PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, October 28, 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 Beck, Commissioner of Public Works; Kevin Spacher, Finance Director; Jennifer A. West, Town Clerk; Carol Johnston, Deputy Town Clerk.

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 October 14, 2009 be approved as submitted by the Town Clerk.

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

PUBLIC HEARINGS

Supervisor Smith called the following Public Hearings to order and asked the Clerk for proofs of publication and affidavits of posting. Proofs of publication were given in the Fairport ER Post on October 14, 2009; affidavits of posting were October 20, 2009.

Finance Director Spacher gave an explanation of the contract amounts and the resultant tax rates for each district. Supervisor Smith asked if there were questions from the audience.

There being no questions, and all those wishing to be heard having been heard, the Public Hearings were closed. Supervisor Smith explained that the Town has held the Public Hearing with the Perinton Fire District but would hold the signing of the contract in abeyance at this time pending further discussion with the Village of Fairport.

A motion was made by Councilperson LaFay, seconded by Councilperson Knapp, that the Supervisor and the Town Board members be authorized to sign the following contracts:

AMENDMENT #4 TO THE
CONTRACT BETWEEN THE
BUSHNELL'S BASIN FIRE PROTECTION DISTRICT
THE BUSHNELL'S FIRE ASSOCIATION AND
THE TOWN OF PERINTON

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign Amendment #4 to the contract for fire protection between the Town of Perinton, the Bushnell's Basin Fire Protection District, and the Bushnell's Basin Fire Department for the payment of $697,879.00 per year instead of $666,501.00 per year. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2010.

NEW CONTRACT BETWEEN THE
EGYPT FIRE PROTECTION DISTRICT,
THE EGYPT FIRE DEPARTMENT AND
THE TOWN OF PERINTON

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign a new contract for fire protection between the Town of Perinton, the Egypt Fire Protection District and the Egypt Fire Department for the payment of $591,941.00 per year instead of $565,223.00 per year. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2014.

NEW CONTRACT BETWEEN
THE TOWN OF PERINTON, THE
FOREST HILLS FIRE PROTECTION DISTRICT,
THE TOWN/VILLAGE OF EAST ROCHESTER AND
THE EAST ROCHESTER FIRE DEPARTMENT

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign a new contract for fire protection between the Town of Perinton, the Forest Hills Fire Protection District, the Town/Village of East Rochester and the East Rochester Fire Department for the payment of $146,634.00 per year instead of $125,798.00 per year. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2014.

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

PUBLIC HEARING
DEBT SERVICE APPORTIONMENTS AND
ASSESSMENT FOR IMPROVEMENTS

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 ER Post on October 14, 2009; affidavit of posting was also October 14, 2009.

Finance Director Spacher presented the information relative to the Debt Service Apportionment and Assessment for Improvements. Supervisor Smith asked for questions from the audience. There being none, and all those wishing to be heard having been heard, the Public Hearing was closed.

A motion was made by Councilperson Havens, seconded by Councilperson Saum, that the Board approve the amount due and to become due for principal and interest during the calendar year of 2010 upon sewer bonds and bond anticipation notes issued by the Town of Perinton for construction of improvements. The Board has further determined the amount to be charged during the calendar year 2010 for the operation and maintenance of said improvements and has completed its assessment rolls for and in connection with said debt service apportionment and assessment for maintenance and operation of said improvements as follows:

SEWER DISTRICTS
Perinton Consolidated Sewer District No. 8 and extensions thereto.

The said expenses for such improvements will be apportioned and assessed upon such lots or parcels of land in said District and extensions thereto in proportion to the amount of

benefit which the improvement shall confer upon the same, and will be levied and collected at the same time and in the same manner as other town charges.

FIRE PROTECTION DISTRICTS
Bushnell's Basin Fire Protection District, Egypt Fire Protection District
Forest Hills Fire Protection District,
Perinton Fire Protection District

The fire protection districts provide services by contract with Bushnell's Basin Fire Association, Inc., Egypt Fire Association, Inc., not-for-profit corporations, the Village of Fairport and the Town/Village of East Rochester. The expenses for operation and maintenance of said districts are required to be assessed, levied and collected from the several lots and parcels of land therein on an ad valorem basis in the same manner and at the same time as other town charges.

LIGHTING DISTRICTS
Lake Lacoma Lighting District, Meadows Lighting District,
Midlands Lighting District, Misty Meadows Lighting District
Deer Run Lighting District

Lake Lacoma and Meadows Lighting Districts provide services by contract with Rochester Gas & Electric Corporation. Misty Meadows Lighting District and Midlands Lighting District provides service by contract with Fairport Municipal Commission. Deer Run Lighting District provides service by contract with Fairport Municipal Commission and Rochester Gas & Electric Corporation, for their respective franchise areas. The expenses for operation and maintenance of said districts are required to be assessed, levied and collected from the several lots and parcels of land therein on an ad valorem basis in the same manner and at the same time as other town charges.

PERINTON AMBULANCE DISTRICT

Perinton Ambulance District contracts with Perinton Volunteer Ambulance Corps, Inc., a not-for-profit corporation, to provide financial assistance including compensation insurance under the Volunteer Ambulance Workers' Benefit Law to enable it to provide an emergency medical service and a general ambulance service to sick or injured persons within the boundaries of the district which are the entire Town of Perinton including the Village of Fairport. The expense of such contributions are required to be assessed, levied and collected from the several lots and parcels of land therein on an ad valorem basis in the same manner and at the same time as other town charges.

PARK MAINTENANCE DISTRICTS
Fairmont Hills Park Maintenance District
Wisteria Grove Park Maintenance District

Whereas no public monies are extended for the maintenance of the improvements in the park maintenance district, the expenses for such maintenance by the Town of lawns and plantings within the maintenance areas of the Fairmont Hills and Wisteria Grove Park Maintenance Districts will be assessed, levied and collected from the several lots and parcels of land therein on an ad valorem basis in the same manner and at the same time as other town charges.

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

PUBLIC HEARING
EXTENSION #56 TO
PERINTON CONSOLIDATED SEWER DISTRICT #8
JEFFERSON AVENUE

Supervisor Smith opened the Public Hearing and asked for proof of publication and affidavit of posting of the legal notice. Proof of publication was given in the Fairport ER Post on October 7, 2009; affidavit of posting was also October 7, 2009.

Commissioner Beck said that Monroe County is reconstructing Jefferson Avenue beginning in 2010, making this the appropriate time to construct a sewer line. The DPW is proposing construction of 4,800 feet of eight-inch sanitary sewer and 3,300 feet of four or six inch laterals to service individual homes. There would also be approximately ten grinder pumps included in this district, which would be private pumps for homes on lots that cannot be served by gravity sewers. There will also be one new public pump station that would service one end of Jefferson Avenue. The district would provide sewer service to an established neighborhood that is now served by septic systems.

A neighborhood public information meeting was held on March 26, 2009; letters were sent to all residents of the proposed district on October 6, 2009. Work on both projects would begin in the Spring of 2010; the sewer construction is anticipated to be completed by fall of 2011.

The proposal is a Type II action under the New York State Environmental Quality Review Act (SEQR) because, as per the Conservation Board memo of October 13, 2009, extensions of utility distribution facilities, including sewer connections, to render service in approved subdivisions are not subject to review. The Conservation Board has a long-standing policy of recommending approval of the extension of sewer service to areas served by septic systems. Septic systems are prone to failure, resulting in soil pollution and the possible contamination of groundwater, making sewers a better environmental option.

Supervisor Smith asked if there were any questions from the audience about the proposed sewer district. A woman in the audience asked about storm sewers for the Jefferson Avenue area. Commissioner Beck stated that Monroe County is planning to put in storm sewers as part of the road project throughout the entire length of the road and Commissioner Beck believes that the County will be allowing residents to tie into the storm sewer. He is pursuing further clarification with the County.

TOWN OF PERINTON MONROE COUNTY NEW YORK

In the Matter
of

HEARING MINUTES &
DETERMINATIONS

EXTENSION NO. 56 to PERINTON CONSOLIDATED SEWER
DISTRICT NO. 8
(Jefferson Avenue)

At a hearing before the Town Board of the Town of Perinton, held at the Town Hall, 1350 Turk Hill Road, Fairport, New York, on October 28th, 2009 at 8:00 p.m., local time, there were:

PRESENT: Supervisor James E. Smith; Councilpersons Patricia S. Knapp, Carolyn H. Saum; Joseph LaFay; Margaret S. Havens

ABSENT: None

ALSO PRESENT: Jennifer A. West, Town Clerk; Thomas C. Beck, Commissioner of Public Works

The Supervisor called the hearing to order and stated that the purpose thereof was to consider the establishment of Extension No. 56 to Perinton Consolidated Sewer District No. 8 to include lands located along Jefferson Avenue in the northwest quadrant of the Town of Perinton. He stated that on October 6, 2009 he mailed a letter to each of the residences in the proposed extension, advising them of the proposed extension and tonight's public hearing. Attached to that letter was the formal statement of estimated costs.

The Supervisor called for the presentation of documentary evidence necessary for the Town Board to make the investigations and determinations required by statute. The following documents were submitted in evidence:

1. Report from Thomas C. Beck, Commissioner of Public Works, recommending the creation of a new sewer district extension so that the lands along Jefferson Avenue in the southwest quadrant of the Town of Perinton could become part of Perinton Consolidated Sewer District No. 8.

2. Map, plan, and report, prepared by Larsen Engineers dated July 2009 showing the location of each residence.

3. The Order for Hearing made by the Town Board on September 23, 2009.

4. The Affidavit of Publication of the Perinton-Fairport Post showing the publication of a certified copy of the Order for Hearing on October 8, 2009.

5. The Affidavit of Jennifer A. West, showing that a copy of the Order for Hearing and Estimated Costs were posted on the Sign Board maintained by the Town Clerk on October 7, 2009.

6. The report of James E. Smith, Supervisor, stating that on October 6, 2009 he mailed to each resident, a letter advising them of the public hearing and enclosed a statement of Estimated Costs and a copy of the Order for Hearing.

7. A letter of Robert M. Place, Special Counsel, dated October 21, 2009, mailing a certified copy of the Order for Hearing to NYS Office of State Comptroller, as required by the rules and regulations of the State of New York, and enclosing a copy of the estimated costs for the proposed extension.

The Supervisor directed that the foregoing documentary evidence, if not already filed, be filed with the Town Clerk and considered a part of the record of this hearing.

The Supervisor explained that this proceeding is on motion of the Town Board pursuant to Article 12-A of the Town Law. The adoption of a resolution for the creation of the sewer district extension will be subject to a permissive referendum, if such referendum is requested by proper petition filed with the Town Clerk within 30 days after the date of adoption of this resolution.

The Supervisor asked if there were any questions in regards to the formation of the District. There were none. The Supervisor declared the hearing closed and directed the Town Board to consider the evidence produced at the hearing and to take action on the map, plan and report.

The members of the Town Board then examined the documents presented in evidence and considered the statements made at the hearing and after thorough discussion and due deliberation, the following Resolution was offered by Councilperson LaFay and was seconded by Councilperson Saum.

WHEREAS, the Board has examined the map, plan and report prepared by Larsen Engineers, the proofs of posting and publication, the recommendation of the Perinton Conservation Board and has considered all other documents and statements presented to it and has examined into whether all of the property to be benefited by the proposed Extension was included therein and whether any property has been included therein which would not be benefited, and

WHEREAS, the Town has reviewed the potential environmental effects of the project and has complied with the requirements of the State Environmental Quality Review Act (SEQRA),

NOW THEREFORE, IT IS DETERMINED AS FOLLOWS:

1. The Order for Hearing was posted and published as required by law.

2. All the property and property owners within the proposed Extension are benefited thereby.

3. All the property and property owners benefited are included within the limits of the proposed Extension.

4. It is in the public's interest to establish said Extension as described in the map, plan, and report.

5. That the maximum amount to be expended for the construction of said sewer system with all necessary appurtenances for the operation thereof is estimated to be $3,500,000 and that the cost of construction of said improvements by the issuance of bond anticipation notes and bonds, the principal and interest of which are to be repaid in annual installments by the entire are comprising Perinton Consolidated Sewer District No. 8.

6. The proposed Extension was processed as a Type II action, because it is an extension to approved lots. The temporary disturbance of soils and vegetation will be more than offset by the long term benefits of eliminating septic systems on developed lots.

7. The area to be established as Extension No. 56 to Perinton Consolidated Sewer District No. 8 is described as follows:

AREA No. 1

Beginning at the centerline of Jefferson Avenue, said point being the southerly boundary line of Tax Acct. No. 165.11-2-17.1 extended easterly to its intersection with the centerline of Jefferson Avenue; thence

1. Westerly along the southerly boundary of Tax Acct. No. 165.11-2-17.1 a distance of approximately 314 feet to the southwesterly corner of Tax Acct. No. 165.11-2-17.1; thence

2. Northerly along the westerly boundary of Tax Acct. No. 165.11-2-17.1, a distance of approximately 372 feet to its intersection with the southerly boundary of Tax Acct. No. 165.11-2-30; thence

3. Northwesterly along the southerly boundary of Tax Acct. No. 165.11-2-30, a distance of approximately 266 feet to the southwesterly corner of Tax Acct. No. 165.11-2-30; thence

4. Northerly along the westerly boundary of Tax Acct. No. 165.11-2-30, and Tax Acct. No. 165.11-2-31, a distance of approximately 150 feet to the northwesterly corner of Tax Acct. No. 165.11-2-31; thence

5. Easterly along the northerly boundary of Tax Acct. No. 165.11-2-31, a distance of approximately 318 feet to the southwesterly corner of Tax Acct. No. 165.11-2-32; thence

6. Northerly along the westerly boundary of Tax Acct. No. 165.11-2-32, a distance of

approximately 124 feet to the northwesterly corner of Tax Acct. No. 165.11-2-32; thence

7. Easterly along the northerly boundary of Tax Acct. No. 165.11-2-32, a distance of approximately 85 feet to the southwesterly corner of Tax Acct. No. 165.11-2-33; thence

8. Northerly along the westerly boundary of Tax Acct. No. 165.11-2-33, and continuing to a point on the centerline of Ward Lane, a distance of approximately 280 feet; thence

9. Westerly along the centerline of Ward Lane a distance of approximately 20 feet to its intersection with the westerly boundary of Tax Acct. No. 165.11-1-70, extended southerly; thence

10. Northerly along the westerly boundaries of Tax Acct. No. 165.11-1-70, Tax Acct. No. 165.11.1-69 and Tax Acct. No. 165.11-1-68, a distance of approximately 210 feet to its intersection with the southerly boundary of Tax Acct. No. 165.11-1-67;

11. Westerly along the southerly boundary of Tax Acct. No. 165.11-1-67, a distance of approximately 85 feet, to the southwesterly corner of Tax Acct. No. 165.11-1-67; thence

12. Northerly along the westerly boundary of Tax Acct. No. 165.11-1-67, a distance of approximately 60 feet, to its intersection with the southerly boundary of Tax Acct. No. 165.11-1-44.2; thence

13. Westerly along the southerly boundary of Tax Acct. No. 165.11-1-44.2, a distance of approximately 17 feet to the southwesterly corner of Tax Acct. No. 165.11-1-44.2; thence

14. Northerly along the westerly boundaries of Tax Acct. No. 165.11-1-44.2 and Tax Acct. No. 165.11-1-44.1 a distance of approximately 260 feet to its intersection with the southerly boundary of Tax Acct. No. 165.11-1-43.2; thence

15. Westerly along the southerly boundary of Tax Acct. No. 165.11-1-43.2, a distance of approximately 10 feet to the southwesterly corner of Tax Acct. No. 165.11-1-43.2; thence

16. Northerly along the westerly boundaries of Tax Acct. No. 165.11-1-43.2, and Tax Acct. No. 165.11.-1-43.1, a distance of approximately 268 feet to the northwesterly corner of Tax Acct. No. 165.11-1-43.1; thence

17. Easterly along the northerly boundary of Tax Acct. No. 165.11-1-43.1 a distance of approximately 112 feet to the southwesterly corner of Tax Acct. No. 165.11-1-20; thence

18. Northerly along the westerly boundaries of Tax Acct. No. 165.11-1-20, Tax Acct. No. 165.11-1-19, and Tax Acct. No. 165.11-1-18, continuing across Alina Street, and along the westerly boundary of Tax Acct. No. 165.11-1-17, a distance of approximately 394 feet to the northwesterly corner of Tax Acct. No. 165.11-1-17; thence

19. Easterly along the northerly border of Tax Acct. No. 165.11-1-17, and continuing along that line to it's intersection with the centerline of Jefferson Avenue, a distance of approximately 180 feet; thence

20. Northerly along the centerline of Jefferson Avenue a distance of approximately 60 feet to its intersection with the southerly boundary of Tax Acct. No. 165.11-1-15 extended easterly to its intersection with the centerline of Jefferson Avenue; thence

21. Westerly from the centerline of Jefferson Avenue, and along the southerly boundary of Tax Acct. No. 165.11-1-15 a distance of approximately 180 feet to the southwesterly corner of Tax Acct. No. 165.11-1-15; thence

22. Northerly along the westerly boundaries of Tax Acct. No. 165.11-1-15 and Tax Acct. No. 165.11-1-14 a distance of approximately 120 feet to the northwesterly corner of Tax Acct. No. 165.11-1-14; thence

23. Easterly along the northerly boundary of Tax Acct. No. 165.11-1-14, and continuing along that line to, its intersection with the centerline of Jefferson Avenue, a distance of approximately 205 feet; thence

24. Southerly along the centerline of Jefferson Avenue a distance of approximately 48 feet to its intersection with the northerly boundary of Tax Acct. No. 165.07-2-66 extended westerly; thence

25. Easterly from the centerline of Jefferson Avenue, and along the northerly boundary of Tax Acct. No. 165.07-2-66 a distance of approximately 200 feet to the northeasterly corner of Tax Acct. No. 165.07-2-66; thence

26. Southerly along the easterly boundary of Tax Acct. No. 165.07-2-66 a distance of approximately 110 feet to the southeasterly corner of Tax Acct. No. 165.07-2-66; thence

27. Westerly along the southerly boundary of Tax Acct. No. 165.07-2-66 extended to the centerline of Jefferson Avenue a distance of approximately 200 feet; thence

28. Southerly along the centerline of Jefferson Avenue a distance of approximately 100 feet to its intersection with the northerly boundary of Tax Acct. No. 165.11-2-1 extended westerly; thence

29. Easterly from the centerline of Jefferson Avenue, and along the northerly boundary of Tax Acct. No. 165.11-2-1 a distance of approximately 756 feet to the northeasterly corner of Tax Acct. No. 165.11-2-1; thence

30. Southwesterly along the easterly boundary of Tax Acct. No. 165.11-2-1; thence

31. Westerly along the southerly boundary of Tax Acct. No. 165.11-2-1, and continuing along that line to its intersection with the centerline of Jefferson Avenue a distance of approximately 688 feet; thence

32. Southerly along the centerline of Jefferson Avenue a distance of approximately 140 feet to its intersection with the northerly boundary of Tax Acct. No. 165.11-2-3 extended westerly; thence

33. Easterly from the centerline of Jefferson Avenue, and along the northerly boundary of Tax Acct. No. 165.11-2-3 a distance of approximately 624 feet to the northeasterly corner of Tax Acct. No. 165.11-2-3; thence

34. Southwesterly along the easterly boundary of Tax Acct. No. 165.11-2-3 a distance of approximately 181 feet to the southeasterly corner of Tax Acct. No. 165.11-2-3 said point also being the northeasterly corner of Tax Acct. No. 165.11-2-7.11; thence

35. Southerly along the easterly boundary of Tax Acct. No. 165.11-2-7.11, a distance of approximately 454 feet to an angle point; thence

36. Southwesterly continuing along the easterly boundary of Tax Acct. No. 165.11-2-7.11, Tax Acct. No. 165.11-2-12.1, and Tax Acct. No. 165.11-2-13, a distance of approximately 726 feet to the southeasterly corner of Tax Acct. No. 165.11-2-13 said point also being the northeasterly corner of Tax Acct. No. 165.11-2-14; thence

37. Southwesterly along the easterly boundary of Tax Acct. No. 165.11-2-14, a distance of approximately 155 feet to the southeasterly corner of Tax Acct. No. 165.11-2-14 said point also being the northeasterly corner of Tax Acct. No. 165.11-2-15.2; thence

38. Southwesterly along the easterly boundary of Tax Acct. No. 165.11-2-15.2, a distance of approximately 224 feet to its intersection with the northerly highway boundary of Ayrault Road; thence

39. Westerly along the northerly highway boundary of Ayrault Road and continuing along that line to its intersection with the centerline of Jefferson Avenue, a distance of approximately 309 feet; thence

40. Southerly along the centerline of Jefferson Avenue a distance of approximately 35 feet to the Point of Beginning.

AREA No. 2

1. Beginning at a point on the centerline of Jefferson Avenue, said point being the southerly boundary line of Tax Acct. No. 165.07-2-45 extended westerly to its intersection with the centerline of Jefferson Avenue; thence

2. Northerly along the centerline of Jefferson Avenue a distance of approximately 74 feet to its intersection with the southerly boundary of Tax Acct. No. 165.07-1-75 extended easterly to its intersection with the centerline of Jefferson Avenue; thence

3. Westerly from the centerline of Jefferson Avenue, and along the southerly boundary of Tax Acct. No. 165.07-1-75 a distance of approximately 246 feet to the southwesterly corner of Tax Acct. No. 165.07-1-75; thence

4. Northerly along the westerly boundary of Tax Acct. No. 165.07-1-75, a distance of approximately 129 feet to the northwesterly corner of Tax Acct. No. 165.07-1-75; thence

5. Easterly along the northerly boundary of Tax Acct. No. 165.07-1-75, and continuing along that line across Jefferson Avenue, and continuing along the northerly boundary of Tax Acct. No. 165.07-2-44 a distance of approximately 446 feet to the northeasterly corner of Tax Acct. No. 165.07-2-44; thence

6. Southerly along the easterly boundaries of Tax Acct. No. 165.07-2-44, and Tax Acct. No. 165.07-2-45, a distance of approximately 202 feet to the southeasterly corner of Tax Acct. No. 165.07-2-45; thence

7. Westerly along the southerly boundary of Tax Acct. No. 165.07-2-45, and continuing along that line a distance of approximately 200 feet to its intersection with the centerline of Jefferson Avenue, being the Point of Beginning.

AREA No. 3

1. Beginning at a point on the centerline of Jefferson Avenue, said point being the southerly boundary of Tax Acct. No. 165.07-2-3 extended westerly to its intersection with the centerline of Jefferson Avenue; thence

2. Northerly along the centerline of Jefferson Avenue a distance of approximately 100 feet to its intersection with the northerly boundary of Tax Acct. No. 165.07-2-3 extended westerly; thence

3. Easterly from the centerline of Jefferson Avenue and along the northerly boundary of Tax Acct. No. 165.07-2-3, a distance of approximately 225 feet to the northeasterly corner of Tax Acct. No. 165.07-2-3; thence

4. Southerly along the easterly boundary of Tax Acct. No. 165.07-2-3, a distance of approximately 100 feet to the southeasterly corner of Tax Acct. No. 165.07-2-3; thence

5. Westerly along the southerly boundary of Tax Acct. No. 165.07-2-3, and continuing along that line a distance of approximately 225 feet to its intersection with the centerline of Jefferson Avenue, being the Point of Beginning.

AREA No. 4

1. Beginning at a point on the centerline of Jefferson Avenue, said point being the southerly boundary line of Tax Acct. No. 152.19-2-29 extended westerly to its intersection with the centerline of Jefferson Avenue; thence

2. Northerly along the centerline of Jefferson Avenue a distance of approximately 414 feet to its intersection with the southerly boundary of Tax Acct. No. 152.19-1-25 extended easterly; thence

3. Westerly from the centerline of Jefferson Avenue and along the southerly boundary of Tax Acct. No. 152.19-1-25 a distance of approximately 510 feet to the southwesterly corner of Tax Acct. No. 152.19-1-25; thence

4. Northerly along the westerly boundary of Tax Acct. No. 152.19-1-25 a distance of approximately 55 feet to its intersection with the southerly boundary of Tax Acct. No. 152.19-1-24; thence

5. Westerly along the southerly boundary of Tax Acct. No. 152.19-1-24, a distance of approximately 261 feet to the southwesterly corner of Tax Acct. No. 152.19-1-24; thence

6. Northerly along the westerly boundary of Tax Acct. No. 152.19-1-24 a distance of approximately 69 feet to the northwesterly corner of Tax Acct. No. 152.19-1-24; thence

7. Easterly along the northerly boundary of Tax Acct. No. 152.19-1-24 a distance of approximately 246 feet to the southwesterly corner of Tax Acct. No. 152.19-1-23; thence

8. Northerly along the westerly boundary of Tax Acct. No. 152.19-1-23 a distance of approximately 100 feet to its intersection with the southerly boundary of Tax Acct. No. 152.19-1-22; thence

9. Westerly along the southerly boundary of Tax Acct. No. 152.19-1-22, a distance of approximately 246 feet to the southwesterly corner of Tax Acct. No. 152.19-1-22; thence

10. Northerly along the westerly boundary of Tax Acct. No. 152.19-1-22, and Tax Acct. No. 152.19-1-21 a distance of approximately 153 feet to the northwesterly corner of Tax Acct. No. 152.19-1-21; thence

11. Easterly along the northerly boundary of Tax Acct. No. 152.19-1-21 a distance of approximately 422 feet to the southwesterly corner of Tax Acct. No. 152.15-1-45; thence

12. Northerly along the westerly boundaries of Tax Acct. No. 152.15-1-45, Tax Acct. No. 152.15-1-44, and 152.15-1-43 a distance of approximately 296 feet to its intersection with the southerly boundary of Tax Acct. No. 152.15-1-42; thence

13. Westerly along the southerly boundary of Tax Acct. No. 152.15-1-42, a distance of approximately 420 feet to the southwesterly corner of Tax Acct. No. 152.15-1-42; thence

14. Northerly along the westerly boundaries of Tax Acct. No's. 152.15-1-42, 152.15-1-41, 152.15-1-40, 152.15-1-39, 152.15-0-38, 152.15-1-37, 152.15-1-36, and 152.15-1-35, a distance of approximately 671 feet to a northwesterly corner of Tax Acct. No. 152.15-1-35; thence

15. Easterly along a northerly boundary of Tax Acct. No. 152.15-1-35 a distance of approximately 52 feet to a corner of Tax Acct. No. 152.15-1-35;

16. Northerly along a westerly boundary of Tax Acct. No. 152.15-1-35 a distance of approximately 43 feet to a northwesterly corner of Tax Acct. No. 152.15-35; thence

17. Easterly along the northerly boundary of Tax Acct. No. 152.15-1-35 a distance of approximately 544 feet to the southwesterly corner of Tax Acct. No. 152.15-1-34; thence

18. Northerly along the westerly boundary of Tax Acct. No. 152.15-1-34 a distance of approximately 101 feet to the northwesterly corner of Tax Acct. No. 152.15-1-34; thence

19. Easterly along the northerly boundary of Tax Acct. No. 152.15-1-34, and continuing along that line to its intersection with the centerline of Jefferson Avenue, a distance of approximately 190 feet; thence

20. Southerly along the centerline of Jefferson Avenue a distance of approximately 689 feet to its intersection with the northerly boundary of Tax Acct. No. 152.15-2-16.1, extended westerly; thence

21. Easterly from the centerline of Jefferson Avenue and along the northerly boundary of Tax Acct. No. 152.15-2-16.1, a distance of approximately 300 feet to the northeasterly corner of Tax Acct. No. 152.15-2-16.1; thence

22. Southerly along the easterly boundaries of Tax Acct. No's. 152.15-2-16.1, 152.15-2-15, 152.19-2-1, 152.19-2-2, 152.19-2-3, 152.19-2-4, and 152.19-2-5, a distance of approximately 735 feet to the southeasterly corner of Tax Acct. No. 152.19-2-5; thence

23. Westerly along the southerly boundary of Tax Acct. No. 152.19-2-5, a distance of approximately 65 feet to the northeasterly corner of Tax Acct. No. 152.19-2-6; thence

24. Southerly along the easterly boundary of Tax Acct. No. 152.19-2-6, a distance of approximately 100 feet to the southeasterly corner of Tax Acct. No. 152.19-2-6; thence

25. Westerly along the southerly boundary of Tax Acct. No. 152.19-2-6, a distance of approximately 15 feet to its intersection with the northerly boundary of Sandy Drive; thence

26. Southerly crossing the right of way of Sandy Drive, a distance of approximately 63 feet to the intersection of the southerly highway boundary of Sandy Drive and the easterly boundary of Tax Acct. No. 152.19-2-27; thence

27. Southerly along the easterly boundaries of Tax Acct. No's 152.19-2-27, and 152.19-2-28, a distance of approximately 254 feet to the southeasterly corner of Tax Acct. No. 152.19-2-28; thence

28. Westerly along the southerly boundary of Tax Acct. No. 152.19-2-28, a distance of approximately 59 feet to the northeasterly corner of Tax Acct. No. 152.19-2-29; thence

29. Southerly along the easterly boundary of Tax Acct. No. 152.19-2-29, a distance of approximately 60 feet to the southeasterly corner of Tax Acct. No. 152.19-2-29; thence

30. Westerly along the southerly boundary of Tax Acct. No. 152.19-2-29, a distance of approximately 141 feet to its intersection with the centerline of Jefferson Avenue, being the Point of Beginning.

AREA No. 5

1. Beginning at a point on the centerline of Jefferson Avenue, said point being the southerly boundary of Tax Acct. No. 152.15-2-28 extended westerly to its intersection with the centerline of Jefferson Avenue; thence

2. Northerly along the centerline of Jefferson Avenue a distance of approximately 85 feet to its intersection with the northerly boundary of Tax Acct. No. 152.15-2-28 extended westerly; thence

3. Easterly from the centerline of Jefferson Avenue and along the northerly boundary of Tax Acct. No. 152.15-2-28, a distance of approximately 206 feet to the northeasterly corner of Tax Acct. No. 152.15-2-28; thence

4. Southerly along the easterly boundary of Tax Acct. No. 152.15-2-28, a distance of approximately 140 feet to the southeasterly corner of Tax Acct. No. 152.15-2-28;

5. Northwesterly along the southerly boundary of Tax Acct. No. 152.15-2-28, a distance of approximately 207 feet to its intersection with the centerline of Jefferson Avenue, being the Point of Beginning.

AREA No. 6

1. Beginning at a point on the centerline of Jefferson Avenue, said point being the southerly boundary line of Tax Acct. No. 152.15-2-2 extended westerly to its intersection with the centerline of Jefferson Avenue; thence

2. Northerly along the centerline of Jefferson Avenue, a distance of approximately 100 feet to its intersection of Tax Acct. No. 152.15-2-2, a distance of approximately 192 feet to the northeasterly corner of Tax Acct. No. 152.15-2-2; thence

3. Easterly from the centerline of Jefferson Avenue and along the northerly boundary of Tax Acct. No. 152.15-2-2, a distance of approximately 192 feet to the northeasterly corner of Tax Acct. No. 152.15-2-2; thence

4. Southerly along the easterly boundary of Tax Acct. No. 152.15-2-2, a distance of approximately 100 feet to the southeasterly corner of Tax Acct. No. 152.15-2-2; thence

5. Westerly along the southerly boundary of Tax Acct. No. 152.15-2-2, a distance of approximately 192 feet to its intersection with the centerline of Jefferson Avenue, being the Point of Beginning.

The foregoing described lands are shown on a map entitled Extension No. 56 to Perinton Consolidated Sewer District No. 8, prepared by Larsen Engineers, competent engineers duly licensed by the State of New York showing the boundaries of the proposed Extension No. 56 to Perinton Consolidated Sewer District No. 8, and providing for the transmission of sewage 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. The proposed map shows whether sewer service is provided to neighboring lots to the proposed extension.

8. That Extension No. 56 to Perinton Consolidated Sewer District No. 8 is hereby established, as of this date, to include the real property described in paragraph 7 above..

9. That pursuant to the requirements of Section 90 of the Town Law, that within ten (10) days after the adoption by the Town Board of this resolution establishing said Extension the Town Clerk shall give notice thereof, at the expense of the Town, by the publication of a notice in the

Perinton-Fairport Post, a newspaper regularly published in Monroe County and having general circulation within the proposed Extension. In addition, the Town Clerk shall post, or cause to be posted, on the bulletin board in her office a copy of such notice. Such notice shall set forth the date of adoption of the resolution and contain an abstract of such resolution, describing the general terms, the proposed Extension and that such resolution was adopted subject to a permissive referendum.

On roll call, directed by the Supervisor, the following votes were recorded:

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

Whereupon the Supervisor declared the foregoing determination and resolution of approval of the creation of Extension No. 56 of to Perinton Consolidated Sewer District No. 8 adopted.

ADOPTION OF THE 2010 TOWN OF PERINTON BUDGET

Supervisor Smith reported that a public informational meeting on the 2010 budget was held on September 23, 2009; a Public Hearing was held on October 14, 2009. The total appropriations are to be $16,654,779.00.

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

WHEREAS, this Town Board has met at the time and place specified in the Notice of Public Hearings on the Preliminary Budget for 2010, and the Town Board heard questions and comments upon items on the Preliminary Budget

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby adopt such preliminary budget, as revised, as the annual budget of the Town for the fiscal year 2010, and that such budget as so adopted be entered in detail in the minutes of the proceedings of this Town Board, and,

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall prepare and certify in duplicate copies of said Annual Budget as adopted pursuant to Section 202-a of Town Law and deliver two copies thereof to the Supervisor of this Town to be presented by him to the Monroe County Legislature, and

BE IT FURTHER RESOLVED, that the Town Clerk of this Town be authorized to place a Notice of Adoption of said 2010 budget in the official paper of the Town of Perinton.

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

APPROVE NEW YORK STATE SNOW & ICE CONTRACT

Commissioner Beck presented the 2010 New York State Snow and Ice Contract to the Board. He said that the Town plows 70.29 lane miles of New York State highways and will be reimbursed for total expenditures on a time and materials basis. He asked the Board to authorize the Supervisor to sign the contract extension.

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that the Supervisor be authorized to sign the New York State Municipal Snow and Ice Agreement which states, in part:

WHEREAS, the Commissioner of Transportation of the State of New York (the Commissioner) and the Town of Perinton have entered into Agreement #D139724, entitled "Snow and Ice Agreement between the New York State Department of Transportation and the Town of Perinton" dated June 28, 1978; and

WHEREAS, the term of the said agreement is for a period of three years commencing July 1, 1978 and the said agreement provides that the parties may, at the end of each year of the term of the agreement, extend such term for an additional year; and

WHEREAS, the present term of the agreement, as extended, expires June 30, 2010; and

WHEREAS, Section 7 of the said agreement provides that the Commissioner shall furnish the Town of Perinton with a suitable map for each term of the agreement, or for any extended term thereof, modified to show the changes, if any, to the state highways affected by this agreement; and

WHEREAS, Section 10 of the said agreement provides for an annual update of the estimated expenditure to be determined by the Commissioner subject to the provisions of Section 10 at the time for extension of the Agreement.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the mutual covenants and benefits between the parties,

1. The aforementioned "Snow and Ice Agreement Between New York State Department of Transportation and the Town of Perinton is hereby extended for a period of one year; now to expire on June 30, 2011, unless further extended.
2. The state highways or parts thereof affected by this agreement are as delineated on the attached map, agreed upon by the Commissioner and the Town of Perinton, which shall be effective for the remainder of the term of the agreement commencing July 1, 2009, unless changed by future agreement between the Commissioner and the Town of Perinton.
3. All the terms and conditions of the original contract remain in effect except as follows: the estimated expenditure as specified in Section 10 of the aforementioned agreement shall be $3,885.8644 per lane mile for 70.29 lane miles for a total of $273,137.41 for the 2009/2010 season and for the remainder of the term of the agreement commencing July 1, 2009, unless changed by future update.

IN WITNESS WHEREOF, this agreement has been executed by the State, acting by and through the duly authorized representative of the Commissioner and the Town of Perinton.

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

APPROVE GRANT EXPENDITURE
FAIRPORT ROAD/O'CONNOR ROAD GATEWAY STUDY

Commissioner Beck reviewed a memo from Mike Doser, Director of Code Enforcement and Development, requesting approval for Environmental Design and Research (EDR), a planning and engineering consultant, to undertake a planning study of the Fairport Road Corridor. The Fairport Road Corridor goes from Sunset Trail or Irondequoit Creek to the bridge over the Erie Canal at Church Street and serves as an important commercial corridor for residents and visitors. The study will ultimately produce illustrated design guidelines that identify items such as the corridor's general character, setbacks, pedestrian and bicycle routes, architectural treatment and details of buildings, layout standards and more. The Town received a grant from Monroe County to provide for the Fairport Road/O'Connor Road Gateway Study in the amount of $20,000 which expires on December 31, 1010. There is approximately $19,000 left from this grant and the study by EDR will cost $20,000.

Judith McNulty, 647 Thayer Road, asked whether the last Town Comprehensive Plan looked at this area. Commissioner Beck stated that the Comprehensive Plan did have a subarea, which included the Fairport Road/Baird Road area. The plan included traffic analysis, recommendations regarding cross or combined access which the Town plans on or has implemented already, however, the Comprehensive Plan did not go into the detailed architectural standards or front and side setback recommendations that the Gateway Study will provide. The Gateway Study will provide guidelines to be used by the Planning Board for future projects in the area.

Councilperson Havens made a motion, seconded by Councilperson Saum to approve the use of the Monroe County grant to fund the Fairport Road/O'Connor Road Gateway Study with Environmental Design and Research for a total contract amount of $20,000.

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

APPOINT ACTING CHAIRMAN
PLANNING BOARD

Supervisor Smith stated that the Planning Board Chairman, Jim Brasley, is ill and has been hospitalized. Supervisor Smith is recommending the appointment of T.C. Lewis as the Acting Chairman of the Planning Board to enable Mr. Lewis to be able to sign documents on behalf of the Planning Board.

Councilperson LaFay made a motion, seconded by Councilperson Saum that T.C. Lewis be appointed Acting Chairman of the Planning Board.

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

EXECUTIVE SESSION

Councilperson Knapp made a motion, seconded by Councilperson Saum, that the Board adjourn to Executive Session after this meeting to discuss a real estate matter.

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

AUDIT APPROVED

A motion was made by Councilperson Saum, seconded by Councilperson LaFay that Audit #10 for October 2009 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

OCTOBER AUDIT	
General Fund	$43,393.87
Town Outside of Village	79,241.53
Recreation	54,318.90
Highway General Repair	31,851.87
Highway Snow & Miscellaneous	39,460.07
Joint Sewer	9,230.74
Special Recreation	121,264.28
Debt Service Sewer	924.00
Egypt Fire Protect Dist	149.62
Fairmont Hills Maintenance District	800.00
Wisteria Grove Maintenance District	326.00
O'Connor Road Relocation Project	1,696.44
DPW Redevelopment	224,589.36
Trimac Purchase	25,374.09
Pinecrest - Extension 51	4,740.00
	$637,360.77 Total

The above items were numbers 75692-75940.

OCTOBER MANUAL	
General Fund	$65,965.48
Town Outside of Village	3,402.36
Recreation	28,527.92
Joint Sewer	9,278.18
Forest Hills Fire Protection Dist	31,449.50
Midlands Lighting Dist	407.54
Lake Lacoma Lighting Dist	13.99
Meadows Lighting Dist	424.60
Deer Run Lighting Dist	1,415.20

Misty Meadows Lighting Dist	110.14
Primary Election Inspectors	5,880.00
	$146,874.91 Total

The above items were paid with checks # 75601-75603, 75615-75677, 75690.

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 8:30 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk

EXECUTIVE SESSION

A real estate matter was discussed by the Town Board and Attorney Place. No action was taken. The Executive Session adjourned at 9:15 pm.

Respectfully submitted,

James E. Smith
Town Supervisor