

PERINTON TOWN BOARD MEETING  
 1350 Turk Hill Road, Fairport, NY 14450  
 Wednesday, May 13, 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; Michael Doser, Director of Code Enforcement and Development; Jeffrey Myers, Commissioner of Recreation and Parks; Diane Riesenberger, Recreation Director; Kevin Spacher, Finance Director; T.C. Lewis, Planning 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 April 22, 2015 be approved as submitted by the Town Clerk.

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

APPROVE CHANGE ORDER #3- O’CONNOR ROAD RELOCATION PROJECT

DPW Commissioner Beck requested approval for the third and final change orders for the O’Connor Road Relocation Project. This final Over/Under Change Order contains 44 pay item quantity deductions and 20 pay item quantity additions to the current contract with Keeler Construction. He further stated that taking into consideration the dollar value for each addition and deduction, there is a net project cost savings of \$59,502.07 associated with this Change Order.

The following list describes those pay item quantities that have been deducted from Keeler’s Contract:

**DEDUCT ITEMS:**

1. **Item- Disposal of Contaminated Soil:** \$3,000.00 is proposed to be **deducted** from the Contract. A reduced amount of petroleum contaminated soil was encountered and therefore not all of the estimated quantity was needed to complete the required contract work.
2. **Item – Select Fill:** \$2,618.25 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the required contract work.
3. **Item – Reuse of Contaminated Soil:** \$1,456.00 is proposed to be **deducted** from the Contract. There was no “re-use” of contaminated material on this project.
4. **Item – Conduit Excavation:** \$3,684.00 is proposed to be **deducted** from the Contract. Not all of the estimated

quantity was needed to complete the required contract work.

5. **Item- Geotextile Bedding:** \$103.80 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
6. **Item – Geotextile Stabilization:** \$802.20 is proposed to be **deducted** from the Contract. There were fewer areas along the new road alignment that required stabilization fabric compared to what was originally estimated.
7. **Item – Bio retention Soil:** \$570.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
8. **Item – Temporary Seed:** \$553.85 is proposed to be **deducted** from the Contract. The work progressed in a manner such that temporary seed was not needed to stabilize disturbed areas. These areas were constructed to finished grade and permanent seed was placed.
9. **Item – Silt Fence:** \$315.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
10. **Item – Inlet Protection:** \$385.00 is proposed to be **deducted** from the Contract. Stormwater run-off was directed away from existing and new drainage structures during construction. Therefore, this item was not required.
11. **Item – Rolled Erosion Product:** \$960.00 is proposed to be **deducted** from the Contract. There were no steep slopes disturbed within the project area that required a rolled erosion product. Therefore, this item was not required.
12. **Item – Removal of Asbestos Roofing:** \$1,727.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
13. **Item – Removal of Asbestos Siding:** \$330.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
14. **Item – Top Course Asphalt:** \$221.76 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
15. **Item – Diluted Tack Coat:** \$12.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.

16. **Item – Excavation Protection:** \$87.00 is proposed to be **deducted** from the Contract. All trench work was completed above the minimum depth for trench protection as per OSHA requirements.
17. **Item – Retaining Wall:** \$42.00 is proposed to be **deducted** from the Contract. The length of the retaining wall was shortened in order to better blend the finished grade of the road shoulder to the embankment areas.
18. **Item – Altering Drainage Structures:** \$1,785.00 is proposed to be **deducted** from the Contract. Not all of the existing drainage structures along the old alignment of O'Connor Road required modification.
19. **Item – Underdrain Filter:** \$3,748.40 is proposed to be **deducted** from the Contract. The underdrain pipe system was eliminated along Jefferson Ave. because of existing utility conflicts.
20. **Item – Underdrain Pipe:** \$160.00 is proposed to be **deducted** from the Contract. The underdrain pipe system was eliminated along Jefferson Ave. because of existing utility conflicts.
21. **Item – Re-set Guide Rail:** \$1,105.00 is proposed to be **deducted** from the Contract. This work was not necessary and therefore eliminated from the Contract.
22. **Item – Construction Fence:** \$1,875.00 is proposed to be **deducted** from the Contract. There were no trees within the work area that required temporary construction fence protection.
23. **Item – Re-install Wood Fence:** \$1,190.00 is proposed to be **deducted** from the Contract. The existing wood fence was in poor condition and was removed; not re-installed.
24. **Item – Concrete Sidewalks:** \$1,335.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
25. **Item – Asphalt Quality Adjustment:** \$585.00 is proposed to be **deducted** from the Contract. The asphalt index during this project did not meet the threshold for any positive or negative adjustment in payment.
26. **Item – Detectable Warning Units:** \$9.99 is proposed to be **deducted** from the Contract. The decrease is due to a unit price error.
27. **Item – Concrete Stencil:** \$16,975.00 is proposed to be **deducted** from the Contract. This item was replaced with a new item number because of a significant reduction in the size of the stencil area.
28. **Item – Re-set Existing Curb:** \$2,550.00 is proposed to be **deducted** from the Contract. The existing curb was in poor condition and not re-installed. Therefore, this item was not required.

29. **Item – Tree Planting:** \$2,035.00 is proposed to be **deducted** from the Contract. The decrease in the number of trees planted on the south-side of Fairport Road was the result of existing underground utility conflicts.
30. **Item – Construction Barricades:** \$18.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
31. **Item – Light Stone Fill:** \$68.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
32. **Item – Ground Mounted Sign:** \$12.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
33. **Item – Dispose of Sign Support:** \$90.00 is proposed to be **deducted** from the Contract. There were a reduce number of sign support foundations that needed to be removed from the project area.
34. **Item – Frame & Grate:** \$1,680.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
35. **Item – Adjust Valve Box:** \$840.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
36. **Item – Curb Box Adjustment:** \$78.00 is proposed to be **deducted** from the Contract. There were no curb boxes with the project area that required adjustment.
37. **Item – Rigid Plastic Conduit:** \$1,504.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
38. **Item – Electric Pullbox:** \$1,100.00 is proposed to be **deducted** from the Contract. Two (2) pull boxes on the south-side of Fairport Road were eliminated from the project.
39. **Item – Single Conductor Cable:** \$31,500.00 is proposed to be **deducted** from the Contract. This item was eliminated from the scope of work associated with this project.
40. **Item – Ground wire:** \$26,145.00 is proposed to be **deducted** from the Contract. This item was eliminated from the scope of work associated with this project.
41. **Item – Pole Excavation:** \$6,640.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.

42. **Item – Metal Conduit:** \$415.14 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
43. **Item – Traffic Signal Riser:** \$1,620.00 is proposed to be **deducted** from the Contract. Not all of the estimated quantity was needed to complete the contract work.
44. **Item – Fuel Adjustment:** \$100.00 is proposed to be **deducted** from the Contract. This decrease is the result of monthly fuel prices that were below the threshold requirement to authorize a price adjustment.

The dollar amount of items being removed from the Contract is (**\$122,031.39**).

The following list describes those pay item quantities that have been added to Keeler's Contract:

**ADD ITEMS:**

1. **Item- General Debris Removal:** \$455.00 is proposed to be **added** to the Contract. The Contractor encountered more debris material (i.e.: tires, buried car, etc.) than what was originally estimated by the Engineer.
2. **Item – Unclassified Excavation:** \$11,004.60 is proposed to be **added** to the Contract. Additional under-cut areas were necessary in order to remove layers of topsoil from the road section.
3. **Item – Embankment Placed:** \$6,664.00 is proposed to be **added** to the Contract. The additional under-cut areas within the road section were filled with structural fill (embankment).
4. **Item – Vapor Monitoring:** \$148.75 is proposed to be **added** to the Contract. Additional soil vapor monitoring work was required during excavation operations adjacent to the former Hess Site.
5. **Item – Trench / Culvert Excavation:** \$1,697.01 is proposed to be **added** to the Contract. The additional trench excavation was required along the north-side of Fairport Road and was a result of replacing a deteriorated storm sewer pipe.
6. **Item – Sub-base Course (Type 2):** \$3,540.25 is proposed to be **added** to the Contract. It took more material than what was included in the Engineer's Estimate to complete the required contract work.
7. **Item – Base Course (Asphalt):** \$552.75 is proposed to be **added** to the Contract. It took more material than what was included in the Engineer's Estimate to complete the required contract work.
8. **Item – Miscellaneous Milling:** \$4,320.00 is proposed to be **added** to the Contract. Additional milling was required along Jefferson Avenue in order to

overcome differences between existing and proposed grades.

9. **Item – SCIPP Storm Sewer:** \$8,788.00 is proposed to be **added** to the Contract. Additional storm sewer pipe was installed along the north-side of Fairport Road to replace deteriorating metal pipe.
10. **Item – Pre-cast Manhole:** \$32.50 is proposed to be **added** to the Contract. It took more material than what was included in the Engineer's Estimate to complete the required contract work.
11. **Item – ADA Detectable Warning:** \$27.23 is proposed to be **added** to the Contract. It took more material than what was included in the Engineer's Estimate to complete the required contract work.
12. **Item – Color Tinting Concrete:** \$216.20 is proposed to be **added** to the Contract. It took more material than what was included in the Engineer's Estimate to complete the required contract work.
13. **Crushed Stone:** \$7,272.90 is proposed to be **added** to the Contract. Additional storm sewer pipe was installed along the north-side of Fairport Road to replace deteriorating metal pipe.
14. **Engineers Field Office:** \$8,000.00 is proposed to be **added** to the Contract. A contract time extension was granted and therefore, additional office lease time was necessary.
15. **Inductance Loop:** \$4,560.50 is proposed to be **added** to the Contract. NYSDOT requested that two (2) additional traffic loops be installed on Fairport Road.
16. **Shielded Cable:** \$1,076.00 is proposed to be **added** to the Contract. NYSDOT requested that two (2) additional traffic loops be installed on Fairport Road.
17. **White Epoxy Pavement Paint:** \$359.80 is proposed to be **added** to the Contract. The Town / Resident Engineer requested that all existing pavement markings be replaced along Fairport Road.
18. **Yellow Epoxy Pavement Paint:** \$3,021.20 is proposed to be added to the Contract. The Town / Resident Engineer requested that all existing pavement markings be replaced along Fairport Road.
19. **Asphalt Price Adjustment:** \$304.38 is proposed to be **added** to the Contract. This increase is due to monthly fuel prices being above the threshold requirement for additional payment.
20. **Relocation of Plantings:** \$488.25 is proposed to be **added** to the Contract. Additional plantings at the Fairport Road / Jefferson Road intersection were relocated at the request of the Town.

The dollar amount of items being added to the Contract is **\$62,529.32**.

Commissioner Beck stated that the net dollar amount of this Change Order is (\$59,502.07). By approving this Change Order, the revised final contract amount will be \$1,406,900.21, which is **\$56,872.54 below** Keeler's original contract amount and **\$921,099.79 below** the approved budget amount of \$2,328,000.00 for this project.

A motion was made by Councilperson Van Vreede, seconded by Councilperson Hanna, that the above change work order be approved as recommended by Commissioner Beck. Each item is the result of a change in conditions and was not foreseen in the original plans.

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

#### APPROVE PURCHASE OF FITNESS EQUIPMENT

Recreation and Parks Commissioner Myers stated that one of the community center's older pieces of fitness equipment became inoperable a few weeks ago. The Precor EFX Elliptical machine, purchased in January of 2004 broke down, and due to the age of the unit, Precor no longer manufactures or stocks the replacement parts. The elliptical machines continue to be popular with community center participants.

Commissioner Myers has obtained a quote to purchase a new elliptical from Advantage Sport & Fitness. This supplier has furnished a majority of the fitness equipment in the facility. They current hold the NYS Contract for fitness equipment, (Group # 30204, PC 65501). A new Precor EFX835 Elliptical Fitness Crosstrainer will cost the Town \$5,996.00.

Commissioner Myers added that this purchase was budgeted for in the 2015 department budget and that the funds will be drawn from the Community Center Equipment line (03.7145.200). He requested Town Board authorization to purchase the Precor EFX835 Elliptical Fitness Crosstrainer, for the price of \$5,996.00.

Councilperson Havens asked whether the proposed elliptical machine is commercial grade and Commissioner Myers stated that it was.

Councilperson Van Vreede made a motion, seconded by Councilperson Havens to approve the purchase of the Precor EFX835 Elliptical Fitness Crosstrainer, for the price of \$5,996.00.

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

#### APPROVE VIRTUAL SERVER UPGRADE PROPOSAL

Supervisor Barker stated that the Board had a detailed four-part proposal from IT Director, James Donahue. Mr. Donahue is requesting an upgrade to the Town's virtual servers at a cost not to exceed \$72,000. The Town's exchange server is one part of the proposal and a critical element of the IT operation and Mr. Donahue recommended that its replacement be done immediately.

Councilperson Van Vreede stated that the upgrade to the 2013 exchange server will give enhanced functionality and encouraged Mr. Donahue to give specific recommendations regarding enhancements that the Town may be able to take advantage of. Councilperson Havens added that the Town should also take advantage of any training opportunities with the new servers and potential enhancements. Councilperson Hanna agreed that there were great enhancements

possible with this 2003 to 2013 exchange server upgrade and that the interface would be similar to the 2003 version and therefore not a concern.

Mr. Donahue's proposal also pointed out that the Town should be realizing some savings with this upgrade to new servers and software. The new servers include three years maintenance and support and therefore the Town will not pay server support fees of \$2,700 for three years totaling \$8,100. Additionally, since the Town will not have to replace the current finance software I Series Server and peripherals the Town will be saving around \$25,000 in new future purchases that would have been needed this year or next. Also, the Town will not be renewing the contract for ACS finance software saving about \$8,100 annually (although there will be annual maintenance costs yet to be determined for the new finance software).

Councilperson Van Vreede made a motion, seconded by Councilperson Hanna to approve the virtual server upgrade proposal for a cost not to exceed \$72,000.

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

A motion was made by Councilperson LaFay, seconded by Councilperson Van Vreede, that the reports from the Finance Director, Town Clerk, Tax Receiver and the Code Enforcement and Development Department for the month of April 2015 be approved.

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

Judith McNulty, 647 Thayer Road, asked what a virtual server was and Councilperson Van Vreede explained that a virtual server can be at someone else's location and shared by multiple Web site owners so that each owner can use and administer it as though they had complete control of the server/hardware themselves.

There being no further business before the Board and no further questions from the audience, the Board adjourned at 7:40 pm.

Respectfully submitted,

Jennifer A. West  
Town Clerk