

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, March 12, 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; W. Scott Copp, Director, Building Department; 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 27, 2008 be approved as submitted by the Town Clerk.

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

ORDER ESTABLISHING EXTENSION #55
GARNSEY ROAD SEWER
TO PERINTON CONSOLIDATED SEWER DISTRICT #8

Commissioner Beck reported that the time for Permissive Referendum for this sewer extension had passed. He asked the Board to establish the district and pass the bond resolution funding the district.

TOWN OF PERINTON MONROE COUNTY NEW YORK

In the Matter
of

EXTENSION NO. 55 to PERINTON CONSOLIDATED
SEWER DISTRICT NO. 8
(Garnsey Road II)

ORDER ESTABLISHING
DISTRICT

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 March 12, 2008 at 8:00 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; Robert Place, Town Attorney

The Town Clerk reported that the Town Board a resolution authorizing the establishment of Extension No. 55 to Perinton Consolidated Sewer District 8 at its regular meeting of January 23, 2008, that the adoption of said resolution was subject to a permissive referendum, that pursuant to Section 206 of the Town Law of the State of New York she caused a notice of such resolution to be published in the Perinton-Fairport Post on January 30, 2008, being a newspaper regularly published in Monroe County and having general circulation within the consolidated district and in addition she posted a copy of

such notice on the bulletin board in her office on January 30, 2008. Such notice set forth the date of adoption of the resolution and contained an abstract of such resolution describing, in general terms, the district to be formed to serve, and that such resolution was adopted subject to permissive referendum.

She further reported that she caused to be printed and had in her office available for distribution, petitions requesting a permissive referendum in regard to creation of said improvement district.

The Town Clerk reported that thirty (30) days have passed since the adoption of said resolution and that no petitions have been filed in her office requesting a permissive referendum and that the Town Board now had the authority to make an order establishing Extension No. 55 to Perinton Consolidated Sewer District No. 8.

The following Order was offered by Councilperson Knapp and seconded by Councilperson Glossner;

WHEREAS, at a regular meeting of this Board held January 23, 2008, a resolution was adopted approving the creation of Extension No. 55 to Perinton Consolidated Sewer District No. 8 subject to a permissive referendum, and

WHEREAS, the Town Clerk reported to this Board that notices of the adoption of such resolution were duly posted and published as required by law and that she had petitions requesting a permissive referendum available in her office and that more than thirty (30) days have elapsed and no petitions requesting a permissive referendum have been filed in her office, and

WHEREAS, this Town Board is now empowered to order the establishment of Extension No. 55 to Perinton Consolidated Sewer District No. 8, it is

ORDERED FIRST, that Extension No. 55 to Perinton Consolidated Sewer District No. 8 is hereby established to include the are described as follows:

ALL THOSE TRACTS OR PARCELS OF LAND, situate in the Town of Perinton, County of Monroe, State of New York, and hereinafter designated as Extension No. 55 to Perinton Consolidated Sewer District No. 8 and more particularly described as follows:

Beginning at the centerline of Garnsey Road on the extension line with the westerly bounds of Tax Account No. 179.150-0001-057 (23); thence

1. Easterly, along the centerline of Garnsey Road a distance of approximately 19 feet to an angle point; thence
2. Continuing northerly along the westerly bounds of Tax Account No. 179.150-1-13 (1) a distance of approximately 124 feet to an angle point; thence
3. Continuing easterly along the northerly bounds of Tax Account No. 179.150-1-13 (1) a distance of approximately 124 feet to an angle point; thence
4. Continuing northerly along the westerly bounds of Tax Account No. 179.150-1-14 (2) a distance of approximately 93 feet to an angle point; thence
5. Continuing easterly along the northerly bounds of Tax Account No. 179.150-1-14 (2) a distance of approximately 45 feet to an angle point; thence
6. Continuing northeasterly along the northerly bounds of Tax Account Nos. 179.150-1-14 (2) and 179.150-1-15 (3) a distance of approximately 299 feet to the centerline of Broken Hill Road; thence
7. Continuing southeasterly along the center of Broken Hill Road a distance of approximately 46 feet to its intersection with the northerly boundary of Tax Account No. 179.150-1-28 (4) extended westerly; thence

8. Continuing northeasterly along the northerly bounds of Tax Account No. 179.150-1-28 (4) a distance of approximately 223 feet to an angle point; thence
9. Continuing northeasterly along the northerly bound of Tax Account No. 179.150-1-29 (5) a distance of approximately 210 feet to the centerline of Hardwood Hill Road; thence
10. Continuing northerly along the center of Hardwood Hill Road a distance of approximately 10 feet to its intersection with the northerly boundary of Tax Account No. 179.150-1-45 (6) extended westerly; thence
11. Continuing northeasterly, along the northerly bounds of Tax Account No. 179.150-1-45 (6) a distance of approximately 255 feet to an angle point; thence
12. Continuing northeasterly, along the northerly bounds of Tax Account No. 179.150-1-45 (6) a distance of approximately 108 feet to an angle point; thence
13. Continuing northwesterly along the bounds of Tax Account. No. 179.150-1-45 (6) a distance of approximately 226 feet to the southerly right-of-way of Hardwood Hill Road; thence
14. Continuing easterly, along the southerly right-of-way of Hardwood Hill Road and the northerly bounds of Tax Account No. 179.150-1-45 (6) a distance of approximately 27 feet to an angle point; thence
15. Continuing southeasterly, along the easterly bounds of Tax Account No. 179.150-1-45 (6) a distance of approximately 235 feet to an angle point; thence
16. Continuing easterly along the northerly bounds of Tax Account No. 179.150-1-46 (7) a distance of approximately 18 feet to an angle point; thence
17. Continuing northeasterly along the northerly bounds of Tax Account Nos. 179.150-1-46 (7) and 179.150-1-47 (8) a distance of approximately 195 feet to an angle point; thence
18. Continuing southeasterly along the northerly bounds of Tax Account No's. 179.150-1-47 (8) and 179.150-0001-048 (9) a distance of approximately 123 feet to an angle point; thence
19. Continuing southerly along the easterly bounds of Tax Account No. 179.150-1-48 (9) a distance of approximately 81 feet to an angle point; thence
20. Continuing northeasterly along the northerly bounds of Tax Account No. 179.15-1-38 (10) a distance of approximately 217 feet to the centerline of Hardwood Hill Road; thence
21. Continuing southeasterly along the centerline of Hardwood Hill Road a distance of approximately 2 feet to its intersection with the centerline of Lodge Pole Road; thence
22. Continuing northeasterly along the center of Lodge Pole Road a distance of approximately 108 feet to its intersection with the easterly boundary of Tax Account No. 179.160-1-27 (11) extended northwesterly; thence
23. Continuing southeasterly along the easterly bounds of Tax Account No. 179.160-1-27 (11) a distance of approximately 176 feet to an angle point; thence
24. Continuing southerly along the easterly bounds of Tax Account No. 179.160-1-27 (11) a distance of approximately 150 feet to the centerline of Garnsey Road; thence

25. Continuing easterly along the center of Garnsey Road a distance of approximately 215 feet to its intersection with the easterly boundary of Tax Account No. 179.160-1-29 (12) extended northerly; thence
26. Continuing southerly along the easterly bounds of Tax Account No's. 179.160-1-29 (12) and 179.160-0001-028 (13) a distance of approximately 841 feet to an angle point; thence
27. Continuing westerly along the southerly bounds of Tax Account No. 179.160-1-28 (13) a distance of approximately 142 feet to an angle point; thence
28. Continuing northerly along the westerly bounds of Tax Account No. 179.160-1-28 (13) a distance of approximately 336 feet to an angle point; thence
29. Continuing westerly along the southerly bounds of Tax Account No. 179.150-1-49 (14) a distance of approximately 284 feet to an angle point; thence
30. Continuing southwesterly along the southerly bounds of Tax Account No. 179.150-1-50 (15) a distance of approximately 111 feet to an angle point; thence
31. Continuing northwesterly along the westerly bounds of Tax Account No. 179.150-1-50 (15) a distance of approximately 516 feet to the southerly Right-of-way of Garnsey Road; thence
32. Continuing southwesterly along the southerly Right-of-Way of Garnsey Road a distance of approximately 345 feet to an angle point; thence
33. Continuing southeasterly along the easterly bounds of Tax Account No. 179.150-1-54 (17), and No. 179.150-1-55 (16) a distance of approximately 269 feet to an angle point; thence
34. Continuing southwesterly along the bounds of Tax Account No. 179.150-1-55 (16) a distance of approximately 14 feet to an angle point; thence
35. Continuing southerly along the easterly bounds of Tax Account No. 179.150-1-55 (16) a distance of approximately 307 feet to an angle point; thence
36. Continuing westerly along the southerly bounds of Tax Account No's. 179.150-1-55 (16), No. 179.150-1-56.1 (18), No. 179.150-1-56.12 (19), and No. 179.150-1-57 (20) a distance of approximately 1078 feet to an angle point; thence
37. Continuing northerly along the westerly bounds of Tax Account No. 179.150-1-57 (20) a distance of approximately 149 feet to the point of beginning.

The foregoing described lands are shown on a map entitled Extension No. 55 to Perinton Consolidated Sewer District No. 8, prepared by Lu Engineers, competent engineers duly licensed by the State of New York showing the boundaries of the proposed Extension No. 55 to Perinton Consolidated Sewer District No. 8, and indicating the 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.

ORDERED SECOND, that the Town Clerk is hereby directed to certify a copy of this Order and forthwith record the same in the Office of the Clerk of the County of Monroe in which the Town of Perinton is situate and to forward a certified copy of the same to the Department of Audit and Control.

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

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

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

LEGAL NOTICE
Notice Pursuant to §81 of Local Finance Law

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town Board of the Town of Perinton, Monroe County, New York, on the 12th day of March, 2008, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: March 19, 2008

Susan C. Roberts
Perinton Town Clerk

BOND RESOLUTION DATED
March 12, 2008
A RESOLUTION AUTHORIZING THE ISSUANCE OF
\$538,000.00 SERIAL BONDS OF THE TOWN OF PERINTON
MONROE COUNTY, NEW YORK TO FINANCE
CAPITAL IMPROVEMENTS CONSISTING OF THE
CONSTRUCTION OF SEWER IMPROVEMENTS FOR EXTENSION No. 55
TO 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 Extension No. 55 to said consolidated sewer district; 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 Garnsey Road II Relief 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 2,755 +/- linear feet of 8 inch PVC sanitary sewer, with manholes, wyes, and all 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 \$538,000 and bond anticipation noted 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 \$538,000 and the plan for financing thereof consists of the issuance of \$538,000 serial bonds or bond anticipation notes of said Town, hereby authorizing 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 are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation 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.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

BOARD OF ASSESSMENT REVIEW &
ASSESSMENT REVIEW APPOINTMENTS

Supervisor Smith stated that he has received a memo from Assessor Katherine Kramer regarding staffing needs for the 2008 assessment review and grievance process. Assessor Kramer has asked the Board to approve hiring four State-certified appraisers to assist with informal assessment reviews, as needed, from March 24 through the end of April 2008, and the one-year appointment of Patrick Cahill to the 2008 Board of Assessment Review.

A motion was made by Councilperson Saum, seconded by Councilperson LaFay, that Robert Housel, Domenic Cocuzzi, Rufus Falk and Mark Schnorr, State-certified appraisers, be hired to assist the Town of Perinton Assessment Office with informal assessment reviews, on an as needed basis, from March 24, 2008 through April 2008 at a rate of \$28.00 per hour.

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

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

WHEREAS, the Assessor has asked for the appointment of a temporary member of the Board of Assessment Review, to assist with 2008 grievance hearings, and

WHEREAS, Assessor Kramer has recommended the appointment of Patrick Cahill,

NOW, THEREFORE, BE IT RESOLVED, that Patrick Cahill, 9 Sanibel Drive, Fairport NY be appointed to the Board of Assessment Review, with a term to expire on September 30, 2008.

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

ASSESSMENT OFFICE SEASONAL HELP

Supervisor Smith said that Assessor Kramer has asked that Elizabeth Haines, part-time Clerk Typist in the Building Department, assist with scheduling appointments in the Assessment Office during the grievance process.

A motion was made by Councilperson Glossner, seconded by Councilperson Saum, that Elizabeth Haines, part-time Clerk Typist in the Building Department, be appointed seasonal part-time in the Assessment Office from March 24 to May 27, 2008 at her current salary of \$11.00 per hour.

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

DECISION
AMENDMENTS TO SECTION 208
CODE OF THE TOWN OF PERINTON
INDUSTRIAL & LIMITED COMMERCIAL ZONING

Supervisor Smith said that the Public Hearing for the changes to Section 208 was held on February 13, 2008. The proposed changes were then referred to the Planning Board for its recommendations.

In a memo dated March 10, 2008, the Planning Board endorsed the proposed changes. The members agreed that allowing mini-warehouses in industrially zoned areas was proper. They supported a maximum size of 400 sq. ft. for each unit and supported limiting the size of individual building to 10,000 sq. ft. in a Limited Commercial District. The Planning Board stated that each of the proposed changes was consistent with the goals of the Town's 2000 Comprehensive Plan.

Councilperson LaFay made a motion, seconded by Councilperson Saum, that the changes to Section 208 of the Code of the Town of Perinton be approved as follows:

208-8 Definitions:

MINIWAREHOUSE -- Any structure having separate compartments or units less than 400 square feet each adapted to or used for the storage of goods, materials and/or merchandise for compensation. [Added 2-8-1984 by L.L. No. 1-1984]

§ 208-40. Industrial District.

- A. Uses permitted. The following uses shall be permitted in the Industrial District:
- (1) Customary and ordinary industrial uses which are conducted wholly within the enclosed walls of a building, including warehousing, are permitted. Those uses of lands, buildings, structures or processes which may or shall be noxious, injurious or in any way harmful to persons or property by reason of the production or emission of dust, smoke, refuse, odor, gas fumes, noise, radiation, vibrations or similar circumstances or conditions are expressly prohibited. [Amended 2-8-1984 by L.L. No. 1-1984]
 - (2) Hotels or motels. (See § 208-45.) [Amended 2-12-1992 by L.L. No. 1-1992]
 - (3) All uses first permitted in a Restricted Business District.
 - (4) A solid waste facility may be permitted upon obtaining a permit from the Zoning Board of Appeals as provided in § 208-21 of this chapter, provided that it meets the following criteria: [Added 8-28-1991 by L.L. No. 6-1991]
 - (a) The parcel is greater than 100 acres in size.
 - (b) The facility and related improvements are set back greater than 100 feet from any property line.
 - (c) Appropriate measures are taken to minimize the visual impact of any operational activities and equipment and drop-off facilities are provided along adjacent public roads.
 - (5) Veterinary office, provided that there is no outside keeping of animals and adequate soundproofing is provided so that the ambient sound level at the property boundaries is not elevated more than 10 decibels on the A-weighted scale as measured at a fast response with an instrument satisfying the requirements of American National Standards Institute (ANSI) S1.2-1983. [Added 2-12-1992 by L.L. No. 1-1992]
 - (6) Adult uses. [Added 7-26-1995 by L.L. No. 5-1995]
 - (7) Miniwarehouses

§ 208-43. Limited Commercial District. [Added 3-28-1990 by L.L. No. 2-1990]

- A. Intent. The intent of this district is as follows:

- (1) To limit the possible uses in such an area to lower-intensity commercial uses in smaller structures than the General Commercial District allows.
- (2) To provide areas within the Town for location of commercial uses serving the day-to-day convenient shopping and personal service needs of a neighborhood area and to assure the compatibility of such areas with nearby residential development.

B. Uses permitted. The following uses shall be permitted in the Limited Commercial District:

- (1) All uses first permitted in Restricted Business District with the exception of banks, hotels and motels, provided that such uses do not exceed 6,000 square feet in area, and are part of an existing or proposed commercial site.
- (2) The following uses, when conducted within a completely enclosed building. Such uses are not to exceed 2,500 square feet in total area and individual buildings are not to exceed 10,000 square feet in size.

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

APPROVE GRANT ADMINISTRATION CONTRACT
BUSHNELL'S BASIN
ENVIRONMENTAL PROTECTION FUND GRANT

Commissioner Beck reported that the Town of Perinton has received an Environmental Protection Fund Grant from New York State for improvements to the Bushnell's Basin canal area. The Town has hired Parrone Engineers for design and construction services; Commissioner Beck asked the Board to approve a contract with Stuart Brown, of LaBella Associates, to provide grant administrative services. Mr. Brown wrote the grant proposal. He is familiar with the project and the grant funding requirements.

A motion was made by Councilperson Knapp, seconded by Councilperson Glossner, that Stuart Brown be hired to provide grant administrative services for the Town's Environmental Protection Fund Grant. Services would include, but are not limited to, preparing documents needed to facilitate the preparation of the project agreements, advising the Town on execution of the project agreement, assisting the Town in developing and maintaining the financial management system required, assisting the Town in complying with program rules and regulations, reviewing all requests for payment for project improvements and advising the Town regarding the disposition of the requests, preparing all reports required by the grantor agency to demonstrate compliance, coordinating all project activities in accordance with program guidelines, serving as the agent of the Town in dealing with contractors, reviewing all contract documents for program compliance, insuring compliance with State requirement in preparation of bid documents, advertisements for bids and the selection of a contractor, attending pre-construction meetings, maintaining contact with the field representatives of the grantor agency, assisting the Town in documenting the expenditure of local funds, verifying the commitment of force account labor and equipment and establishing and documenting the value of donations, preparing program amendments or modifications, preparing the Town's request for reimbursement for completion of project activities and completing the final close out report for submission to the grantor agency, at a cost not to exceed \$12,000. In addition, the 2008 budget would be amended by increasing the Sidewalk Contractual Appropriation and the Sales Tax Revenue in the Part-Town Fund by \$12,000.

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

APPROVE MONROE COUNTY
INTERMUNICIPAL AGREEMENT
GARNSEY ROAD SEWER

Commissioner Beck reported that Monroe County had awarded the Garnsey Road reconstruction project to DiFiore Construction in the amount of \$3,496,391.65. That amount is inclusive of sanitary sewers and concrete sidewalks which will be constructed at the Town of Perinton's expense (\$23,882.00 for sidewalks and \$394,535.80 for sewers). He submitted an inter-municipal agreement between the Town of Perinton and Monroe County which describes the manner in which costs of the project are to be shared and how change orders are to be handled.

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

WHEREAS, the County of Monroe plans to reconstruct Garnsey Road, located in the Town of Perinton, County of Monroe, New York, known as the Garnsey Road Reconstruction project and

WHEREAS, the Town desires to install sanitary sewers and sidewalks of said project along Garnsey Road, and

WHEREAS, the Town desires to provide for the necessary funding for said sanitary sewers and sidewalks, and

WHEREAS, the parties desire to enter into an inter-municipal agreement pursuant to General Municipal law 119-o to permit the installation of sanitary sewers and sidewalks as part of this project, and to agree that all costs, including design (sidewalk only) installation and construction supervision in connection with said facility shall be the responsibility of the Town, and

WHEREAS, the Monroe County Legislature, by Resolution No.390 of 2007, effective November 13, 2007, authorized the County to enter into such an inter-municipal agreement and authorized the County Executive or his designee to execute said agreement of behalf of the County.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Perinton and the County of Monroe mutually agree to the covenants, agreements and conditions as listed in the Agreement presented to the Perinton Town Board on March 12, 2008.

BE IT FURTHER RESOLVED, that the Perinton Town Board authorize the Town to enter into such an inter-municipal agreement and authorize the Supervisor of the Town of Perinton or his designee to execute said agreement on behalf of the Town.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

DECLARATION OF UNSAFE BUILDING
1710 AYRAULT ROAD

Building Director Copp stated that a vacant barn at 1710 Ayrault Road, tax account # 167.09-2-22, has been determined to be unsafe and has been secured. The roof has failed, which has allowed the roof structural members to deteriorate and fall. The roof collapse has pulled the structural members and portions of the north and south walls into the center of the barn. The entry to the barn is unsafe; the west wing is also in a state of collapse. Mr. Copp presented the Board with photographs showing the physical condition of the barn.

With the owner's concurrence, the building was surveyed by Carmen Torchia, a structural engineer, who provided the owner with a temporary stabilization plan which would support the east wall, which is still vertical, while allowing the owner to clear debris from the interior of the barn. The owner was directed to complete the stabilization plan by December 31, 2007, with a final removal or reconstruction plan due by January 15, 2008. The work has not been done; the plans have not been submitted.

Mr. Copp asked the Board to consider the report he was submitting and asked that it 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 barn.

A motion was made by Councilperson Knapp, seconded by Councilperson Glossner, that April 9, 2008 be set as the date for a hearing before the Town Board regarding the unsafe nature of the property at 1710 Ayrault Road, tax account # 167.09-2-22.

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

APPROVE MEMBERSHIP CHANGES EGYPT FIRE ASSOCIATION

A motion was made by Councilperson LaFay, seconded by Councilperson Saum, to approve the following changes to the membership of the Egypt Fire Association:

Active Firefighter:

James L. Pollay, 16 Pannell Road, Fairport, NY 14450

Lauren A. Dickson, 8 Waterford Way, Fairport, NY 14450

Charles W. Pollay, 16 Pannell Road, Fairport, NY 14450

Timothy J. Meister, 7501 Pittsford-Palmyra Rd, Fairport NY

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

APPOINT JENNIFER WEST FULL-TIME CLERK TYPIST

A motion was made by Councilperson LaFay, seconded by Councilperson Saum, that Jennifer West, a part-time Clerk Typist, be appointed full-time Clerk Typist, effective March 17, 2008 at a salary of \$26,390.00

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

RESOLUTION OF SUPPORT NYS PROPERTY TAXPAYERS PROTECTION ACT

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

WHEREAS, the tremendously high property tax burden on New York families and businesses is the number one issue facing our community today, and the sheer cost of living in New York has forced many residents and businesses to leave, thus slowing the economic engine of the state; and

WHEREAS, young people are finding it difficult to purchase homes, seniors are struggling to maintain their homes, and businesses are facing immense challenges to create and retain jobs; and

WHEREAS, New Yorkers face the highest property taxes in the nation and when measured as a percentage of home value, nine of the top ten property tax rates in the entire country belong to counties in New York; and the State must act now to thwart the detrimental effects that high property taxes are having on local governments; and

WHEREAS, Assembly Minority conference members have introduced the "New York State Property Taxpayers Protection Act: (Assembly Bill 8775-A) which puts forth new and innovative ideas for property tax reform that limit the amount school districts can raise annually through local tax levies to four per cent or the rate of inflation, whichever is less. In addition the Act would relieve municipalities and school districts of unfunded mandates, reduce county Medicaid costs, strengthen financial accountability over school tax dollars, promote local government efficiency and encourage local option insurance pooling; and

WHEREAS, the "New York State Property Taxpayers Protection Act" will help fix New York's broken property tax system, providing homeowners, businesses and municipalities significant and lasting relief from the crushing burden of skyrocketing property taxes; and

NOW, THEREFORE, BE IT RESOLVED, that this Legislative Body pause in its deliberations to acknowledge New York State's property tax crisis and urge the immediate passage and chaptering of the "New York State Property Taxpayers Protection Act" which will help local governments reinvigorate New York's economy by providing incentives for people and businesses to move and stay here; and

BE IT FURTHER RESOLVED, that a copy of this resolution, suitably engrossed, be transmitted to the Governor of the State of New York, the Temporary President of the New York State senate, the Speaker of the new York State Assembly and to each member of the New York State Legislature.

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 February be approved.

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 at 8:30 pm.

Respectfully submitted,

Susan C. Roberts
Town Clerk