

PERINTON TOWN BOARD MEETING  
1350 Turk Hill Road, Fairport, NY 14450  
Wednesday, October 24, 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; W. Scott Copp, Director, Building Department; Kevin Spacher, Finance Director; James A. Donahue, Commissioner, Recreation & Parks; Katherine Kramer, Assessor; Nicholas Morabito, Deputy Assessor; Susan C. Roberts, Town Clerk.

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 October 10, 2007 be approved as submitted by the Town Clerk.

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

#### PUBLIC HEARINGS

Supervisor Smith called the following Public Hearings to order and asked the Clerk for proofs of publication and affidavits of posting. Proofs of publication were given in the Fairport ER Post on October 10, 2007; affidavits of posting were October 11, 2007.

Finance Director Spacher gave an explanation of the contract amounts and the resultant tax rates for each district. Supervisor Smith asked if there were questions from the audience. Councilperson Glossner asked for clarification of the Forest Hills Fire Protection District contract.

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

A motion was made by Councilperson Saum, seconded by Councilperson LaFay, that the Supervisor and Town Board members be authorized to sign the following contracts:

#### AMENDMENT #3 TO THE CONTRACT BETWEEN THE TOWN OF PERINTON AND THE PERINTON VOLUNTEER AMBULANCE CORPS

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign Amendment #3 to the contract for ambulance services between the Town of Perinton and the Perinton Volunteer Ambulance Corps, Inc. for the payment of \$325,000 per year instead of \$310,000.00 per year. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2009.

AMENDMENT #2 TO THE CONTRACT BETWEEN  
THE TOWN OF PERINTON  
THE BUSHNELL'S BASIN FIRE PROTECTION DISTRICT  
AND THE BUSHNELL'S BASIN FIRE DEPARTMENT

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign Amendment #2 to the contract for fire protection between the Town of Perinton, the Bushnell's Basin Fire Protection District, and the Bushnell's Basin Fire Department for the payment of \$616,541.00 per year instead of \$574,549.00 per year. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2010.

AMENDMENT #3 TO THE  
CONTRACT BETWEEN THE TOWN OF PERINTON,  
THE EGYPT FIRE PROTECTION DISTRICT AND  
THE EGYPT FIRE DEPARTMENT

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign Amendment #3 to the contract for fire protection between the Town of Perinton, the Egypt Fire Protection District and the Egypt Fire Department for the payment of \$525,000.00 per year instead of \$505,000.00 per year. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2009.

AMENDMENT #3 TO THE  
CONTRACT BETWEEN THE TOWN OF PERINTON  
THE PERINTON FIRE PROTECTION DISTRICT,  
THE VILLAGE OF FAIRPORT AND  
THE FAIRPORT FIRE DEPARTMENT

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign Amendment #3 to the contract for fire protection between the Town of Perinton, the Perinton Fire Protection District, the Village of Fairport and the Fairport Fire Department for the payment of \$634,386.00 per year instead of \$622,819.00 per year. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2009.

AMENDMENT #2 TO THE CONTRACT BETWEEN  
FOREST HILLS FIRE PROTECTION DISTRICT  
TOWN/VILLAGE OF EAST ROCHESTER  
EAST ROCHESTER FIRE DEPARTMENT

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign Amendment #2 to the contract for fire protection between the Town of Perinton, the Forest Hills Fire Protection District, the Town/Village of East Rochester and the East Rochester Fire Department for the payment of \$100,580.00 per year instead of \$77,862.00 per year. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2009.

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

PUBLIC HEARING  
2008 DEBT SERVICE APPORTIONMENT AND  
ASSESSMENT FOR IMPROVEMENTS

Supervisor Smith opened the public hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication was given in the Perinton Fairport Post on October 10, 2007; affidavit of posting was October 11, 2007.

Finance Director Spacher presented the information relative to the Debt Service Apportionment and Assessment for Improvements. Supervisor Smith asked for questions from the audience. There being none, and all those wishing to be heard having been heard, the Public Hearing was closed.

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that the Board approve the amount due and to become due for principal and interest during the calendar year of 2008 upon sewer bonds and bond anticipation notes issued by the Town of Perinton for construction of improvements. The Board has further determined the amount to be charged during the calendar year 2008 for the operation and maintenance of said improvements and has completed its assessment rolls for and in connection with said debt service apportionment and assessment for maintenance and operation of said improvements as follows:

SEWER DISTRICTS

Perinton Consolidated Sewer District No. 8 and extensions thereto.

The said expenses for such improvements will be apportioned and assessed upon such lots or parcels of land in said District and extensions thereto in proportion to the amount of benefit which the improvement shall confer upon the same, and will be levied and collected at the same time and in the same manner as other town charges.

FIRE PROTECTION DISTRICTS

Bushnell's Basin Fire Protection District, Egypt Fire Protection District  
Forest Hills Fire Protection District,  
Perinton Fire Protection District

The fire protection districts provide services by contract with Bushnell's Basin Fire Association, Inc., Egypt Fire Association, Inc., not-for-profit corporations, the Village of Fairport and the Town/Village of East Rochester. The expenses for operation and maintenance of said districts are required to be assessed, levied and collected from the several lots and parcels of land therein on an ad valorem basis in the same manner and at the same time as other town charges.

LIGHTING DISTRICTS

Lake Lacoma Lighting District, Meadows Lighting District,  
Midlands Lighting District, Misty Meadows Lighting District  
Deer Run Lighting District

Lake Lacoma and Meadows Lighting Districts provide services by contract with Rochester Gas & Electric Corporation. Misty Meadows Lighting District and Midlands Lighting District provides service by contract with Fairport Municipal Commission. Deer Run Lighting District provides service by contract with Fairport Municipal Commission and Rochester Gas & Electric Corporation, for their respective franchise areas. The expenses for operation and maintenance of said districts are required to be assessed, levied and collected from the several lots and parcels of land therein on an ad valorem basis in the same manner and at the same time as other town charges.

## PERINTON AMBULANCE DISTRICT

Perinton Ambulance District contracts with Perinton Volunteer Ambulance Corps, Inc., a not-for-profit corporation, to provide financial assistance including compensation insurance under the Volunteer Ambulance Workers' Benefit Law to enable it to provide an emergency medical service and a general ambulance service to sick or injured persons within the boundaries of the district which are the entire Town of Perinton including the Village of Fairport. The expense of such contributions are required to be assessed, levied and collected from the several lots and parcels of land therein on an ad valorem basis in the same manner and at the same time as other town charges.

## PARK MAINTENANCE DISTRICTS Fairmont Hills Park Maintenance District Wisteria Grove Park Maintenance District

Whereas no public monies are extended for the maintenance of the improvements in the park maintenance district, the expenses for such maintenance by the Town of lawns and plantings within the maintenance areas of the Fairmont Hills and Wisteria Grove Park Maintenance Districts will be assessed, levied and collected from the several lots and parcels of land therein on an ad valorem basis in the same manner and at the same time as other town charges.

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

Supervisor Smith thanked the Department Heads for their input during the budget process and Finance Director Spacher for all his help in preparing the 2008 budget.

## ORDER FOR HEARING AMENDMENT TO SECTION 186 OF THE CODE OF THE TOWN OF PERINTON COLD WAR VETERANS' EXEMPTION

Assessor Kramer explained that New York State has amended the Real Property Tax law by adding a new section establishing an exemption for Cold War veterans - those who served in the U.S. Armed Forces between September 2, 1945 and December 26, 1991. The new section authorizes an exemption from real property taxation for qualified residential real property owned by Cold War veterans or certain family members based on a percentage of assessed value. The exemption is applicable to general municipal taxes, not school taxes. Each county, city, town and village has the option of deciding whether to grant the exemption.

A man in the audience asked how much the change would affect Town taxes. Assessor Kramer said that the financial impact on Town taxes would be minimal. The amount per veteran would be approximately \$12.56 in town taxes. In addition, any Cold War veteran already receiving a veteran's exemption would not be eligible.

Assessor Kramer asked the Board to review the following proposed changes and set a date for a Public Hearing.

## ARTICLE VII

### **§ 186-37. Title.**

This article shall be entitled "Cold War Veterans Exemption Law of the Town of Perinton."

**§ 186-38. Legislative authority.**

This article is enacted pursuant to the provisions of § 458-b of the Real Property Tax Law of the State of New York, as the same may be amended from time to time.

**§ 186-39. Provisions adopted by reference**

All applicable provisions of § 458-b of the Real Property Tax law of New York State, including all subdivisions, together with any and all appropriate amendments thereto, are hereby approved and adopted as and for law and procedures of the Town of Perinton, except where provisions of this article or any other local law or ordinance of the Town of Perinton shall prescribe differently. In such event, compliance with the provisions of such local law or ordinance shall constitute proper compliance with this article.

**§ 186-40. Maximum exemption granted.**

Qualifying residential real property shall be exempt from taxation by the Town of Perinton to the extent of 10% of the assessed value of such property; provided however, that such exemption shall not exceed \$8,000. In addition, where the Cold War veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided however, that such exemption shall not exceed \$40,000.

**§ 186-41. Amendments**

The Town Board may, from time to time, amend, supplement, change, modify or repeal this article pursuant to the provisions of the Town Law, the General Municipal Law and the Real Property Tax Law of New York State applicable thereto.

**§ 186-42. When effective.**

This article shall become effective immediately upon completion of filing with the Secretary of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2008.

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that November 28, 2007, at 8 pm at the Perinton Town Hall, 1350 Turk Hill Road, Fairport, NY be set as the date, time and place for a Public Hearing to consider changes to Section 186 of the Code of the Town of Perinton, Cold War Veterans' Exemptions.

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

**ADOPTION OF THE 2008 TOWN OF PERINTON BUDGET**

Supervisor Smith reported that a public informational meeting on the 2008 budget was held on September 26, 2007; a Public Hearing was held on October 10, 2007. The total appropriations were \$14,946,015.00.

The following resolution was offered by Councilperson Glossner, seconded by Councilperson LaFay:

WHEREAS, this Town Board has met at the time and place specified in the Notice of Public Hearings on the Preliminary Budget for 2008, and the Town Board heard questions and comments upon items on the Preliminary Budget

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby adopt such preliminary budget, as originally compiled, as the annual budget of the Town for the fiscal year 2008, and that such budget as so adopted be entered in detail in the minutes of the proceedings of this Town Board, and,

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall prepare and certify in duplicate copies of said Annual Budget as adopted pursuant to Section 202-a of Town Law and deliver two copies thereof to the Supervisor of this Town to be presented by him to the Monroe County Legislature, and

BE IT FURTHER RESOLVED, that the Town Clerk of this Town be authorized to place a Notice of Adoption of said 2008 budget in the official paper of the Town of Perinton.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

#### APPOINT CROSSING GUARD

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that Louis DiGuiseppe, 24 Birch Lane, Fairport, NY 14450 be appointed substitute crossing guard.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved.

#### AQUISITION OF LAND

Supervisor Smith reported that Monroe County had acquired 5.6 acres of land, tax account # 166.05-1-4, on the west side of Turk Hill Road parallel to and north of the Niagara Mohawk power lines. The property runs behind the Lawler substation along the village line behind the homes on Misty Pine Road. A small part of the parcel is on the southern side of the power lines behind Peppermill Drive. The County has offered the parcel to the Town of Perinton for \$365, the cost of transferring ownership from the County to the Town, which consist of the back taxes guaranteed to the Town.

A woman in the audience asked how the parcel would be used. Supervisor Smith said it was not suitable for parkland. The Town could offer it to the owners of properties on Misty Pine, again for the cost of transferring the ownership, or could offer it to the Village of Fairport.

A motion was made by Councilperson LaFay, seconded by Councilperson Saum, that the Supervisor be authorized to sign a contract to purchase 5.6 acres of land, tax account #166.05-1-4, from Monroe County for \$365 plus additional closing costs, and that the 2007 budget be amended by increasing the Appropriation for the Purchase of Land and the Mortgage Tax Revenue by the same amount.

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 \$29,457.00 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.

Councilperson Glossner made a motion, seconded by Councilperson Knapp, that \$29,457.00, the money received by the Parks Department from the sale of surplus equipment, be deposited in the Capital Reserve Fund for Parks Equipment.

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

#### SENIOR LIVING COUNCIL

Councilperson Knapp, The Town of Perinton representative to the Senior Living Council, advised the Board that the Town of Perinton, Village of Fairport and Perinton Churches Housing provide financial support for the Senior Living Council, an organization which provides services for Perinton's senior citizens. Among the services provided are housing at Roselawn and Rose Hollow, the Elderbus and the Senior Options for Independence (SOFI) program. SOFI provides services for Perinton and Fairport senior citizens which help them stay in their own homes and maintain their independence.

Councilperson Knapp said that the Town Board has received a request from the organization for \$6,500 for the fiscal year December 1, 2007 - November 30, 2008. She asked the Board to support this request.

A motion was made by Councilperson Knapp, seconded by Councilperson Glossner, that the Town Board approve funding of \$6,500 as its contribution to the Senior Living Council for 2007-2008 and that the Board increase the appropriation in the Programs for the Aging by \$6,500 and increase the revenues from Mortgage Tax by \$6,500.

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

#### EXECUTIVE SESSION

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that the Board adjourn to Executive Session to discuss a personnel matter.

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 #11 for October, 2007 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

#### OCTOBER AUDIT

General Fund	\$65,537.35
Town Outside of Village	59,731.93
Recreation	115,810.48
Highway General Repair	313,260.63
Highway Snow & Miscellaneous	45,050.79
Joint Sewer	12,208.94
Special Recreation	6,500.00
Debt Service Sewer	121.50

Fairmont Hills Maintenance District	305.00
DPW Redevelopment	754,592.50
Orchards Sewer Project	90,656.26
Pinecrest - Exit 51	<u>341,576.28</u>
	\$1,805,351.66 Total

The above items were numbers 3156 - 3489.

OCTOBER MANUAL I

General Fund	\$63,108.43
Town Outside of Village	3,171.51
Recreation	36,350.05
Joint Sewer	8,789.38
Forest Hills Fire Protection District	19,465.00
Midlands Lighting District	415.51
Lake Lacoma Lighting District	13.61
Meadows Lighting District	419.15
Deer Run Lighting District	1,449.15
Misty Meadows Lighting District	<u>112.30</u>
	\$113,829.09 Total

The above bills were paid with checks #67837 - 67840, 67846, 67847, 67860 - 67864.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

There being no further business before the Board and no further questions from the audience, the meeting was adjourned to Executive Session at 8:30 pm. The Executive Session adjourned at 9:10 pm.

Respectfully submitted,

Susan C. Roberts  
Town Clerk