

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, February 11, 2009

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; Nicholas Morabito, Assessor; Jennifer A. West, Town Clerk; Carol S. Johnston, 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 January 28, 2009 be approved as submitted by the Town Clerk.

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

PUBLIC HEARING
CONSERVATION EASEMENTS 2009

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 Fairport East Rochester Post on January 28, 2009; affidavit of posting was also January 28, 2009.

Nicholas Morabito, Assessor, reported that open space preservation has been an objective of Perinton Town government for many years. In the 1970's the town developed a Conservation Easement program that assisted in retention of open space. The easement program allows property owners to enter into a legal agreement or easement with the Town. In return for entering into this agreement, the Town grants a tax abatement to the parcel under easement. The agreement states that the property owner agrees to retain the present use of their land for a term of at least five years. Longer terms are available and encouraged and provide a greater tax incentive for the property owner. In the event that an easement is broken, or requested to be cancelled, before the term expires, the property owner is required to pay back up to five years of tax benefits they received as well as a penalty. The penalty monies are placed in a reserve fund for the acquisition of open space.

These funds have assisted the Town in acquiring over six hundred acres of open space land over past years. There are two types of easements, the Conservation Easement previously described and a Conservation Easement for farming purposes. The conservation with farming easement carries the same conditions as well as the requirement that the property be actively farmed. Over the past thirty years, as many as one hundred fifty nine parcels and over six thousand acres of land have been involved in the easement program. In 2008, there were one hundred five conservation easements encumbering over three thousand two hundred twenty-two acres of land. This represents approximately 14.3 percent of the Town's total acreage.

There are seven easements, thirteen total parcels due to expire on March 1, 2009. Assessor Morabito said that all of the proposed easements have received favorable recommendations by the Perinton Conservation Board as well as the Monroe County Planning Department. He pointed to a Town map which highlights properties currently

involved in the conservation easement program. The parcels in dark green are current conservation easements and those in light green areas are existing farming easements.

Judy McNulty, 647 Thayer Road asked about the Kitka property. She wanted to know how many acres are on Thayer Road and how many are on Bluhm Road. Assessor Morabito stated that 4.83 acres are on Thayer and 5.00 are on Bluhm. Both of these are vacant parcels. Supervisor Smith stated that Mr. Kitka owns two lots on Bluhm road, and that one has his home on it.

Jan Fiore, 3 Peppermill, asked about the property adjacent to her property, which is highlighted in blue on the map. This is a renewal of a farming easement and the land that is able to be farmed, is farmed.

Assessor Morabito asked the Board to accept the following proposed easements:

<u>Tax Map Acct #</u>	<u>Owner/Property Location</u>	<u>Acres</u>	<u>School/Yrs/Type</u>
141.03-1-12.11	Lucy Bortle	1.83	Penfield/5/Farming
141.03-1-12.12	959 Furman Road	11.15	Penfield/5/Farming
141.03-1-12.13	Fairport, NY 14450	11.65	Fairport/5/Farming
141.03-1-12.16		.50	Penfield/5/Farming
141.03-1-12.17		11.93	Fairport/5/Farming
141.03-1-9.11	Leonard Gingello, Jr 249 County Line Road Macedon, NY 14502	33.26	Penfield/15/Conservation
141.03-1-14.11	Mary J DeLucia Trust 765 Furman Road Fairport, NY 14450	7.60	Penfield/5/Farming
141.03-1-12.14	Victor and Ruth Osborne	8.14	Fairport/5/Farming
141.03-1-12.15	2493 Penfield Road Fairport, NY 14450	8.40	Fairport/5/Farming
166.06-3-60	Sandra M Hewes Trust and Mary Hewes 1329 Turk Hill Road Fairport, NY 14450	38.00	Fairport/5/Farming
180.04-1-37	John and Karen Kitka	4.83	Fairport/7/Conservation
180.04-1-60	324 Bluhm Rd 570 Thayer Rd Fairport, NY 14450	5.00	Fairport/7/Conservation
180.04-1-71.11	Carol Wohlrab 719 Thayer Road Fairport, NY 14450	19.35	Fairport/5/Conservation

There being no further questions or comments from the audience, and all those wishing to be heard having been heard, the Public Hearing was closed.

A motion was made by Councilperson LaFay, seconded by Councilperson Saum, that the acceptance of the above 2009 Conservation Easements be granted a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) because granting the easements preserves open space, limits development and therefore creates no adverse environmental impacts.

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

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

RESOLVED: that the Town Board of the Town of Perinton does hereby accept and authorize the Supervisor to sign on behalf of the Town of Perinton the Conservation Easements as presented by Assessor Morabito.

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

APPROVE CHANGES TO THE MEMBERSHIP OF THE EGYPT FIRE ASSOCIATION

A motion was made by Councilperson Saum, seconded by Councilperson LaFay, that the following changes in the membership of the Egypt Fire Association be approved:

Active Firefighter	Dale Platteter
	165 Bent Oak Trail
	Fairport, NY 14450

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 January, 2009 be approved.

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

Supervisor Smith asked if there were any questions or comments from the audience. Judy McNulty, 647 Thayer Road, expressed her disappointment that she observed a flashing neon sign in a historic district. She stated that this is in the computer building just west of Charlie Frenzel's restaurant. Supervisor Smith replied that he would look into this tomorrow and said that he knows that these signs usually have settings on them and can be set to not flash.

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,

Jennifer A. West
Town Clerk