

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, July 23, 2014

PRESENT:	Michael G. Barker	Supervisor
	Joseph H. LaFay	Councilperson
	Peg S. Havens	Councilperson
	Steven C. Van Vreede	Councilperson
	Ciaran T. Hanna	Councilperson

ALSO PRESENT: Robert Place, Esq., Town Attorney; Tom Beck, Commissioner of Public Works; Jennifer A. West, Town Clerk; Jeffrey Myers, Commissioner of Recreation and Parks; Michael Doser, Director of Code Enforcement and Development; Kevin Spacher, Finance Director; T.C. Lewis, Planning Board.

Supervisor Barker 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 July 9, 2014 be approved as submitted by the Town Clerk.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

ANNOUNCE END OF PERMISSIVE REFERENDUM
BUSHNELL'S BASIN SIDEWALK PROJECT

Supervisor Barker announced that the time of Permissive Referendum for the Bushnell's Basin Sidewalk Project has expired.

AUTHORIZATION TO BID
PARKS VEHICLE PURCHASE

Commissioner of Recreation and Parks Myers stated that the Recreation & Parks Department budgeted for the replacement of two parks support trucks and one minivan in 2014. Two of these vehicle replacements were approved at the March 26, 2014 meeting. They are currently on order.

Commissioner Myers requested authorization to receive bids for the third vehicle. The requested vehicle type could not be provided through the state or county contracts. The type of vehicle needed is an enclosed utility cargo vehicle, to be used as a maintenance vehicle for the buildings, shelters and amenities within Town parks. The current building maintenance vehicle is a 2004 Chevrolet C-2500 Heavy Duty pick up, with utility cargo compartments in the bed of the truck.

Commissioner Myers stated that the bids would be advertised in the July 31st edition of the Fairport – East Rochester Post, bids opened on September 4th at 2:00pm, and a recommendation for bid approval would be before the Town Board on September 10th. Commissioner Myers would fund this purchase utilizing the Equipment Line for Parks, as approved in the 2014 budget.

Councilperson Van Vreede made a motion, seconded by Councilperson Hanna to authorize the bid process for one Parks utility cargo vehicle.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

AUTHORIZE REPLACEMENT OF ROOFTOP HVAC UNIT

Commissioner of Recreation and Parks Myers stated that the HVAC Rooftop Unit (#1), which controls the climate in the community center locker rooms, is currently inoperative due to mechanical failures. There is currently no movement of air within the locker rooms. He added that when cooler temperatures arrive, and heat is called for inside the building, carbon monoxide will be pumped into the building with the warm air, as a result of the mechanical failure of the unit. The Town's maintenance mechanic has been working to determine the best, most cost-effective solution to resolve the problem.

Commissioner Myers stated that Rooftop Unit #1 is a Trane, 12 ½ ton cooling and heating unit. It was installed during the construction of the community center, in 1997. The average life expectancy of this unit is approximately 10 years.

He stated that the Town has received 3 separate quotes for the replacement of this unit. The quotes were in the Town Board package for review. The lowest quote was submitted by the company that services the Town HVAC mechanicals, the Landry Company, for the amount of \$34,055.00.

Commissioner Myers requested authorization to accept the quote of \$34,055.00, submitted by the Landry Company, to replace the HVAC Rooftop Unit #1. He would like to get this work completed before the cold weather arrives.

Commissioner Myers also requested the transfer of an amount, not to exceed \$34,500, from the Building Improvement Capital Reserve Fund, to the Community Center Maintenance and Repair line of the operating budget. This transfer will require a 30-day permissive referendum.

Councilperson Van Vreede asked when the unit would be replaced and Commissioner Myers stated that with approval of the purchase, he hoped to schedule the installation for August of 2014.

Councilperson Van Vreede made a motion, seconded by Councilperson LaFay to accept the quote for the purchase of the replacement HVAC unit from Landry Company for \$34,055.00 and to approve the transfer of an amount, not to exceed \$34,500, from the Building Improvement Capital Reserve Fund, to the Community Center Maintenance and Repair line of the operating budget.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

AUTHORIZE EMERGENCY REPAIR OF UNSAFE STRUCTURE 34 CAMBRIC CIRCLE

Code Enforcement and Development Director Doser stated that his department has reviewed the condition of the property located at 34 Cambric Circle, tax account number 179.11-1-54. The property has been vacant since approximately 2009 and the taxes are currently paid.

Mr. Doser added that the house and yard are being maintained (based on an inspection of the property on July 21, 2014), however, there is an in-ground pool located in the rear yard, which is in a serious state of despair and has not been maintained

in several years. He stated that the pool has a wooden structure with a wire-mesh cover stapled over it and a tarp cover underneath that has deteriorated. The pool water is greenish black, with green algae floating on the surface, and there is an odor emanating because the water has gone untreated for several years. He also added that the pool is home to hundreds of frogs.

Director Doser then reviewed three violations of the New York State Property Maintenance Code, which exist on this property. He added that it is his department's determination that the in-ground pool located in the rear yard of 34 Cambric Circle presents a clear and imminent danger to the health and safety of any persons on this property and to the surrounding properties.

Mr. Doser stated that under Section 95-10 of the Town Code, the Code Enforcement and Development recommends that the Town Board declare this pool and pool cover unsafe and by resolution authorize the Commissioner of Public Works to demolish and fill in the in-ground pool located in the rear yard of 34 Cambric Circle.

Councilperson LaFay made a motion, seconded by Councilperson Havens to approve the following resolution:

WHEREAS the Town of Perinton Code Enforcement and Development Department has determined and stated in its memo dated July 21, 2014 "that the in-ground pool located in the rear yard of 34 Cambric Circle (tax account number 179.11-1-54) presents a clear and imminent danger as the temporary wooden cover wire mesh does not appear to be able to support/prevent accidental entry into the pool, and the pool and temporary wooden cover presents a danger to the health and safety of any persons on this property and to surrounding properties"; and

WHEREAS the following violations of the New York State Property Maintenance Code exist on the property:

1. Section 303.1 of the New York State Property Maintenance Code states: Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.
2. Section 301.3 of the New York State Property Maintenance Code states: All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.
3. Section 302.1 of the New York State Property Maintenance Code states: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition; and

WHEREAS Town Engineer Robert Kozarits stated in his July 21, 2014 memo after an inspection of the pool at 34 Cambric Circle, "in accordance with Town Code Chapter 95, the neglected pool and timber covering structure at this vacant house presents a danger to the health, safety and general welfare to the public, and is unfit for the purposes for which it may be lawfully used",

NOW THEREFORE, BE IT RESOLVED that the Town Board finds that the pool at 34 Cambric Circle presents a present clear and imminent danger to the life and health of nearby neighbors for the reasons presented by the Town Engineer and Code & Enforcement Department that under Section 95-10 of the Town Code, the Town Board authorizes the Commissioner of Public Works to demolish and fill in the in-ground pool located in the rear yard of 34 Cambric Circle, and under Section 95-11 of the Town Code authorizes that the expenses for this demolition be assessed against the property.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

AUTHORIZE PARKING AND PEDDLER'S PERMIT RESTRICTIONS
WEGMANS LPGA TOURNAMENT

DPW Commissioner Beck stated that Monroe Golf Club is the host for the Wegmans LPGA Championship, being held from August 11, 2014 through August 17, 2014. There are various roads located within the Town of Perinton that are within walking distance to the golf club. These two lane roads are located in residential neighborhoods off Marsh Road. Portions of several of the roads are located in both the Town of Perinton and the Town of Pittsford.

He added that it is anticipated that that there will be a large number of vehicles attempting to park on these roads during the golf tournament week due to their proximity to the Monroe Golf Club. If a substantial number of cars attempted to park on both sides of these roads, the public safety of the residents in the neighborhoods could be compromised. Access by emergency vehicles could be obstructed (this includes fire, ambulance and police vehicles) causing a delay or preventing emergency responders from providing their services.

Commissioner Beck recommended that parking be restricted during the period that the Tournament will be taking place and asked that the Town Board consider the following resolution:

To insure that public safety will not be compromised due to on street parking during the Wegmans LPGA Championship Golf Tournament, parking, stopping and standing shall be prohibited on the following roads from August 11, 2014 through August 17, 2014, from 7:00 AM until 7:00 PM:

Hidden Creek Circle
Hunters Pointe
Kitty Hawk Drive
Landmark Lane
Latium Drive
Marsh Road
Wolf Trapp

The Streets on which parking, stopping, or standing is prohibited have been denoted on the attached map in yellow. The map and its markings shall be a part of this resolution.

These restrictions will be enforceable upon the proper and adequate posting of "No Parking" signs on all of the streets referenced herein, to give notice to all motorists using any of those streets, that parking, stopping, or standing is prohibited as designated by the signs.

Any vehicle in violation of these parking restrictions may be towed at the owner's expense and any violation of these parking restrictions shall constitute an offense and shall be punishable by a fine of \$25.00.

Commissioner Beck added that after discussion with Jennifer West, Perinton Town Clerk, he recommend that any type of Peddler, Solicitor and Hawker Permits shall not be issued during the time period of the LPGA Championship Tournament, August 11, 2014 through August 17, 2014. In addition, anyone currently

holding any of those permits will be notified that their permit is invalid for use on any of the roads listed below during the aforementioned Tournament dates.

Hidden Creek Circle
Hunters Pointe
Kitty Hawk Drive
Landmark Lane
Latium Drive
Marsh Road
Wolf Trapp

Councilperson Van Vreede asked whether the restrictions in peddler's permits would hinder the sales at Powers Farm Market and Commissioner Beck stated that they would not. DPW Commissioner Beck stated that there are also no restrictions on the sale of parking on the front lawn of the seven streets listed.

Councilperson Van Vreede made a motion, seconded by Councilperson Hanna to authorize the parking and peddler's permit restrictions during the Wegman's LPGA tournament, August 11-17, 2014, as outlined by Commissioner Beck.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

APPROVE LEAVE OF ABSENCE ASSESSOR'S OFFICE

Supervisor Barker stated that the Town Board has granted a Personal Leave of Absence to Carolyn Insalaco starting on June 30, 2014 with a return date of August 18, 2014. Ms. Insalaco has requested an additional leave of two consecutive days per week starting August 18 through October 3, 2014 returning full time on Monday October 6, 2014. Town Assessor Morabito supports this leave request and stated that Ms. Insalaco will return prior to the start of the 2015 exemption renewal process.

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

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

AUDIT APPROVAL

A motion was made by Councilperson LaFay, seconded by Councilperson Van Vreede that Audit #7 for July 2014 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

JULY AUDIT

General Fund	45,855.77
Town Outside of Village	84,743.30
Recreation	80,445.29
Highway General Repair	191,573.93
Highway Snow and Miscellaneous	271,086.46
Joint Sewer	30,269.47
Fairmont Hills Maint Dist	1,769.50
O'Connor Road Relocation Proj	365,019.78
Indian Valley Sewer Proj	<u>77,516.10</u>
	\$1,148,279.60 Total

The above items were numbers 93898-94137.

JULY MANUAL 1

General Fund	86,678.29
Town Outside of Village	6,041.64
Recreation	29,610.70
Highway General Repair	388.70
Joint Sewer	9,519.12
Forest Hills Fire Prot Dist	39,479.50
Midlands Lighting Dist	419.46
Lake Lacoma Lighting Dist	15.29
Meadows Lighting Dist	460.53
Deer Run Lighting Dist	1,447.34
Misty Meadows Lighting Dist	<u>113.37</u>
	\$134,694.44 Total

The above items were numbers 93865-93870 and 93881-93886.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
Nays: None
Unanimously Approved

T.C. Lewis, 14 Southcross Trail, asked whether the sidewalks in Bushnell's Basin would be constructed soon. Commissioner Beck stated the contract has been awarded, a pre-construction meeting has taken place and he expects the construction to begin next week and be completed in approximately four weeks.

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:20 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk