

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, January 11, 2012

PRESENT:	James E. Smith	Supervisor
	Patricia S. Knapp	Councilperson
	Joseph H. LaFay	Councilperson
	Peg S. Havens	Councilperson
	Stephen C. Van Vreede	Councilperson

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; Jennifer A. West, Town Clerk; Nicholas Morabito, Town Assessor; Carol Johnston, Deputy Town Clerk; Michael Doser, Director of Code Enforcement and Development; Greg Seigfred, Fire Marshall; John Kenrick, Deputy Commissioner of Public Works-Sewers; James Spencer, Deputy Commissioner of Public Works-Highway, Chris Fredette, Conservation Board; T.C. Lewis, Planning 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 LaFay, that the minutes of the Town Board meeting of December 28, 2011 and the 2012 Organizational Meeting be approved as submitted by the Town Clerk.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede
Nays: None
Approved

RETIREMENT RECOGNITION
JAMES M. BENDSCHNEIDER

Supervisor Smith recognized the retirement of James Bendschneider who was present this evening with his wife and son. The plaque presented to Mr. Bendschneider by the Town Board read as follows:

“The Town of Perinton acknowledges with respect and gratitude the 40 years of outstanding service given to the residents of our Town by James M. Bendschneider, presented on this Eleventh day of January in the Year 2012”.

PUBLIC HEARING
SPECIAL USE PERMIT
LOLLYPOP FARM
99 VICTOR ROAD

Supervisor Smith called the Public Hearing to order and asked the Clerk for proof of publication and affidavit of posting. Proof of publication was given in the Fairport ER Post on December 29, 2011; affidavit of posting was also December 29, 2011.

Peter Vars, BME Associates, introduced Alice Calabrese, President and CEO Lollypop Farms and Stephen Jensen, an architect with Blue Sky Animal Care Architecture working on the proposed expansion to Lollypop Farms. Ms. Calabrese provided a perspective of the Lollypop Farm operation, employees (91) and volunteers (890). She stated that Lollypop Farm has been on Victor Road since the early 1960's. The current shelter was built in 1999 and since that time, adoptions have doubled, animal

admissions have doubled and the surgeries have more than tripled. Ms. Calbrese stated that Lollypop Farm can no longer deliver the programs and services for the Community and Monroe County in the current space and therefore wish to modify their Special Use Permit to allow for expansion.

Mr. Vars stated that Lollypop Farm currently operates within a 42,900 sq. ft. building with associated outbuildings and facilities on property located at 99 Victor Road. The property is approximately 112 acres and is zoned Residential Transition 2-5. The Humane Society has a current Special Use Permit from the Town and is requesting a modification to allow for this planned expansion. The expansion includes building additions to their main facility totaling 10,030 sq. ft. plus the construction of three additional outbuildings on the property. Mr. Vars showed the locations of the expansions on a map and provided the Town Board with architectural elevations. Mr. Jensen stated that the three new areas would be used for an area for cats that are ready for adoption, new clinical facilities, a training center and new staff office areas. The relocated barn would be used as an enclosed riding circle. The plan is to “re-introduce” a second access drive (incoming animal traffic) and maintain the separate public/visitor access to Lollypop Farm.

Mr. Vars also stated the applicant’s desire to create 26 land-banked parking spaces to allow the ability to expand parking in the future. He also acknowledged the need to review these plans during site plan review.

Supervisor Smith asked Mr. Jensen to discuss the east side of the addition to the main building. Mr. Jensen pointed out that the east end of the training center is narrow and faces Victor Road. The long sides of that addition face north and south.

Councilperson Knapp asked whether these plans (specifically the expansion to the front of the main building) would eliminate green space and Mr. Vars stated that there would still be approximately 200 feet of green space between the drive/parking and Victor Road.

Supervisor Smith reiterated that the applicant does not plan to do any additional parking construction at this time. Mr. Vars agreed that if there is added parking in the future, their intent would be to use a porous, non-asphalt surface.

Chris Fredette, 3 Cabernet Circle, stated that she would like for the expansions to be staked out in the field before site plan approval so that the boards can get an idea of their scope and location.

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

Pursuant to Section 239-m of the General Municipal Law, this application was referred to the Monroe County Planning Department. Their report, dated January 11, 2012, and designated PR11-14Z, stated that they have reviewed this application and included comments, which have been considered by the Town Board.

Councilperson LaFay made a motion, seconded by Councilperson Havens, that the granting of a modification to the Special Use Permit for Lollypop Farm 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, LaFay, Havens, Van Vreede

Nays: None

Unanimously approved

Councilperson Knapp made a motion, seconded by Councilperson Van Vreede, that, having reviewed Section 208-54 of the Code of the Town of Perinton, the Board approve the modification to the Special Use Permit for Lollypop Farm, 99 Victor Road, with the following conditions:

1. Subject to Site Plan Approval by the Town Planning Board.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede

Nays: None

Unanimously approved

ORDER FOR HEARING
CONSERVATION EASEMENTS 2012

Nicholas Morabito, Assessor, stated that the Town of Perinton began a Conservation Easement program in 1972 and each year property owners that wish to renew their existing easement as well as others that would like to enter the program must submit an application that is reviewed by the Perinton Conservation Board as well as the Monroe County Planning Department before being presented to the Town Board. This year there are ten (10) easements seeking renewals of their agreement, two (2) new easements and one that is not renewing due to estate planning purposes.

Assessor Morabito asked the Board to set a date for a Public Hearing to review the following proposed easements:

Conservation Easements to be renewed in 2012:

<u>Tax Map Acct #</u>	<u>Owner/Property Location</u>	<u>Acres</u>	<u>School/Yrs/Type</u>
140.04-1-31	Mary A Barnum 283 Furman Road Fairport, NY 14450	5.65	Fairport/10/Conservation
141.03-1-16.2	Timothy Brown	21.96	Fairport/10/Farming
141.03-1-17.1	Furman Road Fairport, NY 14450	8.50	Fairport/10/Farming
141.04-1-13	LenMar, Inc 255 County Line Road Fairport, NY 14450	9.8	Fairport/15/Conservation
154.01-1-49	James & Rebecca Krause	4.29	Fairport/5/Conservation
154.01-1-50	100 & 102 Wakeman Road Fairport, NY 14450	9.79	Fairport/5/Conservation
154.01-1-53.1	William & Darlee Provinski 186 Wakeman Road Fairport, NY 14450	17.40	Fairport/5/Farming
180.02-1-60	Joan Alliger 200 Thayer Road Fairport, NY 14450	10.03	Fairport/10/Farming
181.01-1-33	Phillip Long, Donald Long	36.70	Fairport/5/Conservation
181.03-1-13.1	Donna Torrens Pannell Road Fairport, NY 14450	33.00	Fairport/5/Conservation

New Conservation Easements in 2012:

181.01-1-34	David & Kathleen Garland 167 Pannell Road Fairport, NY 14450	11.57	Fairport/10/Farming
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194.02-1-18.4

David Autovino &
Audrey McNally
6800 Spring Creek Dr
Victor, NY 14564

5.00 Victor/25/Conservation

A motion was made by Councilperson Havens, seconded by Councilperson Knapp, that February 8, 2012 at 8:00 pm at the Perinton Town Hall, 1350 Turk Hill Road, Fairport, NY be set as the date, time and place for a Public Hearing to review proposed 2012 Conservation Easements.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede
Nays: None
Unanimously approved

AUTHORIZE TAX PAYMENTS

Supervisor Smith said that, in a memo dated January 4, 2012, Tax Receiver Karen Heim asked the Board to approve payment of the Town's portion of the 2012 Town & County tax bill for Time Warner Cable and approve payment of the 2012 Town & County property tax bills to the Perinton Receiver as follows:

A letter has been received from Time Warner Cable (TWC) advising that, pursuant to a franchise agreement between TWC and the Town of Perinton, TWC pays the Town of Perinton a fee for a special franchise to operate its cable television business in the public right-of-way. Section 626(1) of the Real Property Tax Law of the State of New York provides that the amount paid as a franchise fee (whether it is based upon a percentage of gross earnings or is called a license fee or is some other sum paid on account of a special franchise) is to be deducted from the taxes levied upon special franchise properties.

Pursuant to Section 626(2) of the New York Real Property Tax Law, TWC is requiring that the Town pay for the portion of Town taxes, in the amount of \$1,486.89 due on the 2012 County/Town bill.

In addition, the Town has tax payments on town property in the amount of \$11,419.54 due to Karen L. Heim, Town of Perinton Receiver.

A motion was made by Councilperson LaFay, seconded by Councilperson Van Vreede, that the Supervisor be authorized to draw a check in the amount of \$1,486.89 to Karen L. Heim, Receiver, for payment of the Town portion of taxes due on the following Time Warner bills:

500.00-1-492	\$ 197.92
500.00-5-327./13	\$ 58.00
500.00-5-327./PE1	\$ 64.71
500.00-5-327./PF1	\$ 128.90
500.00-5-327./PR1	\$1,037.36

and that the Supervisor be authorized to draw a check in the amount of \$11,419.54, payable to Karen L. Heim, Receiver of Taxes, for 2012 Town and County taxes for properties owned by the Town.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede
Nays: None
Unanimously approved

AUTHORIZE SUPERVISOR TO SIGN
VOLUNTEER BOARD TRAINING RESOLUTION

Supervisor Smith explained that the in 2007 New York State enacted a requirement that the Town Supervisor sign a yearly resolution certifying that each Town Planning Board and Zoning Board member has completed four hours of training per year.

Councilperson Knapp proposed and Councilperson LaFay seconded the motion that the Supervisor be authorized to sign the following resolution for each member of the Town Planning and Zoning Boards:

WHEREAS, effective January 1, 2007, all Planning Board and Zoning Board of Appeals members in New York State, as well as alternate members of those boards, must complete a minimum of four hours of training each year; and

WHEREAS, the legislative body of the Town is required to approve the activities that satisfy this training requirement; NOW THERFORE, be it

RESOLVED, that the Town Board hereby approves the above identified training as being compliant with the State law training requirements.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede, withdrawl
Nays: None
Unanimously approved

ACKNOWLEDGE WITHDRAWAL OF SUP APPLICATION
WIND ENERGY CONVERSION DEVICE
425 ALDRICH ROAD

Supervisor Smith stated that the applicant for a Special Use Permit for a small wind energy conversion device to be located on her property at 425 Aldrich Road has withdrawn her application to the Town Board for the Special Use Permit.

PRESENTATION OF TOWN SAFETY MANUAL

Fire Marshall Greg Seigfred stated that each Town Board member had in front of them a copy of the final draft of the Town of Perinton Safety Manual. The manual is intended to be a comprehensive manual, which will cover all Town departments and employees. Mr. Seigfred stated that the original manual was created by Polestar Consulting, is based on PESH (NYS Department of Labor version of OSHA) and OSHA regulations and has been modified by Department heads and senior staff from each area of the Town to suit the needs of the Town specifically. Mr. Seigfred also included a roster of the safety committee, which includes representation from each Town department. The intent is for the committee to meet monthly to coordinate required training, perform accident/injury review and address any safety related topics affecting the Town. Mr. Seigfred stated that pending Board approval the manual will be published and distributed to all regular employees for use as reference.

Supervisor Smith acknowledged Mr. Seigfred for an outstanding job compiling the Town Safety Manual and leading and coordinating the activities of the committee.

Councilperson Havens made a motion, seconded by Councilperson Van Vreede to adopt the Town of Perinton Safety Manual as presented by Mr. Seigfred.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede
Nays: None
Unanimously approved

A motion was made by Councilperson LaFay, seconded by Councilperson Van Vreede, that the reports from the Finance Director, Town Clerk and the Code Enforcement and Development Department for the month of December 2011 be approved.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede
Nays: None
Unanimously approved

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:35 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk