

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, July 8, 2009

PRESENT:	James E. Smith	Supervisor
	Patricia S. Knapp	Councilperson
	Carolyn H. Saum	Councilperson
	Joseph H. LaFay	Councilperson
	Peg S. Havens	Councilperson

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; James A. Donahue, Commissioner of Recreation and Parks; Jennifer A. West, Town Clerk; Michael Doser, Director of Code Enforcement/Development; Stacey Estrich, Director of Parks; Chris Fredette, Conservation Board.

Supervisor Smith called the meeting to order at 8:00 pm and introduced the Board and staff present.

Councilperson Havens made a motion, seconded by Councilperson Saum, that the minutes of the Town Board meeting of June 24, 2009 be approved as submitted by the Town Clerk.

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

AUTHORIZE SUPERVISOR TO SIGN AND SUBMIT APPLICATION
SPRING LAKE PARK TRAIL STABILIZATION PROJECT

Commissioner of Recreation and Parks Donahue introduced Stacey Estrich, Parks Director and Abigail Istvan, Park staff intern and graduate student at Michigan State University. Ms. Estrich and Ms. Istvan have previously provided a report to the Recreation and Parks Advisory Board regarding the stabilization of the creek bank at Spring Lake Park. In order to proceed to the next step, the Town needs the New York State Department of Environmental Conservation (NYSDEC) approval. Ms. Istvan provided an overview of the project, which she is doing as part of her schoolwork. She stated that when she started with the Town in May of 2009 it was brought to her attention that there was an environmental concern at Spring Lake Park with eroding bank sides. In addition to stabilizing the banks, the project includes a nature walk designed for middle school to high school students which is aligned with New York State standards. This information will also be available on the Town's website for all residents to use and learn about environmental impacts in the Town.

Preliminary costs for the project total \$8,000 for materials. Labor will be provided by park staff. The park staff is also pursuing a Monroe County Storm Water Coalition grant to match funds plus the use of community volunteers and donations. The needed funds for the project will come from the Special Recreation Fund.

Councilperson Knapp asked Ms. Istvan when she expected the project to be completed. Ms. Istvan explained that getting the application to the NYSDEC as soon as possible would be the starting point and then the project will evolve in two additional phases. In the fall of 2009, transplanting of vegetation would occur to close off smaller areas to erosion. In the Spring of 2010, mulch netting would be installed to also help mitigate the erosion. Supervisor Smith asked if alternate paths would be available to people using this park. Ms. Istvan explained that there will still be access to the Crescent Trail, not all of the areas will be closed off during the erosion work and that there would access to the bankside.

A woman in the audience asked if Ms. Istvan would be here to see the project to fruition and Ms. Istvan stated that she would be going back to school and Ms. Estrich would then handle the project.

Councilperson LaFay made a motion, seconded by Councilperson Saum to approve the application to the NYSDEC and to approve the spending of \$8000 from the Special Recreation Fund for the Spring Lake Park Trail Stabilization Project.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

PUBLIC HEARING
LIMITED DEVELOPMENT DISTRICT
SPECIAL USE PERMIT
666 WHITNEY ROAD
(Tax account numbers 157.07-1-20 and 157.07-1-21)

Supervisor Smith reviewed the fact that the Town Board held a Public Hearing on May 27, 2009 on this matter. At the end of the Public Hearing the matter was referred to the Conservation Board and the Planning Board and shortly thereafter, a number of the neighbors met with the Supervisor and expressed the fact that some did not know of the Public Hearing and wished to have input regarding the project. Supervisor Smith encouraged those interested to attend the Conservation Board and Planning Board meetings. The Town Board is a representative Board and as such their job is to listen to those that they represent. To that end, the Town Board scheduled a second Public Hearing for tonight, July 8, 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 June 24, 2009; affidavit of posting was also June 24, 2009.

Supervisor Smith then explained the process. The Developer is to give a synopsis of the project, answer questions that the audience or Town Board may have, and then there will be an opportunity for the Board to hear from the audience. The intent is not to make a decision tonight, as the Board needs to get input back from both the Conservation and Planning Boards, have time to digest the comments from the audience and the Boards and participate in a site walk. The site walk is scheduled for July 9, 2009 meeting on Braeloch and walking through a yard to the property on Whitney Road. The developer has flagged the property so that the Board and others can see where the current proposal's components are located.

John Stapleton of Marathon Engineering began his presentation regarding the Special Use Permit by introducing Jim Taylor, President of R.J. Taylor and Move East LLC which is the sponsor of the 666 Whitney Road project. The project is located on the north side of Whitney Road, east of the O'Connor Road intersection. It is made up of two parcels, one is approximately 3.3 acres in size and currently has the vacant Rochester Telephone building and adjacent parking on it within a fenced in area. The remaining parcel is about 14.7 acres making the overall project 18 acres. Both parcels are zoned Industrial and Mr. Stapleton appeared before the Town Board to request a Special Use Permit in order to disturb an area of Town of Perinton Limited Development District (LLD). The proposal is to rehabilitate the existing building by placing a new façade on the exterior and moving the parking from the front to the side behind the front setback. The existing building is approximately 28,000 square feet. Three new buildings would be added, bringing the total project area to about 103,000 square feet. Mr. Stapleton is proposing that this project be for industrial and office support space which he believes to be a permitted use within the Town's zoning code and they are therefore not requesting any variances as he believes that they will meet all items and area requirements of the zoning code. Move East LLC plans to place buffers adjacent to lands that are residential or presently used as residential.

The topography of the site starts at Whitney Road and drops as the land goes north and falls down toward the wetland areas or Town of Perinton LDD. Mr. Stapleton pointed to a map illustrating the topography and showed that the wetlands or drainage areas continue to the east and the storm water flows in an east to west direction

through the site at 666 Whitney Road. There are about 3.4 acres of wetland on the site and Marathon Engineering has been working with the Conservation Board providing them with additional information to come up with a wetland mitigation plan that they and the Town of Perinton would be happy with. Marathon Engineering looked at options for this project. The first was to not disturb the wetland in any way, shape or form. They found, however, that they wanted to be able to take advantage of the areas between the wetlands and that it would not be economically feasible to develop the project without using that land. The second option was to minimize the disturbance and do some off-site mitigation for the wetlands. Mr. Stapleton stated that they believe that they have come up with a way to enhance the existing wetlands rather than going off-site. They believe that enhancing the on-site wetlands will have a better rate of success than trying to create a man-made facility somewhere else. Mr. Stapleton then pointed out the disturbance on the map as the three gray areas which are a total of less than .3 acres. The three wetlands were named by a wetland biologist and are referred to as "wetland A South", "wetland A North" and "wetland B". The project calls for crossing wetland A south in order to get to the useable high land. One of the buildings and the storm water management facility would be placed on that land. Wetland B is a small pocket wetland and presently accepts drainage from the existing building and the parking lot and acts as pretreatment before it drains to the larger wetland. The two wetlands that cross the site convey drainage from about 800 feet east of Lonesome Road, which is the next road to the east. Storm water travels in an east to west direction and eventually flows to Thomas Creek on to Irondequoit Creek and then on to Lake Ontario. The "fingers" pointed out on the map are critical in treating the water, both storm water quality and quantity before it gets into the larger creeks. Mr. Stapleton then pointed to another map and the areas planned for wetland creation. The areas are low and it is planned to excavate out an area at the same elevation as the existing wetland, keep any mature trees that are there and allow natural vegetation to take over. Move East is proposing .62 acres of newly created wetland, which is a two-to-one ratio from what will be disturbed. Mr. Stapleton pointed out that they have had good success with this type of wetland creation. It keeps the hydraulic characteristics of the wetland intact and allows the natural vegetation to take over.

Mr. Stapleton then enumerated the prospective benefits to the Town and to the project. The first is to increase the overall wetland on the site by about .3 acres. There would also be no change to the upland wetland or the utility corridor on the site. The existing wetlands which remain can also remain as a wildlife corridor through the site for both vegetation and wildlife migrating in an east to west direction. The storm water management facility placed on the site is not counted in the wetland mitigation and will be open water acting as pre-treatment prior to water being released into the larger wetlands. Wetland A North is a stand of hardwood trees which provides a buffer to the townhouses to the north and northwest. The current plan is to leave the vegetation as it is and to leave the buffer adjacent to the townhouse rear yards as it is.

Mr. Stapleton concluded by stating the benefits to developing a pre-developed site. They believe that this will improve the Whitney Road streetscape. The industrial and office support space will create employment within the Town. The sponsor, Move East LLC, is remediating some contamination that is on the site.

Mr. Stapleton stated that he and Mr. Taylor would be at the site walk on July 9 and that the Town's Conservation Board has provided a review letter to them, which they are in the process of addressing and hope to have their comments back to the Conservation Board later this week.

Supervisor Smith then asked the audience for questions.

Donna Cozine-Mills, 95 Lonesome Road, asked about the buffer from the fourth planned building and properties on Lonesome Road. Mr. Stapleton stated that the buffer would be about 50 feet from the edge of the property lines to the edge of the access road.

A woman in the audience asked how tall the buildings would be and if they would be "industrial" looking. Mr. Stapleton stated that there is existing vegetation along that corridor which they do not plan to disturb. The buildings would be approximately 20-25 feet in height.

A gentleman in the audience asked what the buildings would be used for and Mr. Stapleton stated that they do not know at this point but it could be any allowable use under the industrial zoning. Mr. Taylor further stated that the use would be defined by the market. He would need to find out what is allowable to be constructed on the site before he would be able to market and find potential tenants. The gentleman asked if this might include manufacturing and Supervisor Smith stated that industrial as defined by the Town Code is not what one might ordinarily think of when defining industrial. The gentleman asked if chemical manufacturing would be permitted. Supervisor Smith read the Town Code §208-40 which states “Customary and ordinary industrial uses which are conducted wholly within the enclosed walls of a building, including warehousing are permitted. Those uses of lands, building, 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”. Town Attorney Place further elaborated that generally with these types of applications, there will be constraints placed on the types of uses permitted. Supervisor Smith then stated that the audience should be sure to list those uses that the neighbors do not want in the area.

Karen Sillitoe, 8 Niblick Court, stated that she has read the Town of Perinton Master Plan and the Subarea plan for the Whitney/Baird Road area and noticed that the area behind 666 Whitney Road was recommended for planned mixed use and she is wondering why there would be industrial use allowed right up against the homes in the area.

John Fitzpatrick, 121 Lonesome Road, asked what the expected hours of operation would be in this development. Supervisor Smith asked that the audience tell the Board and developer what they would like the hours of operation to be. Town Attorney Place stated that the permit that Move East is pursuing would give them the ability to do some disturbance to the wetlands and if they get that they will ultimately need site plan approval. Many of the concerns (lighting, sound, hours of operation) would be addressed by the Planning Board at that time.

Mary Pat Cottengim, 82 Braeloch Crossing asked what the alternatives would be to disturbing the wetlands. Mr. Stapleton stated that there were several options, one would be no disturbance to the wetlands, however in order to make the project economically feasible, they would need to be able to cross the wetland to utilize the land to the rear of the property. There are no other access points to reach that land. The other option would be to purchase into a wetland bank but Mr. Stapleton does not believe that is a benefit to the Town because it creates a wetland in another drainage basin. He believes that the option to limit the disturbance and mitigate for that disturbance will actually improve the wetlands on site. Ms. Cottengim then asked when the developer would have to demonstrate to the Army Corps of Engineers that there was no other feasible alternative. Supervisor Smith stated that this would actually need to be demonstrated to the Town Board and Conservation Board. The Army Corps of Engineers would approve the delineation that will be performed in the field and also the mitigation proposed.

A man in the audience asked whether there would be any restrictions on 18 wheelers coming in to the area 24 hours a day. Supervisor Smith reiterated that the developer is now in front of the Town Board for a Special Use Permit and the Town Board has the opportunity to impose extra conditions and would like specific neighbor input as to their concerns.

A woman in the audience asked whether the Town Board had any previous experience with a situation like this with disturbance to wetlands and construction this close to homes. Supervisor Smith cited the ES&L drive-through on Moseley Road and Willowbrook Office Park south of Route 96 as examples of wetland mitigation. The proximity of residential is not the same as this proposed development.

Another gentleman in the audience, asked about the storm water drainage plan for the development. Mr. Stapleton stated that the Conservation Board has asked the developer to take a closer look at this and the developer will be meeting with the Conservation Board on this issue. Mr. Stapleton also stated that he does not believe that there will be an impact on storm drainage and they are providing storm water retention and detention to address the drainage peaks that are created by the addition of impervious areas. Supervisor Smith stated that this information would be resolved between the developer and Conservation Board before the Conservation Board gives a recommendation to the Town Board.

As a follow up, a woman in the audience asked whether the developer had pursued low impact development. The concern is over the long-term maintenance of the retention pond. Mr. Stapleton stated that there would be an association formed which would address the maintenance of the storm water management facility.

A woman in the audience asked about the use of contaminated soil as fill. Mr. Stapleton stated that the contaminated soil is currently stockpiled and is being windrowed and when it gets a clean bill of health will be used as fill under parking and driving areas.

A woman in the audience asked about the effect of the wetland mitigation on the homes and basements where there are already water issues. Mr. Stapleton stated that they will do design of the mitigation and storm drainage and that report will be reviewed by the Town for conformance to the Town standards. Supervisor Smith stated that offsite impacts of development are something that historically the Town looks at very carefully and in many instances improvement can be made as a result of the development. The woman further stated that she would like something “evidence-based” assuring that the neighbors would not be negatively impacted.

A woman in the audience asked for details on the construction of the buildings, particularly the fourth building. Mr. Stapleton stated that the buildings have not been designed. These details would need to be supplied to the Planning Board during site plan approval.

Supervisor Smith then stated that the Town Board had received two letters from residents, Mr. McCullough and Ms. Mock, both expressing concern over the development. Supervisor Smith also encouraged the audience to submit further comments to him via mail or email if they think of something after the meeting. At this point, Supervisor Smith encouraged comments from the audience.

Brenda Schoenhardt, 21 Fairvale Drive, asked for clarification on where the townhomes are relative to the two towers and Mr. Stapleton pointed out the drainage path on the map and where the townhomes are on the map.

Todd Gunther, 95 Braeloch Crossing, commented that he believes that it was a mistake to allow the development of the townhomes and a residential area and not alter the zoning of the property under discussion.

Jim Diem, 3 Feathery Circle, asked whether there has been a traffic study done on Whitney Road. Mr. Stapleton stated that there would be a study done. Mr. Diem also stated that the Army Corps of Engineers has a motto of “avoid, minimize and mitigate” and that their first action is to avoid and therefore he finds it curious that the fourth building needs to be there.

Donna and Craig Mills, 95 Lonesome Road, stated that they are not in favor of the fourth building, appreciate Mr. Taylor purchasing the property and improving the property on Whitney Road but feel that the risk to reward is not worth disturbing wetlands, wildlife and coming close to the families that currently live there.

Karen Woodruff, 96 Braeloch, stated that she believes that the neighbors would all be OK with the proposal without building four and with building the other three buildings to a height of 40 feet. She is also concerned with the retention/detention pond

being within 50 feet of the townhouses and the flooding to the North. Ms. Woodruff also reiterated the concern over traffic on both Whitney and Baird Roads. She also mentioned a concern that the developer did not walk the surrounding wetlands to see what flows in.

Tom Roberts, 85 Braeloch, stated that building the fourth building as an “island” in the wetlands will not bring in jobs and that he feels that the developer is building a manufacturing facility here due to the electric rates. He does not want to jeopardize the wetlands and watersheds for no benefit to the residents.

Mark Baniewicz, 92 Braeloch, encouraged the Town Board to have all of the answers before approving the Special Use Permit allowing wetland disturbance.

A woman in the audience challenged the board to have requirements gathering prior to approval. Supervisor Smith stated that at this point, the Town Board is mainly dealing with an environmental issue and that the Town Board looks to the Conservation Board for input as to what is happening environmentally with this proposed project. He expects that the Conservation Board will get answers to 99% of the questions before they make a recommendation back to the Town Board.

Paul Decancq, 15 Feathery Circle, stated that he attended the Planning Board meeting and when he asked the “environmentalists” their opinion; they said that they had no comment or were OK with the proposal. Chris Fredette, Conservation Board, clarified that the Conservation Board is an advisory board, makes recommendations and will do that in writing to the Town Board. Therefore, they would not normally make comments at the Planning Board meeting but were there to listen to the residents’ input.

Linda Postler, 40 Fairvale, asked Chris Fredette if the Conservation Board interviews homeowners to see if they have water problems. Ms. Postler stated that she is a developer and that she feels that retention ponds make the water problems worse.

Tim Murray, 96 Braeloch Crossing, challenged Mr. Taylor to look at alternative plans without the fourth building included.

A woman in the audience asked what exactly the Town Board would be voting on concerning this Special Use Permit. Supervisor Smith stated that the Town Board is looking at the trade off of the LDD for mitigation and additional wetlands and the ability of the developer to do that. Implicitly on the table as well is the ability to layer conditions (such as hours of operation) on top of that. Supervisor Smith also stated that the goal is to have everyone walk away with a piece of what they came for and it would be valuable to know what the residents do not want in this proposal.

It was then stated by a woman in the audience that they do not want the fourth building and do not want 24-hour operation.

Karen Sillitoe, 8 Niblick Court, stated that she would like to see the woods preserved and no impact to the wildlife currently on site.

A woman in the audience then asked Supervisor Smith to take a show-of-hands poll on issues such as operating 24/7 and the fourth building. It appeared to be unanimous that the audience did not want the fourth building. The woman also elaborated on commercial/office complex versus industrial development on the site and requested a show of hands regarding that also. Town Attorney Place reiterated that office is restricted business in the Town code and he said that the audience would probably not want some of the Commercial uses. The property is zoned industrial, which does permit office uses and does not permit commercial.

Supervisor Smith then asked the audience if they would be all right with the proposed development if the fourth building were removed from the proposal. He redefined industrial per the Town Code and said that Industrial in the Town of Perinton would be like the businesses on Perinton Parkway.

Supervisor Smith then asked for a show of hands regarding the mitigation to the wetlands and it appeared to be unanimous that the audience was against the mitigation.

John Engel, 43 Fairvale asked the Board if there was a possibility that the Town Board could disapprove the wetland mitigation Special Use Permit tonight. Supervisor Smith stated that he would prefer to see the process through and give Mr. Taylor an opportunity to reassess what his options are. The Conservation Board will continue to review the engineering and report back to the Town Board.

A woman in the audience asked about the loading docks in the renderings of the four buildings proposed by Mr. Taylor. Mr. Stapleton stated that they do not know if there would be loading docks or how many there might be at this point.

John Fitzpatrick, 121 Lonesome Road, stated that he would like no fourth building and would like the Conservation study to include looking at the inlets and discharges on the adjoining properties. He would also like to see operations limited to 8-5, some perimeter foliage added, and that the contaminated soil on the property not be used. He also stated that some of the wetland foliage has already been knocked down.

A gentleman in the audience asked when the Board might be making a decision on the Special Use Permit and Supervisor Smith said that the soonest would be two weeks from tonight, at the next Town Board meeting, but that he doubted that the Town Board would have all of the data necessary to make a decision at that time.

A woman in the audience expressed a concern over the security of the fourth building and lighting required to keep the area safe.

A woman in the audience asked if the neighbors would be notified if Mr. Taylor submits a second plan with no wetlands mitigation. Supervisor Smith stated that in that case, the matter would not come before the Town Board and that he suspected that Mr. Taylor would be going to the Planning Board for site plan approval and that that initial meeting would be a Public Hearing. Supervisor Smith also stated that the Town encourages developers to sit down with neighbors ahead of time before they even get involved in the Town's process. Supervisor Smith stated that Mr. Taylor has told him that he is more than willing to talk and dialog with neighbors.

A woman in the audience asked why the Town is allowing new development to take place when there are so many empty building in the Town. Supervisor Smith said that the Town's perspective is a global perspective in that they try to stay out of the developer's business. He said that we work in a capitalist society that measures risk and reward and it is the developer's job to make those decisions. Governmental officials are not any smarter to make those decisions for the developer and tend to stick to issues like tonight's—what is the impact to the neighborhood instead of considering whether the developer will go broke trying to build these buildings.

Mr. Taylor then stated that if there is a fourth building there may not be a demand for that building for ten years. When he acquired the property, he asked first about zoning and what use is permitted on the site. He was told Industrial but does not know what the uses might be and therefore his Engineer, Mr. Stapleton put "typical" industrial buildings on the site drawings. He then initiated the process to get a Special Use Permit for wetland mitigation to the LDD. If the Town agrees with the permit, then they would go to the Army Corps of Engineers for approval and then they would start investigating the market to see if someone would want to be located in the back of the property, away from the road with all of the security issues and drainage issues. He feels that they are just scratching the surface and getting started in the process.

A woman in the audience challenged Mr. Taylor to come up with a proposal that doesn't have as much impact on the neighbors and would still get him a strong economic prospect.

Anne Marie Sureau, 83 Braeloch, stated that she is quite sure that a large amount of clearing took place on this property last November. She wants to be sure that if no fourth building takes place, the woods will be preserved. Supervisor Smith stated that in that example it would be part of the Planning Board's site plan approval process.

A woman in the audience, living on Fairvale, stated that she had paid a premium for her home and that she was told by her real estate agent that the land behind her would be "forever wild". Mr. Taylor said that when he purchased the land on Whitney Road, he was told that it was all Industrial with no wetlands. Mr. Taylor reiterated that they are early in the process, they don't know what the buildings would be used for yet and that he also has rights as a property owner to utilize the property in the way in which it is zoned. He agreed that he wants the neighbors to be happy and reiterated that Supervisor Smith said that they would have restrictions placed on the Special Use Permits regarding loading docks, hours, etc.

Mr. Decancq, 45 Fairvale, stated that he lived in the Sherwood tract for 40 years and that the roads there were always patched, never repaved. Braeloch Crossing was paved last year and he attributed this to a good Town Supervisor and a good Town Board. He challenged the Town Board to listen to the neighbors on this Special Permit issue.

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

APPROVE PARKS PROJECT LION'S DEN TEEN CENTER ROOF

Commissioner of Recreation and Parks Donahue stated that the Lion's Den Teen Center was built by the Lion's Club in 1990. At that time, it was agreed that the Town would be responsible for operating the programs there as well as maintaining the building. Currently, the roof needs to be replaced and Commissioner Donahue is recommending that Sideline Construction be hired to tear off the existing roof and install new 30-year shingles. Sideline Construction's quote for materials and labor for the project is \$14,400. This requires a transfer of \$14,400 from the Building Improvement Capital Reserve Fund to the Recreation Fund. The Parks Repairs and Maintenance line and Parks Revenue Transfer from Other Funds lines would both be increased by \$14,400. The transfer would be subject to Permissive Referendum.

Councilperson Knapp, made a motion, seconded by Councilperson Havens to transfer \$14,400 from the Building Improvement Capital Reserve Fund to the Recreation Fund and to increase both the Parks Repairs and Maintenance and Parks Revenue Transfer from Other Funds lines both by \$14,400.

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

AUTHORIZE BID KREAG ROAD PARK PAVING

Commissioner of Parks and Recreation Jim Donahue stated that one of the 2009 goals for Parks was to look at the pavement at Kreag Road Park. It is in need of repair and Commissioner Donahue is seeking approval to bid the Kreag Road Park paving project with options with and without new curbing. Specifications outline improvements to the parking lot by overlaying the surface after milling, excavating, improving drainage, applying a tack coat and installing a top course.

A motion was made by Councilperson LaFay, seconded by Councilperson Saum, that the Commissioner of Recreation and Parks be authorized to advertise for bids for the Kreag Road Paving project.

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

AUTHORIZE BUDGET AMENDMENT
REPAIR TO PERINTON COMMUNITY CENTER SKYLIGHT

Commissioner of Recreation and Parks Donahue explained that the skylight in the entrance to the Community Center has been leaking for a few years and is in need of repair. The lowest quote for these repairs came from Finger Lakes Service Group in the amount of \$18,000. Since this is less than \$20,000 there is not a need to bid the repair.

Councilperson Knapp made a motion, seconded by Councilperson Saum to approve the repair project and to authorize the transfer of \$18,000 from the Capital Reserve Fund for Building Improvements to the Recreation Fund and to increase appropriations for the Community Center Maintenance and Repair line and Revenue line for Recreation Transfer from other funds by the same \$18,000 each.

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

The transfer would be subject to Permissive Referendum.

AUTHORIZE SUPERVISOR TO SIGN JUSTICE COURT ASSISTANCE
PROGRAM GRANT APPLICATION

Supervisor Smith stated that the Board has a memo from Court Clerk, Jan Spencer, stating that the Justice Court Assistance Program was established in 1999 to provide assistance to Town and Village Courts. The Perinton Town Court is interested in applying for a grant to purchase shelving for legal books in the law library.

Councilperson Havens made a motion, seconded by Councilperson Saum to authorize the Supervisor to sign the application for the grant.

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

APPROVE CHANGE TO THE MEMBERSHIP
OF THE BUSHNELL'S BASIN FIRE ASSOCIATION, INC.

A motion was made by Councilperson LaFay, seconded by Councilperson Knapp, that the following change in the membership of the Bushnell's Basin Fire Association, Inc. be approved:

Removed from Membership	
Resident Active Firefighter	Harry Miller
	30 Whittler's Ridge
	Pittsford, NY 14534

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

APPROVE AMENDMENT TO PUBLICITY ACCOUNT
BANNERS FOR HAMLET OF EGYPT

Supervisor Smith explained that the Board received a memo from Barb Clay, Community Services Coordinator for the Town of Perinton, regarding new banners for the Hamlet of Egypt. For the last few years, the Town has been in the process of designing new banners for both Egypt and Bushnell's Basin. New York State law allows up to \$5,000 to be spent from the Publicity Account each year without additional Board authorization. There is \$3,000 in the 2009 budget and the cost is anticipated to be \$6,107.

Councilperson Havens asked if this was a one-time increase or if this would become the policy going forward. Supervisor Smith said that it would be one time for now and that the approval would only be for this one time. The Board could budget more and would have to specifically call that out at the time.

Councilperson Knapp asked how many banners this would include and Supervisor Smith said that it would be 33 at \$179 a piece including hardware.

Judy McNulty asked about the design of the banner. Supervisor Smith said that the design was more graphic and visible with more "pop" than prior designs and that the public was welcome to come to Town hall and view the design.

Concilperson Havens made a motion, seconded by Councilperson Saum to increase the appropriations in the Publicity Account by \$3,107 to a total amount of \$6,107 and an offsetting increase in Mortgage Tax Revenue of \$3,107.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

A motion was made by Councilperson LaFay, seconded by Councilperson Saum, that the reports from the Finance Director, Town Clerk and the Building Department for the month of June 2009 be approved.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 9:45 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk