

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, July 28, 2010

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; Jennifer A. West, Town Clerk; Jeffrey Myers, Commissioner, Recreation & Parks; Michael Doser, Director of Code Enforcement and Development; Eric Williams, Assistant to the Commissioner of Public Works; Carol S. Johnston, Deputy Town Clerk; Chris Fredette, Conservation Board; Ken Rainis, Chairman, Conservation Board; Barbara Wagner, Conservation Board.

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

Supervisor Smith stated that the minutes of the July 14, 2010 Town Board meeting should be amended to remove the salary increases for the Recreation and Parks staff members as that action was taken in January of this year. The bid award for Villager Construction, also approved at the July 14, 2010 Town Board meeting, will also be amended to the gross amount of the bid award which is \$387,387.00.

Councilperson Havens made a motion, seconded by Councilperson Saum, that the minutes of the Town Board meeting of July 14, 2010 be approved with the two amendments recorded above.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Abstain: Smith

Nays: None

Unanimously approved

PUBLIC HEARING
SPECIAL USE PERMIT RENEWAL
FAIRPORT CHRISTIAN FELLOWSHIP

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication for the Public Hearing was given in the Fairport East Rochester Post on July 16, 2010; affidavit of posting was also July 16, 2010.

Supervisor Smith stated that on August 26, 2009 the Town Board held a Public Hearing regarding a Special Use Permit to allow worship services for the Fairport Christian Fellowship to be held at 4400 Nine Mile Point Road. One of the conditions in granting this permit was that the permit would expire in one year and that the organization could come back at that time for renewal, giving the Board and Town the opportunity to hear from any neighbors or citizens opposed to the renewal of the permit.

John Marsh, representing the Fairport Christian Fellowship asked if the Board would approve a two or three year renewal of the Special Use Permit. Supervisor Smith stated that if approved, the board would consider a permanent renewal.

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

Councilperson LaFay made a motion, seconded by Councilperson Havens, that, having reviewed Section 208-54 of the Code of the Town of Perinton, the Board approve the renewal of the Special Use Permit to hold worship services in the space located at 4400 Nine Mile Point Road with the following conditions:

1. The hours of operation will be from 9:30 am to 9:00 pm.
2. No parking on Alameda Drive.
3. Size of congregation is limited to 150 people.
4. Subject to inspection by the Town of Perinton Code Enforcement and Development Office.
5. Any music played would be internal to the building.
6. This Special Use Permit will remain in effect for the duration of the tenancy of the church.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

PUBLIC HEARING
AMENDMENT TO SECTION 204 OF THE
CODE OF THE TOWN OF PERINTON: WIND ENERGY

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication for the Public Hearing was given in the Fairport East Rochester Post on July 16, 2010; affidavit of posting was also July 16, 2010.

Supervisor Smith stated that an Order for Hearing on this matter was held on June 9, 2010 and the purpose of the Public Hearing is to explain the law to those interested and hear any comments from the public regarding this matter. Barbara Wagner, Conservation Board member, made a presentation which outlined the approach taken by

the Town which would encourage those who want to develop wind energy for their own use in the Town and at the same time, protect the interests of their neighbors. Ms. Wagner stated that there are a range of wind energy conversion devices (WECDs) available from the household size to the 400 foot tall industrial size WECDs and therefore the proposed ordinance is separated accordingly.

Ms. Wagner stated that the first class of WECDs is the small WECD which is defined as any device with a rated capacity of not more than 10 kilowatts and not more than 65 feet high. The next category is the medium WECD which encompasses any WECD with a rated capacity of more than 10 kilowatts, more than 65 feet high and up to 200 feet high. The large WECD is defined as any WECD that is intended to generate power for sale including the case in which an individual erects the WECD to make money by selling the power back to the utility. The other criteria for a large WECD would be any WECD greater than 200 feet high. The proposed code has a provision stating that the absolute limit is 400 feet high.

Ms. Wagner stated that each size category has a provision in the code stating in which zoning district they will be allowed. The small WECD will be allowed in any zoning district as long as all requirements are satisfied. Independent of which zoning district the WECD is located, the requirements would be a Special Use Permit from the Town Board, Site Plan Approval from the Planning Board and a Building Permit from the Code Enforcement office. Ms. Wagner also stated that each size of WECD has different standards in regards to minimum lot size. The minimum lot size derives from the setback requirements for each class of turbine. The first concern is health and safety and therefore the protection requirement is the adequate set back distance. Ms. Wagner stated that the experience in NY, and the rest of the country, has been a distance of one and one half times the highest point that the blade reaches being an adequate set back distance from a safety standpoint. Ms. Wagner stated that the Town has doubled the one and one half times tip height distance and the code includes three times the tip height distance to properties, other residential buildings, other WECDs, public roads, utility lines, etc. Coupled with another requirement that the lowest distance from the ground to the blade's lowest travel point must be 30 feet the combined requirement stated that the smallest lot size that would house one of the WECDs would be one acre. Minimum lot size for a medium WECD would be about 91 acres and for a large WECD would be 265 acres.

Another consideration for WECDs is the noise generated by the device and therefore a separate set of criteria has been generated for the noise issue. The Conservation Board used the NYSDEC guidance for noise which says that any increase which is 6 dBA above the ambient level measured at the property line is very unlikely to be bothersome to neighbors. Ms. Wagner stated that there are additional requirements for the larger turbines for both pre- and post-construction noise measurements to assure that the 6 dBA above ambient criteria is met.

Ms. Wagner stated that another issue that comes up with WECDs is the visual impact. The proposed Town code will require photo simulations for the larger

turbines to simulate what the finished project will look like. There is also NYSDEC guidance to show how to go about doing this as well. The largest turbines would be required to do a viewshed analysis which is essentially providing a map of the area that shows exactly which points in the Town that the turbines would be visible from and how visible they would be. Ms. Wagner explained that shadow flicker is another visual impact which can be described as a fan with a light going through it making it flicker. In the new code, the applicant would be required to submit a shadow flicker study to determine the visual impact of their particular situation. Physical lighting of the tower is also an issue. If the tower is over 200 feet it requires Federal Aviation Association lighting, but beyond that the proposed code would encourage keeping the lighting at a minimum with the exception of safety lighting.

There is also a provision to assure that the turbines do not interfere with television or radio reception or microwave transmission paths. There are also provisions for wildlife protection such as requirements to study the impact to bats and migratory birds.

Judith McNulty, 647 Thayer Road, asked whether the homeowner who generates more power through use of a WECD would be considered a commercial operation. Ms. Wagner stated that they would most likely be receiving a credit on their energy bill and not considered a commercial operation. Ms. McNulty also asked if the WECD could be located within a mile of a cell phone tower. Ms. Wagner stated that it would most likely not be an issue for a small homeowner installation, but the homeowner does have to do an analysis of where the closest antennae are, the closest towers are and show that they are not going to interfere. Ms. McNulty asked whether there are any areas of Perinton which would be able to handle the large WECD and Ms. Wagner stated that it is not likely. Chris Fredette of the Conservation Board added that in initial conversations with the Conservation Board, Ms. Wagner showed a map of wind resources in NYS and that there are not places in Perinton that are high enough with enough wind to be viable for the large WECD.

John DeSeyn, 340 Wilkinson Road, stated that he believes that it is very relevant that the Town looks at wind energy at this time and believes that the proposed code does not encourage or incent the general public to install a WECD. Mr. DeSeyn cited the American Wind Energy Association recommendations for kilowatts stating that the Town maximum allowed is 10 kilowatts but that our average home is 5-15 kilowatts. He believes that the 10 kilowatts is low especially for the type of person that might want to do low-level farming or support a milk cooler operation or some additional things beyond the home. Mr. DeSeyn also stated that the payback time to recover the cost of going with a WECD is a long time, maybe 10 years, and one of the ways that you might make this decision to go forward is with the ability to get these credits or at least make a dent in your home bill to recoup the capital costs. He stated that this leads to how many kilowatts and that leads to the height of the turbine and he has gone to symposiums where the general thought was 80-foot minimum tower height for a residential turbine to get good wind. He summarized by saying that he believes that the maximum kilowatts is low and the limit of 65 feet to the top of the component is also low. Mr. DeSeyn also stated

that the one acre plot minimum was of concern. One acre is 43,500 square feet and plots are not sold in circles, so that would be 208 feet on a side with the center being 104 feet. The proposed code states that the WECD must be three times its maximum height from the property line and the bottom of the blade cannot be more than 30 feet. Mr. DeSeyn stated that this adds up to the fact that you cannot put a turbine on one acre and that there is a dichotomy of restrictions and encouraged the Boards to consider this information. His calculations figured that the proposed code would require four acres for a small WECD installation. Mr. DeSeyn also stated that he did not believe that shadow flicker would ever be a concern and in general wants the specifications to be more encouraging to those interested in installing a WECD.

Ms. Wagner followed up by stating that the Town has taken a more conservative, careful approach as implementing a WECD code is new to the Town. She stated that the 10 kilowatt consumption number is typically a maximum usage for a household and would most likely be a third of that, so anyone who is really serious about supplying their power from a WECD would be looking to receive a credit on their utility bill for cycling the power back to that utility or going the battery route to store electricity from peak wind periods. She also stated that shadow flicker is not an issue once a person is 10 rotor diameters away from the tower. On the issue of the tower height, Ms. Wagner stated that the higher you get the more of an issue you would create for neighbors and that the Board was attempting to create a balance.

Mr. DeSeyn, reiterated that he believes that the tower height restriction is too low but the real issue is the three times to the property line maximum height. He stated that the inspections and certifications for the homeowner are very rigorous and questioned how the three times factor protect a person more than a 1.5 times factor. He made an example of an eighty-foot tower requiring a 10-acre plot that excludes many people with five-acre plots of land from participating in wind energy. Ms. Wagner responded that the rationale behind doubling the distance for the small WECD was due to the fact that the rigorous certification and inspection is not there at this time. Mr. DeSeyn asked where the height restriction came from and Ms. Wagner stated that the Board has looked at other ordinances and that it is not a visual restriction and that safety is a part of it.

Ken Rainis, Chairman of the Conservation Board stated that the Board's philosophy in looking to recommend this ordinance was based more or less on an overlay district approach. There are a number of competing factors that the Town Board needs to take into consideration. The Town does not want to prohibit or inhibit these kinds of things but when something new is started, you want to take a conservative balance approach, balancing the needs for the individual micro-communities within the Town. Mr. Rainis stated that this is best illustrated by height and density, therefore the philosophy was to create a series of parameters that can lay over the town like other overlay districts, LDD for example, in which there are areas that can be segregated with rationale that can be defended. As years go by, the Town will gain experience and modifications can be considered for the Code.

Mr. DeSeyn, stated that he was thankful for the work of the Board and that he was concerned after reading the proposed code that it was not an encouraging specification, especially to the small user.

Judith McNulty asked whether there would be variances granted for users whose property did not match the specifications exactly. Town Attorney Place stated that he would go back and review the proposed code to answer that question. Supervisor Smith made an analogy to the satellite dish market, reminding the audience that the size of dishes has decreased drastically and the WECD technology will also change drastically, but for now the approach recommended is a conservative one.

Chris Fredette asked whether roof top installations would be allowed and Ms. Wagner stated that the calculation that Mr. DeSeyn is using is for the minimum case which would be a roof top installation in which the house happens to be at the center of the lot.

The proposed Section 204 follows:

Added text

PLEASE SEE ENTIRE TEXT IN TOWN CLERK'S OFFICE

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

A motion was made by Councilperson Saum, seconded by Councilperson LaFay, that the proposed addition of section 204 of the Town Code, Wind Energy, be referred to the Planning Board for their comment.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

PUBLIC HEARING
AMENDMENT TO SECTION 119 OF THE
CODE OF THE TOWN OF PERINTON: EROSION AND SEDIMENT CONTROL

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication for the Public Hearing was given in the Fairport East Rochester Post on July 2, 2010; affidavit of posting was also July 2, 2010.

Assistant to the Commissioner of Public Works, Eric Williams, stated the intent of the revisions to Chapter 119 of the Town Code is to modify our current law so that it is more consistent with other Town codes or guidance documents that regulate land development including the Perinton design criteria construction specifications, the NYS Department of Environmental Conservation's Phase 2 Stormwater Regulatory Program and also the recommendations developed by the Irondequoit Creek Watershed Collaborative. Mr. Williams stated that the proposed changes are minor and include many language clarifications, specifically on how to calculate pre- and post-development peak flow rates for various storm events, the frequency of construction site inspections, maintenance responsibilities of private versus public stormwater management facilities, ponds, infiltration basins and the like. The proposed changes also identify the Town's preferred method to secure financial guarantees from developers during the construction phase of a particular project and finally the proposed changes have modified the acreage threshold when it is necessary for the creation of a Stormwater Pollution Prevention Plan (SWPPP) to meet the most current regulatory standards that have been established by the NYS DEC.

John DeSeyn, 340 Wilkinson Road, asked whether this code modification would change anything regarding the amount of non-permeable area required on sites. Mr. Williams said that it would not. Mr. DeSeyn then asked whether it changes anything with respect to the amount of non-permeable area with respect to the size of the site and Mr. Williams stated that green space requirements were not changed.

The changes to update the code to current standards for erosion and sediment control and revisions to the entire chapter 119 are as follows:

PLEASE SEE ENTIRE TEXT IN TOWN CLERK'S OFFICE

There being no questions, and all those wishing to be heard having been heard, the Public Hearing was closed. Supervisor Smith stated that the Town Board has a memo from the Conservation Board dated April 23, 2010 endorsing the changes to Section 119 of the Town Code.

Councilperson Havens made a motion, seconded by Councilperson Knapp, that the proposed changes to Section 119 of the Perinton Town Code be given a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) because the code change will in no way negatively affect the environment.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

A motion was made by Councilperson Havens, seconded by Councilperson Saum, that the proposed amendments to Section 119 of the Town Code, Erosion and Sediment Control, be adopted.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

PUBLIC HEARING
AMENDMENT TO SECTION 208 OF THE
CODE OF THE TOWN OF PERINTON: PUBLIC BUILDINGS AND GROUNDS

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication for the Public Hearing was given in the Fairport East Rochester Post on July 2, 2010; affidavit of posting was also July 2, 2010.

Director of Code Enforcement and Development, Michael Doser, stated that the revisions to Section 208 adjust the definitions for public buildings and grounds. Mr. Doser stated that senior living facilities are growing in popularity around the country and in Perinton. The purpose of this modification is to clearly define nursing homes, residential health care facilities, adult homes or residences for adults, according to the laws of New York. Additionally, there has been a definition created for "senior citizen apartments". The senior citizen apartment is a residential building with units for rent for more than five unrelated adults over the age of 55 years. Ninety percent of all the rental units must be occupied by an adult at least 55 years of age.

Mr. Doser reviewed the other proposed change to the public buildings and grounds, Section 208-8, and stated that recreational-oriented businesses and facilities also continue to become more popular. The Town is proposing a more narrow definition of "recreational facilities" to mean facilities that are not part of an enclosed mall or shopping center and has expanded the defined uses to include dance studios and karate studios.

Add text

Delete text

§ 208-8. Definitions

PUBLIC BUILDINGS AND GROUNDS –

- A. The words "public buildings and grounds," as used in this chapter, are intended to designate any one or more of the following uses, including grounds and accessory buildings necessary for their use:
- (1) Churches, places of worship, parish houses and convents.
 - (2) Public parks, playgrounds and recreational areas when authorized or operated by a governmental authority.

- (3) Nursery schools, elementary schools, high schools, colleges or universities having a curriculum approved by the Board of Regents of the State of New York.
- (4) Golf courses and country clubs when occupying not less than 50 acres, not including, however, clubs whose activities include the maintenance, storage or takeoffs or landings of aircraft.
- (5) Public libraries and museums.
- (6) Not-for-profit fire, ambulance, public safety and humane society buildings.
[Amended 10-27-1993 by L.L. No. 11-1993]
- (7) Proprietary or not-for-profit hospitals for the care of human beings, nursing homes, convalescent homes, homes for adults, homes for the aged or residences for adults as the same are defined under the Public Health Law or the Social Services Law of the State of New York, provided that they are duly licensed by the State of New York. ***Nursing homes, residential health care facilities, adult homes or residences for adults, all as defined by either the Public Health Law or Social Services Law or 'senior citizen apartments,' as defined by § 208-8.***
- (8) Recreational facilities, either for profit or not for profit, such as swimming, tennis, platform tennis, bowling, hockey, ice skating, ***karate studio, dance studio*** or other ***similar*** indoor or outdoor sports (***except if located within an enclosed mall or shopping center.***)
- (9) Day-care centers approved by the New York State Department of Social Welfare.

SENIOR CITIZEN APARTMENTS – A residential building with units for rent for more than five unrelated adults over the age of fifty-five years. 90% of all of the rental units must be occupied by an adult at least fifty-five years of age.

There being no questions, and all those wishing to be heard having been heard, the Public Hearing was closed. Supervisor Smith stated that amendments to Section 208 of the Town Code require referral to the Town Planning Board for their input to the Town Board.

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that the proposed amendments to Section 208 of the Town Code, Public Buildings and Grounds, be referred to the Planning Board for their comment.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

ORDER FOR HEARING
EXTENSION #57 TO
PERINTON CONSOLIDATED SEWER DISTRICT #8

2010 OUT-OF-DISTRICT

Assistant to the Commissioner of Public Works, Eric Williams stated that the Department of Public Works is requesting that the Town Board consider scheduling a Public Hearing to entertain the possibility of forming a sewer district extension that will encompass fourteen properties. Mr. Williams highlighted the properties on a Town map and stated that they currently represent the out-of-district sanitary sewer customers that should now be brought into the Town’s consolidated sewer district. The formation of this district extension will provide the following benefits to the Town and the 14 subject properties:

- All property owners and properties within the proposed Sewer District have received a benefit by connecting to an existing sanitary sewer within the Town’s Consolidated Sewer District.
- All of the subject properties and property owners that have benefited are included within the limits of this proposed extension
- There will be no bonded indebtedness upon the current properties within the Consolidated Sewer District as a result of the proposed extension
- No construction will be required as a result of the establishment of this proposed extension.

TOWN OF PERINTON MONROE COUNTY NEW YORK

In the Matter
of

ORDER FOR HEARING

EXTENSION NO. 57 to PERINTON CONSOLIDATED SEWER
DISTRICT NO. 8
(Out-of-District Customers)

At a regular meeting of the Town Board of the Town of Perinton, held at the Town Hall, 1350 Turk Hill Road, Fairport, New York, on July 28, 2010, at 8:00 p.m., there were:

PRESENT:	Supervisor James E. Smith; Councilpersons Patricia S. Knapp, Peg S. Havens, Carolyn H. Saum and Joseph LaFay
ABSENT:	None
ALSO PRESENT:	Jennifer A. West, Town Clerk, Thomas C. Beck, Commissioner of Public Works, Robert Place, Town Attorney

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

WHEREAS, Perinton Consolidated Sewer District No. 8 was created on September 27, 1989, which consolidated into one district, effective January 1, 1990, all existing sewer districts within the Town of Perinton, and

WHEREAS, from time to time additional customers whose properties were not located within the boundaries of Perinton Consolidated Sewer District No. 8 were permitted to hookup to existing sanitary sewer mains as “out-of-district” customers at their own expense, and

WHEREAS, Section 171-5B of the Sewer Rent Ordinance of the Town of Perinton provides: “B. Upon property outside of said current Perinton Consolidated Sewer District and any extensions thereto, the rent shall be the sewer rent per chargeable unit duly established under §171-5A above plus a surcharge of ten percent (10%) of said annual sewer rent.”, and

WHEREAS, a map, plan and report have been prepared, in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Perinton relating to the establishment of Extension No. 57 to Perinton Consolidated Sewer District No. 8, and

WHEREAS, such map, plan and report have been duly filed in the Town Clerk’s Office at the Perinton Town Hall, 1350 Turk Hill Road, Fairport, New York 14450, where it is available for inspection by the public, and

WHEREAS, the Town Board of the Town of Perinton has bound and determined that fourteen (14) separate parcels of land not now included in Perinton Consolidated Sewer District No. 8 should be incorporated into a sewer district extension in order to facilitate collection of sanitary sewage and storm water drainage and to provide for orderly development of future extensions and that all property and property owners benefitting from the proposed extension should be included therein, and

WHEREAS, the individual parcels of land as the same are shown on the Assessment Roll of the Town of Perinton prepared in 2009 for use in 2010 are:

<u>Tax Account Number</u>	<u>Name</u>	<u>Address</u>
152.07-1-22	Joanne E. Tucker / Edward J. Brusso	696 West Whitney Road
153.02-2-17	Arthur & Laura Bates	1683 East Whitney Road
167.03-1-9.1	Lawrence & Joyce Ritchie	312 Aldrich Road
167.03-1-9.2	Richard Walter Hallagan	314 Aldrich Road

167.13-1-8.1	James Contino	29-31 Aldrich Road
167.17-1-1.1	Colleen Herring	187 Aldrich Road
179.10-1-26.11	PVR LLC	720 Pittsford Victor Road
179.18-1-25	James R. Holzwarth	961 Pittsford Victor Road
180.07-1-3	Dennis A. Jennings	7216 Pittsford Palmyra Road
181.05-1-5.2	Brian R. & Linda R. Shaw	425 Aldrich Road
193.02-1-17	County of Monroe IDA MCCH LLC Morell Builders	1501 Pittsford Victor Road
165.17-2-54	Mark T. Barry	70 Benedict Road
152.11-1-4	Mary Jane Proschel	2745 Baird Road
153.02-2-1	Arthur L. & Mary Ann Miller	1667 East Whitney Road

WHEREAS, it is not proposed to do any excavation or construction or to spend any money for the construction of improvements and all units within the proposed Extension shall be subject to annual charges for operation and maintenance as specified in the Sewer rent Ordinance of the Town of Perinton,

NOW THEREFORE, IT IS HEREBY ORDERED, that the Town Board of the Town of Perinton shall convene at the Town Hall, 1350 Turk Hill Road in the Town of Perinton, New York, on August 25th, 2010 at 8:00 p.m., local time, to consider the aforesaid map, plan and report and to hear all persons interested in the subject thereof concerning the same, and it is further

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

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

opened on August 27, 2010 at 1:00 PM. If the bid is approved, the work would commence in late September.

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that the Commissioner of Recreation and Parks be authorized to advertise for bids for the maintenance and repair of the tennis courts at Kreag Road and Fellows Road Parks.

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

**APPROVE CHANGE WORK ORDER
COURTNEY DRIVE/CHARDONNAY DRIVE CONNECTOR ROAD PROJECT**

Commissioner of Public Works Beck recommended approval of a change work order for a credit in the amount of \$10,000 for the Courtney/Chardonay Connector Road Project. All of the bids received for the project including Villager Construction, Inc.'s bid, contained a line item in the amount of \$10,000 for office space, computer service and telephone service for the Construction Inspector. The Town has removed this item from the contract as the inspector will be using his vehicle and the Town will supply the inspector with the appropriate work space at the DPW complex.

A motion was made by Councilperson LaFay, seconded by Councilperson Knapp, that the above change work order be approved as recommended by Commissioner Beck. It is the result of a change in conditions and was not foreseen in the original plans.

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

**APPROVED EASEMENT FOR CONNECTOR ROAD
COURTNEY DRIVE TO CHARDONNAY DRIVE**

Commissioner of Public Works Beck stated that the Town Board awarded a contract to construct the connector road between Courtney Drive and Chardonay Drive. The Town has acquired some property from Meriweg Fairport, LLC (Emeritus Senior Living) and a small portion of their existing parking lot ends up on the land just acquired. Mr. Beck is requesting that the Town Board grant an easement to Meriweg to allow the parking spot to be on Town property. Mr. Beck stated that the small piece of land will actually be in the road right-of-way and will have no impact on the road operation or the road construction project.

Councilperson Saum made a motion, seconded by Councilperson Knapp to grant the easement to Meriweg Fairport, LLC as outlined above.

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 #7 for July 2010 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

JULY AUDIT

General Fund	\$89,320.10
Town Outside of Village	61,254.62
Recreation	89,862.60
Highway General Repair	480,355.57
Highway Snow & Miscellaneous	180,321.58
Joint Sewer	15,399.17
Debt Service Sewer	1,674.00
Perinton Ambulance	16.41
Bushnells Basin Fire Protection Dist	78.74
Fairmont Hills Maint Dist	1,734.00
Chardonay Connector Project	4,871.86
Jefferson Ave Sewer Project	<u>9,102.58</u>
	\$933,991.23 Total

The above items were numbers 78399-78702.

JULY MANUAL

General Fund	\$77,838.39
Town Outside of Village	6,119.08
Recreation	36,140.78
Joint Sewer	10,833.26
Midlands Lighting Dist	416.52
Deer Run Lighting Dist	1,384.37
Misty Meadows Lighting Dist	112.57
Chardonay Connector Project	<u>71,350.00</u>
	\$204,194.97 Total

The above items were paid with checks #78376-78381,78393-78398.

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 9:05 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk