

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, March 14, 2012

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

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

Deputy Supervisor Knapp called the meeting to order at 8:00 pm and introduced the Board and staff present. She stated that the approval of the minutes of the Town Board meeting of February 22, 2012 would be deferred until the March 28, 2012 meeting. Town Board members present for the March 14 meeting would be unable to approve the minutes as two of the Councilpersons present at the meeting of March 14 were not present at the February 22 meeting. Supervisor Smith was also out of town for the March 14 meeting and therefore, there was not a majority of the Board present to approve the February 22 minutes.

ANNOUNCE END OF PERMISSIVE REFERENDUM
TRANSFERS FROM CAPITAL RESERVE FUNDS

Town Clerk West announced that the time of Permissive Referendum for the transfer of funds from the Capital Reserve Funds to the General Highway Fund, Parks and Recreation Fund and Part-Town Highway Fund has passed.

AWARD BID
TENNIS COURT REPAIRS

Recreation and Parks Commissioner Myers stated that the bid opening for repairs and color coating of Perinton Park's six (6) tennis courts and one (1) basketball court was held on Friday, February 24, 2012. One bid was received from Super Seal Sealcoating Co. in the amount of \$77,480.00. Commissioner Myers stated that the bid meets all specifications including working around Town Bicentennial events in July. He further stated that Super Seal has repaired several courts for the Town over the years and the Parks Department has been very satisfied with their service.

Councilperson Van Vreede asked whether the amount included repairing cracks caused by tree roots at the park and Commissioner Myers stated that it does.

A motion was made by Councilperson Havens, seconded by Councilperson Van Vreede to approve the bid from Super Seal Sealcoating Co. in the amount of \$77,480.00 for the repairs to the tennis and basketball courts at Perinton Park.

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

AMEND TOWN OF PERINTON POLICY
EMPLOYEE WELLNESS

Commissioner of Recreation and Parks Myers stated that he is recommending an expansion of the Employee Wellness Program, Policy 4.18 in an effort to promote healthy lifestyles for town employees, as well as their dependents. Proposed changes to the Wellness Policy are outlined below:

EMPLOYEE WELLNESS PROGRAM
POLICY 4.18

Policy

The Town recognizes the benefits of exercise to assist employees **ADD: and their dependents** in meeting the physical and emotional demands of their jobs **ADD: and to promote a healthy lifestyle which will help control the Town's health care costs.**

Provisions:

ELIGIBILITY.

Our wellness program is available to full time employees, regular part-time employees, employees who **ADD: retire under the provisions outlined in policy 4.04, section 5,** *DELETE: have retired from Town employment at or after age 55 in accordance with the rules and regulations of the New York State Retirement System, and who are credited with at least 15 consecutive years of service with the Town immediately preceding their date of retirement,* and members of volunteer boards **ADD: and the dependents of eligible employees and retirees who are eligible to be included on the health insurance plan provided by the Town to its employees and retirees.**

BENEFITS.

Through this program, the Parks & Recreation Department will make available the use of designated programs and facilities so that employees may strengthen themselves physically and relieves stress **ADD: and work toward a healthy life style.**

COST.

The cost of the Wellness Program is *DELETE: fully* paid by the Town **ADD: in full for eligible employees and retirees. 50% of the cost of designated programs is paid for eligible dependents.** As a part of our benefits review process, the cost of the Wellness Program is evaluated periodically, and is subject to change.

MORE INFORMATION.

Additional information regarding the Wellness Program may be obtained from the Director of Finance.

Supervisor's Procedures for Implementation:

1. ENROLLMENT. The Finance Department is responsible for enrollment.
2. GENERAL INFORMATION. Questions regarding the Wellness Program will be answered by the Director of Finance.

Councilperson LaFay made a motion, seconded by Councilperson Havens to amend the Town Wellness Policy as outlined above.

Ayes: Knapp, LaFay, Havens, Van Vreede

Nays: None
Unanimously approved

APPROVE MODIFIED FEDERAL AID
COBB'S LANE – RS & E PEDESTRIAN BRIDGE

DPW Commissioner Beck stated that in 2007 the Town Board approved a Federal Aid/Local Project Agreement with the New York State Department of Transportation (NYSDOT) based upon the original budget for the RS&E Pedestrian Bridge. The Town of Perinton was awarded Federal Transportation Program funding to design and construct a pedestrian bridge across the Erie Canal, just east of Turk Hill Road. A revised budget for this project was approved at the December 28, 2011 Town Board meeting. The grant, in the amount of \$1,531,750, will be administered by the NYSDOT. The estimated total cost of the project is \$3,216,273.65; Perinton's local share is \$1,684,523.65. The project will include relocating 1,200 linear feet of Cobb's Lane from the Park Department's Operations Center west toward Turk Hill Road, constructing an elevated steel and concrete approach ramp on the north side of the canal, constructing a new concrete abutment on the north side of the canal, rehabilitating the existing south side abutment and realigning the canal trail around the proposed pedestrian bridge. This work is expected to commence on March 21, 2012 and be completed by November 2012.

Commissioner Beck asked the Board to execute the revised standard Federal-Aid Highway and Marchiselli-Aid Local Project Agreements and provide documentation of support which authorizes the Town Supervisor to sign agreements, certifications, and reimbursement requests. In addition, the Town must show it has sufficient funding to deliver the project as proposed.

Deputy Supervisor Knapp asked whether the area around the construction would be posted and Commissioner Beck stated that it would be for resident safety.

Judith McNulty, 647 Thayer Road, asked whether the bridge approach would have steps and Commissioner Beck stated that it would have ramps with the larger ramp being on the north side of the canal.

Councilperson Van Vreede asked about the elevation on the south side of the canal and Commissioner Beck said that the bridge would basically be flush with the trail on the south side and about 20+ feet high on the north side.

Councilperson Havens offered the following resolution, seconded by Councilperson Van Vreede:

Authorizing the implementation, and funding in the first instance 100% of the federal aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a project for the RS&E hike/bikeway Erie Canal crossing east of Turk Hill Road, Town of Perinton, Monroe County, PIN 4760.34 (the Project), is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such programs to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, as provided for by agreement with the NYS Department of Transportation, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the federal aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the federal aid and Marchiselli aid construction work (excluding costs applicable to non-federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA's construction phase closeout audit of the Project to Project costs that are eligible for federal aid and Marchiselli aid; and

WHEREAS, the Town of Perinton desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of One million, seven hundred

seventeen thousand, nine hundred twenty three dollars and sixty five cents (\$1,717,923.65), for scoping, PE design, ROW acquisition ROW incidentals and construction CI/CS.

NOW, THEREFORE, the Perinton Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town Supervisor of the Town of Perinton to pay in the first instance 100% of the federal and non-federal share of the cost of \$3,216,273.65 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$3,216,273.65 is hereby appropriated from the Town Capital Reserves and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event of the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town of Perinton shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the design consultant thereof; and it is further

RESOLVED, that the Town Supervisor of the Town of Perinton of the County of Monroe be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Perinton with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately.

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

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

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

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|------------------------|-------------------------|
| Non-Resident Active to | Mr. Christopher Bane |
| Resident Active | 36 Windrush Valley Road |
| | Fairport, NY 14450 |

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

A motion was made by Councilperson Van Vreede, seconded by Councilperson LaFay, that the reports from the Finance Director, Town Clerk and the

Code Enforcement and Development Department for the month of February 2012 be approved.

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

Town Clerk West reported that her office participated in the national Passport Day in the USA on March 10, 2012. They processed 58 passports and took 64 sets of Passport photos on that day.

Deputy Supervisor Knapp acknowledged the fact that Supervisor Smith attended the East Rochester Fire Department annual dinner where he received a proclamation of recognition from Mayor Ricci acknowledging Perinton's 200th anniversary.

Judith McNulty, 647 Thayer Road, brought up two issues from her neighborhood association monthly meeting and asked for the Town Board's input in solving these problems. Ms. McNulty stated that the water tower off of Loud Road is frequently "trashed" and has young people parking in that area. They have approached the Monroe County Water Authority (MCWA) and had no luck with this issue. Commissioner Beck stated that he would call the MCWA and see if he could get some help. The second issue is that gun shots have been heard on lower Thayer Road late in the evening. Town Attorney Place feels that there may be individuals hunting coyotes at night and Commissioner Beck suggested that the homeowners contact the Monroe County Sherriff's Department.

Phil Wilkinson, 20 Windrush Valley Road, informed all that the film, Gas Land (documentary on hydrofracking), will be shown at St. Luke's Episcopal Church, 77 Country Corner Lane, on Friday March 23, 2012 at 7:30 p.m.

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:25 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk