

PERINTON TOWN BOARD MEETING  
1350 Turk Hill Road, Fairport, NY 14450  
Wednesday, May 14, 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; James A. Donahue, Commissioner, Recreation & Parks; Susan C. Roberts, Town Clerk; Karen L. Heim, Deputy 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 meeting of April 23, 2008 be approved as submitted by the Town Clerk.

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

ORDER FOR HEARING  
EXTENSION #48 TO  
PERINTON CONSOLIDATED SEWER DISTRICT #8  
STONE BROOK

Commissioner Beck reviewed the plans for the sewer extension to a portion of the Stone Brook development. A petition for the creation of the extension was submitted by A. D. Longwell, developer of the project, who will construct and finance the extension.

TOWN OF PERINTON MONROE COUNTY NEW YORK

In the Matter of the Establishment of  
EXTENSION No. 48 to PERINTON  
CONSOLIDATED SEWER DISTRICT No. 8      ORDER FOR HEARING  
(Stone Brook)

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At a regular meeting of the Town Board of the Town of Perinton, held at the Town Hall, 1350 Turk Hill Road, Fairport, New York, on May 14, 2008 at 8 p.m., local time, there were

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

ABSENT: None

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

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

WHEREAS, a written Petition, dated May 13, 2008, has been presented and filed with the Town Board, requesting the establishment of Extension No. 48 to Perinton Consolidated Sewer District No. 8 to include the area described in said Petition as hereinafter set forth signed by the owners of taxable property situate in the proposed Extension.

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

WHEREAS, the area proposed to be established as Extension No. 48 to Perinton Consolidated Sewer District No. 8 is described in said Petition as follows:

ALL THAT TRACT OR PARCEL OF LAND, containing 5.241 acres more or less, situate in the Phelps and Gorham Purchase, Township 12, Range 4, Town Lots 23 & 26, Town of Perinton, County of Monroe, and State of New York, as shown on the drawing entitled "Stonebrook, Sewer District Extension No. 48, to Consolidated Sewer District No. 8, "prepared by BME Associates, having drawing number 2125-31, last revised April 10, 2008, being more particularly bounded and described as follows:

Commencing at a point, said point being the intersection of the southerly boundary line of lands now or formerly of Michael S. Root and Tracie Comstock (T.A. No. 180.02-01-09) with easterly boundary line of Thayer Road (49.5' Right-of-Way); thence

A. N89 20'30"E, along said southerly boundary line of lands of Root/Comstock, a distance of 145.88 feet to a point at the southeasterly boundary corner thereof, said point also being the Point of Beginning; thence

1. N00 01'34"W, along the easterly boundary line of said lands of Root/Comstock and along the easterly boundary line of lands now or formerly of Calvin Leiston (T.A. No. 180.02-01-10) and Albert H. and Lavilla A. Underhill (T.A. No. 180.02-01-11), a distance of 359.48 feet to a point on a southerly boundary line of said lands of Underhill; thence

2. N89 12'26"E, along said southerly boundary line of lands of Underhill, a distance of 102.33 feet to a point at the most northerly southeasterly boundary corner thereof; thence

3. N00°14'53"W, along the easterly boundary line of said lands of Underhill and along the easterly boundary line of lands now or formerly of Lyle E. and Janette Notebaert (T.A. No. 180.02-01-14), a distance of 242.64 feet to a point on the southerly right-of-way line of New York State Route 31 (Pittsford-Palmyra Road)(Right-of-Way width varies); thence

4. S86 44'58"E, along said southerly right-of-way line of New York State Route 31, a distance of 190.22 feet to point on the westerly boundary line of lands now or formerly of James A. and Kayla M. Biltucci (T.A. No. 180.02-01-15); thence

5. S01°55'41"W, along said westerly boundary line of lands of Biltucci, a distance of 146.78 feet to a point on the southwesterly boundary corner thereof; thence

6. S83 44'53"E, along the southerly boundary line of said lands of Biltucci, a distance of 180.08 feet to a point at the southeasterly boundary corner thereof; thence

7. N00°30'53"W, along the easterly boundary line of said lands of Biltucci, a distance of 30.81 feet to point; thence

8. N89°25'54"E along a southeasterly boundary line of lands of Biltucci, a distance of 4.99 feet to a point on a westerly boundary line of lands now or formerly of Amerada Hess Corporation (T.A. No. 180.02-01-16); thence

9. S01°05'54"E, along said westerly boundary line of Amerada Hess Corporation and along the westerly boundary line of lands now or formerly of Despatch Properties Inc. (T.A. No. 180.02-01-17), a distance of 451.88 feet to a point on the northerly boundary line of Consolidated Sewer District No. 8, Extension No. 8; thence

10. S89°20'30"W, along said northerly boundary line of Consolidated Sewer District No. 8, Extension No. 11, a distance of 478.50 feet to the Point of Beginning.

The foregoing described land is shown on a map entitled "Stonebrook", dated October, 2006, made by BME Associates, competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Extension No. 48 with existing sanitary sewers belonging to Perinton Consolidated Sewer District No. 8 and indicating the transmission of said sewage through existing mains to the Irondequoit Interceptor sewer for transmission to the Van Lare Sewage Treatment Plant which is operated by the Monroe County Pure Waters Agency. There is an existing contract between the Town of Perinton and the Monroe County Pure Waters Agency for transmission and treatment of sewage.

NOW THEREFORE, it is hereby:

ORDERED FIRST, that the Town Board of the Town of Perinton shall convene at the Town Hall, 1350 Turk Hill Road in the Town of Perinton, New York, on June 11, 2008 at 8:00 p.m., local time, to consider the aforesaid Petition and to hear all persons interested in the subject thereof concerning the same, and it is further

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

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

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved.

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

ORDER FOR HEARING  
EXTENSION #54 TO  
PERINTON CONSOLIDATED SEWER DISTRICT #8  
THE ESTATES AT WINDCHASE

Commissioner Beck reviewed the plans for the sewer extension at The Estates at Windchase. A petition for the creation of the extension was submitted by DiRisio Builders, developer of the project, which will construct and finance the extension.

TOWN OF PERINTON MONROE COUNTY NEW YORK

In the Matter of the Establishment of  
EXTENSION No. 54 to PERINTON

CONSOLIDATED SEWER DISTRICT No. 8

ORDER FOR HEARING

(The Estates at Windchase)

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At a regular meeting of the Town Board of the Town of Perinton, held at the Town Hall, 1350 Turk Hill Road, Fairport, New York, on May 14, 2008 at 8 p.m., local time, there were

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

ABSENT: None

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

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

WHEREAS, a written Petition, dated May 13, 2008, has been presented and filed with the Town Board, requesting the establishment of Extension No. 54 to Perinton Consolidated Sewer District No. 8 to include the area described in said Petition as hereinafter set forth signed by the owners of taxable property situate in the proposed Extension.

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

WHEREAS, the area proposed to be established as Extension No. 54 to Perinton Consolidated Sewer District No. 8 is described in said Petition as follows:

ALL THAT TRACT OR PARCEL OF LAND, containing 16.837 acres more or less, situate in the Phelps and Gorham Purchase, Township 12, Range 4, Town Lot 19, Town of Perinton, County of Monroe, and State of New York, as shown on the drawing entitled "The Estates at Windchase, Sewer District Extension No. 54 To Consolidated Sewer District No. 8," prepared by BME Associates, having drawing number 2209-13, last revised April 8, 2008, being more particularly bounded and described as follows:

Commencing at a point at the intersection of the westerly boundary line of lands of Thomas Park Subdivision, as filed at the Monroe County Clerk's Office in Liber 307 of Maps, Page 63, with the northerly right-of-way line of Whitney Road East (County Road 17)(66' Right-of-Way); thence

A. S88 21'46"W, along said northerly right-of-way line of Whitney Road East, a distance of 251.37 feet to the Point of Beginning; thence

1. S88 08'35"W, continuing along said northerly right-of-way line of Whitney Road East, a distance of 291.91 feet to a point of cusp on the westerly right-of-way line of Windchase Rise (60' Right-of-Way); thence

2. Northeasterly, along said westerly right-of-way line of Windchase Rise and along the arc of a curve to the left, having a radius of 30.00 feet and a chord bearing of N43 08'35"E, a distance of 47.12 to a point of tangency; thence

3. N01°51'25"W, continuing along said westerly right-of-way line of Windchase Rise, a distance of 120.00 feet to a point on the southerly boundary line of Lot 15; thence

4. S88 08'35"W, along said southerly boundary line of Lot 15, a distance of 549.37 feet to a point on the easterly boundary line of lands of County Clare Subdivision, Section 6, as filed at the Monroe County Clerk's Office in Liber 321 of Maps, Page 25.

5. N01°02'07"W, along said easterly boundary line of lands of County Clare Subdivision, Section 6, a distance of 723.10 feet to a point on the southerly boundary line

of lands of County Clare Subdivision, Section 4, as filed at the Monroe County Clerk's Office in Liber 244 of Maps, Page 26; thence

6. N88 34'43"E, along said southerly boundary line of lands of County Clare Subdivision, Section 4, a distance of 1,051.88 feet to a point on the aforementioned westerly boundary line of lands of Thomas Park Subdivision; thence
7. S01°53'09"E, along said westerly boundary line of lands of Thomas Park Subdivision, a distance of 452.00 feet at the northeasterly boundary corner of Lot 16 of the Estates at Windchase; thence
8. S88°21'46"W along the northerly boundary line of said Lot 16, a distance of 251.37 feet to a point at the northwesterly boundary corner thereof; thence
9. S01°53'09"E, along the easterly boundary line of said Lot 16, a distance of 414.00 feet to the Point of Beginning.

The foregoing described land is shown on a map entitled "The Estates at Windchase", dated April, 2007, made by BME Associates, competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Extension No. 54 with existing sanitary sewers belonging to Perinton Consolidated Sewer District No. 8 and indicating the transmission of said sewage through existing mains to the Irondequoit Interceptor sewer for transmission to the Van Lare Sewage Treatment Plant which is operated by the Monroe County Pure Waters Agency. There is an existing contract between the Town of Perinton and the Monroe County Pure Waters Agency for transmission and treatment of sewage.

NOW THEREFORE, it is hereby:

ORDERED FIRST, that the Town Board of the Town of Perinton shall convene at the Town Hall, 1350 Turk Hill Road in the Town of Perinton, New York, on June 11, 2008 at 8:00 p.m., local time, to consider the aforesaid Petition and to hear all persons interested in the subject thereof concerning the same, and it is further

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

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

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

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

#### APPROVE CONTRACT WITH STUART BROWN: TURK HILL SIDEWALKS

Commissioner Beck reported that the federally funded Transportation Enhancements Program (TEP) is currently accepting applications for the 2008 funding cycle. A \$1,500,000 TEP grant, awarded to the Town of Perinton in 2006, will fund construction of the pedestrian bridge over the Erie Canal from the RS&E hike/bikeway to the towpath along Cobb's Lane. Commissioner Beck would like to apply for a 2008 grant to fund sidewalk construction along Turk Hill Road.

The sidewalk would be constructed on both sides of Turk Hill Road. It would extend south from Summit Street to the traffic signal located at the entrance to the Town Hall/Community Center complex. The estimated cost of construction is \$1,200,000. The estimate includes design, construction, inspection and easement acquisition. TEP funding would be for 85 % - 95% of the total project cost.

The grant application is due by June 27, 2008. Commissioner Beck would like to hire Stuart Brown, of Stuart I. Brown Associates, to prepare the grant application (Mr. Brown prepared the successful 2006 grant application). The cost to prepare the application would be \$5,000. The Commissioner asked the Board to approve the contract with Mr. Brown.

A motion was made by Councilperson Saum, seconded by Councilperson Knapp, that the Supervisor be authorized to sign a contract with Stuart Brown Associates, at a cost not to exceed \$5,000, for preparation of 2008 TEP application to fund construction of a sidewalk along a portion of Turk Hill Road.

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

#### APPROVE SALARY ADJUSTMENT

Recreation & Parks Commissioner James Donahue said that Gerry Wesche joined the Recreation & Parks Department in October 2007. He has proven an exemplary employee. Commissioner Donahue recommended a salary increase for Mr. Wesche, effective May 19, 2008.

Councilperson Glossner made a motion, seconded by Councilperson Saum, that Gerry Wesche receive a pay increase effective May 19, 2008 to \$20.46 per hour.

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

#### APPROVE CERTIFICATE OF AMENDMENT TO INCORPORATION PAPERS BUSHNELL'S BASIN FIRE ASSOCIATION

Town Clerk Susan Roberts said that the Bushnell's Basin Fire Association has recently amended its Incorporation Papers to reflect operation boundary changes made by the Perinton Town Board in 1983 and 1991. Town Board approval is necessary before the Certificate of Amendment to the Incorporation Papers can be filed. She asked the Board for that approval.

Councilperson Knapp made a motion, seconded by Councilperson Saum, that the Board approve the filing of the Certificate of Amendment to the Incorporation Papers for the Bushnell's Basin Fire Association reflecting boundary changes made to the fire district territory in 1983 and 1991.

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

#### DECLARATION: UNSAFE BUILDING 245 AYRAULT ROAD

Building Director Copp stated that a vacant building at 245 Ayrault Road, tax account # 165.14-2-15, has been determined to be unsafe. It has lapsed into a state of gross disrepair over the last several years. The rear porch and roof over the kitchen area of the building have collapsed and the building is open to the elements. The roof over the front portion of the building leaks; the roof structure appears to be in danger of collapse. The gutters are falling off or sagging from the weight of debris; the yard is littered with debris, yard equipment and bags of trash.

Mr. Copp presented the Board with photographs showing the physical condition of the house.

The purported owner of the building is deceased; Mr. Copp has contacted the attorney for the estate to see if the estate could take corrective action, but that is not possible.

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 demolition of the building.

A motion was made by Councilperson Glossner, seconded by Councilperson LaFay, that June 11, 2008 be set as the date for a hearing before the Town Board regarding the unsafe nature of the property at 245 Ayrault Road, tax account # 165.14-2-15.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

#### DECLARATION: UNSAFE BUILDING 86 MIDVALE DRIVE

Building Director Copp stated that a vacant building at 86 Midvale Drive, tax account # 152.06-1-8, suffered substantial structural fire damage in June 2007. The roof was burned off the rear single-story portion of the building, the exterior walls of the rear portion of the building were substantially burned away and the interior of that portion of the building was destroyed. The fire extended into the rear of the second floor of the building, heavily damaging the roof, exterior walls and interior walls. The roof is open to the elements and the building is rapidly deteriorating. It has been determined to be unsafe.

Mr. Copp presented the Board with photographs showing the physical condition of the house. He said that, over the past year, efforts to have the property repaired have been unsuccessful. On a recent visit the house was open and unsecured.

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 demolition of the building.

Robert O'Connell, Esq. appeared for the owner, Robert Elliott. He said that Mr. Elliott has had contact with a contractor who has inspected the house and determined that the first floor can be salvaged. He asked the Board to wait until its next meeting, May 28, 2008, to set a date for a Public Hearing regarding this property.

Attorney Place said that the Public Hearing date would be in one month; the owner would have that time to show a good-faith attempt to correct the existing problems. The Town would prefer the work be done by the owner. If it was determined that work was progressing the Public Hearing could be cancelled.

Supervisor Smith said that the problem has existed for a year; the Board needed to consider the welfare of the other residents of the community.

A motion was made by Councilperson LaFay, seconded by Councilperson Saum, that June 11, 2008 be set as the date for a hearing before the Town Board regarding the unsafe nature of the property at 86 Midvale Drive , tax account # 152.06-1-8.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

APPROVE ACQUISITION OF RADIOS AND PAGERS  
DPW AND RECREATION & PARKS DEPARTMENT

Commissioner Beck said that the FCC, licensing agency for all two-way radio operations in the US, has mandated the move to half-band frequencies. This move will open more frequencies to both public and private agencies. The Town radio licenses, which were renewed in 2006, comply with the half-band frequencies. The half-band frequency will provide better communications and will eliminate dead spots in transmission capabilities.

Commissioner Beck said that the next step in this process is to update the Town's radio system to be compliant with the license. The radio system upgrade must be completed by the end of 2008 or the Town will lose its license and its frequencies. The upgrade would include radios for all Public Works vehicles, including the Sewer Department, Highway Department, the Building Department and Animal Control.

The necessary equipment is available from Flower City Communications through a Monroe County contract which was let for bid in 2007. That contract will expire in June; any new contract will probably show a significant price increase. The total projected cost, under the current contract, is \$62,000.

Commissioner Beck recommended the Board approve the purchase of the new radio system because:

1. The Town has acquired the new half band license, which will expire at the end of 2008.
2. The Town has the ability to institute a new radio system at the lowest cost that will be available for quite some time.
3. A new system will provide a reliable communications system during winter months or during emergencies.

Commissioner Beck asked the Board to approve the purchase of the new equipment and authorize the expenditure of up to \$70,000 for new equipment, installation and reprogramming of existing compliant equipment.

Commissioner Beck also said that the Town of Perinton uses the Monroe County paging system. The County is building a new paging system. At present 80% of the infrastructure is complete; the system is up and operating. The majority of County users have switched to the new system, including fire services. The County has recommended that the Town of Perinton switch as well. If the Town does not switch to the new County system it will be necessary to find a third party vendor to supply the paging system. The Commissioner believes that the County system is more reliable and more cost-effective than a third-party system would be.

The Town uses about 75 pagers: four in the Building Department, twelve in the Sewer Department, five in the Parks Department, 50 in the Highway Department and four in reserve. The pagers are used to call employees in to work in the winter or to contact them during an emergency.

The Town needs to replace the existing pagers with upgraded pagers. These could be obtained through a Monroe County contract. The Town would own the pagers and would be responsible for their upkeep. There would be an ongoing fee of \$6 per pager per month to use the County paging system.

Commissioner Beck asked the Board to approve the switch to the new County system. The expenditure for the acquisition of new pagers is already budgeted.

Parks & Recreation Commissioner Donahue said that the Recreation and Parks Department will also need to replace its pagers and radios. The pager replacement has been included in the figures submitted by Commissioner Beck. He said that the Recreation & Parks Department needs to switch to the new half band technology and will need to replace the base radios, antenna, mobile radios and portable radios. The cost of \$22,624, for the base station, portable radios, antenna system, desktop remotes, mobile radios, control station and installation has already been budgeted.

Councilperson LaFay made a motion, seconded by Councilperson Glossner, that the Supervisor be authorized to sign the contracts for the replacement of current radios and pagers, that the above expenditures for radios be approved and that the 2008 budget be amended by increasing the Sales Tax Revenue and Building Department Equipment lines by \$7,700, increasing the Sewer Equipment line by \$12,600, reducing the Unappropriated Fund Balance by \$12,600, increasing Refuse and Garbage Charges and increasing Highway Garage Equipment by \$49,700.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

#### AWARD BID NATURAL GAS EMERGENCY GENERATOR

Commissioner Beck said that, on May 2, 2008, bids were opened for a Natural Gas Emergency Generator. The generator, which will be paid for by the developer of the Aldrich Glen subdivision, will be installed at the Avian Landing Pump Station and will be used should there be a power failure at the pump station. Only one bid was received, from Cummins Northeast, in the amount of \$16,005.00 dollars.

The bid was let with two options: Option 1 was to extend the manufacturer's warranty to a 5 year term. Option 2 was for a quiet running package. The cost for Option 1 was \$500; the cost for Option 2 was \$3,000.

Commissioner Beck recommended the Board accept the Cummins Northeast bid. It was only 2% higher than the cost of the last generator, purchased in 2006, and he believed it was competitive. He also recommended purchasing Option 1 but not Option 2.

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that the Commissioner be authorized to accept the bid for a Cummins GGFD 10TCP natural gas generator from Cummins Northeast, 3495 Winton Place, Building D, Suite #2, Rochester, NY 14623 at a cost of \$16,005.00 and that Option 1, extending the warranty to five years, be accepted for a cost of \$500.00.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

#### APPROVE STORM SEWER MAINTENANCE AGREEMENT NEW YORK STATE DEPARTMENT OF TRANSPORTATION RTE 31 STORM SEWER

Commissioner Beck said that a storm sewer line will be constructed by A. D. Longwell as part of the construction of the Stone Brook subdivision. The sewer will carry storm water run off from a detention pond in the Stone Brook development to a discharge point at a stream that runs beneath Rte 31. The line will be owned and maintained by the Town of Perinton.

A short portion of that sewer will be located in the Rte 31 right-of-way. Therefore, NYSDOT requires a maintenance agreement to cover the repair and maintenance of the pipe. He asked the Board to authorized the Supervisor to sign the agreement.

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

WHEREAS, A. D. Longwell and the Town of Perinton propose to construct an enclosed drainage system along the south side of State Rte 31, beginning at approximately 400' east of Thayer Road and extending 250' easterly, in the Town of Perinton, as shown on the approved NYS Highway Work Permit plans, prepared by BME Associates and dated 4/16/2008, and

WHEREAS, the State of New York will only allow the enclosed drainage system to be constructed within the State highway right-of-way if the Town of Perinton accepts responsibility for all maintenance and repairs.

NOW, THEREFORE, BE IT RESOLVED:

That upon construction of the enclosed drainage system, the Town of Perinton agrees to maintain and repair the enclosed drainage system.

That this resolution shall take effect immediately.

That the Town Clerk is hereby directed to transmit five certified copies of the foregoing resolution to Larry Sherman, Director of Operations, NYSDOT, 1530 Jefferson Road, Rochester, NY 14623

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

#### APPROVE VIDEO EQUIPMENT UPGRADE PERINTON COMMUNITY CENTER

Commissioner Donahue said that the security system installed in the Community Center in 1997 has not been upgraded since 2004. He has reviewed community center security concerns with three security companies to determine the best way to provide the desired coverage. The recommendations are to upgrade one camera, add six more cameras at critical locations in the community center and pool area and purchase a new central processing unit which would be able to tape seven days of activity, download videos and photos, print photos and provide full network access. He has reviewed quotes from all three security companies and recommended that the Board approve spending \$8,600 to purchase the equipment from Action Security Alarms. The cost will be covered by the current Community Center equipment budget.

Councilperson Knapp made a motion, seconded by Councilperson Saum, that the Commissioner of Recreation and Parks be authorized to purchase upgraded security equipment for the Community Center from Action Security Alarms, 31 Richmond Street, Rochester, NY in the amount of \$8,600.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

TERMINATION OF RESTRICTIVE COVENANTS  
VINECREST ESTATES SUBDIVISION

Attorney Place said that, in 2000, the Town was granted a restrictive covenant on Lot 512 of the Vinecrest Estates Subdivision, Section 5. Lot 512 has since been subdivided into Lots 514 and BR-510. He asked the Board to terminate the earlier restrictive covenant and replace it with a perpetual restrictive covenant for conservation purposes. The new covenant would establish the area as LDD because of its topographical interest and existing natural conditions of slopes, trees, brush undergrowth and wetlands and would restrict the LDD area from development of any kind, including the clearing or removal of vegetation, excavations, leveling of property, or removal of dead trees and vegetation except on previously established trails.

A motion was made by Councilperson Glossner, seconded by Councilperson Saum, that the existing restrictive covenant on Lot 512 of the Vinecrest Estates Subdivision, Section 5, be terminated and replaced with perpetual restrictive conservation covenants for new Lots 514 and BR-510.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

HIGHWAY DEDICATION DEED  
NATIONAL GRID  
JANDERS RUN SUBDIVISION

Attorney Place said that Tomax Homes Inc. is proposing construction of a subdivision east of Turk Hill Road, south of Pebble Hill Road. A proposed road, Janders Run, would cross lands owned by National Grid and used as a utility transmission corridor. National Grid is willing to convey to Tomax Homes the right to use the land for a public highway, including associated public utilities, if the Perinton Town Board formally accepts the agreement and ensures that National Grid will not be specially assessed nor taxed for the cost of installation of pavement, curbing, sidewalks, utilities and other improvements.

Councilperson Knapp made a motion, seconded by Councilperson Saum, that the Board accept the Highway Deed of Dedication for Janders Run as proposed by National Grid and that the Board affirm that National Grid will not be specially assessed nor taxed for the cost of installation of pavement, curbing, sidewalks, utilities and other improvements.

Ayes: Smith, Knapp, Glossner, Saum, LaFay

Nays: None

Unanimously approved

UNSAFE BUILDING UPDATES

Supervisor Smith asked Building Director Copp for an update on the condition of two previously declared unsafe buildings, a barn at 1710 Ayrault Road and a house at 120 Midvale Drive.

Mr. Copp said that the barn has been demolished by the owner, the debris removed and the site graded. He said that the unsafe portions of the house at 120 Midvale Drive were removed at Town expense. Those expenses will be levied on the owner's 2009 Town tax bill.

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 April 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 8:50 pm.

Respectfully submitted,

Susan C. Roberts  
Town Clerk