Minutes of the Town Board for April 7, 2009

Proceedings of a regular meeting of the Pittsford Town Board held on Tuesday, April 7, 2009 at 7:00 P.M. local time in The Pittsford Community Library Fisher Meeting Room.

PRESENT: Supervisor William A. Carpenter and Councilpersons Sandra F. Zutes, John J. Higgins, Jr., Karen W. Green, and John E. Bernacki, Jr.

ABSENT: There were no Town Board members absent.

ALSO PRESENT: Staff Members: Paul J. Schenkel, Commissioner of Public Works; Gregory J. Duane, Finance Director; Jessie Hollenbeck, Recreation Director; Richard T. Williams II, Town Attorney; Patricia E. Chuhta, Town Clerk. The following additional staff members were also present: Dean Frohm, Doug Driscoll, Flo Dorsey, Susan Wicks, Linda Dillon, and Kara Holdren.

ATTENDANCE: Sixty-one members of the public were in attendance.

Supervisor Carpenter called the meeting to order at 7:00 P.M. and invited everyone to stand for the Pledge of Allegiance.

2008 CITIZENS OF THE YEAR: PATRICK MALLERY, ELYNORE BOOTH, AND LISA MAGGUILLI

The following Resolution was offered by Supervisor Carpenter, and seconded by Councilwoman Zutes,

RESOLVED, that it is with great pride and appreciation that the Town Board of Pittsford proudly presents the 2008 Pittsford Citizens of the Year Award to Patrick Mallery, Elynore Booth and Lisa Magguilli for their significant volunteer contributions to the Pittsford Community.


After the presentation, a short recess was declared by Supervisor Carpenter to allow family and friends of to offer their congratulations to Mr. Mallery, Ms. Booth and Ms. Magguilli. The Town Board meeting resumed at 7:30 P.M. at the conclusion of this recess.

PUBLIC COMMENTS
There were no public comments.

MINUTES OF MARCH 23, 2009 APPROVED

The following Resolution was offered by Councilwoman Zutes, and seconded by Councilwoman Green,

RESOLVED, that the minutes of March 23, 2009 Town Board meeting are approved as written.


APRIL 21 2009 TOWN BOARD MEETING RESCHEDULED

The following Resolution was offered by Supervisor Carpenter, and seconded by Councilman Higgins,

RESOLVED, that the Town Board meeting scheduled for April 21, 2009 is rescheduled to Thursday, April 16, 2009 at 5:00 P.M. for the purpose of approving vouchers only. It is FURTHER RESOLVED, that the meeting will be held at the Town Hall, 11 South Main Street, first floor conference room.


BID CONTRACT AWARDED: 2009 29,100 POUND LOADER

The following Resolution was offered by Councilman Bernacki, and seconded by Councilwoman Green,

RESOLVED, that the Town Board awards the 2009 29,100 Lbs. Rubber Tire Articulated Loader bid to Liftech Equipment with a trade-in of our current loader at a combined price of $41,830.00.


NOTE: The bid results for this bid are as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>Trade-In</th>
<th>Bid Price</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liftech Equipment</td>
<td>$50,000</td>
<td>$116,830</td>
<td>$41,830</td>
</tr>
<tr>
<td>Five Star</td>
<td>$46,000</td>
<td>$118,508</td>
<td>$42,508</td>
</tr>
</tbody>
</table>
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Milton Cat (not compatible) $45,000 $125,017 $50,017
Anderson Equipment $48,000 $131,295 $58,295
Milton Cat $45,000 $136,444 $61,444
Monroe Tractor $47,500 $139,727 $64,227

**BID CONTRACT AWARDED: 2009 26,100 POUND LOADER**
The following Resolution was offered by Supervisor Carpenter, and seconded by Councilwoman Zutes, 
RESOLVED, that the Town Board rejects the low bid from Milton Cat for not meeting bid specifications; and, it is FURTHER RESOLVED, that the Town Board awards the 2009 26,100 lbs. Rubber Tire Articulated Loader bid to Anderson Equipment as the lowest responsible bidder at a cost of $112,229.00.

**NOTE:** The bid results for this bid are as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>Trade-In</th>
<th>Bid Price</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Milton Cat (not compatible)</td>
<td>$30,000</td>
<td>$104,612</td>
<td>$29,612</td>
</tr>
<tr>
<td>Anderson Equipment</td>
<td>$25,000</td>
<td>$112,229</td>
<td>$39,229</td>
</tr>
<tr>
<td>Milton Cat</td>
<td>$30,000</td>
<td>$113,037</td>
<td>$38,037</td>
</tr>
<tr>
<td>Five Star</td>
<td>$30,000</td>
<td>$113,849</td>
<td>$37,849</td>
</tr>
<tr>
<td>Liftech Equipment</td>
<td>$25,000</td>
<td>$116,830</td>
<td>$41,830</td>
</tr>
<tr>
<td>Monroe Tractor</td>
<td>$28,000</td>
<td>$122,427</td>
<td>$46,927</td>
</tr>
</tbody>
</table>

It is further noted that the Town should be able to receive more at the auction sale for our old loader; therefore, the trade-in offers received for this loader will not be accepted.

**BID CONTRACT AWARDED: 2009 TRACK EXCAVATOR BID**
The following Resolution was offered by Councilman Bernacki, and seconded by Councilman Higgins, 
RESOLVED, that the Town Board Town Board rejects the low bid from Liftech Equipment for not meeting bid specifications; and, it is FURTHER RESOLVED, that the Town Board awards the 2009 Track Excavator bid to Vantage Equipment as the lowest responsible bidder with a trade-in cost of $35,478.

**NOTE:** The bid results for this bid are as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>Trade-In</th>
<th>Bid Price</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liftech Equipment</td>
<td>$45,000</td>
<td>$74,819</td>
<td>$29,819</td>
</tr>
<tr>
<td>Vantage Equipment</td>
<td>$54,000</td>
<td>$89,478</td>
<td>$35,478</td>
</tr>
<tr>
<td>Monroe Tractor</td>
<td>$42,000</td>
<td>$81,557</td>
<td>$39,557</td>
</tr>
<tr>
<td>Anderson Equipment</td>
<td>$52,000</td>
<td>$98,825</td>
<td>$46,825</td>
</tr>
<tr>
<td>Milton Cat</td>
<td>$40,000</td>
<td>$90,963</td>
<td>$50,963</td>
</tr>
<tr>
<td>Five Star</td>
<td>$41,000</td>
<td>$93,775</td>
<td>$52,775</td>
</tr>
</tbody>
</table>

**BID CONTRACT AWARDED: 2009 ZERO TURN LAWN MOWER WITH COLLECTION SYSTEM**
The following Resolution was offered by Councilman Higgins, and seconded by Councilwoman Zutes, 
RESOLVED, that the Town Board awards the 2009 Zero Turn Mower with Collection System bid to Brodner Equipment as low bidder at the cost of $10,283.

**NOTE:** The bid results for this bid are as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>Mower</th>
<th>Collection Unit</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brodner Equipment</td>
<td>$7,965</td>
<td>$2,318</td>
<td>$10,283</td>
</tr>
<tr>
<td>Empire Tractor (Batavia)</td>
<td>$895</td>
<td>$9,399</td>
<td>$10,294</td>
</tr>
<tr>
<td>Dave Hutchinson (Hustler)</td>
<td>$2,170</td>
<td>$8,180</td>
<td>$10,350</td>
</tr>
<tr>
<td>Dave Hutchinson (2007 model)</td>
<td>$2,350</td>
<td>$7,985</td>
<td>$10,355</td>
</tr>
<tr>
<td>Dave Hutchinson (2009 Model)</td>
<td>$2,350</td>
<td>$8,075</td>
<td>$10,425</td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>Company</th>
<th>Trade-In</th>
<th>Bid Price</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Messingers Sales &amp; Service</td>
<td>$2,390</td>
<td>$8,400</td>
<td>$10,790</td>
</tr>
<tr>
<td>Empire Tractor (Waterloo)</td>
<td>$2,518</td>
<td>$8,431.50</td>
<td>$10,949.50</td>
</tr>
<tr>
<td>Ontrac Equipment</td>
<td>$2,195.06</td>
<td>$8,838.33</td>
<td>$11,033.39</td>
</tr>
<tr>
<td>Erie Power Equipment</td>
<td>$2,480</td>
<td>$8,800</td>
<td>$11,280</td>
</tr>
</tbody>
</table>

BID CONTRACT AWARDED: 2009 COMBINATION CATCH BASIN/SEWER HIGH PRESSURE CLEANER
The following Resolution was offered by Councilman Higgins, and seconded by Councilwoman Zutes,
RESOLVED, that the Town Board awards the 2009 Combination Catch Basin/Sewer High Pressure Cleaner to Joe Johnson Equipment as low bidder at a cost of $174,006.

NOTE: The bid results for this bid are as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>Trade-In</th>
<th>Bid Price</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joe Johnson Equipment</td>
<td>$35,000</td>
<td>$174,006</td>
<td>$139,006</td>
</tr>
<tr>
<td>Cyncon Equipment</td>
<td>$40,000</td>
<td>$202,317</td>
<td>$162,317</td>
</tr>
<tr>
<td>Fosters Equipment</td>
<td>No Trade</td>
<td>$177,585</td>
<td>$177,585</td>
</tr>
</tbody>
</table>

It is further noted that the Town has received better offers from third parties for our current flush truck (Combination Catch Basin/Sewer High Pressure Cleaner) than the trade-in value received in the bids; therefore, the trade-in offers received for this loader will not be accepted.

EMERGENCY REPAIRS AUTHORIZED FOR PINE ACRES SEWER
The following Resolution was offered by Councilman Bernacki, and seconded by Councilwoman Zutes,
RESOLVED, that the Town Board finds that the repairs to the Pine Acres Sewer represent an emergency and are necessary to protect the property and health of our residents.

It is FURTHER RESOLVED, that pursuant to §103(4) of General Municipal Law, competitive bidding is not required as a result of this emergency condition.

It is FURTHER RESOLVED, that substantial efforts have been put forth by the Department of Public Works to obtain the necessary services at a reasonable price, and that the Town Board authorizes that the Pine Acres Sewer Repair commence immediately at a price not to exceed $173,000.00.

APRIL 2009 BUDGET TRANSFERS AND AMENDMENTS APPROVED
The following Resolution was offered by Supervisor Carpenter, and seconded by Councilwoman Green,
RESOLVED, that the following budget transfer is approved:
- That $114,256.00 be transferred from 006-9950-9000-1-6 (Sewer -Transfer to Capital) to 006.8120.2006-2-6 (Capital Improvements – Sewer) to cover the cost of sewer repairs related to the Pine Acres Sewer Project.

RESOLVED, that the following budget amendment is approved:
- That line item 006-8120-2006-2-6 (Capital Improvements – Sewer) be increased by $58,744.00. The source of these funds will be a transfer from the Sewer Capital Reserve. Be it further resolved that the Director of Finance is authorized to make the appropriate budget entries and that this budget amendment is subject to permissive referendum.

RENEWAL OF SENIOR NUTRITION PROGRAM AGREEMENT WITH MONROE COUNTY AUTHORIZED
The following Resolution was offered by Councilman Higgins, and seconded by Councilwoman Zutes,
RESOLVED, that the Town Board of the Town of Pittsford authorizes the Town Supervisor to enter into and sign the proposed Agreement with Monroe County for support of the “Senior Nutrition Program” at the Pittsford Senior Center.


FAMILY OUTDOOR MOVIE NIGHTS AGREEMENT AUTHORIZED

The following Resolution was offered by Councilwoman Zutes, and seconded by Councilwoman Green,

RESOLVED, that the Town Board accepts the terms of agreement from ZuperBounce LLC and authorizes the Town Supervisor to sign the Client Agreement.


COMMUNITY EVENT ATTRACTION CONTRACTS AUTHORIZED

The following Resolution was offered by Supervisor Carpenter, and seconded by Councilman Higgins,

RESOLVED, that the Town Board authorizes the Town Supervisor to sign a contract with ZuperBounce LLC for the cost of the rental of the Adrenaline Rush II for 9 hours on June 13, 2009 for the Positively Pittsford event at a cost of $1,000.00.

It is FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to sign a contract with Young Explosives Corporation for a fireworks display for the Pittsford Celebrates event on September 12, 2009 at a cost of $2,500.00.


COMMUNITY EVENTS INFRASTRUCTURE CONTRACTS AUTHORIZED

The following Resolution was offered by Councilman Bernacki, and seconded by Councilwoman Green,

RESOLVED, that the Town Board authorizes the Town Supervisor to sign contracts, after review and approval of the Town Attorney, with Shea’s Outhouse Services for a cost not to exceed $1,200.00.

It is FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to sign contracts with Intercept Security at a cost not to exceed $4,000.00.

It is FURTHER RESOLVED, that the Town Board authorizes the Town to obtain a permit from the Town of Greece for a mobile stage/show wagon for the Positively Pittsford and Pittsford Celebrates events as needed for a cost not to exceed $600.00 per event.


RESIGNATION OF KAYLA BILTUCCI FROM THE ARCHITECTURAL REVIEW BOARD

ACCEPTED

The following Resolution was offered by Supervisor Carpenter, and seconded by Councilwoman Green,

RESOLVED, that the Town Board accepts with regret the resignation of Kayla Biltucci from the Architectural Review Board effective immediately.


SEMINAR ATTENDANCE AUTHORIZED

The following Resolution was offered by Councilman Bernacki, and seconded by Councilwoman Zutes,

RESOLVED, that the following individuals are approved for the following seminar and conference attendance:

- Deputy Building Inspector Ray Barnard to the Rochester Gas & Electric Corporation Code Clearing, Code Enforcement Seminar in Rochester on April 17th at a cost of $15.00
- Town Attorney Rich Williams to the Genesee/Finger Lakes Regional Planning Council Local Government Workshop in Perinton on May 15th at a cost of $40.00
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- Director of Recreation Jessie Hollenbeck to the annual PERMA Conference on Effective Municipal Safety Programs & Preventing Slips and Falls in Bolton on May 21 to 22 at a cost of $78.00
- Town Clerk Pat Chuhta to the 2009 New York State Town Clerk’s Association Annual Seminar in Rochester on April 26 to 29 at a cost of $75.00
- Deputy Town Clerk Laurie Swetman to the 2009 New York State Town Clerk’s Association Annual Seminar in Rochester on April 26 to 29 at a cost of $40.00


RESOLUTION OF COMMENDATION: OUTGOING COUNCILMAN JOHN E. BERNACKI JR.
The following Resolution was offered by Supervisor Carpenter, and seconded by Councilwoman Zutes,
RESOLVED, that it is with thanks and gratitude that the Town Board of the Town of Pittsford recognizes John E. Bernacki Jr. for his six years of dedicated service on the Pittsford Town Board.


It is noted that Councilman Bernacki has been appointed by the Town Board to replace retiring Pittsford Justice F. Robert Michel effective April 10, 2009.

As there was no further business, the Supervisor adjourned the meeting at 7:44 P.M.

Respectfully submitted,

Patricia E. Chuhta
Town Clerk