

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, August 26, 2009

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| 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; Carol Johnston, Deputy Town Clerk; Michael Doser, Director of Code Enforcement/Development; Ken Rainis, Conservation Board; Chris Fredette, Conservation Board; T. C. Lewis, Planning 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 August 12, 2009 be approved as submitted by the Town Clerk.

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

PRESENTATION
RED RIBBON CAMPAIGN

Debra Tandoi, of the Fairport/Perinton Chemical Prevention Advisory Council (CPAC), appeared before the Board. Ms. Tandoi reviewed the past year's work of CPAC. She asked the Town Board to continue supporting Red Ribbon Week, which will be held October 19 through October 25, 2009. A Red Ribbon Festival will take place at the Perinton Community Center on Sunday October 25, 2009. There will also be a community information meeting on Tuesday, October 20, 2009.

Ms. Tandoi introduced Emily McGrath, winner of the 2009 Red Ribbon logo contest, who then presented each of the Town Board members with a Red Ribbon bookmark. Supervisor Smith presented Emily with a plaque to thank her for her efforts.

A motion was made by Councilperson LaFay, seconded by Councilperson Havens, that \$1,500 be appropriated to pay for the cost of ribbons for the annual Red Ribbon Campaign.

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

PRESENTATION
WASTE MANAGEMENT ANNUAL REPORT

Conservation Board Chairman Ken Rainis explained that the Perinton Conservation Board has received a copy of the High Acres 2008/2009 Annual Progress Update, dated July 2009, and completed a review of the document. Town Board members, Planning and Zoning Chairmen, and town staff have also received a copy of this document. The public has had access to this document via the Town and Waste Management websites. The Perinton Conservation Board also heard public comment at its July 14th meeting.

Mr. Rainis then provided a status summary report of the various conditions of approval issued by the Town Board, Planning Board and Zoning Board of Appeals as part of the Phase III landfill expansion Town of Perinton permitting process. Mr. Rainis also explained that Waste Management is charged with providing annual reports to the Perinton Conservation Board (PCB) which acts as the agent of the Town Board in providing due diligence specifically regarding Part 360 standards and the ability of the applicant to provide adequate noise suppression as well as providing annual reports regarding landscaping and wetland mitigation plans.

Waste Management New York (the applicant) has recommended, and the PCB strongly supports, conducting an "all up" test of their landscaping for the landfill. The applicant has constructed an irrigation system on the landfill so that there will be a network of berms constructed with a pipe that will deliver water to tree plantings. The applicant is proposing planting 14-17 foot trees in a three hundred foot strip. The benefit is that the visual impact of these plantings will be immediate and observable by the public. This will mimic the hills in the Town of Perinton and will function to encourage habitat diversity and mimic the specific habitat currently available in the Town.

Mr. Rainis highlighted other areas of the PCB report including a 73 acre regrade (stabilized soil to vegetated green slopes), visual screening of Perinton Parkway, the storm water management program which is beginning to be realized and the incorporation of falcons to manage the presence of seagulls. Perimeter fencing, landscape irrigation and air management programs to control landfill odors are also highlighted areas of success. The High Acres Nature Area (HANA) is one of the most significant low-key events that Waste Management has participated in. The High Acres property comprises approximately 1,000 acres of diverse habitat of which approximately 440 acres are managed as wild life habitat. During 2006, High Acres received international recognition for their contributions to wildlife conservation from the Wildlife Habitat Council (WHC). In 2008, the WHC nominated High Acres for their Corporate Habitat of the Year Award. The earthen berm currently constructed along Route 31F will also help encourage a more natural environment for HANA allowing wildlife to thrive in the newly created wetlands.

Judy McNulty, 649 Thayer asked Mr. Rainis about the planting of trees on the landfill. Mr. Rainis explained that there would be plantings of six to seven "rope like" configurations of native trees and shrubs with grasslands and meadows in between. Supervisor Smith added that the long-term goal is to have the landfill look like any other hillside in the Town of Perinton with hedgerows of trees.

Councilperson Knapp made a motion, seconded by Councilperson Saum to accept the report of the Perinton Conservation Board concerning the High Acres 2008/2009 Annual Progress Update.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

Supervisor Smith thanked Chairman Rainis and the Conservation Board for their hard work.

PUBLIC HEARING
SPECIAL USE PERMIT
FAIRPORT CHRISTIAN FELLOWSHIP

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 August 19, 2009; affidavit of posting was August 20, 2009.

Elder John Marsh of the Fairport Christian Fellowship explained that the congregation has been meeting as a home Bible study for the past six months and is growing at a rate that needs a larger space. They are interested in leasing the barn building at Eagle Vale, which contains about 1950 square feet.

Councilperson Knapp asked about entrances to the building and the parking situation on site. Mr. Marsh stated that there are double door entrances on both the side and front of the building, which could access their desired space. Mr. Marsh stated that all parking on the Eagle Vale property would be available for their use due to their hours of use of the property. Councilperson Knapp also asked about the number of people in the congregation, projected membership and hours of meetings/worship. Mr. Marsh stated that there were approximately 30 members of the church at present and that they hoped to grow. He also stated that they would hold worship on Wednesday night at 7 PM and Sunday morning at 10AM with some additional music practices or men's and/or women's group meetings also held at the site. Supervisor Smith asked if all activities would be held inside and Mr. Marsh stated that they would.

Donald Dowling, 16 Alameda Drive, addressed the application. He is concerned about the traffic and noise, what type of music practice might take place with the church group and how large the congregation might get. Mr. Dowling asked if the church intended this space as their permanent home and Mr. Marsh said that it is temporary in the sense that the space is not large enough to support a large congregation, however there is a total of 8000 square feet to lease in that same building.

Town Attorney Place stated that the Special Use Permit that the church is applying for is tied to the square footage applied for and if they would like to increase the size they would have to re-apply to modify their Special Use Permit.

Eileen Dabolt, 8 Alameda Drive, reiterated the concerns of her neighbor Mr. Dowling and her concern regarding parking on Alameda Drive when the other lots at Eaglevale are full. Supervisor Smith stated that restricting the parking could be a condition of the Town Board approval.

Councilperson Knapp asked Mr. Marsh when the congregation intended to move into the space. Mr. Marsh stated that they are currently working out the lease approval and would like to be in the space by September. He understands that they also need to go through the Code Enforcement and Development Department approval process.

Mr. Dowling, 16 Alameda Drive, asked about the music involved in the church's worship services. Mr. Marsh explained that they have "acoustic worship", that it does not involve screaming guitars or a brass band, and that the music is "worshipful" in nature.

There being no additional questions, and all those wishing to be heard having been heard, the Public Hearing was closed.

Councilperson LaFay made a motion, seconded by Councilperson Saum, that the proposal to approve the Special Use Permit for Fairport Christian Fellowship at 4344 Nine Mile Point Road be given a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) because the approval of the Special Use Permit will not negatively affect the environment.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

Councilperson Havens made a motion, seconded by Councilperson Saum, that, having reviewed Section 208-54 of the Code of the Town of Perinton, the Board approve the application for a Special Use Permit to open and operate a church worship facility at 4344 Nine Mile Point Road with the following conditions:

1. The hours of operation will be from 9:30 am to 9:00 pm.
2. The Special Use Permit is for one year and will expire on August 26, 2010.
3. No parking on Alameda Drive.
4. Size of congregation be limited to 150 people.
5. Subject to inspection by the Town of Perinton Code Enforcement and Development Office.
6. Any music played would be internal to the building.

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

**AUTHORIZE DECLARATION OF SURPLUS CRACK FILL EQUIPMENT
 AUTHORIZE SALE TO TOWN OF PITTSFORD**

Commissioner of Public Works Beck stated that in the 2009 equipment budget, funds were allocated for the replacement of the 15-year-old crack fill machine. The new machine has been in use for about two months now and it is time to liquidate the old machine by declaring it as surplus.

Commissioner Beck explained that crack fill machines are specialized and therefore the Town did not want to sell it at auction or trade it in on a new purchase as neither one of the options would net the \$10,000-\$12,000 in estimated value to the Town. The Town of Pittsford contacted Commissioner Beck after delivery of our new crack fill machine and expressed an interest in our crack fill program and subsequently the purchase of the Town's old crack fill machine. The Town of Pittsford offered the Town of Perinton \$11,000 for the old machine.

Councilperson Knapp made a motion, seconded by Councilperson Saum that the Town Board declare the Highway Department's 1995 Crafc0 E-Z Pour 100D Crack Fill Machine surplus equipment and authorized its sale to the Town of Pittsford for an amount of \$11,000.

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

AUDIT APPROVED

A motion was made by Councilperson Saum, seconded by Councilperson LaFay that Audit #8 for August 2009 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

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| AUGUST AUDIT | |
| General Fund | \$69,620.82 |
| Town Outside of Village | 36,132.75 |
| Recreation | 124,261.71 |
| Highway General Repair | 560,654.73 |
| Highway Snow & Miscellaneous | 157,522.56 |
| Joint Sewer | 45,436.87 |
| Special Recreation | 3,516.80 |

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| Fairmont Hills Maintenance District | 726.00 |
| Wisteria Grove Maintenance District | 205.00 |
| Basin Canal Port | 1,808.75 |
| DPW Redevelopment | 110,058.18 |
| Trimatec Purchase | 43,618.45 |
| Pinecrest Extension | <u>507.80</u> |
| | \$1,154,070.42 Total |

The above items were numbers 75086-75358.

AUGUST MANUAL

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|---------------------------------|--------------------|
| General Fund | \$157,170.12 |
| Town Outside of Village | 3,385.40 |
| Recreation | 30,926.98 |
| Joint Sewer | 9,327.45 |
| Midlands Lighting District | 397.75 |
| Lake Lacoma Lighting District | 26.62 |
| Meadows Lighting District | 829.72 |
| Deer Run Lighting District | 1,394.67 |
| Misty Meadows Lighting District | <u>107.50</u> |
| | \$203,566.21 Total |

The above items were paid with checks # 75047,75049-75042,75066-75069,75072-75073,75085,75359,76065.

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 8:50 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk