

PERINTON TOWN BOARD MEETING
 1350 Turk Hill Road, Fairport, NY 14450
 Wednesday, October 26, 2011

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; Kevin Spacher, Director of Finance; Jeffrey Myers, Commissioner of Recreation and Parks; Diane Riesenberger, Recreation Director; Stacey Estrich, Parks Director; Michael Doser, Director of Code Enforcement and Development; Chris Waldron, Recreation Leader; Stephen Van Vreede, Recreation and Parks Advisory Board.

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

Councilperson Havens made a motion, seconded by Councilperson Saum, that the minutes of the Town Board meeting of October 12, 2011 be approved as submitted by the Town Clerk.

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

PUBLIC HEARING
 2012 TOWN BUDGET

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication was given in the Fairport East Rochester Post on October 13, 2011; affidavit of posting was also October 13, 2011.

A summary of the 2012 proposed budget was distributed to those present. Supervisor Smith recapped by stating that Perinton has the third lowest full value Town tax rate of the nineteen Towns in Monroe County. He stated that we have also been one of the three lowest in Monroe County for at least the last thirty-five years. Supervisor Smith explained that the budget is divided into five funds and within each of those funds he showed in the powerpoint presentation (and handout) the appropriations, estimated revenues, unexpended balances and amount to be raised by taxes. He also reviewed the three statutory categories for the budget, which are personal services, equipment and contractual expenses. Included in the personal services portion of the proposed budget is a 2% cost of living adjustment for the Town employees. Supervisor Smith stated that there would be minimal change in the Town's assessed value from 2011 to 2012, appropriations were up \$777,727, revenues and unexpended balances were up by \$533,240 and the net amount to be raised by taxes was a \$243,859 increase or \$.02 increase in tax rate for residents in the Village of Fairport and a \$.07 increase in tax rate for the Town outside the Village.

Supervisor Smith explained that in addition to having low taxes versus our sister communities in Monroe County, the Town Board also strives to have steady taxes with no peaks and valleys in the tax rate. He pointed out that the increase in tax rate from 2010 to 2011 in the Town and Village was due to an increase in the mandatory payment to the NYS retirement system. In 2009, the Town tax rate increase was due to the spike in petroleum costs. Paving, plastic materials, and fuel costs are all included in the petroleum costs. Supervisor Smith pointed out a few items on the Fund Appropriations

sheet. The Purchase of Land category goes from \$85,000 to 0 in 2012 as the last installment payment on the purchase of the development rights to the Chase Farm was made in 2011 (there is an offsetting entry on the Revenue sheet as well). This purchase was funded through the Capital Reserve Fund for Open Space Acquisition-essentially funded the purchase through a "savings account". The Celebrations category of the Fund Appropriations page is increased to fund Perinton's 200th Anniversary celebration. The Reimbursement to Highway for Roadside Pickup line is increased to reflect fringe benefit expenses. Some of this money is moved within the budget from the General Fund Townwide to the General Fund Outside of the Village, as this is a benefit to the residents outside of the Village. The Employee Benefit category increase is due to the cost of NYS retirement system cost mandates. The Highway Expense line increase is comprised of Highway Equipment cost increases, fuel costs, salt, etc.

On the revenue side of the budget, Supervisor Smith pointed out a line item, Rental of Real Property. There are two cell towers on the Town property located at Town Hall. The Town is co-owner with the company that owns the tower in the back of the property. The Town contributed to the construction of the tower and that was taken as a credit against the rental payments over prior years. The construction cost is paid off and the Town now receives the full share of the rental without any credits. Franchise Fees revenues are becoming more predictable and therefore more dollars have been budgeted here than in the past. The State Aid reduction includes the fact that the Town had been receiving \$95,000 in State Aid for assessment services and STAR and that was cut \$60,000 in this year's budget and is being cut an additional \$35,000 in 2012. Sales Tax is similar to the Franchise Fees in that the budgeting has always been conservative, and in 2012 to be less conservative, the revenue line is increased. The Interfund Revenues line decrease is the offset for the Chase Development Right purchase. Those dollars had been coming out of the Capital Reserve Fund and will not be needed in 2012. Highway Department Services is the money flowing from one Highway account to another to reflect the roadside pick up in the Town.

Supervisor Smith reviewed pie charts showing the breakout of 2012 projected appropriations and revenues. The appropriation percentage difference from 2011 to 2012 in the General Fund Townwide went from 27.6% to 26.9% and the General Fund outside the Village went from 9.6% to 11.1%. On the revenue side, local taxes went from 42.8% in 2011 to 41.6% in 2012 showing that a smaller amount of the Town revenues will be coming from property taxes.

Supervisor Smith reviewed proposed equipment purchases for 2012 and explained that the budget is slightly increased versus last year with the main effort being to keep the DPW fleet in good shape. He also explained that the Reserve Fund transfers were similar to previous years with the intent to set aside money in a savings account so that when unusual expenditures come along, the money is available to put towards that rather than having a spike in the Town tax rate.

Supervisor Smith then elaborated on the key budget drivers. The budgeted amount for NYS billings, or the mandated costs for the retirement system, is \$225,000 higher than the 2011 budget. Health Insurance mandates are increased by \$100,000 based on changes in Albany and STAR assessment aid is decreased by \$35,000. Supervisor Smith showed a graph of Taxes for the Median Perinton Homeowner, explaining that the Town taxes are a very small portion of the total with many hands-on services at the resident's doorstep for that expenditure.

The next report reviewed by Supervisor Smith was the exemption impact report which is a public disclosure regarding exempt property in the Town, including among others, COMIDA, aged and veteran exemptions. 12.5% of property in Perinton is exempt.

The last page of the budget is a summary of the 2012 Levy Tax Calculation. Supervisor Smith explained that this is a result of the complicated 2% tax cap law put into place by NYS and that we are compliant with the law.

Bill Wilcox, 361 Loud Road, stated that his understanding is that the total appropriation for Perinton is up 4.6%, the amount to be raised by taxes is up 3.4% and the tax rate outside the Village is up 3.6%. Mr. Wilcox questioned how we could be under the 2% cap with all of those figures greater than 2%. Supervisor Smith explained that the 2% tax cap is figured on the total tax levy for all budget items under town control (not the individual parts of the budget). Mr. Wilcox stated that his taxes would be up 3.57% and wondered if this was due to the retirement mandates mentioned earlier. Supervisor Smith stated that there is an exclusion made by the State to the 2% tax cap for some of the retirement monies. According to the law, any billing received over the 2% can be excluded, which for the Town of Perinton should be an exclusion of \$200,000 of the \$224,000, however, Albany decided to use State averages and the amount to be excluded became only \$38,000 and \$186,000 had to appear above the cap. Finance Director Spacher added there are two large items, the Ambulance Corps whose budget request was down by \$100,000 and the debt service for the sewer district remaining virtually flat, which allow the Town to be under the cap by \$135,871 and some of the percentage increases within the budget to be greater than 2%. Supervisor Smith added that the percentages are misleading in the Town budget because our rates are so low and encouraged residents to look at the dollars expended, not percentages.

Mr. Wilcox added his concern that entities like the fire departments will automatically add 2% to their budgets each year with this new tax cap law in place. Supervisor Smith stated that it has been said that this law is an automatic 2% escalator and that many communities have considered overriding the law so that they can have control over the method in which the municipality's money is spent.

Bob Hamel, 16 Waterford Way, asked whether the schools, Monroe County and the Towns' 2% caps were cumulative. Supervisor Smith stated that each entity has their own separate 2% cap. All of the Special Districts such as emergency services and sewer districts are within the Town budget. Any budget that is under a taxing entity's control is under their cap.

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

Supervisor Smith stated that the Town Board would anticipate taking action on the 2012 Budget at the November 9, 2011 Town Board meeting. Supervisor Smith also thanked Finance Director Spacher and the Town department heads for their help in putting together a budget in difficult circumstances.

APPROVE NEW YORK STATE SNOW & ICE CONTRACT

Commissioner Beck presented the 2012 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 LaFay, seconded by Councilperson Saum, that the Supervisor be authorized to sign and that the Town Board approve 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, 2013; 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, 2014, 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, 2011, 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 \$4,460.7932 per lane mile for 70.29 lane miles for a total of \$313,549.16 for the 2011/2012 season and for the remainder of the term of the agreement commencing July 1, 2011, 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

AUDIT APPROVED

A motion was made by Councilperson Saum, seconded by Councilperson LaFay that Audit #10 for October 2011 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

SEPTEMBER MANUAL 2

General Fund	<u>93,179.08</u>
	\$93,179.08 Total

The above items were numbers 82631 and 82871.

OCTOBER AUDIT

General Fund	50,060.33
Town Outside of Village	56,011.78
Recreation	45,952.63
Highway General Repair	65,215.58
Highway Snow & Miscellaneous	32,661.24
Joint Sewer	2,789.09

Fairmont Hills Maint Dist	320.00
Basin Canal Port	1,200.00
O'Connor Rd Relocation Proj	1,814.81
RS&E Ped Bridge Project	48,325.35
Jefferson Ave Sewer Project	18,364.50
Indian Valley Sewer Project	<u>111,791.72</u>
	\$434,507.03 Total

The above items were numbers 82912-83148.

OCTOBER MANUAL 1

General Fund	81,048.93
Town Outside of Village	5,283.12
Recreation	29,247.78
Joint Sewer	9,552.54
Midlands Lighting Dist	408.53
Lake Lacoma Lighting Dist	15.14
Meadows Lighting Dist	448.82
Deer Run Lighting Dist	1,453.29
Misty Meadows Lighting Dist	<u>110.41</u>
	\$127,568.56 Total

The above items were numbers 82872, 82874-82878, 82893-82896, 82908-82910.

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 8:40 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk