

PERINTON TOWN BOARD MEETING  
1350 Turk Hill Road, Fairport, NY 14450  
Wednesday, June 13, 2007

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

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; W. Scott Copp, Director, Building Department; James A. Donahue, Commissioner, Recreation & Parks; Susan C. Roberts, Town Clerk; T. C. Lewis, Planning 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 meetings of May 22 and May 23, 2007 be approved as submitted by the Town Clerk.

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

#### DEPOSIT OF SURPLUS EQUIPMENT FUNDS

Supervisor Smith reported that each year various departments cull surplus equipment from their stock and sell it at Municipal Auction. The Parks Department realized \$400.50 from the sale of its surplus equipment at auction. Recreation & Parks Commissioner James Donahue would like to deposit that money into the Capital Reserve Account for Parks Equipment. The Highway Department realized \$24,300, the Sewer Department \$21,150.00, the Assessment Office \$7,695, Sidewalks \$ 2,610 and the Building Department \$2,115.00. DPW Commissioner Beck has asked that those funds be deposited in the appropriate reserve revenue accounts.

Councilperson Glossner made a motion, seconded by Councilperson Knapp, that \$400.50, the money received by the Parks Department from the sale of surplus equipment, be deposited in the Capital Reserve Fund for Parks Equipment, that the \$24,300 received by the Highway Department be deposited in the Highway Equipment Capital Reserve Account, the \$21,150 received by the Sewer Department be deposited in the Sewer Fund, the \$7,695 received by the Assessment Office be deposited in the General Fund and the \$4,725 received by the Building Department and Sidewalks be deposited in the Part Town Fund.

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

#### DOG ENUMERATION

Town Clerk Susan Roberts reported that, according to New York State law, towns are responsible for licensing all dogs in their jurisdiction. It has been 10 years since the last Perinton dog enumeration. Although the number of residents in the town is increasing, the number of licensed dogs is decreasing; a dog census should be done.

The census will be conducted by mail. Residents will receive a letter, including a return post card, which can be used to update the Town's dog licensing

information. The Animal Control Officer will visit those homes which do not respond to the mailing to conduct the census in person.

Clerk Roberts said that the process would take two years from start to finish. The start-up costs will be incurred in 2007; costs in 2008 and 2009 will be for postage only. She asked the Board to amend the 2007 budget to cover the start-up costs for the dog enumeration.

A motion was made by Councilperson Saum, seconded by Councilperson LaFay, that the 2007 budget be amended by increasing the appropriation for Animal Control and increasing the Mortgage Tax Revenue by \$4,100 each.

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

Commissioner Donahue reported that Janelle Reed has been an employee of the Town of Perinton for the last five years, working as a Recreation Leader. She recently completed the Civil Service exam for Recreation Supervisor and placed number one on the Recreation Supervisor Residential Certification of Eligibles list. Commissioner Donahue asked that her Civil Service title be changed to reflect that fact. There would be no change in her pay rate.

A motion was made by Councilperson Saum, seconded by Councilperson Knapp, that Janelle Reed be appointed to the Civil Service title of Recreation Supervisor, effective June 13, 2007.

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

Supervisor Smith reported that the people who have been cleaning Town Hall have retired after 20 years of service. He has interviewed Julie Swarhout and recommends hiring her to replace them.

Councilperson Glossner made a motion, seconded by Councilperson Saum, that Julie Swarhout, 6 Edendery Circle, Fairport, NY 14450 be hired to provide cleaning services for Town Hall. Ms. Swarhout's appointment would be effective May 21, 2007 at a salary of \$10 per hour.

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

Supervisor Smith said the Town Board has received a memo from Recreation & Parks Director James Donahue, dated June 1, 2007, requesting mid-year salary adjustments for three full-time staff members. He asked the Board to approve those adjustments for Jeffrey Myers, Jeffrey Ackerman and Laura Silins.

Councilperson LaFay made a motion, seconded by Councilperson Saum, that the Town Board approve the mid-year salary adjustments, effective July 2, 2007: Recreation Director Jeff Myers to \$63,696. Recreation Supervisor Jeff Ackerman to \$39,783 and Head Lifeguard Laura Silins to \$39,783.

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

## PARKS DEPARTMENT TRUCK PURCHASE

Commissioner Donahue said that, in July 2006, Town Board gave approval for the purchase of two pickup trucks. The money for the purchase of those trucks was transferred from the General Fund to the Parks and Recreation Fund.

Only one truck was purchased; the second order was cancelled by the vendor. Therefore, \$16,000 became part of the 2006 Recreation & Parks Unappropriated Fund Balance.

The second truck is now available. Commissioner Donahue asked the Town Board to amend the 2007 budget to increase the Parks Equipment line by \$16,000 to purchase the truck.

A motion was made by Councilperson Knapp, seconded by Councilperson Glossner, that the Parks Equipment line of the 2007 budget be increased by \$16,000 to allow the purchase of a pickup truck which was approved in 2006. The funds will come from the Unappropriated Fund Balance.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

## REPAIR COMMUNITY CENTER HEATING/COOLING UNITS

Commissioner Donahue reported that the #5 rooftop heating and cooling unit, which provides service for the administrative offices and reception area of the Community Center, has failed after 10 years of use. It has been determined that the compressors for the unit need to be replaced. He asked the Board to authorize a budget amendment which would cover those expenses.

Councilperson Saum made a motion, seconded by Councilperson Knapp, that the 2007 budget be amended to increase the Community Center Maintenance and Repair line by \$10,000 and that an offsetting revenue adjustment be made in the Mortgage Tax Revenue in the same amount.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

## EXTRACT OF MINUTES ADOPTING BOND RESOLUTION

At a Regular meeting of the Town Board of the Town of Perinton, Monroe County, New York, held at the Town Hall, 1350 Turk Hill Road, Fairport, New York, in said Town, on June 13, 2005 at 8 p.m., local time.

The meeting was called to order by Supervisor Smith, and the roll being called, the following 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; Robert M. Place, Town Attorney

The following resolution was offered by Councilperson Knapp who moved its adoption seconded by Councilperson Saum, to wit:

BOND RESOLUTION DATED  
JUNE 13, 2007  
A RESOLUTION AUTHORIZING THE ISSUANCE OF  
\$21,000 SERIAL BONDS OF THE TOWN OF PERINTON  
MONROE COUNTY, NEW YORK TO FINANCE  
CAPITAL IMPROVEMENTS CONSISTING OF THE  
CONSTRUCTION OF A PORTION OF THE STONE CREEK SUBDIVISION  
OFFSITE SANITARY SEWER FOR PERINTON CONSOLIDATED SEWER  
DISTRICT NO. 8,  
AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES  
IN CONTEMPLATION THEREOF, THE EXPENDITURE  
OF FUNDS FOR SUCH PURPOSE AND  
DETERMINING OTHER MATTERS IN CONJUNCTION THEREWITH.

WHEREAS, by proceedings heretofore duly had and taken pursuant to the Town Law, the Town Board of the Town of Perinton, Monroe County, New York, has duly established Perinton Consolidated Sewer District No. 8 and has authorized the construction of an offsite sanitary sewer facility pursuant to the provisions of §192-a of the Town Law and has negotiated to pay for the portion of the sewer crossing Thayer Road; and

WHEREAS, the Town of Perinton has duly complied with the requirements of the State Environmental Quality Review Act and the applicable regulations thereunder of the State of New York with respect to the purpose hereinafter described and the financing thereof; and

WHEREAS, it is now desired to provide for the financing of the construction of the Town's portion of Stone Creek Subdivision Offsite Sanitary Sewer for said consolidated sewer district in accordance with such proceedings;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Perinton, Monroe County, New York (Town), as follows:

Section 1. For the specific object or purpose of paying the cost of the construction of approximately 111 feet of 8 inch sanitary sewer, with manholes, wyes, laterals and appurtenances necessary for the operation thereof in the Town including the acquisition of easements necessary in connection therewith substantially in accordance with the map and plan accompanying the engineering report for said relief sewer, there are hereby authorized to be issued general obligation bonds in an aggregate principal amount not to exceed \$21,000 and bond anticipation notes in anticipation thereof (and renewals thereof), pursuant to the Local Finance Law.

Section 2. The maximum estimated cost of the aforesaid specific object or purpose is \$21,000 and the plan for financing thereof consists of the issuance of \$21,000 serial bonds or bond anticipation notes of said Town, hereby authorized to be issued pursuant to the Local Finance Law.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 4 of Paragraph a. of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of the said bonds authorized by this resolution will be in excess of five years, (c) current funds are not required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be appropriated by the Town Board of said Town an amount sufficient to pay the principal and interest on said bonds as the same become due and payable, which shall be assessed upon the several lots and parcels

of land within Perinton Consolidated Sewer District No. 8 in the manner provided by law, but if not paid from such sources, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign any bonds and notes issued pursuant to this resolution, and the Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to affix to such bonds and notes the Town's corporate seal and to attest such seal.

Section 6. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund (or such other fund utilized), not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of issuance of such obligations. This is a declaration of official intent under Treasury Regulations §1.150-2.

Section 7. The validity of such bonds may be contested only if:

1. Such bonds are authorized for an object or purpose for which said Town is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
3. Such bonds are authorized in violation of the provisions of the Constitution.

Section 8. This resolution, which takes effect immediately, shall be published in full in the Perinton-Fairport Post, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The questions of the adoption of the foregoing resolution was put to a vote on roll call, which resulted as follows:

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

Whereupon, the Supervisor declared the foregoing Resolution adopted and directed the entry thereof in the proceedings of this Board.

#### UNSAFE BUILDING

Building Director Copp stated that a vacant building at 120 Midvale Drive, tax account # 152.06-1-15, has been determined to be unsafe and needs to be secured. The front and rear porches are in a state of collapse, porch floors are unsafe, electrical fixtures are damaged. The rest of the house is in need of major repairs. Mr. Copp presented the Board with photographs showing the physical condition of the house.

The owner of record has been contacted and informed that the property needs to be secured, but nothing has been done by the owner to secure the building. Mr.

Copp asked the Board to set a date for a hearing regarding these unsafe conditions, under Chapter 95 of the Code of the Town of Perinton, Unsafe Buildings. At that time he will ask the Board to authorize the removal of the front and rear porches, the enclosure of the house, the construction of proper steps to the doors and the termination of public utilities serving the property. The unkempt lawns will be addressed under Chapter 167 of the Code of the Town of Perinton.

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that July 11, 2007 be set as the date for a hearing before the Town Board regarding the unsafe nature of the property at 120 Midvale Drive, tax account # 152.06-1-15.

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

#### BUSHNELL'S BASIN CANAL GRANT IMPROVEMENT PROJECT

Michael Montalto, Parrone Engineering, reported that, on April 27, 2007, letters regarding the Town Board's intention, under the New York State Environmental Quality Review Act (SEQR), to serve as Lead Agent for the Bushnell's Basin Canal Grant Improvement Project, were mailed to Interested and Involved Agencies. Those agencies had thirty days to notify the Town of any issues regarding the Town Board serving as Lead Agent. Thirty days has passed; there have been no disagreements with the Town Board's serving as Lead Agent. Mr. Montalto asked the Board to declare itself Lead Agent.

Councilperson Glossner made a motion, seconded by Councilperson Saum, that the Town Board declare itself Lead Agent for the Bushnell's Basin Canal Grant Improvement Project under SEQR.

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

#### FAIRPORT IDA LEASE AGREEMENT: DPW REDEVELOPMENT PROJECT

Commissioner Beck reported that, as part of the DPW Redevelopment Project, the Town has negotiated a lease with the Fairport Industrial Development Agency to use the former Village of Fairport DPW site while the Perinton DPW site is being constructed. The Lease Agreement has been reviewed by the Town Attorney. There is no rent associated with this lease; the Town will be responsible for upkeep of the buildings and utility costs. He asked the Board to approve the lease so that some of the Perinton DPW employees and equipment can move offsite during the construction project. Mr. Beck said that pre-existing environmental conditions have been recognized by the Village of Fairport.

A motion was made by Councilperson LaFay, seconded by Councilperson Knapp, that the Supervisor be authorized to sign the Lease Agreement with the Fairport Industrial Development Agency (IDA), which says, in part, that the IDA leases the premises to the Town of Perinton "as is, where is". The lease is effective from June 1, 2007 to March 31, 2009. The base rent shall be \$1 per year; the Town will also pay all sums, taxes, assessments and charges, costs, expenses, utility charges and insurance. The Town will maintain the premises and make any repairs needed and will return the premises to the IDA in good order, normal wear and tear excepted.

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

## EAST WHITNEY ROAD CULVERT REPLACEMENT

Commissioner Beck reported that Monroe County Department of Transportation (DOT) is letting a contract to replace the box culvert on East Whitney Road, between Hamilton Road and Carter Road. The culvert allows Thomas Creek to flow under Whitney Road.

The Town of Perinton has requested that the south side of the culvert be extended approximately five feet to allow future construction of a sidewalk along the south side of Whitney Road. The sidewalk would connect Hamilton Road to Howell Road and provide access to the Dietrich Park area. It would also create a complete sidewalk connection from Howell Road to the Village of Fairport. The sidewalk would not be constructed until Monroe County reconstructs East Whitney Road.

He asked the Board to take two actions which would facilitate the culvert construction: grant Monroe County an easement on Town property which would accommodate a portion of the new culvert and the extended culvert and authorize the Supervisor to sign an inter-municipal agreement with Monroe County agreeing that the Town of Perinton will pay for the cost of the culvert associated with the extension, including any engineering charges associated with the design of that portion of the culvert, as well as a pro-rated share of the inspection costs on the project. The costs for the culvert extension will be taken from the 2007 budgeted contractual amount for sidewalks. There is no other sidewalk construction slated for 2007.

A motion was made by Councilperson LaFay, seconded by Councilperson Saum, that the Town of Perinton grant a permanent easement, described as follows, to lay, construct, operate, repair or replace an easement for highway and drainage purposes, known as the Whitney Road Culvert Replacement Project. The easement will provide access privileges to the Town and to Monroe County and is accepted upon the express conditions that after any exercise of the rights and privileges granted in this easement Monroe County shall leave the premises in as good condition as found and shall compensate the Town for any damage to the property.

### Description of the easement:

All that piece or parcel of property situate in Township No. 12, Range 4, Town Lot 20 in the Town of Perinton, County of Monroe, State of New York, as shown on the accompanying map and described as follows:

Beginning at a point in the southerly highway boundary of Whitney Road, said point being 3.4 meters right of the hereinafter described 2006 Survey Baseline and at right angles to Station 10+165.9;  
Thence on an azimuth of 180 00'00" a distance of 3.9 meters to a point 7.301 meters right of said 2006 Survey Baseline and at right angles to Station 10+165.492;  
Thence on an azimuth of 90 00'00" a distance of 17.644 meters to a point 9.246 meters right of said 2006 Survey Baseline and at right angles to Station 10+183.029;  
Thence on an azimuth of 80 04'45" a distance of 18.094 meters to a point 8.113 meters right of said 2006 Survey Baseline and at right angles to Station 10+201.088;  
Thence on an azimuth of 73 54'15" a distance of 7.3 meters to a point in the southerly highway boundary of Whitney Road said point being 6.9 meters right of said 2006 Survey Baseline and at right angles to Station 10+208.3;  
Thence on an azimuth of 268 20'40" along said southerly highway boundary of Whitney Road a distance of 42.5 meters to a point 3.4 meters right of said 2006 Survey Baseline and at right angles to Station 10+165.9 and the point of beginning.  
The above describes a parcel containing 0.0139 hectares.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

A motion was made by Councilperson Glossner, seconded by Councilperson Knapp, that the Supervisor be authorized to sign the Whitney Road Culvert Replacement Project Intermunicipal Agreement with Monroe County which permits the widening of the new culvert as part of the Whitney Road Culvert Replacement Project and states, in part, that the Town of Perinton will be responsible for a share of the costs, including design, rights of way, utility relocation and construction and construction supervision for the entire project and will be responsible for all costs in connection with the work to widen the structure.

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

#### ASSESSMENT SERVICES

Supervisor Smith said that the Board has received a memo from Katherine Kramer, Assessor requesting that the Town retain Assessment and Valuation Services (AVS) to assist with assessment analysis and valuation review. This would include updating the Annual Reassessment Plan, the standard market data analysis, model review and file set-up for 2008 valuation. The scope of services would be similar to previous years; the cost would be less.

Councilperson Knapp made a motion, seconded by Councilperson LaFay, that the Town of Perinton retain Assessment Valuation Services to provide consulting services for the 2008 assessment roll at a cost of \$5,000, plus \$475 per diem if additional days of assistance are needed.

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

#### DECISION SPECIAL USE PERMIT CONSTRUCTION OF TWO DUPLEX UNITS 125 LOUD ROAD

Supervisor Smith said that a Public Hearing was held on May 9, 2007 regarding an application for a Special Use Permit to construct two duplexes at 125 Loud Road, in an area zoned Residential B. The application was then referred to the Conservation and Planning Boards for their recommendations.

In a memo dated June 5, 2007, the Perinton Conservation Board recommended a Negative Declaration under SEQR. It was prepared to address the issues of steep slope LDD, wet LDD and drainage problems at the Planning Board level.

The Planning Board's memo, dated June 13, 2007, discussed the merits of both approval and denial of the Special Use Permit. Those favoring approval believed that, with careful planning and design, the duplex units could blend in with adjacent homes and that duplex construction would be less dense than conventional development. Those opposed to the Special Use Permit believed that duplex units were inconsistent with the character and planning objectives of the Egypt Sub-area Plan and were not an appropriate transitional use to the adjoining Residential Sensitive zoning to the South.

Supervisor Smith made a motion, seconded by Councilperson Saum, to deny the application for a Special Use Permit to construct two duplex units at 125 Loud Road, based on the location of the parcel on a rural road contiguous to a residential sensitive district. The Town of Perinton attempts to provide transition between changes in zoning density. Permitting duplexes on this parcel fails to provide an appropriate transition from Residential B zoning to Residential Sensitive.

The application is inconsistent with the factors the Board is obliged to consider in Section 208-54 of the Code of the Town of Perinton: permitting duplexes on this parcel is not in harmony with the Town's most recent Comprehensive Plan; it pushes more density next to a district which requires five-acre residential lots. The proposed duplex units will interfere with the preservation of the general rural character of the neighborhood along Loud Road. The proposed buildings are not in scale with the existing homes and thus are not compatible with the neighborhood.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

A motion was made by Councilperson LaFay, seconded by Councilperson Knapp, that Jonathan Pappas, 430 Loud Road, be hired as a Seasonal Part-time person in the Building Department, effective June 4, 2007 at a salary of \$8.25 an hour.

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 May be approved.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

Supervisor Smith asked if there were any questions or comments from the audience. Several residents of the Egypt Hills neighborhood addressed the Board about construction of a new communications tower south of Steele Road and west of Thayer Road. Lois Watts, president of the Egypt Hills Neighborhood Association, spoke against the construction, asking why such a tower needed to be built.

Supervisor Smith said that the FCC has changed its regulations regarding radio communication, narrowing the band width and lowering signal strengths. These changes mean that there will be more (and taller) towers constructed to provide adequate communication with emergency workers in the field, especially in Perinton because of the hills and valleys.

The tower under discussion was constructed by Monroe County on County-owned land; it was exempt from municipal review. Supervisor Smith met with the County emergency communications department when the issue of tower construction was first discussed and asked that neighbors be notified about the new tower. He was told that neighbors would be notified. He was also told that the tower would be located on the parcel to shield the closest neighbor from view. He reminded the audience that the main focus of the installation was the safety of residents and of emergency providers, who must be able to communicate with base and with each other when deployed.

There was discussion among the neighbors as to whether or not they had received letters of notification.

Ciaran Hanna, Monroe County Legislator from the 18th District, said that, in the Spring of 2006, Monroe County sent certified letters to all residents who lived within 1,000 feet of the tower. He said the address list and the list of returned letters is available for residents' review.

Mr. Hanna said that towers are now required to be above the tree line, at a height of at least 180'. The FCC is monitoring compliance and making counties follow the federal regulations.

A man in the audience asked if the County was required to notify residents of tower construction. Mr. Hanna said they were not; they did, in this instance, because Supervisor Smith asked them to.

A woman in the audience said this was an example of the County using eminent domain to do what it wanted.

Ms. Watts asked why the height of existing towers couldn't be increased to 180'. Mr. Hanna said he did not know the answer to that question.

Commissioner Beck said that the issue is radio communication, not cell phones. Emergency workers need to be able to communicate with their base and with each other when in the field. The FCC will be expanding the number of agencies affected by the new ruling; by 2008 the Town of Perinton will also have to go to the narrow band width and lowered signal strength or be fined. He said these changes not only mean the construction of more, and higher, towers, but the replacement of existing equipment to meet the new standards.

Ms. Watts said that Monroe County's communication with residents was inadequate. She said the Town of Perinton should have followed up on the project and let neighbors know what was happening.

Michael Montalto, Parrone Engineers, said that New York State legislation allows counties, utilities and other municipalities to take actions to benefit the community at large, regardless of how it affects nearby neighbors. He said that, if the neighbors were unhappy, they should speak to their State representatives.

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