

PERINTON TOWN BOARD MEETING
 1350 Turk Hill Road, Fairport, NY 14450
 Wednesday, February 11, 2015

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; Thomas C. 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; Nicholas Morabito, Town Assessor; Kevin Spacher, Finance Director; Ken Rainis, Chairman Conservation Board; T.C. Lewis, Planning Board; Chris Fredette, Conservation Board.

Supervisor Barker called the meeting to order at 7:30 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 January 28, 2015 be approved as submitted by the Town Clerk.

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

PUBLIC HEARING
 CONSERVATION EASEMENTS 2015

Supervisor Barker called the following 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 January 22, 2015; affidavit of posting was also January 22, 2015.

Town Assessor Nick Morabito stated that open space preservation has been an objective of Perinton town government for many years. In the 1970's the Town developed a Conservation Easement program that assists in the retention of open space. The easement program allows property owners to enter into a legal agreement, or easement, with the town. In return for entering into this agreement, the Town grants a tax abatement to the parcel under easement. The agreement states that the property owner agrees to retain the present use of their land for a term of at least 5 years. Longer terms are encouraged and provide for greater tax incentives for the property owner.

Assessor Morabito further stated that in the event an easement is broken, or requested to be cancelled before the term expires, the property owner is required to pay back up to 5 years of tax benefits they have received, as well as a penalty amount. The penalty monies are placed in a reserve fund for the acquisition of open space. These funds have assisted the Town in acquiring over 740 acres of open space land over the past several years.

Mr. Morabito added that there are 2 types of easements; the conservation easement and a conservation easement for farming purposes. The conservation with farming easement carries the same conditions, as well as the requirement that the property be actively farmed. Over the past 30 years as many as 159 parcels and over 6,000 acres of land have been involved in the easement program. Last year there were 103 conservation easement parcels encumbering over 2,556 acres of land. This represents approximately 11.4 percent of the town's total acreage (22,496).

Assessor Morabito stated that there are 6 easements due to expire on March 1st of this year and that five are before the Town Board for approval. One easement has been withdrawn. One new application was received for the former Bortle farm. All of the applications before the Town Board have been reviewed by the Perinton Conservation Board,

as well as the Monroe County Planning Department, and have received recommendation for approval.

Assessor Morabito showed the properties currently involved in the Conservation Easement program on a map and pointed out that the parcels in dark green are current conservation easements and those in light green are existing farming easements. He further stated that with Town Board approval, there would be 103 parcels on record in 2015, totaling approximately 2,588 acres.

Town Attorney Place asked whether the farming easements were being actively farmed and Mr. Morabito said that they are.

Conservation Easements to be renewed in 2015:

<u>Tax Map Acct #</u>	<u>Owner/Property Location</u>	<u>Acres</u>	<u>School/Years/Type</u>
140.13-1-5	Locurcio Enterprises Inc 4400 Nine Mile Point Rd	41.38	Fairport/25/Conservation
140.13-1-6.2	Watson Road	24.07	Fairport/25/Conservation
140.14-1-2.3	Watson Road	51.83	Fairport/25/Conservation
140.17-1-7.1	Watson Road Fairport, NY 14450	17.52	Fairport/25/Conservation
180.03-1-13	Ellen Z Holmes, Estate of 2334 Turk Hill Road Fairport, NY 14450	59.50	Fairport/15/Farming
180.04-1-41	Richard and Lois Watts 390 Bluhm Road Fairport, NY 14450	4.80	Fairport/5/Conservation
181.04-1-3	Thomas and Arlene Sheridan Wilkinson Road Macedon, NY 14502	90.00	Victor/5/Farming
194.02-1-2.2	Linda Foti 650 Thayer Road Fairport, NY 14450	6.00 6.00	Fairport/10/Farming Fairport/10/Conservation

New easement for 2015:

141.03-1-12.31	John and Kari Moose 959 Furman Road	12.37	Penfield/15/Farming
141.03-1-12.131	Furman Road	11.76	Fairport/15/Farming
141.03-1-12.15	943 Furman Road	8.40	Fairport/15/Farming
141.03-1-12.17	937 Furman Road	6.00	Fairport/10/Conservation
141.03-1-12.17	937 Furman Road	5.93	Fairport/15/Farming

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

Councilperson Hanna made a motion, seconded by Councilperson Van Vreede to adopt the following SEQRA resolution:

WHEREAS, the granting of Conservation Easements encourages the participating landowners to retain more land as open space and therefore will not create any significant adverse environmental impacts,

THEREFORE, BE IT RESOLVED, that the 2015 Conservation Easements be granted a negative SEQRA declaration.

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

Councilperson LaFay offered the following resolution, seconded by Councilperson Havens:

RESOLVED: that the Town Board of the Town of Perinton does hereby accept, and authorize the Supervisor to sign on behalf of the Town of Perinton, the 2015 Conservation Easements as presented by Assessor Morabito based upon the following findings:

1. The proposed conservation easements are all on land that is suitable for development and placing conservation easements on the parcels provide a benefit to the Town by limiting development.
2. The agricultural easements which are being granted are on parcels which will be used for bona fide agricultural production.

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

ANNOUNCE END OF PERMISSIVE REFERENDUM PURCHASE OF INFORMATION TECHNOLOGY EQUIPMENT

Supervisor Barker announced that the time of Permissive Referendum for the purchase of Information Technology equipment has expired.

ACCEPT CONSERVATION BOARD FINDINGS ON HIGH ACRES LANDFILL ANNUAL PROGRESS UPDATE

Conservation Board Chairman Ken Rainis stated that his Board has been pleased with the cooperation that they receive from Waste Management and that they appreciate the opportunity to act as the Town Board's review agency for the annual progress update on the High Acres landfill.

Councilperson LaFay made a motion, seconded by Councilperson Van Vreede to accept the Conservation Board recommendations that the High Acres 2013/2014 Annual Progress Update be accepted by the Town of Perinton as meeting the following conditions of approval by the Town Board:

- Waste Management of New York (WMNY) to provide reports to the Conservation Board showing that noise levels emanating from the landfill do not exceed Part 360 standards; and
- WMNY to prepare and submit annual reports to the Town of Perinton summarizing the progress made in implementing the landscaping plan, and the wetland mitigation plans; and
- WMNY will continue to evaluate the comprehensive assessment plan that will allow the creation of hedgerow and meadow type ecotones on closed landfill areas.

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

APPROVE NEW WEBSITE PROPOSAL

Supervisor Barker stated that the Town Board has a memo from James Donahue, IT Director, requesting approval for a vendor to plan and implement a new Town website. Supervisor Barker stated that the Town's current website was built in 2007. A website committee was formed in August of 2014 to make a recommendation on upgrading or replacing the website.

The Town issued a Request for Proposal (RFP) for design and implementation of the new website and had four responses to the RFP. Cost and several other metrics were considered and the committee recommended that Catalog and Commerce be selected to plan and implement the new Town website at a cost of \$24, 500 and a second year (annual service) fee of \$6,000.

Councilperson Hanna made a motion, seconded by Councilperson Havens to accept the proposal from Catalog and Commerce in the amount of \$24,500.

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

Councilperson LaFay made a motion, seconded by Councilperson Havens to increase the expense line in the budget for IT by \$30,000 and the Mortgage Tax Revenue by \$30,000.

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

APPROVE BID CORRECTION RECREATION SUPPLIES

Commissioner of Recreation and Parks Myers stated that a calculation error on one item of the Recreation Supplies bid results was noticed, and has since been corrected. The correction established that the wrong vendor was awarded the specific line item of the bid. Specifically, Pioneer Manufacturing Company submitted a delivered bid of \$1,041.60 for bid item #10, Athletic Field Dust/Limestone, and John Deere Landscapes submitted a delivered bid for the same product for the price of \$665.28. Commissioner Myers requested that the Town Board amend its approval of the Recreation Bids, awarding item #10 to John Deere Landscapes.

The new summary of spending for Recreation Supplies is as follows:

Recreation Supplies

John Deere Landscapes	\$ 2,677.68
Pioneer Manufacturing	\$ 1,920.00
Canon Sports	\$ 302.32
Winfield	\$10,367.20
Laux Sporting Goods	\$ 4,356.00
BSN Sports	<u>\$ 336.01</u>
	\$19,959.21

Amended Two Year Comparison

	<u>2015</u>	<u>2014</u>	<u>Difference</u>
Recreation Supplies	\$19,959.21	\$29,696.85	\$ -9,737.64

Councilperson Van Vreede made a motion, seconded by Councilperson LaFay to approve the bid correction as outlined by Commissioner Myers.

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

Commissioner Myers provided an update to the situation at the Community Center pool. He stated that there ended up being two leaks in the leisure pool—the surge tank and one of the high pressure lines that leads to a children’s toy in the pool. He added that there is no damage to the structure of the pool or under the deck. He also stated that they are abandoning use of the line that goes to that particular toy.

APPROVE CHANGE TO THE MEMBERSHIP
OF THE EGYPT FIRE ASSOCIATION

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

Addition to rolls

Mr. Adrian C. Luh
8 Kenicott Circle
Fairport, NY 14450

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna
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, Tax Receiver and the Code Enforcement and Development Department for the month of January 2015 be approved.

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

Bill Wilcox, 361 Loud Road, commended Commissioner Beck for the excellent job keeping the roads clear during this tough winter.

Al Gubiotti, 27 Whippetree Road, gave the Town Board a proposed resolution, asked that it be entered into the minutes as submitted, and that the Town Board consider approving it:

“Resolution to change the name of James B Smith Center and remove sign from building to Perinton Town Center or Perinton Town Hall

Be it resolved that the James B Smith sign be removed from the Town Hall and in its place a sign stating that the building name is Perinton Town Center or Hall. No reference on the exterior of the building will contain the name of the former town supervisor. The existing plaque in the hallway can stay, but it is not to state that the building is named in his honor.

1. The town of Perinton board will refrain from naming any town asset for an employee, volunteer or elected official. All renaming of assets will follow the rules stated below.

Town assets will only be named for veterans, police, fire fighters, first responders, and individuals who, in the line of duty, gave their lives for the community and country.

Town assets can also be named after the early founders of the community.

2. A naming committee will be formed that comprised members of the community, town board and supervisor of the town. Naming committee will be named and meet prior to the 180 day notification period. The notification period will not start until the naming committee has resolved the names for submission to the community.
3. The naming of any town assets shall be submitted for a vote by the community at the next November election or as such time as an election is held for public offices. Naming submission will be posted 180 days before such elections with at least two public meetings held for input from the community.
4. Plaques, statues and other recognition will not be placed on an asset unless it meets the above criteria for naming and is approved by a community vote”.

Sarah Noblett, 4497 Carter Road, asked Mr. Gubiotti what he thought the ramifications were of having a building named after a Town official. Mr. Gubiotti stated “where does it stop”, that it is a public asset and no public input was sought.

Ms. Noblett, also asked Commissioner Myers what evidence we have that we are certain where the water went. Mr. Myers stated that the original architect involved in the pool’s construction came in and explained the use of the gravel (flowable fill) and the channels that take the water to the sewer lines. She also asked if there would be tax implications to the residents and Finance Director Spacher stated that there are contingency funds set aside for such an emergency and that he doesn’t believe there will be any tax implication.

There being no further business before the Board and no further questions from the audience, the Board adjourned at 8:00 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk