

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, November 30, 2011

PRESENT:	James E. Smith	Supervisor
	Patricia S. Knapp	Councilperson
	Carolyn H. Saum	Councilperson
	Joseph H. LaFay	Councilperson
	Peg S. Havens	Councilperson

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; Jennifer A. West, Town Clerk; Jeffrey Myers, Commissioner of Recreation and Parks; Carol Johnston, Deputy Town Clerk; Michael Doser, Director of Code Enforcement and Development; T.C. Lewis, Planning Board; Chris Fredette, Conservation Board; Stephen Van Vreede, Recreation and Parks Advisory Board and 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 Saum, that the minutes of the Town Board meeting of November 9, 2011 be approved as submitted by the Town Clerk.

Ayes: Smith, Knapp, Saum, LaFay, Havens
Nays: None
Unanimously Approved

PUBLIC HEARING
SPECIAL USE PERMIT
MINI-STORAGE
SOUTH OF 314 HOGAN 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 10, 2011; affidavit of posting was also November 10, 2011.

Ryan Destro, BME Associates, introduced Stacey Haralambides, Aristo Development and Martin Janda from BME Associates and stated that he is presenting this application for a Special Use Permit for the Hogan Road mini-storage project on behalf of Aristo Development.

Mr. Destro stated that the project site has an area of 2.2 acres and is located within the commercial zoning district along the east side of Hogan Road approximately 100 feet north of the Pittsford-Palmyra Road intersection. Mr. Destro further stated that mini-storage units are permitted within commercial zoning districts, however, they require a Special Use Permit from the Town Board. The proposal is to construct four mini-storage buildings for a total of 19,800 sq. ft of building area and the associated minor site improvements. Mr. Destro stated that the proposal provides an opportunity to further enhance the Route 31 end of Hogan Road. A 50-foot landscape buffer along Hogan Road will be provided as required by the Town Code and additional landscaping would be provided along the north and south sides of the project. A 10-foot wide stream corridor LDD buffer would also be provided around the existing stream located along the east side of the project. The existing vegetation along the stream corridor would be maintained under this proposal.

Mr. Destro stated that Aristo Development currently owns and maintains two mini-storage buildings directly across Hogan Road from the proposed project and has noticed the demand for additional storage units in the area. These buildings' presence approximately 500 feet north of the project along the west side of Hogan Road make this project consistent with the existing uses in the neighborhood. The project also complies with the Town's commercial zoning district lot standards including green space. Access to the site will be provided off of Hogan Road directly across from the existing entrance to Aristo Development's office and mini-storage buildings located along the west side of Hogan Road. Mr. Destro stated that this project will generate a negligible amount of traffic.

Mr. Destro stated that the stormwater runoff will be treated with a combination of green infrastructure practices and conventional stormwater management practices per the NYS DEC design guidelines as well as the Town Code and design standards. He further stated that the possible stormwater management practices have been discussed with the site plan review committee and the Town Conservation Board and would be finalized as part of the site plan review process. Mr. Destro stated that they met with the site plan review committee on October 19, 2011 and attended the November 1, 2011 Conservation Board meeting and have addressed their comments in a letter dated November 28, 2011.

Town Attorney Place asked to see elevations for the proposed buildings and Mr. Destro passed those along to Mr. Place and the Town Board for review.

Councilperson Knapp asked whether there would be any sidewalks along Hogan Road and Mr. Destro stated that there are no sidewalks currently within the area and that this would be discussed during the site plan process.

Supervisor Smith asked that the corner property be discussed and Mr. Destro stated that it is an existing residential property that is currently rented out and a former service station. Mr. Haralambides said that he had heard reports of possible contamination on this site. Mr. Haralambides stated that he has had discussions with the owner regarding purchasing the property but he feels that price is "out of sight".

Councilperson Saum asked whether there would be fencing or gating around the property and Mr. Destro stated it is not part of the proposal at this time. The existing mini-storage properties operated by Aristo Development do not have fencing or gating and there have been no issues at those location. Lighting will be similar to what is at the present buildings. Mr. Haralambides stated that the present buildings stay about 95% full and that the economy is good for the storage business. Some portion of the proposed buildings may be climate controlled.

Judith McNulty, 647 Thayer Road, stated that she is not opposed to the project concept, but is a bit concerned that there is storage on both sides of Hogan Road and doesn't feel that this "enhances" the Route 31 corridor.

Supervisor Smith then read a letter submitted to the Town Board by Ronald LaFica, owner of the property at 7194 Pittsford-Palmyra Road—the corner property discussed earlier. Mr. LaFica stated that he is against the proposal to construct four storage units at 314 Hogan Road for the following reasons, "1. I was informed by the Town of Perinton that my property located at 7194 Pittsford-Palmyra Road was sold separately from lot #2 and that no building permits would be issued until they are rejoined". (Supervisor Smith stated that more research would be done on this item) "#2 a fenced-in lot with 4 storage units would impact adjoining property values (Supervisor Smith stated that it may not be fenced in) and # 3 water runoff is also a concern because lot #2 is partially wetland".

Chris Fredette, 3 Cabernet Circle, member of the Conservation Board, stated that the Board has met with Martin Janda and expressed a few concerns such as the amount of green space, wetlands and drainage. She further stated that Mr. Janda addressed those concerns in his letter dated November 28, 2011 and that the Conservation Board has begun discussing this via email. Mr. Janda also provided letters from the DEC

and the Army Corps of Engineers to Ms. Fredette which state that the wetland issues are adequately addressed.

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 construct four mini-storage buildings at the property south of 314 Hogan Road to both the Town Planning and Conservation Board for their comment.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously Approved

ROADS ACCEPTED FOR MAINTENANCE/DEDICATION

Commissioner Beck advised the Board that two 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 sections of Camellia Rise and Copper Beech Run in the Magnolia Manor subdivision Section 3A. Acceptance of these roads makes them eligible to be included in town highway mileage for CHIPS funding.

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

BE IT RESOLVED, that the Town Board consents and agrees to provide road maintenance and services to the residents living on Camellia Rise and Copper Beech Run which are located in the Magnolia Manor subdivision, until these roads are eligible for dedication.

Ayes: Smith, Knapp, Saum, LaFay, Havens

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 Saum, seconded by Councilperson Havens, 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:

Windchase Rise
Garden Drive

The Estates at Windchase
Canal Grove

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

APPROVE CHANGE TO THE MEMBERSHIP
OF THE EGYPT FIRE ASSOCIATION

A motion was made by Councilperson Knapp, seconded by Councilperson LaFay, that the following change in the membership of the Egypt Fire Association be approved:

Active Resident Firefighter	Taylor Scott 9 Vineyard Hill Fairport, NY 14450
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Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

APPROVE RECREATION & PARKS FEES

Commissioner of Recreation and Parks Myers reviewed a memo to the Town Board in which he requested approval for two new sets of fees. The first is for the new Community Garden located at Potter Park. Mr. Myers stated that there are 70 4'x8' beds available to rent and the proposed fee structure for 2012 would be:

- Single bed: \$20/year
- Double bed: \$35/year
- Triple bed: \$50/year

Commissioner Myers stated there is also a "Share the Harvest" section of the Community Garden where 20-30% of the harvest will be donated to local groups, charities and families in need. The fee to participate in the Share the Harvest section of the garden will be \$10/year.

Commissioner Myers stated that there has been a growing trend where persons renting a shelter and/or building at one of the Town parks, have requested approval to erect a tent or inflatable play structure adjacent to the structure that they have rented for their event. He also stated that Parks Director Estrich has developed guidelines and maps of approved locations for these tents and inflatable play structures. There is an increase in management's efforts in regards to proper and safe placement of the tents and play structures. Commissioner Myers is requesting that an additional \$20 fee be added to these rental reservations to cover the additional logistics required.

Councilperson LaFay asked whether renters would assume that it is OK to bring tents or other inflatable structures and not be aware of the new fee. Commissioner Myers stated that there is already a policy in place that renters are made aware of and now they will be made aware of the new fees.

Councilperson Havens made a motion, seconded by Councilperson LaFay to approve the fees for the Community Garden rental effective January 1, 2012 and to approve the fees associated with tents and inflatable structures with Parks reservations effective December 1, 2011.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

AUTHORIZATION TO BID
RECREATION SUPPLIES, WEARING
APPAREL, ARTS & CRAFT SUPPLIES
JANITORIAL SERVICES

Recreation & Parks Commissioner Myers reported that it was once again time to seek bids for recreation supplies, wearing apparel and arts and crafts supplies. He asked the Board for authorization to bid for those supplies as well as janitorial services for the year 2012. These are budgeted items; authorizing the bidding process in 2011 means the materials will be available throughout 2012.

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that the Recreation & Parks Commissioner be authorized to advertise for bids for recreation supplies, arts & crafts supplies, wearing apparel and janitorial services.

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

APPROVE MID-YEAR DPW EQUIPMENT PURCHASES

DPW Commissioner Beck stated that the Town Board authorized mid-year purchases for Highway at their July 28, 2011 meeting. The Highway Department purchase was to be a ten-wheel plow truck with associated appurtenances at a cost not to exceed \$204,500. The current State contract cost of the truck, with dump box, associated hydraulics and plow equipment is \$183,395.27. Commissioner Beck is also requesting approval to add associated lighting and a material spreader at a cost not to exceed \$11,000.00.

Commissioner Beck stated that at the same Town Board meeting, July 28, 2011, the Town Board authorized bids or quotes be solicited for the purchase of one new 4x4 pickup truck with plow and lift gate, and one new leaf vacuum. On November 14, 2011 bids were opened for the 4x4 pickup. Five bids were received ranging from a low of \$29,214.00 to a high of \$32,295.00. The low bid was submitted by Vision Ford, Greece, New York. Commissioner Beck stated that the bid met all specifications as advertised.

Commissioner Beck also stated that competitive quotes were solicited for a leaf vacuum as the total cost was expected to be less than \$20,000. Three quotes were received ranging from \$18,352.00 to \$19,813.00. The low quote was submitted by ODB, which is located in Arlington, Vermont. He further stated that the Town has four other ODB vacuums that have proved to be reliable for our operation.

Supervisor Smith asked about the material spreader and what the cost would be if the Town purchased the spreader rather than building it ourselves. Commissioner Beck stated that we are building the spreader for about \$8,000 and he estimates that they retail for \$12-13,000.

Councilperson LaFay made a motion, seconded by Councilperson Havens to approve the purchase of one 10 wheel plow truck with associated equipment through the NYS contract for \$182,395.27 with additional lighting and material spreader for an amount not to exceed \$11,000.00; one 4x4 pickup truck with plow and lift gate from Vision Ford in the amount of \$29,214.00 and one leaf vacuum from ODB in the amount of \$18,352.00.

Ayes: Smith, Knapp, Saum, LaFay, Havens
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 2011-2012 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 \$3,739.00 per lane mile for plowing plus a flat rate of \$7,048.32 for installation of snow fence and sweeping. The total contract amount is \$271,683.52, an increase of approximately \$10,000.00 over last year's amount.

Councilperson Knapp asked how many miles of snow fence are installed each year. Commissioner Beck stated that it is not as much as years ago as there are not as many open fields and said that the majority goes up on State and County Highways. He stated that there are approximately 3,000 feet of snow fence.

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

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 \$3,739 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 \$7,048.32 for snow fence and sweeping combined.

The total of the Standard Activities payment and the Special Activities payment for the period is \$271,683.52.

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, Saum, LaFay, Havens
Nays: None
Unanimously approved

AUDIT APPROVAL

A motion was made by Councilperson LaFay, seconded by Councilperson Saum that Audit #11 for November 2011 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

OCTOBER GENERAL ELECTION

General Fund	37,500.00
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The above item was paid with checks# 83184-83370.

NOVEMBER AUDIT

General Fund	144,515.30
Town Outside of Village	114,119.84
Recreation	94,732.79
Highway General Repair	18,196.94
Highway Snow & Miscellaneous	60,406.36
Joint Sewer	9,965.25
B Basin Fire Protect Dist	1,727.41
Egypt Fire Protect Dist	231.38
Fairmont Hills Maint Dist	320.00
Basin Canal Port	1,167.00
Jefferson Ave Sewer Project	14,830.50
Indian Valley Sewer Project	<u>29,547.28</u>
	\$489,760.05 Total

The above items were numbers 83374-83627.

NOVEMBER MANUAL 1

General Fund	82,107.94
Town Outside of Village	5,306.52
Recreation	32,284.38
Joint Sewer	9,468.63
Midlands Lighting Dist	414.85
Lake Lacombe Lighting Dist	15.80
Meadows Lighting Dist	458.51
Deer Run Lighting Dist	<u>1,561.55</u>
	\$131,618.18 Total

The above items were numbers 83149-83153, 83166-83171, 83183, 83371-83372.

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

T.C. Lewis, 14 Southcross Trail, asked if Commissioner Beck had an estimate when Jefferson Avenue would be reopened to two-way traffic. Commissioner Beck stated that it is scheduled to open Tuesday, December 6, 2011. He further stated that permanent pavement is in from Fairport Road south to the southerly part of

Brentwood Lane. From the southern end of Brentwood to Ayrault Road, the paving is temporary and there will be expected freeze/thaw movement in that section of road.

Judith McNulty, 647 Thayer Road, asked whether Jefferson Road would soon tie in to the O'Connor Road realignment. Commissioner Beck stated that the Town has recently received "right-of-way clearance" which allows the Town to commence right-of-way taking and that a Public Hearing will be held on the O'Connor Road project specifically for the right-of-way taking. This meeting will be scheduled after the holidays. Commissioner Beck also stated that the Town has received final design approval for the Cobb's Lane pedestrian bridge (across the canal) and that the target date to bid the project is the end of January 2012 and with construction beginning in 2012.

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:40 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk