

PERINTON TOWN BOARD MEETING  
1350 Turk Hill Road, Fairport, NY 14450  
Wednesday, August 8, 2007

PRESENT:	James E. Smith	Supervisor
	Patricia S. Knapp	Councilperson
	David C. Glossner	Councilperson
	Carolyn H. Saum	Councilperson
	Joseph H. LaFay	Councilperson

ALSO PRESENT: Thomas C. Beck, Commissioner of Public Works; W. Scott Copp, Director, Building Department; James A. Donahue, Information Processing Coordinator; Susan C. Roberts, Town Clerk; Carol S. Johnston, Deputy Town Clerk; S. Chris Fredette, Conservation Board.

Supervisor Smith called the meeting to order at 8:00 pm and introduced the Board and staff present.

Councilperson Knapp made a motion, seconded by Councilperson Saum, that the minutes of the Town Board meeting of July 25, 2007 be approved as submitted by the Town Clerk.

Ayes: Smith, Knapp, Saum, LaFay  
Nays: None  
Abstention: Glossner  
Approved with one abstention

ORDER FOR HEARING  
REZONING REQUEST  
298 MOSELEY ROAD  
RESIDENTIAL A TO RESTRICTED BUSINESS

Carmine Torchia, Torchia Structural Engineering, appeared for the applicant, John Spoto, to request that the zoning of the property at 298 Moseley Road be changed from Residential A to Restricted Business. The .94 acre parcel is adjacent to Star Physical Therapy, located at 790 Ayrault Road. The rezoning of the property will allow Dr. Spoto to construct an addition to the existing Star Physical Therapy facility. He will construct a second building on the site of the current house with additional parking between the two buildings. The proposed rezoning will reconfigure the northern line of the Restricted Business parcel on the northeast corner of Moseley and Ayrault Roads to match the northern line of the Restricted Business zoning at 800 Ayrault Road.

Supervisor Smith asked about a proposed setback variance. Mr. Torchia said that they will be requesting a setback variance so that the western facades of the new building and the existing Star Physical Therapy building are set back the same distance from the Moseley Road.

Councilperson Saum asked if the barn would remain standing. Mr. Torchia said it would. Dr. Spoto said would be renovated and might be used for storage.

Councilperson Glossner asked what might be done to renovate the barn. Dr. Spoto said that the barn would be reroofed and sided. He said the barn had been recognized by New York State.

Councilperson Glossner asked if the barn was a designated landmark; would the applicant need to work with the Historic Architecture Commission? Mr. Copp said it was not a Town of Perinton landmark.

Councilperson Saum asked about cross access to other parcels along Ayrault Road. Mr. Torchia said they have talked with the owners of the neighboring properties without success.

A motion was made by Councilperson LaFay, seconded by Councilperson Glossner, that September 12, 2007 at 8:00 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 to consider rezoning .94 acres of land at 298 Moseley Road from Residential A to Restricted Business.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

ORDER FOR HEARING  
EXTENSION #50 TO PERINTON  
CONSOLIDATED SEWER DISTRICT  
ANCO/ROUTE 250 SUBDIVISION

Commissioner Beck said that the Anco Subdivision was east of Moseley Road off Emerald Hill Road. The subdivision, consisting of nine houses, has been approved by the Planning Board. The extension would be constructed by the developer and all expenses would be covered by the developer.

TOWN OF PERINTON MONROE COUNTY NEW YORK

In the Matter of the Establishment of  
EXTENSION No. 50 to PERINTON  
CONSOLIDATED SEWER DISTRICT No. 8      ORDER FOR HEARING  
(ANCO – Route 250 Property)

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At a regular meeting of the Town Board of the Town of Perinton, held at the Town Hall, 1350 Turk Hill Road, Fairport, New York, on August 8, 2007 at 8 p.m., local time, there were

PRESENT:    Supervisor James E. Smith; Councilpersons Patricia S. Knapp, David C. Glossner, Carolyn H. Saum, and Joseph LaFay.

ABSENT:     None

ALSO PRESENT:    Susan C. Roberts, Town Clerk; Thomas C. Beck, Commissioner of Public Works

The following Order was introduced by Councilperson Knapp and the adoption thereof was seconded by Councilperson Saum:

WHEREAS, a written Petition, dated August 7, 2007, has been presented and filed with the Town Board, requesting the establishment of Extension No. 50 to Perinton Consolidated Sewer District No. 8 to include the area described in said Petition as hereinafter set forth signed by the owners of taxable property situate in the proposed Extension.

WHEREAS, it is proposed that all of said improvements will be installed at the sole expense of the Petitioner who will also furnish easements and will pay all costs incurred in the creation of said Extension without any cost or expense to the Town of Perinton, and

WHEREAS, the area proposed to be established as Extension No. 50 to Perinton Consolidated Sewer District No. 8 is described in said Petition as follows:

ALL THAT TRACT OR PARCEL OF LAND, containing 18.866 acres more or less, situate in the Phelps and Gorham Purchase, Township 12, Range 4, Town Lot 47, Town of Perinton, County of Monroe, and State of New York, as shown on the drawing entitled "ANCO/250 Property, Sewer District Extension No. 50, to Consolidated Sewer No. 8," prepared by BME Associates, having drawing number 09, last revised October 6, 2006, being more particularly bounded and described as follows:

Beginning at a point, said point being the intersection of the northerly boundary line of lands now or formerly of the Town of Perinton (T.A. No. 180.03-04-36.1), being Lot R-511 of the Vine Crest Subdivision, as filed at Monroe County Clerk's Office in Liber 325 of Maps, Page 10, with the westerly boundary line of Emerald Hills Subdivision, as filed at the Monroe County Clerk's Office in Liber 182 of Maps, Page 65; thence

1. S89 41'08"W, along said northerly boundary line of lands of the Town of Perinton (Lot R-511), a distance of 826.61 feet to an angle point; thence
2. S89 25'41"W, along said northerly boundary line of lands of the Town of Perinton (Lot R-511), a distance of 247.23 feet to a point on the easterly right-of-way line of Moseley Road (NYS RTE 250)(Right-of Way width varies);
3. N15 38'55"E, along said easterly right-of-way line of Moseley Road, a distance of 7.36 feet to a point of curvature; thence
4. Northeasterly, continuing along said easterly right-of-way line of Moseley Road and along the arc of a curve to the right, having a radius of 1,604.00 feet, a distance of 715.87 feet to a point of non-tangency; thence
5. N46 43'33"E, continuing along said easterly right-of-way line of Moseley Road, a distance of 344.82 feet to an angle point; thence
6. N49 30'55"E, continuing along said easterly right-of-way line of Moseley Road, a distance of 378.33 feet to a point of curvature; thence
7. Northeasterly, continuing along said easterly right-of-way line of Moseley Road and along the arc of a curve to the left, having a radius of 606.00 feet, a distance of 307.30 feet to a point on the southwesterly boundary line of lands now or formerly of Bushnell's Basin Fire Association, Inc. (T.A. 180.03-01-55); thence
8. S00 52'23"E, along said southwesterly boundary line of lands of Bushnell's Basin Fire Association, Inc. and along the aforementioned westerly boundary line of Emerald Hill Subdivision, a distance of 1,355.61 feet to the Point of Beginning.

The foregoing described land is shown on a map entitled "Extension No. 50 to Consolidated Sewer District No. 8", last revised October 6, 2006, made by BME Associates, competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Extension No. 50 with existing sanitary sewers belonging to Perinton Consolidated Sewer District No. 8 and indicating the transmission of said sewage through existing mains to the Irondequoit Interceptor sewer for transmission to the Van Lare Sewage Treatment Plant which is operated by the Monroe County Pure Waters Agency. There is an existing contract between the Town of Perinton and the Monroe County Pure Waters Agency for transmission and treatment of sewage.

NOW THEREFORE, it is hereby:

ORDERED FIRST, that the Town Board of the Town of Perinton shall convene at the Town Hall, 1350 Turk Hill Road in the Town of Perinton, New York, on September 12, 2007 at 8:00 p.m., local time, to consider the aforesaid Petition and to hear all persons interested in the subject thereof concerning the same, and it is further

ORDERED SECOND, that a copy of this Order, certified by the Town Clerk, who is directed to publish such certified copy in the Perinton-Fairport Post, which is hereby

designated as the official paper for the publication thereof, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the day set therein for the hearing as aforesaid, and shall also cause a copy thereof to be posted on the sign board of the Town maintained pursuant to Subdivision Six of Section Thirty of Article Three of the Town Law, not less than ten (10) nor more than twenty (20) days before the designated date for the hearing as aforesaid.

On roll call by the Town Clerk the following votes were recorded:

Ayes: Smith, Knapp, Glossner, Saum, LaFay  
Nays: None  
Unanimously approved

On canvass of the vote, the Supervisor declared the foregoing Order adopted and directed the entry thereof in the proceedings of this Board.

ORDER FOR HEARING  
EXTENSION #52 TO PERINTON  
CONSOLIDATED SEWER DISTRICT #8  
ALDRICH GLEN

Commissioner Beck said that Aldrich Glen was also a developer proposed extension to Consolidated Sewer District #8. The 32-unit development will be north of Rte 31, east of Aldrich Road. The extension would be gravity flow to a pump station. The developer will not only construct the sewer system and pay all costs, but will also either provide or pay for a back-up generator for the pump station as part of the extension.

TOWN OF PERINTON MONROE COUNTY NEW YORK

In the Matter of the Establishment of  
EXTENSION No. 52 to PERINTON  
CONSOLIDATED SEWER DISTRICT No. 8      ORDER FOR HEARING  
(Aldrich Glen)

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At a regular meeting of the Town Board of the Town of Perinton, held at the Town Hall, 1350 Turk Hill Road, Fairport, New York, on August 8, 2007 at 8 p.m., local time, there were

PRESENT:    Supervisor James E. Smith; Councilpersons Patricia S. Knapp, David C. Glossner, Carolyn H. Saum, and Joseph LaFay.

ABSENT:     None

ALSO PRESENT:    Susan C. Roberts, Town Clerk; Thomas C. Beck, Commissioner of Public Works

The following Order was introduced by Councilperson Knapp and the adoption thereof was seconded by Councilperson Saum:

WHEREAS, a written Petition, dated August 7, 2007, has been presented and filed with the Town Board, requesting the establishment of Extension No. 52 to Perinton Consolidated Sewer District No. 8 to include the area described in said Petition as hereinafter set forth signed by the owners of taxable property situate in the proposed Extension.

WHEREAS, it is proposed that all of said improvements will be installed at the sole expense of the Petitioner who will also furnish easements and will pay all costs incurred in the creation of said Extension without any cost or expense to the Town of Perinton, and

WHEREAS, the area proposed to be established as Extension No. 52 to Perinton Consolidated Sewer District No. 8 is described in said Petition as follows:

ALL THAT TRACT OR PARCEL OF LAND, situated in part of Town Lot 10 in the Phelps and Gorham Purchase, Township 12, Range 4, Town of Perinton, County of Monroe, State of New York and being more particularly described as follows:

Beginning at a point, along the easterly line of Aldrich Road (66.00' right of way), said point being the northwest corner of lands of now or formerly Tolhurst as filed in Liber 213 of Maps, Page 8 in the Monroe County Clerk's Office; thence

1. N88 01'37"E, a distance of 820.05 feet to a point; thence
2. S17 36'42"W, a distance of 453.31 feet to a point; thence
3. S29 45'31"W, a distance of 224.49 feet to a point; thence
4. S01°30'38"E, a distance of 229.26 feet to a point; thence
5. S88 29'22"W, a distance of 160.52 feet to a point; thence
6. Southerly, along a curve right with a radius of 300.00 feet, with an arc length of 20.09 feet to a point; thence
7. N88 29'22"E, a distance of 162.37 feet to a point; thence
8. S16°01'36"W, a distance of 134.41 feet to a point; thence
9. S25°49'12"W, a distance of 119.98 feet to a point; thence
10. S01°17'58"E, a distance of 192.92 feet to a point; thence
11. S88°42'02"W, a distance of 171.52 feet to a point; thence
12. S01°07'08"W, a distance of 204.68 feet to a point; thence
13. N88°52'54"W, a distance of 213.12 feet to a point; thence
14. N23°43'34"W, a distance of 171.66 feet to a point; thence
15. N01°30'38"W, a distance of 518.06 feet to a point; thence
16. N88°29'22"E, a distance of 175.00 feet to a point; thence
17. N01°30'38"W, a distance of 254.00 feet to a point; thence
18. S88°29'22"W, a distance of 175.00 feet to a point; thence
19. N01 30'38"W, a distance of 553.57 feet to the Point of Beginning.

Containing 784,719 Square Feet or 18.015 Acres of land, more or less.

The foregoing described land is shown on a map entitled "Aldrich Glen Subdivision", dated July 12, 2007, made by McMahon LaRue Associates, competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Extension No. 52 with existing sanitary sewers belonging to Perinton Consolidated Sewer District No. 8 and indicating the transmission of said sewage through existing mains to the Irondequoit Interceptor sewer for transmission to the Van Lare Sewage Treatment Plant which is operated by the Monroe County Pure Waters Agency. There is an existing contract between the Town of Perinton and the Monroe County Pure Waters Agency for transmission and treatment of sewage.

NOW THEREFORE, it is hereby:

ORDERED FIRST, that the Town Board of the Town of Perinton shall convene at the Town Hall, 1350 Turk Hill Road in the Town of Perinton, New York, on September 12, 2007 at 8:00 p.m., local time, to consider the aforesaid Petition and to hear all persons interested in the subject thereof concerning the same, and it is further

ORDERED SECOND, that a copy of this Order, certified by the Town Clerk, who is directed to publish such certified copy in the Perinton-Fairport Post, which is hereby designated as the official paper for the publication thereof, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the day set therein for the hearing as aforesaid, and shall also cause a copy thereof to be posted on the sign board of the Town maintained pursuant to Subdivision Six of Section Thirty of Article Three of the Town Law, not less than ten (10) nor more than twenty (20) days before the designated date for the hearing as aforesaid.

On roll call by the Town Clerk the following votes were recorded:

Ayes: Smith, Knapp, Glossner, Saum, LaFay  
Nays: None  
Unanimously approved

On canvass of the vote, the Supervisor declared the foregoing Order adopted and directed the entry thereof in the proceedings of this Board.

ORDER FOR HEARING  
EXTENSION #53 TO PERINTON  
CONSOLIDATED SEWER DISTRICT #8  
OUT OF DISTRICT

Commissioner Beck said that, when a sewer extension is established, homeowners adjacent to the extension may tie into the sewer as an "out of district" resident. Costs for the sewer use are the same; the billing method is different. By bringing those out of district customers into a district their sewer billing is done as part of their Town/County tax bill, not as a separate bill.

TOWN OF PERINTON    MONROE COUNTY    NEW YORK

In the matter of:

ORDER FOR  
HEARING

the Establishment of Extension No. 53 to  
PERINTON CONSOLIDATED SEWER DISTRICT NO. 8  
(Out-of-District Customers)

At a regular meeting of the Town Board of the Town of Perinton, held at the Town Hall, 1350 Turk Hill Road, Fairport, New York, on August 8, 2007, at 8:00 p.m., there were:

PRESENT:    Supervisor James E. Smith; Councilpersons Patricia S. Knapp, David C. Glossner, Carolyn H. Saum and Joseph LaFay

ABSENT:    None

ALSO PRESENT:    Susan C. Roberts, Town Clerk; and Thomas C. Beck,  
Commissioner of Public Works

The following Order was introduced by Councilperson Glossner and the adoption thereof was seconded by Councilperson Saum:

WHEREAS, Perinton Consolidated Sewer District No. 8 was created on September 27, 1989, which consolidated into one district, effective January 1, 1990, all existing sewer districts within the Town of Perinton, and

WHEREAS, from time to time additional customers whose properties were not located within the boundaries of Perinton Consolidated Sewer District No. 8 were permitted to hookup to existing sanitary sewer mains as “out-of-district” customers at their own expense, and

WHEREAS, Section 171-5B of the Sewer Rent Ordinance of the Town of Perinton provides: “B. Upon property outside of said current Perinton Consolidated Sewer District and any extensions thereto, the rent shall be the sewer rent per chargeable unit duly established under §171-5A above plus a surcharge of ten percent (10%) of said annual sewer rent.”, and

WHEREAS, a map, plan and report have been prepared, in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Perinton relating to the establishment of Extension No. 53 to Perinton Consolidated Sewer District No. 8, and

WHEREAS, such map, plan and report have been duly filed in the Town Clerk’s Office at the Perinton Town Hall, 1350 Turk Hill Road, Fairport, New York 14450, where it is available for inspection by the public, and

WHEREAS, the Town Board of the Town of Perinton has bound and determined that seventeen (17) separate parcels of land not now included in Perinton Consolidated Sewer District No. 8 should be incorporated into a sewer district extension in order to facilitate collection of sanitary sewage and storm water drainage and to provide for orderly development of future extensions and that all property and property owners benefiting from the proposed extension should be included therein, and

WHEREAS, the individual parcels of land as the same are shown on the Assessment Roll of the Town of Perinton prepared in 2006 for use in 2007 are:

Tax Account Number	Name	Address
140.04-1-2	Thomas Hart	178 Fellows Road
140.04-1-1	Jonni D’Agostino	174 Fellows Road
179.10-1-47	Judy Ramsey-Owens	25 Hidden Hollow
153.20-1-.16.2	Mr. & Mrs. Rick Perry	43 Lyndon Road
153.20-1-17	Fairport Baseball	99 Lyndon Road
153.10-2-40	Frederick J. Centofani	48 Macedon Center Road
166.12-3-31	Edward Daniel	1 Matthew Drive
166.09-2-25	Mr. & Mrs. Denis Sullivan	166 Moseley Road
180.05-1-16	Cynthia Johnson	752 Moseley Road
180.05-1-25	Mr. & Mrs. Todd Benjamin	759 Moseley Road
180.05-1-26	Mary Lawless	749 Moseley Road
153.05-1-13.112	Northfield Assisted Living	4560 Nine Mile Point Road
153.02-2-11.11	Richard Pfenninger	1672 East Whitney Road
153.02-1-61	Felice DiCastro	1595 East Whitney Road
152.08-1-8	Fred Rugenstein	712 Whitney Road
165.14-1-44	St. John’s of Rochester	10 Wickford Way
165.07-2-70	Verna A. Panzarella	32 Woodcrest Circle

WHEREAS, it is not proposed to do any excavating or construction or to spend any money for the construction of improvements and all units within the proposed Extension shall be subject to annual charges for operation and maintenance as specified in the Sewer rent Ordinance of the Town of Perinton,

NOW THEREFORE, IT IS HEREBY ORDERED, that the Town Board of the Town of Perinton shall convene at the Town Hall, 1350 Turk Hill Road in the Town of Perinton, New York, on September 12, 2007 at 8:00 p.m., local time, to consider the

aforesaid map, plan and report and to hear all persons interested in the subject thereof concerning the same, and it is further

ORDERED SECOND, that a copy of this Order be certified by the Town Clerk who is directed to publish such certified copy in the Perinton-Fairport Post which is hereby designated as the official paper for the publication thereof, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the day set therein for the hearing as aforesaid, and shall cause a copy thereof to be posted on the sign board of the Town maintained pursuant to Subdivision Six of Section Thirty of Article Three of the Town Law, not less than ten (10) nor more than twenty (20) days before the day set therein for the hearing as aforesaid, and shall cause a copy thereof to be posted on the sign board of the Town maintained pursuant to Subdivision Six of Section Thirty of Article Three of the Town Law, not less than ten (10) nor more than twenty (20) days before the designated date for the hearing as aforesaid.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

#### MID-YEAR PURCHASES

Supervisor Smith reported that the Board has received applications from the Commissioner of Public Works, the Commissioner of Recreation and Parks and the Information Processing Coordinator requesting approval of mid-year purchases.

A motion was made by Councilperson LaFay, seconded by Councilperson Knapp, that the Highway Department be authorized to advertise for bids for a six-wheeled plow truck with associated appurtenances for an amount not to exceed \$165,500, funds to be appropriated and transferred from the General Fund to the Highway General Fund for this purchase; that the Recreation and Parks Department be authorized to acquire, and advertise for bids when necessary, one trailer to replace a 2000 trailer, one water wheel to supplement two existing water wheels for field irrigation and one aquacide sprayer to replace an outdated sprayer, at a cost not to exceed \$28,000, funds to be appropriated and transferred from the General Fund to the Recreation and Parks Fund for these purchases; and that the Information Processing Coordinator be authorized to purchase \$34,000 in computer related items. These appropriations will be funded by increasing the estimated Mortgage Tax Revenue by \$227,500. The associated expense lines to be amended in the budget are Parks Equipment, \$28,000; Data Processing Equipment \$34,000; General Highway Machinery Equipment \$165,500.

Ayes: Smith, Knapp, Saum, LaFay

Nays: None

Unanimously approved

#### UPDATE TOWN WEB SITE

Information Processing Coordinator James Donahue said that the Town of Perinton website has been in existence for nine years. While still functional, the site is outdated and needs major upgrades. The goal of the upgrade would be to provide better communications with and services to resident and site visitors, upgrade an aging technology and provide staff with the ability to manage web content in a more timely manner.

Mr. Donahue sent a Request for Proposal (RFP) to several web site developers who work with municipalities, asking for information on designing, developing and implementing an upgrade to the Town's existing website. He has received three proposals; two meet specifications.

The first, from Civic Plus of Manhattan, Kansas, would cost over \$35,000 for consulting, design setup, programming and onsite meetings or trainings. In addition,

there would be an annual fee of \$4,800. The second, from Logical Solutions.net (the Town's current web site host) is for \$20,000. That cost would include website development and implementation and maintenance of the web site. The web design would meet all ADA regulations and would incorporate the latest web-based technology and is Microsoft Net 2.0 platform compliant.

Logical Solutions.net has recently completed web site projects for the Towns of Victor and Ogden; Mr. Donahue has asked for comments regarding these projects. Each municipality was pleased with the process and outcome.

A motion was made by Councilperson Saum, seconded by Councilperson LaFay to approve a contract with Logical Solutions.net for an amount not to exceed \$25,000 (allowing \$5,000 for possible content loading and any unexpected expenses related to the upgrade) to upgrade the Town's web site. In addition he asked that the 2007 budget be amended, increasing the Information Processing budget by \$25,000 and increasing the Mortgage Tax Revenue line by \$25,000.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

#### ISLAND VALLEY SPECIAL USE PERMIT

Supervisor Smith explained that the Special Use Permit to operate the Island Valley Golf Course was renewed on August 9, 2006 with the following conditions:

1. The buildings at 2783 Baird Road were to be secured and the roofs made weather-tight by July 1, 2007.
2. The bus was to be removed from the property or stored out of sight.
3. External debris was to be cleaned up.
4. Improvements #2 & 3 were to be made before Island Valley Golf Course opened for the 2007 season.

Mr. Checho was required to appear before the Town Board at the August 8, 2007 Town Board meeting to provide an update of improvements to the property at 2783 Baird Road. If satisfactory progress has not been made the Special Use Permit could be revoked.

Building Director Copp reported that the bus has been removed from the property and the debris cleaned up. Work has begun on roof repair, the buildings are secured and the driveway is closed off to prevent access to the property.

George Newton Esq., said that the roofs were not complete because the materials were back-ordered. They should be completed in 30 days. He said that the buildings have been secured but that the windows have not been replaced because of vandalism problems.

Mr. Copp said that the house and barns were isolated; there were no neighbors to keep an eye on the property. Mr. Checho said that he planned to install sensor lights and security cameras to decrease vandalism.

Supervisor Smith suggested that the Special Use Permit be extended for one year; Mr. Checho could return at that time and report on progress made at the site. Mr. Newton asked if that could be amended so that the Building Department could review progress at the site; if all was done as required there would be no need to return to a Town Board meeting in August 2008.

Supervisor Smith said that the Board's concern was that work would cease if the Special Use Permit were granted in its entirety. There was discussion concerning a definition of the work to be done and the necessity of returning in one year.

Councilperson Knapp made a motion, seconded by Councilperson Saum, that the Special Use Permit for Island Valley Golf Course be extended for one year. Mr. Checho will work with Building Director Copp to establish a list of items needing to be addressed at 2783 Baird Road. Mr. Checho will appear at the August 6, 2008 Town Board meeting to report on progress made.

Ayes: Smith, Knapp, Glossner, Saum, LaFay  
Nays: None  
Unanimously approved

#### RELEASE OF CONSERVATION EASEMENT

Supervisor Smith reported that the Board has received a memo from Assessor Katherine Kramer regarding the release of a conservation easement. William Metrose Ltd has requested the release of the conservation easement encumbering the property bearing tax account number 140.04-1-7. The company has satisfied the financial obligations to the Town needed to enable the Board to approve the release: back taxes in the amount of \$402.54, escrow payment of \$205.28 and penalties in the amount of \$658.20.

A motion was made by Councilperson Saum, seconded by Councilperson Knapp, that the conservation easement on land bearing tax account number 140.04-1-7 be released, that the back tax money be conveyed to the appropriate agencies and that the penalty money of \$658.20 be transferred to the Capital Reserve Fund for Open Space Acquisition.

Ayes: Smith, Knapp, Glossner, Saum, LaFay  
Nays: None  
Unanimously approved

#### PRIVATE DRIVE NAME CHANGE

Director Copp said that the Town Board has received a request to name a private drive that will serve four houses being constructed on the east side of Moseley Road, south of Cannock Drive. The drive was unnamed at the time of filing the subdivision map; the owners have since decided they would like to call the drive Concetta Court. The name has received approval from the County 911 center. He asked the Board to approve the change; town maps and records will then be changed accordingly.

A motion was made by Councilperson Glossner, seconded by Councilperson LaFay, that the Board accept the name Concetta Court for the unnamed private drive east of Moseley Road, south of Cannock Drive, that the necessary maps be amended and that the applicant be responsible for filing the amended maps with Monroe County.

Ayes: Smith, Knapp, Glossner, Saum, LaFay  
Nays: None  
Unanimously approved.

#### NYSDOT/TOWN OF PERINTON CONTRACT REALIGNMENT OF O'CONNOR ROAD

Commissioner Beck reported that the Town of Perinton has received Federal Transportation Program funding to design and construct the realignment of the O'Connor Road with Jefferson Avenue, including relocating O'Connor Road, improving the level of service at the Fairport Road intersection with Jefferson Avenue, constructing a new O'Connor Road and abandoning a portion of O'Connor Road at its current intersection with Fairport Road. The aid, in the amount of \$1,250,000.00 will be

administered by the NYSDOT. The projected cost of the project is \$2,096,000; \$846,000 has been designated as Perinton's local share.

Commissioner Beck asked the Board to execute the standard Federal-Aid Highway and Marchiselli-Aid Local Project Agreements and provide documentation of support which authorizes the Town Supervisor to sign agreements, certifications, and reimbursement requests. In addition, the Town must show it has sufficient funding to deliver the project as proposed.

Councilperson Knapp offered the following resolution, seconded by Councilperson Glossner:

WHEREAS, a project for the O'Connor Road realignment, PIN 4753.80, is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such programs to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, as provided for by agreement with the NYSDOT, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the federal aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the federal aid and Marchiselli aid construction work (excluding costs applicable to non-federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA's construction phase closeout audit of the project to project costs that are eligible for federal aid and Marchiselli aid; and

WHEREAS, the Town of Perinton desires to advance the project by making a commitment of 100% of the non-federal share of the costs of two hundred eighty five thousand dollars (\$285,000), for scoping, preliminary and final design and ROW acquisition.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Perinton Town Board approves the above-subject project;

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Town Supervisor of the Town of Perinton to pay in the first instance 100% of the federal and non-federal share of the cost of \$285,000 work for the project or portions thereof;

BE IT FURTHER RESOLVED, that the sum of \$285,000 is hereby appropriated from the Town Road Reserve Capital Reserve Fund and made available to cover the cost of participation in the above phase of the project;

BE IT FURTHER RESOLVED, that in the event of the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town of Perinton shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the design consultant thereof;

BE IT FURTHER RESOLVED, that the Town Supervisor of the Town of Perinton, County of Monroe shall be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for federal and/or Marchiselli Aid on behalf of the Town of Perinton with the NYSDOT in connection with the advancement or approval of the project and providing for the administration of the project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all project costs within appropriations therefore that are not so eligible;

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the project. This resolution, which is subject to Permissive Referendum, shall take effect immediately.

Ayes: Smith, Knapp, Glossner, Saum, LaFay  
Nays: None  
Unanimously approved

NYSDOT/TOWN OF PERINTON CONTRACT  
RS&E HIKE/BIKEWAY PEDESTRIAN BRIDGE

The Town of Perinton has been awarded Federal Transportation Program funding to design and construct a pedestrian bridge across the Erie Canal, just east of Turk Hill Road. The grant, in the amount of \$1,498,350, will be administered by the NYSDOT. The estimated total cost of the project is \$1,875,300; Perinton's local share is \$376,950. The project will include relocating 1,200 linear feet of Cobb's Lane from the Park Department's Operations Center west toward Turk Hill Road, constructing an elevated steel and concrete approach ramp on the north side of the canal, constructing a new concrete abutment on the north side of the canal, rehabilitating the existing south side abutment and realigning the canal trail around the proposed pedestrian bridge.

Commissioner Beck asked the Board to execute the standard Federal-Aid Highway and Marchiselli-Aid Local Project Agreements and provide documentation of support which authorizes the Town Supervisor to sign agreements, certifications, and reimbursement requests. In addition, the Town must show it has sufficient funding to deliver the project as proposed.

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

WHEREAS, a project for the RS&E hike/bikeway Erie Canal crossing east of Turk Hill Road, Town of Perinton, Monroe County, PIN 4760.34, is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such programs to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, as provided for by agreement with the NYSDOT, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the federal aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the federal aid and Marchiselli aid construction work (excluding costs applicable to non-federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA's construction phase closeout audit of the project to project costs that are eligible for federal aid and Marchiselli aid; and

WHEREAS, the Town of Perinton desires to advance the project by making a commitment of 100% of the non-federal share of the costs of three hundred seventy six thousand nine hundred fifty dollars (\$376,950), for scoping, PE design, ROW acquisition ROW incidentals and construction CI/CS.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Perinton Town Board approves the above-subject project;

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Town Supervisor of the Town of Perinton to pay in the first instance 100% of the federal and non-federal share of the cost of \$1,875,300 work for the project or portions thereof;

BE IT FURTHER RESOLVED, that the sum of \$1,875,300 is hereby appropriated from the Town Sidewalk Capital Reserve Fund and made available to cover the cost of participation in the above phase of the project;

BE IT FURTHER RESOLVED, that in the event of the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town of Perinton shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the design consultant thereof;

BE IT FURTHER RESOLVED, that the Town Supervisor of the Town of Perinton, County of Monroe shall be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests from federal and/or Marchiselli Aid on behalf of the Town of Perinton with the NYSDOT in connection with the advancement or approval of the project and providing for the administration of the project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all project costs within appropriations therefore that are not so eligible;

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the project. This resolution, which is subject to Permissive Referendum, shall take effect immediately.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

#### NYS GRANT DISBURSEMENT AGREEMENT THE ORCHARDS SEWER PROJECT

Commissioner Beck reported that the Town has been awarded \$250,000 from the Dormitory Authority for infrastructure improvements associated with the Orchards Sanitary Sewer Project. The improvements included the construction of sidewalks along Fairport Road, construction of a sanitary sewer system and the reconstruction of the road network in the Orchards subdivision. He asked the Board to execute the Grant Disbursement Agreement so that the Town can be reimbursed for the full grant amount.

A motion was made by Councilperson Saum, seconded by Councilperson LaFay, that the Supervisor be authorized to execute the Community Capital Assistance Grant Disbursement Agreement for the Orchards Sanitary Sewer Project.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

Supervisor Smith said that the Board has received a request from the Town Clerk for seasonal part-time help in the Clerk's Office during tax time. Jennifer West currently works part-time at the reception desk. She has the skills necessary to provide the needed help. He asked that the Board approve her appointment as a part-time seasonal worker in the Clerk's Office.

A motion was made by Councilperson Glossner, seconded by Councilperson Saum, that Jennifer West, 2 Caywood Lane, Fairport, NY, be appointed a seasonal part-time worker in the Town Clerk's Office, effective Monday August 13, 2007 at her current salary level.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

A motion was made by Councilperson Saum, seconded by Councilperson LaFay, that the reports from the Finance Director, Town Clerk and the Building Department for the month of July be approved.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

AUDIT APPROVED

A motion was made by Councilperson LaFay, seconded by Councilperson Saum that Audit #8 for August, 2007 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

JULY MANUAL II	
Recreation	210.00
Joint Sewer	<u>50.00</u>
	\$260.00 Total

The above bills were paid with check # 67019.

AUGUST AUDIT	
General Fund	\$69,306.25
Town Outside of Village	68,457.42
Recreation	90,212.73
Highway General Repair	192,566.15
Highway Snow & Miscellaneous	190,216.18
Joint Sewer	31,970.29
Debt Service Sewer	430.00
Fairmont Hills Maintenance District	305.00
DPW Redevelopment	588,016.47
Orchards Sewer Project	2,913.40
Boxwood Ext #49	100.00
Pinecrest - Exit 51	<u>36,387.80</u>
	\$1,270,881.69 Total

The above items were numbers 2277 - 2683.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

Charles Prong, 5 Beaufort Place, spoke to the Board about the problem of litter near the new Tim Horton's store on Fairport Road. Mr. Copp will address the problem with the store manager.

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:50 pm.

Respectfully submitted,

Susan C. Roberts  
Town Clerk