

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, March 25, 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; Jennifer A. West, Town Clerk; Michael Doser, Director of Code Enforcement and Development; Jeffrey Myers, Commissioner of Recreation and Parks; Stacey Estrich, Parks Director; 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 March 11, 2015 be approved as submitted by the Town Clerk.

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

PUBLIC HEARING
ARISTA DEVELOPMENT
1669 PITTSFORD-VICTOR ROAD
INDUSTRIAL TO COMMERCIAL ZONING

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 March 5, 2015; affidavit of posting was also March 5, 2015.

Ray Trotta of Hollandtrotta, Inc. stated that he represents Arista Development for a project to rezone 7.9+ acres of land located at 1669 Pittsford-Victor Road, in the Town of Perinton, from Industrial to Commercial zoning. Mr. Trotta identified the property on a map and stated that it is outside Eastview Mall and the last property in Perinton abutting Victor and the western most entrance to the mall by 84 Lumber. He stated that it is a desirable location, however, there is a wetland thorough the center of the property. He added that there is a Federal flood plain and a DEC flood plain and identified them on the map. Mr. Trotta stated that it is difficult to develop this property as one parcel due to the wetland area. He stated that they met with NYS DOT to identify where the driveways would be and two were approved on either side of the wetland, serving the two sides of the parcel.

Mr. Trotta stated that they are proposing a low-density development with about 17,000 sq. ft. in three buildings. Mr. Trotta stated that this is a low-density impact proposal for this property. He added that one building would have a maximum structure size of 5,000 sq. ft. for the corner of the parcel closest to the mall, that it would be single story, probably retail and possibly a restaurant and most likely a single tenant. The other area would be +/- 12.5-13,000 sq. ft. and is proposed as a "luxury brand" retail (jeweler or house wares for example) and will drive the other tenant in that space. Mr. Trotta also identified the parking areas, grade changes on the site and potential building design for the two areas.

Mr. Trotta stated that they would have to address a variance with the Town of Victor for the rear set back (backside of Target). He added that they have explored connecting to that access road but that they do not control that property and a wetland would have to be crossed to get from their property to the access road.

Councilperson Havens asked about the labeling of the two buildings on the map—one labeled “high end retail” and one “proposed retail space”. Mr. Trotta stated that they do not know what the “proposed retail space” will be yet and that there is complete separation between the two proposed structures even though they are on the same parcel and their feeling is that they don’t have to match exactly.

Town Attorney Place asked how they are separating the two bigger buildings. Mr. Trotta stated that they are talking about an “entry portal” and showed a drawing of the two buildings with an entry that invites the shopper from the front to the back and would be attached with a non-structural component. They would like to have parking in the rear that is not “alienated”. The two buildings would be under one ownership with tenants. One of the tenants would be heavily involved in the decision making/design process and choice of tenant to augment their business.

Supervisor Barker asked about the traffic on Route 96 and Mr. Trotta stated that the NYS DOT approved turns both ways onto Route 96 out of both driveways on the property. Judith McNulty, 647 Thayer Road, asked about the difficulty of turning left out of either of the approved driveways on to Route 96 and Mr. Trotta stated that both are currently openings in the median and full access points. He also stated that they would be willing to discuss connecting to the traffic signal at Route 250 but could not be constrained by the timing required to get that in place for this current project.

Councilperson Van Vreede asked whether the footprint of the corner located building (nearest the mall) would dictate what the type of tenant would be. Mr. Trotta stated that the building would be a maximum of 5,000 sq. ft. and the parking would accommodate a building that size. Supervisor Barker added that most of the typical fast food chains require a space larger than that. Councilperson Van Vreede asked whether 29 parking spaces would be enough to handle a heavy lunch crowd visiting all at one time. Mr. Trotta added that the “quality casual” restaurant usually runs between 2,600 and 3,000 sq. ft., as over 3,000 sq. ft. assembly requires a sprinkler system and adds \$60-80,000 to the construction cost. He also added that this type of restaurant also likes to include the “outdoor experience” and fresh food.

Attorney Place added that the applicant would require a variance for the access points per Town Code section 208-42G.

Chris Fredette, Conservation Board, stated that the applicant provided an excellent application. She asked whether they had checked with the DEC regarding having access drives in the 100-foot buffer. Mr. Trotta stated that their next action is to speak with the DEC as they do allow access to the site though the 100 ft. buffer not in the wetlands, however the DOT has placed the access points there and Mr. Trotta’s firm will address that with both agencies. Ms. Fredette also added that the Conservation Board would like to tour the site. She also asked about items on the Environmental Assessment Form (EAF) and where the water and sewer would come from for the project. Mr. Trotta stated that they would have to be brought over from Moseley Road.

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

Councilperson Van Vreede made a motion, seconded by Councilperson Hanna to refer the proposed rezoning of 7.9+ acres of land located at 1669 Pittsford-Victor Road, in the Town of Perinton, from Industrial to Commercial zoning to the Town Planning and Conservation Boards.

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

**AUTHORIZE PURCHASE OF REPLACEMENT SHELTER
KREAG ROAD PARK**

Recreation and Parks Commissioner Myers stated that the shelter at Kreag Road Park is in need of replacement. The current shelter is over 27 years old, and is in the beginning stages of deterioration beyond cost-effective repair. Parks Director Estrich has researched various options for park shelters, and has selected a shelter from UltraPlay, a division of Marturano Recreation Company (Gametime).

Due to the popularity of Kreag Road Park, and a needs assessment regarding the shelter at the park, a decision has been made to expand the current size of the shelter from a 48 person capacity, to a 72 person capacity. The 30' square shelter will be installed at the same location as the current shelter.

Commissioner Myers stated that costs associated with the project include \$21,897.60 for the structure and materials, \$650.00 for the engineering drawings and calculations, \$21,505.00 for installation and \$3,259.92 for the freight, for a total of \$47,312.52. Funds for this project will be drawn from the Special Recreation Fund, as was budgeted for in the 2015 Special Recreation Budget. The purchase would be made utilizing the US Communities Government Purchasing Alliance.

He added that the replacement process will take place during the summer months, and a temporary tent will be placed in the park to accommodate the shelter reservation and requested Town Board authorization to replace the Kreag Road Park Shelter, for a cost not to exceed \$48,000.00, to purchase the new shelter from UltraPlay, and to draw the funds from the Special Recreation fund.

Councilperson Hanna asked what the size of the existing concrete pad is at the current shelter. Parks Director Estrich stated that it only fits 42 people and estimated that it is 15 by 20 feet. She added that it is cracked and will be removed by Parks Staff. Councilperson Van Vreede asked whether Parks Staff are happy with the quality of the shelter at Egypt Park, as this will be the same vendor, and Director Estrich said that she is very happy especially given all of the snow on the roof this winter (slid easily off of the metal roof).

Councilperson LaFay made a motion, seconded by Councilperson Havens to authorize the replacement of the Kreag Road Park Shelter, for a cost not to exceed \$48,000.00, to purchase the new shelter from UltraPlay, and to draw the funds from the Special Recreation fund.

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

**AUTHORIZE DECLARATION OF SURPLUS PARKS EQUIPMENT
AND AUTHORIZE SALE OF PARKS EQUIPMENT**

Recreation and Parks Commissioner Myers requested Town Board authorization to declare the following equipment as surplus, so that it may be sold at the municipal auction in Palmyra, New York on May 9, 2015. All equipment listed has been replaced by new equipment. This auction will be administered by Roy Teitsworth, Inc.

PARKS

- Toro 328-D Mower (2001) (PR #31)
- John Deere XL 188 Riding Mower (1997)
- New Holland Tractor (1998) (PR# 24)

- Vermeer Tree Spade (1992) (PR# 19)
- 12 inch bucket for backhoe

He also requested that an additional item be declared surplus, and that it be submitted to the monthly online auction, also administered by Roy Teitsworth, Inc. as follows:

PARKS

- 3 Volvo Loader tires

Councilperson Van Vreede made a motion, seconded by Councilperson Hanna to declare all of the above mentioned equipment as surplus, and to authorize the sale of this equipment via the auctions as described.

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

Nays: None

Unanimously Approved

APPROVE APPOINTMENT
PART TIME CLERK
CODE ENFORCEMENT AND DEVELOPMENT

Code Enforcement and Development Director Doser stated that they have had a vacancy for their part-time administrative clerk position since February. He added that the department relies on this position to maintain insurance filings, handle increasing property research demands, administer the sign permit process, and fill in for the Planning, Zoning and Conservation Board secretary. He also stated that filling this vacant position would strengthen the department's ability to deliver excellent customer service.

Director Doser stated that the CED Department received more than 60 resumes to fill the position. They interviewed the nine best candidates and determined that the best fit for the department would be Donna Scribani. He added that Donna is a dynamic personality with a winning attitude and excellent communications skills. She is a former executive sales assistant in Kodak's US&C consumer products division and has lived in Perinton for more than 30 years.

Director Doser requested that Ms. Scribani be appointed to the position of Part-time Administrative Clerk, effective Monday March 30, 2015, at a salary rate of \$[.].

Councilperson LaFay asked how many hours per week Ms. Scribani would work and Director Doser stated no more than 20 hours per week.

A motion was made by Councilperson Havens, seconded by Councilperson Van Vreede, that Donna Scribani, 16 Shelter Creek Lane, Perinton, be appointed to the position of Part-time Administrative Clerk, effective Monday March 30, 2015, at a salary rate of \$[.].

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

Nays: None

Unanimously Approved

AUDIT APPROVAL

A motion was made by Councilperson Van Vreede, seconded by Councilperson LaFay that Audit #3 for March 2015 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

FEBRUARY MANUAL 2

Recreation	<u>220.00</u>
	\$220.00 Total

The above item was number 96192.

MARCH AUDIT

General Fund	72,875.12
Town Outside of Village	167,908.58
Recreation	102,317.30
Highway General Repair	350.00
Highway Snow & Miscellaneous	181,306.33
Joint Sewer	7,432.51
Debt Service Sewer	2,125.20
Fairmont Hills Maint Dist	320.00
O'Connor Rd Relocation Proj	<u>1,493.45</u>
	\$536,128.49 Total

The above items were numbers 96515-96783.

MARCH MANUAL 1

General Fund	93,508.96
Town Outside of Village	6,752.00
Recreation	35,132.49
Joint Sewer	9,588.94
Trust & Agency	63,334.29
Perinton Ambulance Dist	160,000.00
B Basin Fire Protect Dist	805,293.00
Forest Hills Fire Protect Dist	37,010.75
Perinton Fire Prot Dist	828,154.00
Midlands Lighting Dist	466.27
Deer Run Lighting Dist	1,572.30
Misty Meadows Lighting Dist	<u>126.02</u>
	\$2,040,939.02 Total

The above items were numbers 96481-96489,96499-96503, 96513.

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

Councilperson Van Vreede made a motion, seconded by Councilperson Hanna to adjourn to Executive Session to discuss the employment history of a particular employee.

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

EXECUTIVE SESSION

Town Clerk West distributed a letter written to the Town Board by [] with an account of an incident on Friday March 20, 2015 and the history leading up to the incident involving []. Other examples of similar behavior were discussed. Supervisor Barker recommended that a letter of warning be put in [] file.

A motion was made by Councilperson LaFay to accept Supervisor Barker's recommendation that a letter of warning be put in [] file. Second by Councilperson Havens.

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

Nays: None

Unanimously Approved

A motion was made by Councilperson Van Vreede to reconvene the regular Town Board meeting. Second by Councilperson Hanna.

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 8:45 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk