

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, December 8, 2010

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

ABSENT: Carolyn H. Saum Councilperson

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; Jennifer A. West, Town Clerk; Michael Doser, Director of Code Enforcement and Development; Jeffrey Myers, Commissioner of Recreation and Parks; Carol S. Johnston, Deputy Town Clerk; Ken Rainis, 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.

Supervisor Smith stated that Mr. Edward Hitchings, 17 Misty Pine Road requested that his comments from the October 13, 2010 Town Board meeting be amended to say, "Perhaps spending 25% of the overall appropriations on Parks and Recreation is excessive". Councilperson Havens made a motion, seconded by Councilperson LaFay, that the minutes of the Town Board meeting of November 17, 2010 be approved as submitted by the Town Clerk and that the minutes of the Town Board meeting of October 13, 2010 be amended as stated above.

Ayes: Smith, Knapp, LaFay, Havens

Nays: None

Unanimously approved

PUBLIC HEARING
UNSAFE BUILDING
17 CRYSTAL SPRINGS LANE

Michael Doser, Director of Code Enforcement and Development stated that there was an Order for Hearing regarding this matter on October 13, 2010 with the plan to hold a Public Hearing this evening to authorize the demolition of the home at 17 Crystal Springs Lane. Since that time the homeowner agreed to demolish the home, which had been abandoned for seventeen years, themselves. The homeowners hired a contractor, received a demolition permit and the house was torn down on December 6, 2010. Supervisor Smith stated that the Public Hearing is now not necessary.

2011 UNDERTAKING
RECEIVER OF TAXES AND ASSESSMENTS

Town Clerk West reported that, as required by Section 25 of Town Law, the Town Board annually approves the bonding of the Receiver of Taxes and Assessments. She asked that the Board do so for the year 2011.

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

WHEREAS, Karen L. Heim, residing in the Town of Perinton, County of Monroe, State of New York, has been duly appointed to the office of Receiver of Taxes and Assessments of the Town of Perinton, New York, and

WHEREAS, under Section 25 of Town Law, said Receiver of Taxes and Assessments is required to execute and file an official undertaking, and the amount of

such undertaking having been fixed by the Town Board of the Town of Perinton, in the manner provided for by law, in the sum of \$1,000,000, for faithful performance of her duties,

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Perinton approves the continuation of policy #104421086 held by Travelers Casualty and Surety Company of America, to provide bonding for Karen L. Heim, Receiver of Taxes and Assessments, and Debbie Dorazio-Brown, Deputy Receiver of Taxes and Assessments and directs that this resolution and the bond be filed in the office of the Town Clerk.

Ayes: Smith, Knapp, LaFay, Havens

Nays: None

Unanimously approved

DECISION
AMENDMENT TO SECTION 208-52 OF THE
CODE OF THE TOWN OF PERINTON
PLANNED DEVELOPMENT DISTRICTS

Michael Doser, Director of Code Enforcement and Development explained that this section of code was edited and simplified.

Councilperson LaFay made a motion, seconded by Councilperson Havens, that the amendment to Section 208-52 of the Code of the Town of Perinton regarding Planned Development Districts be given a Negative Declaration under the New York State Environmental Quality Review Act (SEQR) based upon the fact that this code change will in no way negatively impact the environment.

Ayes: Smith, Knapp, LaFay, Havens

Nays: None

Unanimously approved.

Councilperson Havens made a motion, seconded by Councilperson Knapp to accept the following amendment to Section 208-52 of the Code of the Town of Perinton citing the recommendation of the Planning Board memo dated December 7, 2010 in which they unanimously supported the proposed Code Changes.

§208-52 Planned Development District (PDD).

A. Intent.

- (1) The intent of this district is to permit the development of land for specialized purposes where tracts of land suitable in location, area and character for the uses and structures proposed are to be planned and developed on a unified basis. Suitability of land proposed for such development shall be guided by the Comprehensive Plan, other plans and official policies used to guide development in the Town, and the existing and prospective character of surrounding land uses. The application of a planned development district shall result in development with certain advantages over that which would be obtained under conventional zoning; result in the preservation and enhancement of the natural, cultural or historic features of the site; result in land uses and physical site arrangements which are not contemplated under conventional zoning but which would further the development goals of the Town; reduce improvement costs through more efficient arrangement of varied land uses, buildings, circulation systems and infrastructure; and result in the promotion of the general health, safety and welfare of the Town.
- (2) Where planned development is deemed appropriate through the rezoning of land to a Planned Development District by the Town Board, the set of use and dimensional specifications elsewhere in the zoning regulations are herein replaced

by an approval process in which an approved development plan becomes the basis for continuing land use controls.

B. Permitted uses. All uses allowed within an area designated as a PDD are determined by the provisions of this section and the approval of the project.

- (1) Residential uses. In developing a balanced community, the use of a variety of housing types and densities shall be deemed most in keeping with this article.
- (2) Accessory commercial, service and other nonresidential uses. Commercial, service and other nonresidential uses may be permitted in residential zones (or required) where such uses are scaled primarily to serve the residents of the PDD and the immediate surrounding area. In general the uses first identified within the Limited Commercial Zoning District are considered appropriate. Consideration shall be given to the project as it exists in its larger setting in determining the appropriateness of such uses. In addition to residential uses, if the proposed project is located in a nonresidential zone, then the uses permitted in those districts are considered appropriate.
- (3) Public building and grounds. Public Buildings and Grounds, as defined within this Code shall be deemed to be a permitted use within the PDD.

C. Basic requirements.

- (1) Planned Development Districts may be established by amendment to the Official Zoning Map, and may be approved in any developed or undeveloped areas of the Town where appropriate conditions exist.
- (2) An application must be filed by the owner or jointly by owners of all properties to be included in the district. All approved plans shall be binding on all successors in interest of the applicants.
- (3) The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the site, from probability of flooding, erosion, subsidence or slipping of the soil or other dangers, annoyances or inconveniences. Soil conditions, groundwater level, drainage and topography and other factors shall all be appropriate to support both the kind and pattern of the intended use.
- (4) All uses within an area designated as a Planned Development District are determined by the provisions of this section and the approved site plan of the subject project.
- (5) The appropriate types of uses within the Planned Development District shall be guided by the Comprehensive Plan goals and objectives.
- (6) The planned development regulations that follow shall apply generally to the initiation and regulation of all Planned Development Districts. The new regulations shall apply within the Planned Development District, where for a particular application, general zoning, subdivision or other regulations or requirements are waived or altered.

D. Design standards.

- (1) The Town of Perinton Design Criteria and Construction Specifications for land development are adopted herein by reference, and shall establish the standard for project design and construction as appropriate.
- (2) Tract perimeter standards. All dimensional requirements of conventional zoning districts shall apply to the perimeter of planned development projects on the sides where said planned development project abuts a conventional zoning district; these shall include setbacks and buffering requirements.
- (3) General site development guidelines. These guidelines provide some direction to the designer to understand the maximum intensity of lot coverage envisioned by this Code; if the designer exceeds these guidelines he must provide a written

rationale supported by the Comprehensive Plan's goals and objectives to substantiate the design.

- (a) Maximum building coverage shall not exceed 35% of the total site or parcel area.
 - (b) Maximum coverage by all buildings, structures, parking areas and impervious surfaces shall not exceed 65% of the total site or parcel area.
 - (c) Maximum building height shall be 30 feet, unless the Town Board finds that some greater height is reasonable and appropriate given the location of the development, the terrain involved and the nature of the development.
 - (d) Setbacks from public rights-of-way, private drives, structures and interior lot lines etc. shall be proposed by the designer. The Town Board shall approve such setbacks and these shall become binding upon the district.
- (4) Standards for off-street parking, loading and signs for planned development district uses shall be guided by those for equivalent or similar uses in conventional zoning districts, but may be modified by the Town Board to better achieve site development objectives, during the site plan and subdivision approval process. If the designer proposes a variation from these conventional standards, they shall be presented as part of the district and approved by the Town Board.

E. Application procedure.

- (1) It is the intent of this section to allow Planned Development Districts based on four phases of review.
- (a) The first step is for the applicant to make a concept application to the Town Board for rezoning to a Planned Development District. This application shall be forwarded for comment and recommendations to the Planning Board, the Conservation Board and other boards and agencies as determined by the Town Board, if the Town Board determines it wants to hold a public hearing(s) on the application.
 - (b) After a public hearing is held, and it is determined that the application has merit, the second step is that the Town Board will refer the application to the Planning Board for preliminary site plan approval and subdivision approval (if requested), if it determines that the application has merit. The Town Board shall make a SEQRA determination at this time, utilizing a coordinated review with the Planning Board.
 - (c) The third step in the development of a planned development project is obtaining final site plan approval and subdivision approval (if requested). If the project is in an historic district or includes a designated landmark, the applicant must also obtain a certificate of appropriateness from the Historic Architecture Commission.
 - (d) After receiving site plan approval and subdivision approval (if requested), the applicant will return to the Town Board for final rezoning action based upon the site plan and approved subdivision plat (if requested). Upon receiving final rezoning approval, the Town's Official Zoning Map shall be amended to reflect the change in zoning.
- (2) An application in the form of a letter of intent and a concept plan shall be provided to the Town Board and Planning Board. Twenty (20) copies shall be provided for distribution and review. The Town Board, upon receipt of an application, shall refer the application to the Planning Board for review and recommendation. When required by § 239-e et seq. of the General Municipal Law, the applications shall be forwarded to the County Planning Board for its review. The Town Board and/or Planning Board may also refer the application to the Conservation Board, Town Engineer and Historic Architecture Commission as well as other local and county officials, representatives of federal and state agencies and consultants.

- (3) The application is expected to be accompanied by conceptual plans in for which the uses, building footprints, internal vehicular and pedestrian circulation, utility layouts, architectural treatment, setbacks, existing and proposed grades, landscaping, parking, lighting, signing, and other design objectives and standards for the district are shown.
 - (4) The concept (or sketch) plan shall be to scale, though it need not be to the precision of a finished engineering drawing. The application shall explain and show the following information.
 - (a) Location and extent of all proposed land uses, with areas in acres, as well as any proposed open space including the development guidelines proposed for setbacks, building size, lot coverage, parking, impervious surfaces and other similar land use restrictions found within the Zoning Code.
 - (b) All interior streets, roads, easements and their planned public or private ownership, as well as all points of ingress and egress from existing public rights-of-way.
 - (c) An area map showing the applicant's entire holdings and adjacent properties; that portion of the applicant's property under consideration; all properties, subdivisions, streets, easements, watercourses, LDD and other significant natural and built features within 500 feet of the applicant's property; and all uses and zoning of abutting lands.
 - (d) If residential in nature, description of the number of residential units, their dwelling type, number of stories, the overall architectural style and the overall density of the proposal. If nonresidential in nature, the number of stories, the range of building footprints, the total impervious surface, the architectural style and guidelines and the overall density of the proposal.
 - (e) The area water and sanitary sewer systems with proposed points of attachment to existing systems; the proposed storm water drainage system and its relation to existing systems.
 - (f) Description of the manner in which any common areas that are not to become publicly owned are to be maintained, including open space, streets, lighting and other considerations relevant to the proposal.
 - (g) If the development is to be phased, a description and graphic representation of the phasing of the entire proposal in terms of length of time, type and number of units or activities completed per phase.
 - (h) A description of any covenants, easements, restrictions proposed to be imposed upon the use of the land, buildings or structures, including proposed easements for public utilities.
 - (i) A written statement by the applicant setting forth the reasons why, in their opinion, the proposal would be in the public interest and would be consistent with the Town's goals and objectives.
 - (j) A long-form environmental assessment form (EAF) with a completed visual addendum.
- F. The Planning Board report and recommendation to the Town Board shall include the following findings:
- (1) The suitability of the tract(s) for the general type of development proposed, the physical characteristics of the land and the relation of the proposed development to surrounding existing and probable future development.
 - (2) The adequacy of major roads, utilities and other facilities and services to serve the development.
 - (3) That the proposal is conceptually sound and that it meets local and area-wide needs and it conforms to accepted design principles in the proposed functional

roadway and pedestrian system, land use configuration, open space system, hiking trail system and drainage system.

- (4) The plans are consistent with the Town's Comprehensive Plan's goals and objectives and/or other plans or policies used to guide development in the Town.
- G. The Conservation Board's reports and recommendations, provided during preliminary review by the Planning Board, should consider all pertinent environmental issues.
- H. Following the receipt of the recommendations of the Planning Board and Conservation Board, the Town Board shall then hold a public hearing to consider the application for Planned Development District.
- (1) The Town Board may recommend the Planning Board consider site plan approval and subdivision approval (if requested) only after finding that the proposed district has community value and that the development area has adequate resources and public facilities, including transportation, water supply, waste disposal and fire protection, to handle the development being proposed. The Town Board must also determine that there will be no significant environmentally damaging consequences and that the development area incentives or bonuses are compatible.
 - (2) If the Planning Board grants final site plan approval and subdivision approval (if requested), and the Town Board grants Planned Development District zoning, the Zoning Map shall be so revised to indicate a Planned Development District. The Town Board may, if it feels it necessary, in order to fully protect the public health, safety and welfare of the community, attach to its zoning resolution any additional conditions or requirements for the applicant to meet. A public hearing shall be held on any application submitted pursuant to this article, and public notice shall thereby be given thereof by the publication in the official newspaper of such hearing at least five days prior to the date thereof and a sign posted on the property in accordance with § 208-60E of this Code.
- I. Once the Town Board has granted the rezoning request, the applicant shall have one year to commence significant development on the site. Failure to commence significant site development within one year shall cause the land to revert to the original zoning classification(s). All previously approved Planned Development Districts will expire and revert to the original zoning classification if there is failure to commence significant site development within two years of the passage of §208-52I.
- J. For the purpose of regulating development and use of Planned Development District property after initial construction and occupancy, any changes other than tenant changes shall be subject to site plan review by the Planning Board. If use changes, or modifications to the established zoning restrictions placed upon the district under the original amendment are requested, these shall be processed as special use permits granted by the Town Board in addition to site plan approval by the Planning Board. It shall be noted, however, that properties lying within planned development districts are unique and shall be so considered by the Planning Board or Town Board when evaluating these requests; and maintenance of the intent and function of the planned development shall be of primary importance.
- K. Required modifications during subdivision or site plan approval. If in the subdivision or site plan review process it becomes apparent that certain elements of the application, as it has been approved by the Town Board, are in need of modification, the applicant shall present a proposed solution. The Town Board shall then determine by resolution whether or not the modified plan is still in keeping with the intent of the zoning resolution.
- L. Minor building additions to single-family residential units within the PDD, up to 15% of the original footprint may be permitted through the normal permitting process. Additions in excess of 15% shall receive a site plan approval from the Planning Board.

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

Judith McNulty, 647 Thayer Road, asked whether anything has changed in this code amendment since the Order for Hearing. Mr. Doser stated that the existing PDD with Longwell Development has two years from tonight's adoption of the new Code to start development.

VOLUNTEER BOARD APPOINTMENT

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

WHEREAS, the term of David Schaeffer as a member of the Perinton Recreation and Parks Advisory Board will expire on December 31, 2010,

NOW, THEREFORE, BE IT RESOLVED, that David Schaeffer, 29 Chablis Drive, Fairport, NY 14450 be reappointed as a member of the Perinton Recreation and Parks Advisory Board with a term to expire on December 31, 2017.

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

AUTHORIZATION TO BID RECREATION SUPPLIES, WEARING APPAREL, ARTS & CRAFT SUPPLIES JANITORIAL SERVICES

Recreation & Parks Commissioner Jeffrey Myers reported that it was once again time to seek bids for recreation supplies, wearing apparel and arts and crafts supplies. He asked the Board for authorization to bid for those supplies as well as janitorial services for the year 2011. These are budgeted items; authorizing the bidding process in 2010 means the materials will be available throughout 2011.

A motion was made by Councilperson LaFay, seconded by Councilperson Havens, that the Recreation & Parks Commissioner be authorized to advertise for bids for recreation supplies, arts & crafts supplies, wearing apparel and janitorial services.

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

AUTHORIZATION TO PURCHASE FERTILIZER SPREADER

Recreation & Parks Commissioner Jeffrey Myers stated that the Parks Division would like to purchase a commercial grade fertilizer/herbicide spreader. There are four Parks staff members with certified pest applicator licenses and completing the task in house would eliminate approximately \$4,000 per year vendor contract for these treatments.

Councilperson Knapp made a motion, seconded by Councilperson Havens to authorize the expenditure of \$7,099 to purchase a fertilizer spreader with the funds to be taken out of the 2010 Parks Equipment budget.

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

ACCEPT RESIGNATION
RECREATION AND PARKS ADVISORY BOARD

Recreation and Parks Commissioner Jeffrey Myers stated that Kevin Ruster has been a member of the Recreation and Parks Advisory Board since December 30, 1991 and has resigned from this Board effective 12/1/2010. Supervisor Smith and Commissioner Myers thanked Mr. Ruster for his service to the Town and stated that he has done an excellent job serving on the Recreation and Parks Advisory Board.

Councilperson Knapp made a motion, seconded by Councilperson Havens to acknowledge and accept Mr. Ruster's resignation with the Town Board's appreciation.

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

AUTHORIZE SUPERVISOR TO SIGN ANNUAL ASSESSMENT
CONTRACT

Supervisor Smith explained that the Town has various assessment responsibilities which must be carried out from time to time. The residential assessment updates were completed a year ago. In the off years, the non-residential properties in the Town are reviewed. This year the Town must provide an annual analysis of our assessment roll, a five-year plan on reassessments, and a review of all commercial properties and agricultural land valuation for the 2012 roll. For the past six years, the Town has contracted with David Miller, the owner of Assessment & Valuation Services. Mr. Miller is an expert in melding computers together with real estate values and running models to accurately determine new values. Town Assessor, Morabito is requesting that Supervisor Smith sign a contract in the amount of \$19,750 to provide this service for 2011. This cost was outlined in the 2011 Assessment Office budget.

Councilperson Knapp made a motion, seconded by Councilperson Havens that Supervisor Smith be authorized to sign the contract with David Miller, Assessment & Valuation Services, in the amount of \$19,750.

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

APPOINT CROSSING GUARD

A motion was made by Councilperson Havens, seconded by Councilperson LaFay, that Jacqueline Mitchell, 3 Santa Drive, Fairport, NY 14450 be appointed a substitute crossing guard.

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

APPROVE 2011 AMENDATORY ALL SEASONS COUNTY/TOWN WORK
AGREEMENT

DPW Commissioner Beck presented the 2011 All Seasons County/Town Work Agreement, a one year contract extension to the original that went into effect on January 1, 2007. The extension provides for a fringe benefit rate of 52.19%. The roadside mowing reimbursement rate is \$85.25 per mile mowed for each pass; the dead animal pickup rate is \$28.75 per center lane mile. He asked the Board to approve the contract and authorize the Supervisor to sign the contract.

Councilperson Knapp made a motion, seconded by Councilperson Havens, that the Board approve the 2011 All Seasons County/Town Work Agreement and that the Supervisor be authorized to sign that agreement.

Ayes: Smith, Knapp, LaFay, Havens

Nays: None

Unanimously approved

BUDGET AMENDMENTS

Supervisor Smith said that the Board has received a memo from Finance Director Spacher, dated December 7, 2010, asking that the various accounts in the 2010 budget be reconciled with actual expenses/revenues for the year.

A motion was made by Councilperson Havens, seconded by Councilperson LaFay, that the 2010 budget be amended, items be encumbered and inter-fund transfers and loans be made per the list submitted by Finance Director Spacher.

Ayes: Smith, Knapp, LaFay, Havens

Nays: None

Unanimously approved

MONROE COUNTY SNOW & ICE CONTRACT
AMENDATORY AGREEMENT

Commissioner Beck presented the Board with an amendatory agreement with Monroe County that modified the Inter-Municipal Agreement for Snow Removal and Ice Control Services for the 2010-2011 winter season. The original contract was instituted for a 10-year term from October 1, 2003 - September 30, 2013. The amendatory agreement provides for an annual adjustment to the lane mile payment rates. The agreement compensates the Town of Perinton with a flat rate of \$3,598.00 per lane mile for plowing plus a flat rate of \$7,048.32 for installation of snow fence and sweeping. The total contract amount is \$261,703.97, an increase of \$11,648.83 over last year's amount.

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

WHEREAS, Monroe County owns, operates and maintains a highway system in the towns and villages of the county, and

WHEREAS, the County Superintendent of Highways has general charge and supervision of the work of constructing, improving, repairing and maintaining all County roads, and

WHEREAS, County funds may be expended for the control and removal of snow and ice from County roads, and

WHEREAS, the County may contract with the Town of Perinton for snow removal and for salting or otherwise treating County roads for the purpose of removing the danger of ice and snow, and

WHEREAS, the Town has appropriated snow and ice removal equipment and sufficient snow and ice control personnel to contract with the County for snow and ice control services,

NOW, THEREFORE, BE IT RESOLVED, in consideration of the mutual covenants, agreements and consideration hereinafter set forth and pursuant to Sections 118-b, 135-a and 142-d of the New York State Highway Law, the parties hereto mutually agree that the Town of Perinton will provide snow and ice control services on the County highway system and that the County will reimburse the Town for the provision of these services under a lump sum reimbursement contract.

BE IT FURTHER RESOLVED, that this agreement, titled Intermunicipal Agreement Between Monroe County and the Town of Perinton, dated October 2003, shall be for a period of ten (10) years beginning October 1, 2003 and expiring on September 30, 2013. Annual adjustments to the rates may be made. The rates and renewal or extension of the agreement shall be at the mutual consent of all parties.

In consideration of the performance by the Town of Perinton, the County agrees to pay for Standard Activities to the Town each year during the term of this agreement \$3,598 per lane mile for 70.78 lane miles. In addition the County agrees to pay for Special Activities performed by the Town of Perinton under this agreement either by unit price or by actual cost method. The estimated Special Activities Payment is \$7,048.32 for snow fence and sweeping combined.

The total of the Standard Activities payment and the Special Activities payment for the period is \$261,703.97.

BE IT FURTHER RESOLVED, that James E. Smith, Supervisor of the Town of Perinton is authorized to sign the above agreement for the Town of Perinton.

Ayes: Smith, Knapp, LaFay, Havens

Nays: None

Unanimously approved

Councilperson Knapp asked about a newspaper article discussing the mixing of beet juice with the road salt to help the salt go further and stick to the road better. Commissioner Beck stated that the Town does not use beet juice but does use other agricultural by-products to treat salt. He explained that these agricultural by-products may be mixed with either liquid calcium chloride or magnesium chloride to treat salt. The Town uses straight salt when the temperature is in the low 30 degrees and this year uses a wood pulp by-product mixed with calcium chloride to treat the salt. This mixture makes the salt sticky so that the salt sticks to the road better and therefore the Town gets better results with the mixture. The other benefit is that the product is treated with a corrosion inhibitor and renders the salt almost corrosion-less. The liquid calcium or magnesium chloride also work at lower temperatures.

ACCEPT CONSERVATION BOARD FINDINGS ON HIGH ACRES LANDFILL ANNUAL PROGRESS UPDATE

Michael Doser, Director of Code Enforcement and Development explained that the Perinton Conservation Board held a Public Hearing in August to present its review on the High Acres 2009/2010 Annual Progress Update. The Conservation Board is charged with this initiative each year as part of the Phase III Landfill expansion project approval agreement between Waste Management of New York and the Town of Perinton. Mr. Doser stated that the Conservation Board recommends that the High Acres 2009/2010 Annual Progress Update be accepted by the Town Board for the following reasons:

- Waste Management of New York (WMNY) has addressed noise levels, showing that they are in general compliance with the NYS DEC Solid Waste Management Program Part 360 daytime noise standards for landfill operations in suburban areas.
- WMNY continues to show progress in implementing its general landscaping plan, berm build-out plans and wetland mitigation plans, which are ongoing efforts.

Mr. Doser commended the Conservation Board for its fine efforts in reviewing the report's adequacy and providing guidance and input to WMNY. Supervisor Smith recognized and commended Conservation Board Chairman Ken Rainis (in attendance) and stated that Waste Management recently received an internationally-judged award for their efforts at High Acres in constructing the wetlands. Mr. Rainis stated that there are many species of birds in particular that are coming back into the Town that have not been seen here in decades and that this is a direct result of habitat diversification projects taken on by Waste Management.

Councilperson LaFay made a motion, seconded by Councilperson Havens to accept the Conservation Board's findings on the High Acres' Annual Progress Update.

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

INDIAN VALLEY SEWER PROJECT

Supervisor Smith stated that a meeting was held on December 7, 2010 with the Indian Valley neighborhood (151 properties) to discuss the formation of a sewer district in the neighborhood. Commissioner Beck stated that Eric Williams would be coming to the Town Board in January 2011 to request a Public Hearing for the formation of an Indian Valley Sewer District. Supervisor Smith stated that the intent is to do a three year phased construction of the sewer district.

AUDIT APPROVED

A motion was made by Councilperson LaFay, seconded by Councilperson Knapp that Audits #12 and #13 for the months of November 2010 (Audit 2) and December 2010 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

NOVEMBER MANUAL 1 CORRECTION

General Fund	\$4,910.40
NOVEMBER AUDIT 2	
General Fund	\$1,032.35
Recreation	100.23
Lake Lacoma Lighting District	16.20
Meadows Lighting District	460.65
Deer Run Lighting District	<u>79.36</u>
	\$1,688.79 Total

The above items were paid with checks #80153 and 80154.

DECEMBER AUDIT 1

General Fund	\$28,036.97
Town Outside of Village	169,182.05
Recreation	69,878.01
Highway General Repair	3,659.58

Highway Snow and Misc.	35,957.52
Joint Sewer	2,892.12
O'Connor Road Relocation Project	1,091.78
Chardonnay Connector Project	140,744.71
Jefferson Ave Sewer Project	<u>3,520.00</u>
	454,962.74

The above items were paid with checks #80173-80322.

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

A motion was made by Councilperson LaFay, seconded by Councilperson Knapp, that the reports from the Finance Director, Town Clerk and the Code Enforcement and Development Department for the month of November 2010 be approved.

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

Supervisor Smith stated that the next Town Board meeting would be December 29, 2010 and it will also be the Town's 2011 Organizational Meeting. 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