

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, February 27, 2008

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; 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 Saum made a motion, seconded by Councilperson LaFay, that the minutes of the Town Board meeting of February 13, 2008 be approved as submitted by the Town Clerk.

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

BUDGET TRANSFERS

Supervisor Smith said that the Board was in receipt of a memo from Finance Director Spacher, dated February 19, 2008, asking the Board to transfer funds from Capital Reserve Funds to operating funds. These are transfers which have been approved as part of the 2008 budget but must be specifically authorized.

A motion was made by Councilperson Glossner, seconded by Councilperson Knapp, that the following transfers be made. The action is subject to Permissive Referendum.

- \$100,000 from the Capital Reserve for DPW Equipment to the General Highway Fund
- \$40,000 from the Capital Reserve for Parks & Recreation Equipment to the Parks & Recreation Fund
- \$750,000 from the Capital Reserve for Road Repair to the Part-Town Highway Fund

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

PERMISSIVE REFERENDUM

Supervisor Smith announced that the 30 day time for Permissive Referendum for the transfer of \$6,000,000 from the Capital Reserve Fund for Building Improvements to the DPW Project Fund has passed.

RELEASE UTILITY EASEMENT
RTES 250 & 31

Attorney Place said that the Town has been approached by Perinton Hills MA LLC, owners of property at the southwest corner of Rtes 31 & 250, about releasing a sanitary and storm sewer easement. The easement is for sewer lines which provide service to two existing buildings on the site. Those buildings will be razed as part of the construction of a Walgreens store; the sewer lines will be moved to a different location on the parcel. The owners ask that the old easement be released; a new easement will be granted to the Town as part of the Walgreens development.

Supervisor Smith said there had been reports that Walgreens would not be developing the site as approved. Commissioner Beck said that, if that were the case, the Town would need to retain the existing easement. Should Walgreens wish to build a different structure than what has been approved, they would need to restart the approval process. The Town would not want to release the existing easement until it was sure it was no longer needed.

Supervisor Smith suggested that, as a way to preserve the town's best interests, the Board approve the easement release pending the Town Attorney's approval. Mr. Place would then monitor the Walgreens development and withdraw the easement release if construction plans changed.

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

WHEREAS, Perinton Hills MA LLC is the owner of real property located at the intersection of Routes 31 & 250 in the Town of Perinton NY and bearing tax # 166.17-2-30 and 166.17-2-32, and

WHEREAS, the Town of Perinton wishes to release, surrender and discharge all of its rights in and to a portion of the lands described below

NOW, THEREFORE, BE IT RESOLVED, in consideration for the relocation of a portion of said easement to another location within the properties, the Town of Perinton does grant, release, convey and quitclaim to the owner and its successors and assigns all of its rights and interest in and to that certain portion of lands lying within the easement as more particularly described:

All that tract or parcel of land situated in part of Town Lot 46, Township 12, Range 4, Phelps and Gorham Purchase, Town of Perinton, County of Monroe, State of New York as shown on a map entitled "Walgreens Perinton Subdivision Map" prepared by Costich Engineering, having drawing number M170-Sub, dated 2/8/2007 and being more particularly bounded and described as follows:

Commencing at a point on the west right of way line of Moseley Road, State Route 250, said point being the northeast corner of lands now or formerly owned by Uniland Partnership of Delaware, having tax # 166.17-1-30 and the southeast corner of lands now or formerly owned by Perinton Hills MA LLC, having tax #166.17-2-32; thence

A. N 59 11'18"W a distance of 44.51 feet to a point on the east line of an existing storm and sanitary sewer easement to the Town of Perinton per Liber 6510 of deeds, page 86, said point being the point and place of beginning; thence

1. S07 00'00"W, a distance of 20.00 feet to a point; thence
2. N82 00'00"W, a distance of 172.48 feet to a point; thence
3. N81 15'33"W, a distance of 30.54 feet to a point; thence
4. N52 48'46"W, a distance of 199.57 feet to a point; thence
5. N32 59'02"W, a distance of 45.42 feet to a point; thence
6. S68 03'46"E, a distance of 36.47 feet to a point; thence
7. S52 48'46"E, a distance of 211.85 feet to a point; thence
8. S82 00'00"E, a distance of 186.34 feet to the point and place of beginning

Said easement release would be dependent on the approval of the Town Attorney and would be negated by any change in the proposed plans for development of the site.

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 #2 for February, 2008 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

FEBRUARY AUDIT

General Fund	\$198,026.70
Town Outside of Village	94,498.00
Recreation	68,358.14
Highway General Repair	941.84
Highway Snow & Miscellaneous	165,502.80
Joint Sewer	18,269.21

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Debt Service Sewer	11,184.55
Perinton Ambulance District	252.08
Bushnell's Basin Fire Protection District	20.96
DPW Redevelopment	310,878.53
Pinecrest - Exit 51	<u>16,141.03</u>
	\$884,073.84 Total

The above items were numbers 254 - 800.

FEBRUARY MANUAL

General Fund	\$84,594.93
Town Outside of Village	4,207.78
Recreation	48,362.86
Joint Sewer	9,337.29
Midlands Lighting District	406.53
Deer Run Lighting District	1,476.03
Lake Lacoma Lighting District	29.36
Meadows Lighting District	870.84
Misty Meadows Lighting District	<u>109.87</u>
	\$149,395.49 Total

The above bills were paid with checks #69155 - .69157, 69160,69161, 69163 - 69169, 69180 - 69187, 69347.

ELECTION AUDIT

General Fund	\$16,685.00
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The above bills were paid with checks number 69188 - 69346.

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

Three scouts in attendance introduced themselves to the Board.

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:10 pm.

Respectfully submitted,

Susan C. Roberts
 Town Clerk

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