

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, August 14, 2013

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

ALSO PRESENT: Thomas C. Beck, Commissioner of Public Works; Jennifer A. West, Town Clerk; Michael Doser, Director of Code Enforcement and Development; Jeffrey Myers, Commissioner of Recreation and Parks; John Kenrick, Deputy Commissioner DPW – Sewer; James Spencer, Deputy Commissioner DPW – Highway; 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 Van Vreede, that the minutes of the Town Board meeting of July 24, 2013 be approved as submitted by the Town Clerk.

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

RETIREMENT RECOGNITION
RICHARD T. BROWN

Supervisor Smith recognized the retirement of Richard T. Brown who has been the head of the DPW shop for decades. The plaque presented to Mr. Brown by the Town Board read as follows:

“The Town of Perinton acknowledges with respect and gratitude the 34 years of outstanding service given to the residents of our Town by Richard T. Brown”.

RETIREMENT RECOGNITION
MICHAEL J. MESSERINO

Supervisor Smith recognized the retirement of Michael J. Messerino who has been a motor equipment operator for most of his tenure with the Town. The plaque presented to Mr. Messerino by the Town Board read as follows:

“The Town of Perinton acknowledges with respect and gratitude the 37 years of outstanding service given to the residents of our Town by Michael J. Messerino”.

PUBLIC HEARING
AMENDMENT TO SECTION 208 OF THE CODE OF THE TOWN OF PERINTON
OUTSIDE DINING

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 July 18, 2013; affidavit of posting was also July 18, 2013.

Director of Code Enforcement and Development Doser explained that the Zoning Board of Appeals is currently the approving board for Special Use Permit applications related to outside dining in a Commercial District. He further stated that currently the ZBA may also require site plan approval by the Planning Board. Outside dining is primarily a site-planning issue. The proposed modification seeks to streamline the approval process by making the Planning Board the sole approving board for outside dining through the use of site plan approval.

Mr. Doser asked the Board to approve the following proposed changes:

Add text

Delete text

§ 208-41. Commercial District...

A. Uses permitted...

(1) [NO CHANGES]

(2) [NO CHANGES]

(3) [NO CHANGES]

(4) The following uses, when conducted in connection to a completely enclosed building:

- (a) Drive-through facilities. In addition to site plan approval and any other applicable provisions for special permits, the Board of Appeals may grant a permit for a drive-through window, provided the applicant prepares a plan that shows the location of at least 10 stacking spaces and demonstrates the use will not be detrimental to on-site traffic patterns, off-site traffic and adjacent properties.

When a drive-through facility is located in a Town-designated historic district, see § 208-41A(5)(r).

- (b) Outside dining. *The Board of Appeals may grant a special permit to allow outside dining subject to the provisions of § 208-54. The Board of Appeals may require a site plan approval from the Planning Board as part of its approval of the special permit. **The Planning Board shall approve outside dining through a site plan approval.*** Preparation of food for catering purposes for consumption off the premises is permitted as an incidental use.

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

Supervisor Smith stated that per NYS law, all changes to the Town zoning code must be referred to the Town Planning Board for their input.

Councilperson Knapp made a motion, seconded by Councilperson LaFay to refer the proposed changes to Section 208-41 of the Code of the Town of Perinton to the Town Planning Board for their input.

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

Nays: None

Unanimously Approved

REAPPOINTMENT
TOWN OF PERINTON ASSESSOR

Supervisor Smith stated that the Board has a memo from him regarding the reappointment of Town Assessor Nicholas Morabito. Mr. Morabito has been with the Town since January of 2002 and the Town's Assessor since June of 2008. The terms of office for NYS Assessors expire statewide on September 30, 2013 and a new six-year term would expire on September 30, 2019. Supervisor Smith stated that Mr. Morabito has done an excellent job and that he is recommending his reappointment.

Councilperson LaFay made a motion, seconded by Councilperson Havens to reappoint Nicholas Morabito to a new six-year term as Town Assessor to expire on September 30, 2019.

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

Nays: None

Unanimously Approved

CONSIDER SALARY ADJUSTMENT
DEPUTY TAX RECEIVER

Town Clerk West stated that Susan Frykholm will be celebrating her one year anniversary as Deputy Tax Receiver on August 15, 2013 and that Sue has progressed nicely in her position as Deputy Receiver. She has volunteered to take on many tasks outside of the normal duties, for example, learning the Town's election process to be able to help with the Primary and General elections.

Ms. West requested the Board's approval to move Ms. Frykholm up one step on the Clerk Typist pay scale to a salary of \$[] effective August 16, 2013.

Councilperson Knapp made a motion, seconded by Councilperson Havens to move Ms. Frykholm up one step on the Clerk Typist pay scale to a salary of \$[] effective August 16, 2013.

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

Nays: None

Unanimously Approved

**APPROVE PERSONAL LEAVE OF ABSENCE
ASSISTANT ASSESSMENT CLERK**

Supervisor Smith stated that the Board had a memo from him with a request for a leave of absence for Carolyn Insalaco, the assistant assessment clerk. Carolyn is helping her daughter's family due to the death of her son-in-law and intends to return around Columbus Day in time for the senior applications. Therefore no extra personnel coverage is required during her absence. Supervisor Smith stated that this leave request falls under the Town of Perinton Personnel Policy Section 4.15.

Councilperson LaFay made a motion, seconded by Councilperson Van Vreede to approve the requested leave of absence for Carolyn Insalaco.

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

Nays: None

Unanimously Approved

**APPROVE SURPLUS EQUIPMENT DESIGNATION
COMPUTER EQUIPMENT**

Supervisor Smith stated that the Town Board has a memo from Mr. Donahue in the Information Technology Office listing two pages of computer components such as monitors, printers, servers and computers, which are obsolete. They must be declared surplus in order to be discarded or recycled.

Councilperson LaFay asked whether any of the equipment could be sold and Supervisor Smith stated that the majority was obsolete and greater than five years old.

A motion was made by Councilperson Knapp, seconded by Councilperson LaFay, that the computer equipment documented in the Town Board memo be declared surplus so that it may be discarded or recycled.

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

Nays: None

Unanimously Approved

APPOINT CLERK IV
CODE ENFORCEMENT AND DEVELOPMENT OFFICE

Code Enforcement and Development (CED) Director Doser stated that the CED department will have an opening for a full-time clerk position in November and that the position is considered an Office Clerk IV position under Civil Service Law. Mr. Doser stated that his department posted the job internally and that Town of Perinton employee, Maureen Nix expressed her interest. After evaluating her resume and interviewing her, the CED Department determined that Ms. Nix is the best person to fill the position.

Mr. Doser stated that Ms. Nix is reachable on the current Office Clerk IV Civil Service exam list and he requested that the Town Board accept Ms. Nix as the permanent Civil Service appointment for CED office clerk at an annual salary of \$[]. Ms. Nix would be appointed to the Office Clerk IV position under Civil Service Law effective August 15, 2013.

Councilperson Havens made a motion, seconded by Councilperson Van Vreede to appoint Maureen Nix as the permanent Civil Service appointment for CED office clerk effective August 15, 2013 at an annual salary of \$[] effective upon her full time transition to the position on December 1, 2013.

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

Nays: None

Unanimously Approved

AWARD BID CONTRACT
O'CONNOR ROAD REALIGNMENT PROJECT

DPW Commissioner Beck stated that on August 5, 2013 a bid opening was held for the construction of the O'Connor Road Realignment Project. Nine bids were received that ranged from a low of \$1,463,772.75 to the highest bid of \$1,962,612.00.

Commissioner Beck stated that the low bid was submitted by Keeler Construction Company, Incorporated. Keeler is based in Albion, New York and completes an extensive amount of federally funded and NYS Department of Transportation (DOT) highway projects throughout the region annually. Commissioner Beck further stated that

Keeler has completed two large projects in Perinton; the NYS Route 250/Ayrault Road intersection expansion and the NYS Route 31 reconstruction project from Turk Hill Road to Aldrich Road and that they are currently working on the Lincoln Road reconstruction project.

Commissioner Beck stated that the project budget line item for construction is \$2,033,101.32 making Keeler's bid \$569,328.57 under budget. He recommended that the Town Board consider awarding the O'Connor Road Realignment Contract, PIN 4753.80, subject to NYS DOT approval, to Keeler Construction Company, Incorporated, for the amount of \$1,463,772.75.

Councilperson LaFay made a motion, seconded by Councilperson Knapp to award the O'Connor Road Realignment Contract, PIN 4753.80, subject to NYS DOT approval, to Keeler Construction Company, Incorporated, for the amount of \$1,463,772.75.

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

Nays: None

Unanimously Approved

Councilperson Knapp asked when Commissioner Beck expected the project to start and he stated that there is a pre-construction meeting scheduled for Friday, August 16, 2013.

AUTHORIZE SUPERVISOR TO SIGN
ALL DOCUMENTS ASSOCIATED WITH OBTAINING EASEMENT FROM NYS
CANAL CORPORATION

DPW Commissioner Beck stated that as part of the O'Connor Road Realignment Project, NYSDOT and the Federal Highway Authority required the Town to secure an easement from the NYS Canal Corporation (NYSCC) that encumbers that portion of O'Connor Road located in Perinton Park. The NYSCC has agreed to provide such an easement at no cost.

Commissioner Beck stated that the NYSCC has requested that the Town Board pass a resolution that authorizes the Town Supervisor to execute any and all documents associated with any easement acquisitions from the NYSCC associated with the O'Connor Road Relocation Project.

The following resolution was offered by Councilperson LaFay, seconded by Councilperson Van Vreede:

BE IT RESOLVED, that Supervisor of the Town of Perinton is hereby authorized to execute any and all documents related to acquiring a Permanent Easement in, on and over certain canal land located in the Town of Perinton in connection with the O'Connor Road redevelopment.

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

Nays: None

Unanimously Approved

ESTABLISH AND APPOINT REGULAR PART-TIME CLERICAL POSITION
RECREATION AND PARKS DEPARTMENT

Recreation and Parks Commissioner Myers stated that the business responsibilities of the Recreation and Parks Department have grown through the years. Commissioner Myers stated the reasons include the addition of recreation programs, the addition of parks, docks and amenities that they provide, the increase in demand for the use of fields, buildings and shelters throughout the town, and the opening of the Community and Aquatics Center. He further stated that as they have added programs, amenities and facilities staff has been added to run the programs and maintain facilities and supply ordering has grown and gotten more complex. Currently, the Recreation and Parks Department has one Senior Office Clerk, specifically responsible for financial records such as time cards, accounts payable and receivable and reconciling the previous day transactions.

Commissioner Myers stated that these tasks have been increasingly difficult for one person to accomplish and requested that the Town Board establish a new Regular Part-Time position for the Recreation and Parks Department. He further stated that this person would be responsible for assisting the finance clerk with the day-to-day duties and responsibilities and that the hours would be 8:30am to 12:30pm, five days a week.

Commissioner Myers stated that the second part of his request of the Town Board was to appoint Linda J. Kresky, 112 Grandview Drive, Perinton, to the newly established position of Finance Clerk Assistant (regular part-time clerk). Ms. Kresky is currently working as the assistant to the finance clerk and has been serving in the position for 6 ½ years. Commissioner Myers stated that Ms. Kresky has a strong work ethic and attention to detail and has been a true asset to the department. He asked the Board to appoint Linda J. Kresky to the position at a salary of \$[] per hour effective August 19, 2013.

Councilperson Van Vreede made a motion, seconded by Councilperson Havens to establish a regular part-time position for the Recreation and Parks Department as assistant to the Finance Clerk and to appoint Linda J. Kresky to the position at a salary of \$[] per hour effective August 19, 2013.

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

Nays: None

Unanimously Approved

APPROVE CHANGES TO THE MEMBERSHIP
OF THE EGYPT FIRE ASSOCIATION

1350 Turk Hill Road in the Town of Perinton, County of Monroe and State of New York shall be known as The James E. Smith Center as of January 1, 2014, and further be it,

RESOLVED that the Amphitheater, located in Center Park, shall be known as the Patricia S. Knapp Amphitheater as of January 1, 2014.

Dated at Perinton, New York, this 14th day of August in the year 2013.

A motion was put forth by Councilperson Van Vreede and seconded by Councilperson Havens to approve the resolution as read.

Ayes: LaFay, Havens, Van Vreede

Recused: Smith, Knapp

Nays: None

Unanimously approved

The meeting adjourned at 8:25 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk