

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, September 14, 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; Jeffrey Myers, Commissioner of Recreation and Parks; Jennifer A. West, Town Clerk; Kevin Spacher, Director of Finance; Michael Doser, Director of Code Enforcement and Development; Carol Johnston, Deputy Town Clerk; T.C. Lewis, Planning Board; Chris Fredette, Conservation Board; Stephen Van Vreede, Recreation and Parks Advisory Board.

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 August 24, 2011 be approved as submitted by the Town Clerk.

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

PUBLIC HEARING
SPECIAL USE PERMIT RENEWAL
PARTNERS IN COMMUNITY DEVELOPMENT
CHILD CARE CENTER
1 WHITE PINE CIRCLE

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication for the Public Hearing was given in the Fairport East Rochester Post on August 18, 2011; affidavit of posting was also August 18, 2011.

Len Statham, executive Director of Partners in Community Development, stated that the organization currently uses the community room space (entire building) at the Pines of Perinton as a school age child-care facility for children between the ages of 5 and 12 years old. There are currently 19 children registered and the organization anticipates that this may grow as the Seasons child-care facility is closing.

Supervisor Smith asked if the child-care center is open both before and after school and if the hours of operation granted under the present Special Use Permit, Monday through Friday 6:30am until 6pm, would still be satisfactory. Mr. Statham stated that they would.

Richard Davis, 712 Moseley Road, asked how the facility was staffed and Mr. Statham stated that there are currently three staff members, which is appropriate for the required ratio of children to staff (10:1) and that they are all certified, fingerprinted and trained in the child-care field.

There being no further questions, and all those wishing to be heard having been heard, the Public Hearing was closed.

Supervisor Smith stated that the Board has a memo from the Conservation Board dated August 10, 2011, stating that they have no concerns with this Special Use Permit application and look upon it with favor.

Councilperson LaFay made a motion, seconded by Councilperson Saum, that the granting of a Special Use Permit to Partners in Community Development be given a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) based upon the fact that this business will in no way negatively impact the environment.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved.

Councilperson LaFay made a motion, seconded by Councilperson Saum, that, having reviewed Section 208-54 of the Code of the Town of Perinton, the Board approves the Special Use Permit for Partners in Community Development, 1 White Pine Circle, with the following conditions:

1. The Center will provide services for children ages 5-12 years old
2. Hours of operation will be Monday through Friday from 6:30am to 6pm.
3. The number of children will not exceed 25.
4. The Special Use Permit will expire on September 14, 2016.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

PUBLIC HEARING
SPECIAL USE PERMIT MODIFICATION
CREST MANOR-6745 PITTSFORD-PALMYRA 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 September 1, 2011; affidavit of posting was September 1, 2011.

Supervisor Smith stated that the Board granted a Special Use Permit to Crest Manor on November 11, 2009. The plan has been modified and therefore the applicant has returned to apply for a change in their Special Use Permit to be reflective of their new iteration.

Mike Montalto, representing Parrone Engineering and retained by Batholomew Group which runs Crest Manor Living and Rehabilitation Center introduced Mr. Al Pardi, architect retained by Crest Manor and John Bartholomew II, President of Crest Manor.

Mr. Montalto reviewed the history of the Special Use Permit granted in 2009. The 2009 plan called for no change in occupancy, but a change to the care model which would provide more of a home or residential care setting. This model provides opportunities to have single rooms rather than double occupancy rooms. After obtaining the Special Use Permit in 2009, the applicant began the site plan procedure, applied to the Town Planning Board and then the State budget and approvals for commitments for project funding stalled. Mr. Montalto stated the project then went on hold until earlier this spring when the State granted a reduced amount of funding to Crest Manor.

Mr. Montalto stated that with reduced funding the plan was revised and the new proposal maximizes the amount of the existing parking lot retained, while obtaining the Town's goal of relocating the site's access point to Courtney Commons further south from its existing location. The exiting parking lot will be reduced from fifty-two parking spaces to forty-two spaces. A new, forty-six car parking lot is to be constructed south and west of the existing building. Mr. Montalto further stated that the new parking lot will connect internally to the existing parking lot thereby providing a single access point on Courtney Drive for the facility. The new parking area is to be located adjacent to the employee entrance for the building and promotes the use of the access drive to Moseley Road for employee use.

Mr. Montalto stated that the Crest Manor modernization project will include the construction of a 12,300 square foot building expansion to the south side of the existing facility. The building modernization consists of renovations to the existing facility to provide increased quality of life to residents by providing a more home-like residential operation with increased privatization of rooms.

Supervisor Smith asked whether there were any changes to the building addition from the original Special Use permit granted. Mr. Montalto said that the changes visible to the public are to parking lots, landscaping and access point only.

Councilperson Knapp asked about an area on the map on view and provided to the Town Board. Mr. Montalto stated that it was the porte cochere which can be used to drop off visitors and residents of the facility. Councilperson Havens asked about the trees in the vicinity of the storm water management area and whether they would all stay. Mr. Montalto stated that not all would stay and that a garden/memory area would be added in that area.

Councilperson Knapp asked about the physical therapy services at Crest Manor and Mr. Montalto stated that they are primarily for individuals that are patients or residents of Crest Manor. Mr. Bartholomew further stated that this part of the facility can handle a maximum of 12 individuals and therefore could be used on an outpatient basis for things like hip replacement rehabilitation.

Richard Davis, 712 Moseley Road, asked about the proposed addition and Mr. Montalto stated that it will be a single story addition. Mr. Davis asked Mr. Montalto to show how far the new building comes back onto the property from the existing building and how that lines up with the homes on Moseley Road. Mr. Davis expressed his concern over storm water run-off to the properties on Moseley Road. Mr. Montalto stated that the run-off would be increased towards Crest Manor as opposed to towards Moseley Road as the portion of the property to be excavated for parking is lower than the adjacent Moseley Road properties. Mr. Davis asked if Mr. Montalto would be willing to put that in writing and Mr. Montalto said that he would and that DEC requirements and the Town Code are such that an applicant cannot increase run-off to adjacent properties. Supervisor Smith suggested that the applicant provide a cross section from the back property lines on Moseley Road across to the Crest Manor property as part of site plan. Mr. Montalto also offered to walk the property and explain all of this to the residents on Moseley Road. Mr. Davis stated that the individuals in the first three homes on Moseley Road off of Route 31 should be addressed as well as they did not attend the Public Hearing.

Councilperson Knapp asked about moving the access road back off of Route 31 and whether the Code Enforcement and Development Department had seen this plan. Mr. Montalto said that they have and approve of the improved access plan. The Planning Board would see it as part of site plan approval. Judith McNulty, 647 Thayer Road, asked whether this plan for access was approved by Fairport Veterinary Hospital and Mr. Montalto stated that they would still have to grant new easements but the veterinary hospital will still have access through the new road.

Mr. Davis asked whether the access road off of Moseley would remain the same and whether it is acceptable for fire and other emergency equipment. Mr. Montalto

stated that this plan has been seen by the Town Fire Marshall and that it is the current access road for emergency vehicles.

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 made a motion, seconded by Councilperson Knapp, that the granting of a Special Use Permit to Crest Manor Living and Rehabilitation Center be given a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) based upon the fact that this proposal will in no way negatively impact the environment and that the modification is less intrusive to the environment than called for in the previously granted Special Use Permit.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved.

Councilperson Knapp made a motion, seconded by Councilperson Saum, that, having reviewed Section 208-54 of the Code of the Town of Perinton, the Board approves the Special Use Permit for Crest Manor Living and Rehabilitation Center, 6745 Pittsford-Palmyra Road, with the following conditions:

1. That it be in accordance with the plans put before the Town Board
2. Building Permit shall be obtained by September 14, 2013

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

ACCEPT CONSERVATION BOARD FINDINGS ON HIGH ACRES LANDFILL ANNUAL PROGRESS UPDATE

Michael Doser, Director of Code Enforcement and Development explained that the Perinton Conservation Board held a public meeting in August to present its review on the High Acres 2010/2011 Annual Parkway Expansion Phase III Update. The Conservation Board is charged with this initiative each year as part of the Phase III Landfill expansion project approval agreement between Waste Management of New York and the Town of Perinton. Mr. Doser stated that the Conservation Board recommends that the High Acres 2010/2011 Annual Progress Update be accepted by the Town Board for the following reasons:

- Waste Management of New York (WMNY) has addressed noise levels, showing that they are in general compliance with the NYS DEC Solid Waste Management Program Part 360 daytime noise standards for landfill operations in suburban areas.
- WMNY has made substantial progress in implementing its landscaping and wetland mitigation plans, and the firm's recent commitment to monthly monitoring by its arborist will help preserve the gains made in plant material growth and help assure that the program will succeed.
- WMNY is nearly finished with site enhancements that address odor concerns. Additionally, the firm is committed to constant monitoring of the landfill gas system with additional staffing and assistance in that area, including two full-time gas technicians whose chief purpose is to monitor the land fill gas collection well field on a daily basis.

Mr. Doser commended the Conservation Board for its fine efforts in reviewing the report's adequacy and providing guidance and input to WMNY. Supervisor Smith recognized and commended the Conservation Board and Waste

Management and stated that there was also a tour for the volunteer boards and Town Board in conjunction with the WMNY annual open house.

Councilperson Saum made a motion, seconded by Councilperson LaFay to accept the Conservation Board's findings on the High Acres' Annual Progress Update.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

**APPROVE CHANGES TO THE MEMBERSHIP
OF THE BUSHNELL'S BASIN FIRE ASSOCIATION, INC**

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that the following changes in the membership of the Bushnell's Basin Fire Association, Inc. be approved:

Non-Resident Active Firefighter	Mr. Gerald Stankewich 11 Meadow Wood Drive Fairport, NY 14450
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Removal from the Roster	Mr. Edward C. Pfeffer 33 Keswick Way Fairport, NY 14450
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	Mr. Daniel Cappuccio 54 Broxbourne Drive Fairport, NY 14450
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Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

**APPROVE MID YEAR PURCHASES AND AUTHORIZE
ADVERTISEMENT FOR BIDS**

Supervisor Smith stated that he provided the Board with a memo September 9, 2011 outlining requests from three departments to augment their equipment inventories at mid-year. Supervisor Smith further stated that this offers opportunities as we now know where we stand with cash flows for 2011 and we are able to do a few minor things at this time. It is also a good time to acquire some of these items due to the vagaries of state bids.

Commissioner of Recreation and Parks Myers has requested to purchase a leaf/debris sweeper for the Parks Department. This replaces a sixteen year old piece of equipment, will cost approximately \$35,000 and will be put out for bid.

Commissioner Beck would like to trade in and acquire one replacement ten-wheel plow truck with associated appurtenances in 2011 at an estimated cost of \$205,000. Commissioner Beck is also requesting authorization to solicit bids to replace an additional pickup and a leaf vacuum. These were in the original 2011 Equipment budget but were placed on hold. The current Highway equipment expenditure is \$52,000 under budget and Commissioner Beck projects that these two pieces of equipment can be acquired under that amount.

IT Director James Donahue requested that approximately \$12,000 be spent to augment the Town's computer inventory and keep it current.

A motion was made by Councilperson Knapp, seconded by Councilperson Havens, that the Department of Public Works be authorized to acquire a ten-wheel plow

truck with associated appurtenances for an amount not to exceed \$205,000 and to advertise for bids on a pickup and leaf vacuum, that the IT Director be authorized to purchase computer hardware/software for an amount not to exceed \$12,000, and that the Recreation and Parks Department be authorized to advertise for bids and acquire a leaf/debris sweeper for an amount not to exceed \$35,000.

Councilperson Knapp also moved, seconded by Councilperson Havens, that the budget be amended to increase the appropriations for Parks Equipment and Parks and Recreation Appropriated Fund Balance by \$35,000, increase appropriations for Computer Equipment by \$12,000 and Transfer to Other Funds by \$205,000 and Revenue for Refuse and Garbage Charges by \$217,000 in the General Fund and increase the appropriations for Equipment and Revenue for Transfers from Other Funds by \$205,000 in the Town Wide Highway Fund.

Ayes: Smith, Knapp, Saum, LaFay, Havens
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 Code Enforcement and Development Department for the month of August 2011 be approved.

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

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

Respectfully submitted,

Jennifer A. West
Town Clerk