Mall.

Councilperson LaFay asked whether there would be recitals involved with the dance classes and Mr. Saperstone said that there may be and they would be held in the partitioned areas within the dance studio.

Councilperson Knapp asked who would be running the dance studio and Mr. Saperstone said that they are a legally established limited liability company, they know who they are and have an executed agreement with them. They are professional dance instructors and are remaining anonymous to protect their current employment. They specialize in the youth market serving fifth and sixth grade and moving up through teen years teaching tap and jazz dance.

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.

Supervisor Smith stated we have a memo from the Conservation Board dated August 4, 2008 (as this is the second time that this application has started through the process) which recommends a Negative Declaration under the New York State Environmental Quality Review Act (SEQR).

Councilperson Knapp made a motion, seconded by Councilperson Saum, that the proposal to operate a dance studio at 6720 Pittsford-Palmyra Road be given a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) because the operation of a dance studio will in no way negatively affect the environment.

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

Councilperson LaFay made a motion, seconded by Councilperson Glossner, that a Special Use Permit be granted to Elite Studio of Dance, LLC to operate a dance studio at 6720 Pittsford-Palmyra Road, with the following condition:

1. Hours of operation will be within the hours of operation of Perinton Square Mall.

The Board has reviewed Section 208-54 of the Code of the Town of Perinton and finds this application in compliance.

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

Mr. Saperstone asked if the granting of a special use permit constituted preliminary and final approval. Supervisor Smith said that there is approval for a Special Use Permit from the Town Board which was just completed and then they would need to pursue preliminary and final site plan approval from the Planning Board which will be done at the March 4, 2009 Planning Board meeting.

APPOINT RECEIVER OF TAXES

Supervisor Smith stated that we have an opening for Receiver of Taxes due to the death of Connie Allen. Town Clerk West has recommended in a letter to the Town Board that the Board approve the appointment of Karen Heim to fill this opening. Karen has been employed as deputy tax receiver for the past five years and previous to that she worked for the Village of East Rochester for seventeen years as a clerk/typist performing similar tasks. Karen has significant experience and has handled this Town and County tax period and by all reports has done very well. Mrs. West is recommending that the Town Board appoint Karen to the position of Receiver of Taxes and that this appointment be effective February 26, 2009 []

Councilperson LaFay made a motion, seconded by Councilperson Saum, that Karen L. Heim be appointed Perinton Receiver of Taxes effective February 26, 2009 []

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

In an associated matter, Supervisor Smith mentioned that when we first had the vacancy at Tax Receiver we temporarily raised the salary of both Karen Heim and Carol Johnston to recognize that they were taking on the usual duties of the Receiver of Taxes and were being asked to do extra work. The Town Board has dealt here with Karen Heim's salary and should have a Town Board resolution to adjust Carol Johnston's salary to her normal salary. Carol is fully aware of this and it will be effective back to the date of the beginning of the last payroll period, Monday, February 23, 2009.

A motion was made by Councilperson Knapp, seconded by Councilperson Saum that the salary of Carol Johnston be adjusted []

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

RECREATION AND PARKS MASTER PLAN PRESENTATION

Commissioner of Recreation and Parks Donahue stated that the Board had received a memo on February 19, 2009 which was a short version of the Executive Summary of the Master Plan update and went through an abbreviated timeline and overview of what the Master Plan is. The intent at this Board meeting was to go through more detail with the Town Board and seek their approval. The previous Master Plan was adopted in 2002 and generally is good for five years. The update process began early this cycle due to the pending lease renewal of Egypt Park and the desire to make the plan more comprehensive in scope. That land is owned by the Humane Society and the fifteen year lease that was in place would have terminated in April of 2009. The process began back in 2007 looking at the Egypt Park parcel and attempting to get a long term lease in place for that and incorporate it into the Master Plan process. The other reason to begin early was to make the plan more comprehensive. The previous master plan (2002) was basically an inventory of existing facilities for Parks, a combination of the State's standards for the Parks and subtracting the two and determining what was needed based on that. The desire was to make this more comprehensive having a full inventory of what was in our Parks; parking places, overhead maps, designations as to whether land was park, open space, town-owned open space and include our trails.

In 2006, Commissioner Donahue came to the Board asking for permission to hire Trowbridge and Wolf and based on that approval consulted with the Town staff and the Recreation and Parks Advisory Board on the Master Plan project. Based on that, six basic planning components were identified to help work through the process. One

was to assist the team in redefining and updating the goals and objectives for the Parks. Another was to map and plan existing conditions and the third component was to plan accordingly for updated conditions, looking at requirements for the various agencies that are dealt with such as NYS Department of Environmental Conservation, US Army Corps of Engineers, etc. The fourth component was the proposed design and programming for each of the Parks, trails, green space and some type of prioritization for those. The fifth was a logical construction sequencing to plan the projects if and when funding was available. The last component was an estimate of probable construction costs. These were six of the key components of the plan as envisioned in 2006.

The document given to the Town Board on February 19, 2009 encompassed five of the six components. The prioritization was not given at this time as all components are important and there is uncertainty as to the funding that will be available. This list can be prioritized by the Parks and Recreation staff and the Advisory Board at the request of the Town Board. Councilperson Glossner added that it was a good point to remain flexible when it comes to any grant money that may become available.

Commissioner Donahue called the Board's attention to the pictures in the Master Plan publication saying that the pictures can help in understanding the conditions of signage, roadways, pathways and walkways into the park, trees, etc. This gives the Town a good historical view of where we are now and will help document as we make improvements in the future. There was a public meeting regarding the Master Plan on Wednesday, September 17, 2008. Prior to that meeting the Advisory board looked through the draft plan, it was on the Town's website as a PDF for the public to view and we had copies here at Town Hall and in the Community Center. Those who attended the September 17 meeting were vocal, gave excellent feedback and much of the input was incorporated into the plan. The information was also shared with the Fairport School District, the Humane Society and the Crescent Trail Association as they are considered key partners as the Town goes through this process.

One thing that is not included in the package currently is the last three or four sections that talk about requirements, some of the existing inventory, State recreation standards and demographics. They have not changed since the original document and will be included when the Master Plan is finalized.

Councilperson Glossner asked about grants and the current economic situation. Commissioner Donahue said that funding for Recreation and Parks is currently included as a funding option in recent legislation.

Supervisor Smith commended the Recreation and Parks Advisory Board and Commissioner Donahue and his staff for the excellent job on the Master Plan. He also asked if it would be advantageous for the Town Board to adopt the Master Plan. Commissioner Donahue said that it would enable the approval of the Master Plan to be part of any funding applications.

A motion was made by Councilperson LaFay, seconded by Councilperson Glossner, that the Town of Perinton Comprehensive Parks and Open Space Master Plan be adopted by the Perinton Town Board.

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

APPROVE CHANGE WORK ORDERS DPW REDEVELOPMENT PROJECT

Commissioner Beck said that LeChase Construction, Project Manager for the DPW Redevelopment Project, has recommended the following change work orders.

Building Innovation Group (BIG), Metal Buildings Contract, has two change work orders. The first, in the amount of \$1,321.00, covers repairs to the epoxy flooring in the crew area and is actually a change order between contractors. Consequently, there will be a credit in a future change order from Christa. The second item in this change order is for additional weather stripping added at Crew Door #116 in the amount of \$84.00 making the total cost of this change order \$1,405.00. The second Change Order for BIG also covers two items, one for the repair of Door #127-1 in the Fleet Building in the amount of \$264.00 and the other for the purchase of padlocks on the complex key system. The total cost of this change order is \$1,096.00.

Building Innovations Group, Inc.-Interior Finishes Contract, has one change work order. This item covers changes to the millwork in the kitchen area of the crew building and the total cost is \$162.00.

Monroe Piping and Sheet Metal, LLC, has one change work order. The items covered by this change order are a credit for final connections made to the fluids dispensing equipment and a credit for power and controls to the pressure washers in the Fleet Maintenance Building. It also includes a no cost change order for miscellaneous mechanical changes at existing Vehicle Storage. Other items of cost include relocation of thermostats at the Administration Building, changes to the heat exchange recovery system at the Crew Building and additional cost to PC #217, which encompasses changes in the waste oil piping at Fleet Maintenance. The total cost associated with this Change Order is a credit of \$2,991.00.

Billitier Electric Inc. has one change work order. This change order covers numerous items; the first two items are credits, one for the demolition allowance included at existing vehicle storage and the other a credit for fuel added to the emergency generator. The other items are adds which include temporary power to overhead doors in existing vehicle storage, added outlets in the crew area, relocating electrical outlets in Fleet Maintenance, miscellaneous electrical relocations in existing vehicle storage, addition of fire alarm conduit in existing vehicle storage, repairing site light conduit at the fuel dispensing island and additional costs associated with PC #130, which covered changes to the vehicle exhaust system at Fleet. The total cost associated with this Change Order is \$107.00.

Landmark Enterprises has four change work orders, the first of which includes three credits. The credits are for additional stone at the overhead doors and ramps at existing vehicle storage, conduit repairs at the fuel island site lights (which reimburses at Billitier charge) and tree demolition on Cobb's Lane, which was accomplished by the Public Works Department. The total cost of this change order is a credit in the amount of \$872.00. The second Change Work order contains five items which are credits including: deletion of overhead door clearance indicators in both the new vehicle storage and existing vehicle storage areas, credit on construction access, credit on stone weeps at the perimeter of the building, credit on pump house equipment demo and credit for topsoil and seeding. The items in this second work order that are not credits are for removal of excess fill stockpiled on site and for undercutting of undocumented fill at the east entry into Fleet Maintenance. The total cost of the second Change Order is \$2,325.00. The third change work order includes three credits for reuse of the existing chain link fencing on site, retaining wall material that was not used and replacement of fencing at the west end of the site. The total cost of this Change Order is a credit in the amount of \$4,239.00. The fourth change work order encompasses revisions made to the design of Cobb's Lane in front of the DPW complex, due to the structural deficiencies found in the New York State Canal Corporation's dive culvert. The cost of this Change Work Order is \$36,177.00.

Thurston Brothers Plumbing has one change work order which includes three items. One is a credit for changes made in the compressed air system at Fleet Maintenance. The other two items are charges and they include changes to the eye wash station and sinks in Fleet Maintenance; the other is for additional plumbing work in the kitchen in the crew area. The total cost of this change work order is \$592.00.

The net result for these Project Change Orders is a cost of \$34,034.00. The total budget for the project was \$14,203,848.00 and with the inclusion of these change orders, the total committed project cost to date is \$13,384,554.00.

A motion was made by Councilperson Knapp, seconded by Councilperson LaFay, that the above change work orders 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, Glossner, Saum, LaFay
Nays: None
Unanimously approved

AUDIT APPROVED

A motion was made by Councilperson LaFay, seconded by Councilperson Saum that Audit #2 for February 2009 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

FEBRUARY AUDIT

General Fund	\$86,588.69
Town Outside of Village	24,989.15
Recreation	63,812.67
Highway General Repair	12,733.49
Highway Snow & Miscellaneous	203,473.31
Joint Sewer	11,348.76
DPW Redevelopment	137,454.76
RS&E Pedestrian Bridge Project	<u>11,049.11</u>
	\$551,449.94 Total

The above items were numbers 289, 304-634, 47925, 48573, 48599, 48620.

FEBRUARY MANUAL

General Fund	\$81,654.82
Town Outside of Village	3,189.08
Recreation	30,977.01
Joint Sewer	14,306.87
Midlands Lighting District	427.25
Lake Lacoma Lighting District	15.41
Meadows Lighting District	445.70
Deer Run Lighting District	1,479.75
Misty Meadows Lighting District	<u>115.47</u>
	\$132,611.36 Total

The above items were paid with checks # 73042-73067.

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

Supervisor Smith asked whether there were any questions from the audience and Judy McNulty, 647 Thayer Road, asked whether any Government Stimulus money would be coming to the Town of Perinton. Supervisor Smith answered that we believe that those monies municipalities could access are mostly being spent on highways and only highways that are on the Federal system. There are some roads in Perinton that are on that Federal System but they are County roads and Monroe County has applied. Supervisor Smith is also writing to our Congress people to make them aware that we stand ready to do other things should money become available and he will include our Town Recreation and Parks needs in that letter.

Martin Crammer, 40 Clarkes Crossing, stated that he lives close to Harts Woods and that he has observed youth playing paint ball in the woods area. He asked for advice as to what to do in that case and Commissioner Donahue stated that Mr. Crammer should call the Sherriff's Department using the 911 number. Supervisor Smith asked Commissioner Donahue about the Federal designation for Hart's Wood and he stated that it is a National Natural Landmark.

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,

Jennifer A. West
Town Clerk