

PERINTON TOWN BOARD MEETING  
1350 Turk Hill Road, Fairport, NY 14450  
Wednesday, September 24, 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 Van Vreede, that the minutes of the Town Board meeting of September 10, 2014 be approved as submitted by the Town Clerk.

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

PUBLIC HEARING  
NEW CONTRACT BETWEEN THE  
BUSHNELL'S BASIN FIRE PROTECTION DISTRICT  
THE BUSHNELL'S FIRE ASSOCIATION AND  
THE TOWN OF PERINTON

Supervisor Barker 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 September 4, 2014; affidavit of posting was also September 4, 2014.

Supervisor Barker asked if there were questions from the audience. There being no questions, and all those wishing to be heard having been heard, the Public Hearing was closed.

A motion was made by Councilperson Havens, seconded by Councilperson Van Vreede, to approve the following resolution:

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign a new contract for fire protection between the Town of Perinton, the Bushnell's Basin Fire Protection District, and the Bushnell's Basin Fire Association, Inc. to provide for the payment of \$790,788.00. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2018.

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

ORDER FOR HEARING  
2015 TOWN BUDGET

Councilperson Hanna made a motion, seconded by Councilperson LaFay, that October 22, 2014 at 8 pm at the Perinton Town Hall, 1350 Turk Hill Road, Fairport, NY 14450 be set as the date, time and place for a Public Hearing on the 2015 Town of Perinton budget.

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

An Informational Hearing on the 2015 Budget will be held at the October 8, 2014 Town Board meeting.

VOLUNTEER BOARD APPOINTMENT

Supervisor Barker stated that Robert Housel has completed the term of Fritz Grasberger who retired last year as a member of the Board of Assessment Review (BAR). Mr. Housel's term expires at the end of September 2014. Town Assessor Morabito stated in his memo to the Town Board that Mr. Housel is a owner-Senior Appraiser of Appraisal Associates, a local real estate appraisal and consulting firm. Mr. Housel has served as a temporary BAR member for the 2004, 2006 and 2008 updates. Assessor Morabito added that Mr. Housel has 25 years of residential appraisal experience and that his experience and professionalism have complimented his service to the BAR. Supervisor Barker recommended that the Town Board approve the permanent appointment of Robert Housel to an additional five-year term on the Board of Assessment Review.

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

BE IT RESOLVED, that Robert Housel, 16 Lookout View Road, Fairport, NY, be appointed as a member of the Board of Assessment Review, with a term to expire on September 30, 2019.

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

APPROVE CHANGE TO THE MEMBERSHIP  
OF THE EGYPT FIRE ASSOCIATION

A motion was made by Councilperson Havens seconded by Councilperson LaFay, that the following change in the membership of the Egypt Fire Association be approved:

Removal from Rolls

Mr. Adam Blanc  
8 Watchet Lane  
Fairport, NY 14450

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

ACCEPT DEDICATION OF TOWN LAND  
JANDERS RUN

Ed Parrone of Parrone Engineering spoke on behalf of his client, Piero Forgensi of Tomax Homes, Inc. Mr. Parrone gave the history of the Janders Run project which involves the subdivision of a 10 acre parcel into seventeen (17) single family residential lots, including roadways, water main, sanitary sewer, storm sewer, and stormwater management infrastructure. He located the parcel on a map and stated that it is south of Pebble Hill Drive, east of Turk Hill Road and north of the recently acquired (by the Town) Hewes property.

Mr. Parrone added that this project was originally proposed in 2006 as an 18-lot subdivision and was granted under Town Law 278. Due to the uncertainty of the economy, it took until 2008 to have four lots approved as the original phase 1 and at that time the Town Board accepted a small portion of the property for dedication. The project did not move forward and the four lots were never filed. In the last six months, the project has been resurrected by Mr. Forgensi as a 17 lot subdivision, meetings have taken place with Town Staff and will occur with the Town Planning Board in the near future. Mr. Parrone requested that the Town Board accept approximately 2.76 acres of land for dedication along adjacent lands that are currently owned by the Town of Perinton. Mr. Parrone added that they believe that the dedication of land would provide the following benefits to the Town of Perinton:

- Conservation of wooded areas within the lands to be dedicated
- Provides access with Axel Rim Trail to connect lands to the east to the existing trail system with in Town lands to the west. Pedestrians currently utilize the Niagara Mohawk property illegally to access Town lands.
- Addition of approximately 2.3 acres to adjacent Town-owned lands to the south and west.
- Allows for cluster development under Town Law 278, which provides the following additional benefits.
  - Diversity of housing in the Town of Perinton. The proposed patio style homes are targeted for well seniors who generally do not want to maintain a larger lot.
  - The proposed patio style homes typically attract clientele without school age children. As such, school taxes will still be generated but the school district will not have additional students to educate.
  - Reduced infrastructure for the Town to maintain. By utilizing Town Law 278, the roadway, sanitary and storm utilities are shortened by approximately 350 feet, reducing the Town's maintenance burden.

A motion was made by Councilperson LaFay, seconded by Councilperson Van Vreede, that the acceptance of the dedication of open space land, by the Town of Perinton, associated with the Janders Run subdivision be granted a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) because the acceptance of the land creates no adverse environmental impacts.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna

Nays: None

Unanimously Approved

Councilperson LaFay made a motion, seconded by Councilperson Van Vreede to accept the dedication of 2.76 acres of open space land from the Janders Run subdivision, finding this to be beneficial to the Town and to adopt the findings as outlined by Mr. Parrone above.

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

#### AUTHORIZE PAYMENT FOR EMERGENCY DRAINAGE REPAIRS

Commissioner of Public Works Beck stated that that his department has recently become aware of the need to complete emergency repairs on a stormwater detention pond in the Old Stonefield Subdivision and a portion of the storm sewer system along Brentwood Lane. He added that these situations have occurred as a result of the extreme rain events that have occurred in the last year or two.

Commisioner Beck stated that the scope of work associated with the emergency repair at the Old Stonefield Detention Pond will include the replacement of approximately 100-feet of 24-inch pipe through the pond berm, straightening and placing additional stone within the low-flow channel as well as and most importantly, reconstructing the pond berm with impervious clay material. These repairs are essential to stop the continual decline of this pond. The pond is no longer operating as originally designed. In fact, much of the stormwater run-off that enters the pond is leaving undetained though the failing discharge pipe and pond berm. This is causing substantial erosion within a tributary of Irondequoit Creek and has the potential to impact downstream driveway culverts on private property as well as the Fish Hatchery in Powdermill Park. He added that this work has been estimated to cost \$148,000.00.

Commisioner Beck stated the second emergency repair item includes the re-construction of a segment of 36-inch storm sewer pipe that has failed behind houses 92, 94, & 96 Brentwood Lane. This work will also include the placement of fill material in a large void caused by significant erosion at the outlet end of this pipe. It is crucial that this work be completed under this emergency order, as the area impacted by the erosion is jeopardizing the stability of power poles owned and maintained by Rochester Gas & Electric. This work has been estimated to cost \$28,500.00.

Town Attorney Place stated that Commissioner Beck has determined that these situations need to be repaired in an emergency basis and therefore the Town is authorized to forgo the bidding process under General Municipal Law. Commissioner Beck recommended that the work be performed by Villager Construction. Councilperson Hanna asked about Villager Construction and Commissioner Beck stated that they are already on contract with Monroe County for this type of work. Monroe County let bids for this work and Villager was the successful bidder.

Councilperson LaFay asked where the money would come from and Finance Director Spacher stated that it can be done without borrowing and that he will recommend an account to fund these repairs.

A motion was made by Councilperson Havens and seconded by Councilperson Hanna to authorize the Commissioner of Public Works to contract with Villager Construction to accomplish emergency drainage repairs on Town owned storm sewer facilities in two locations. Location #1 is located behind house numbers 92, 94, and 96 Brentwood Lane. Location #2 is situated in the Town owned detention pond located behind house numbers 98, and 102 Old Stonefield Way, and behind house numbers 5 and 7 Summerfield Circle in the Old Stonefield Subdivision. Villager Construction will be retained through an existing Monroe County Contract for emergency pipe repairs, for which Villager was the successful bidder. Costs for the Brentwood Lane repairs are not to exceed \$30,000.00 and costs for the Old Stonefield repairs are not to exceed \$155,000.00.

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

AUTHORIZE TRANSFER OF FUNDS FOR O'CONNOR ROAD  
RELOCATION PROJECT

Finance Director Spacher stated that one of the major sources of funding for the O'Connor Road Relocation Project is grant money. The Town has to make payments upfront and then be reimbursed for expenses. He further stated that the Town has submitted a request for reimbursement in the amount of \$730,568 but have not yet received that money and that approval of tonight's audit would put the project in a negative cash position of about \$135,000. Mr. Spacher requested that the Town Board approve the transfer of \$135,000 from the Capital Reserve for Road Repair to the O'Connor Road Relocation Project to fund current expenses until the grant money is paid to the Town.

Councilperson Havens asked if the money would be transferred back to the Capital Reserve Fund when it was received and Director Spacher stated that it would.

Councilperson Havens made a motion, seconded by Councilperson Van Vreede to authorize the transfer of \$135,000 from the Capital Reserve for Road Repair to the O'Connor Road Relocation Project.

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

Councilperson LaFay made a motion, seconded by Councilperson Havens to deposit the \$135,000 back to the Capital Reserve for Road Repair upon receipt.

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 #9 for September 2014 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

SEPTEMBER AUDIT

General Fund	39,563.35
Town Outside of Village	104,864.68
Recreation	64,022.06
Highway General Repair	774,691.71
Highway Snow and Miscellaneous	349,522.75
Joint Sewer	15,881.97
Debt Service Sewer	2,505.25
Fairmont Hills Maint Dist	320.00
Basin Canal Port	1,358.76
O'Connor Road Relocation Proj	110,996.35
Indian Valley Sewer Proj	<u>625.00</u>
	\$1,464,350.88Total

The above items were numbers 94786-94998.

SEPTEMBER PRIMARY ELECTION

General Fund – Republican Inspectors	5,305.00
General Fund – Democrat Inspectors	<u>5,305.00</u>
	10,610.00 Total

The above items were numbers 94698-94741 and 97742-97785.

SEPTEMBER MANUAL 1

General Fund	83,055.17
Town Outside of Village	6,090.64
Recreation	30,068.02
Joint Sewer	8,275.25
Midlands Lighting Dist	415.93
Lake Lacoma Lighting Dist	14.72
Meadows Lighting Dist	452.48
Deer Run Lighting Dist	1,451.90
Misty Meadows Lighting Dist	<u>112.42</u>
	\$129,936.54 Total

The above items were numbers 94416-94419, 94429-94432, and 94443-94445.

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

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

Respectfully submitted,

Jennifer A. West  
Town Clerk