

PERINTON TOWN BOARD MEETING
1350 Turk Hill Road, Fairport, NY 14450
Wednesday, February 23, 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; Jeffrey Myers, Commissioner of Recreation and Parks; Eric Williams, Assistant to the Commissioner of Public Works; Carol Johnston, Deputy Town Clerk; T.C. Lewis, Planning Board, Steve VanVreede, 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 February 9, 2011 be approved as submitted by the Town Clerk.

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

PUBLIC HEARING
EXTENSION #58 TO PERINTON
CONSOLIDATED SEWER DISTRICT #8
INDIAN VALLEY

TOWN OF PERINTON MONROE COUNTY NEW YORK

In the Matter
of

**HEARING MINUTES &
DETERMINATIONS**

EXTENSION NO. 58 to PERINTON CONSOLIDATED SEWER
DISTRICT NO. 8
(Indian Valley)

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 February 23rd, 2011 at 8:00 p.m., local time, 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 Supervisor called the hearing to order and stated that the purpose thereof was to consider the establishment of Extension No. 58 to Perinton Consolidated Sewer District No. 8 to include lands along Pittsford-Palmyra Road (Rte. 31) and the Indian Valley Subdivision in the Southwest quadrant of the Town of Perinton. He stated that on January 28, 2011 letters were mailed 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 Pittsford-Palmyra Road (Rte. 31) and the Indian Valley Subdivision 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 and Timothy E. Oakes, P.E. – Town Engineer, dated January 2011 showing the location of each residence.
3. The Order for Hearing made by the Town Board on January 26, 2011.
4. The Affidavit of Publication of the Perinton-Fairport Post showing the publication of a certified copy of the Order for Hearing on February 10, 2011.
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 February 11, 2011.
6. The report of James E. Smith, Supervisor, stating that on January 28, 2011 each resident was mailed a letter advising them of the public hearing with a statement of Estimated Costs and a copy of the Order for Hearing.
7. A letter of Robert M. Place, Special Counsel, dated February 14, 2011, 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. Many residents of the potential sewer district were in attendance at the Public Hearing including: Linda and Murray Russell of 39 Mill Road; Ken Smith of 52 Duncott Road; Dave Rector, 55 Duncott Road; Bob Shannon of 56 Duncott Road; Tim Lancer of 57 Mill Road; Maurice McElligott, 5 Salem Court; Jeff Hoffman, 3 Duncott Road; Georgia Griffith, 15 Wickford Way; Barbara Hesenuis, 17 Wickford Way; David Howland, 49 Mill Road; Rebecca and Jason Schaw, 16 Salem Court; Julie Gissin, 15 Oakwood Lane; and Joan McCall of 5 Salem Court. All in attendance were in favor of the formation of the sewer district. Questions that were asked include whether there would be penalties if a resident chose to delay hooking up to the sewer, what the permit and other installation charges would be, how to select a contractor to do the installation, what the total cost of the sewer project would be and how it is paid. Supervisor Smith explained that the annual expenses to be hooked up to the sewer have increased gradually

over the years. There is a hook up fee of \$1,000, a Monroe County Pure Waters tie in fee of \$250 and a permit and lateral inspection fee of \$40. There will be a sewer hookup “T” available at each residence in the new sewer district and the Town will work with each resident to locate the hook up in a desirable location. Mr. Williams explained that each resident is responsible for hooking up to the “T” and a list of contractors, that the Town has worked with in the past, to do that installation will be provided for the residents at the time of sewer completion. The installation fee is estimated to be \$4,000. Supervisor Smith explained that total project cost for the Indian Valley sewer district is \$11.8 million. The project will be financed through Bond Anticipation Notes and revenue from the sewer district. The Bonds are issued by the sewer district and are not a general Town obligation of the taxpayers, just those in the sewer district. 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 Knapp and was seconded by Councilperson LaFay.

WHEREAS, the Board has examined the map, plan and report prepared by Larsen Engineers and Timothy E. Oakes, P.E. – Town Engineer, the proofs of posting and publication, the recommendation of the Perinton Conservation Board (dated 01/29/11) 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 \$11,800,000 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 SEQRA, 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. 58 to Perinton Consolidated Sewer District No. 8 is described as follows:

Beginning at a point on the southerly highway boundary of Pittsford-Palmyra Road, Rte. 31, said point being the northwesterly corner of Tax Acct. No. 165.15-1-34; thence

1. Easterly, along the southerly highway boundary of Pittsford-Palmyra Road, Rte. 31, a distance of approximately 107 feet to an angle point and continuing along the southerly highway boundary of Pittsford-Palmyra Road, Rte. 31, a distance of approximately 619 feet to the northeasterly corner of Tax Acct. No. 165.15-1-29; thence
2. Southwesterly, along the easterly boundary of Tax Acct. No. 165.15-1-29 and Tax Acct. No. 165.19-1-16, a distance of approximately 317 feet to an angle point; thence
3. Southeasterly, along the boundary of Tax Acct. No. 165.19-1-16, a distance of approximately 69 feet to an angle point; thence
4. Southwesterly, along the easterly boundaries of Tax Acct. No.'s 165.19-1-16, 165.19-1-15, 165.19-1-14, 165.19-1-13, 165.19-1-12, and 165.18-1-57.1, a distance of approximately 1666 feet to an angle point; thence
5. Northwesterly, a distance of approximately 78 feet to the northeasterly corner of Tax Acct. No. 165.18-1-57.2; thence
6. Southwesterly, along the easterly boundary of Tax Acct. No. 165.18-1-57.2 a distance of approximately 1869 feet to its southeast corner, said corner also being a point on the northerly highway boundary of N.Y.S. Rte. 490; thence
7. Northwesterly, along the northerly highway boundary of N.Y.S. Rte. 490, a distance of approximately 3567 feet to the southerly corner of Tax Acct. No. 165.18-1-50; thence
8. Northerly, along the easterly boundary of the existing sewer district known as The Oaks Sewer District, a distance of approximately 1304 feet to the northwesterly corner of Tax Acct. No. 165.14-1-49; thence
9. Easterly, along the northerly boundary of Tax Acct. No. 165.14-1-49, a distance of approximately 83 feet to an angle point; thence
10. Northerly, along the westerly boundary of Tax Acct. No. 165.14-1-48, a distance of approximately 143 feet to the northwesterly corner of Tax Acct. No. 165.14-1-48; thence
11. Easterly, along the northerly boundary of Tax Acct. No. 165.14-1-48, and continuing along that line a distance of approximately 276 feet to its intersection with the easterly highway boundary of Wickford Way; thence
12. Southerly, along the easterly highway boundary of Wickford Way, distance of approximately 706 feet to its intersection with the northerly boundary of Tax Acct. No. 165.14-1-43; thence
13. Easterly, along the northerly boundaries of Tax Acct. No.'s 165.14-1-43, 165.14-1-35, 165.14-1-34 and 165.14-1-33 a distance of approximately 721 feet, to the northeasterly corner of Tax Acct. No. 165.14-1-33; thence
14. Northerly, along the westerly boundaries of Tax Acct. No.'s 165.14-1-26, 165.14-1-25, 165.14-1-24, 165.14-1-23, and 165.14-1-22 a distance of approximately 505 feet, to the northwesterly corner of Tax Acct. No. 165.14-1-22; thence

The following courses are along the southerly boundary of the existing sewer district
P.C.S.D. No. 8 Ext. No. 26 (Pittsford- Palmyra Road)

15. Easterly, along the northerly boundary of Tax Acct. No. 165.14-1-22, and continuing along that line a distance of approximately 220 feet to its intersection with the centerline of Oakwood Lane; thence
16. Southerly, along the centerline of Oakwood Lane a distance of approximately 133 to its intersection with the northerly boundary line extended westerly of Tax Acct. No. 165.14-1-12; thence
17. Easterly, along the northerly boundary of Tax Acct. No. 165.14-1-12, a distance of approximately 185 feet to an angle point; thence
18. Southeasterly, along the northerly boundary of Tax Acct. No. 165.14-1-12, a distance of approximately 105 feet to the northeasterly corner of Tax Acct. No. 165.14-1-12; thence
19. Southerly along the easterly boundaries of Tax Acct. No's 165.14-1-12, 165.14-1-13, and 165.14-1-14 a distance of approximately 176 feet to the northwesterly corner of Tax Acct. No. 165.14-2-70; thence
20. Easterly, along the northerly boundaries of Tax Acct. No's 165.14-2-70, and 165.14-2-69, a distance of approximately 237 feet to an angle point; thence
21. Northerly along an easterly boundary of Tax Acct. No. 165.14-2-69, a distance of approximately 70 feet to the northwesterly corner of Tax Acct. No. 165.14-2-69; thence
22. Southeasterly, along the northerly boundaries of Tax Acct. No's 165.14-2-69, 165.14-2-68, 165.14-2-67, 165.14-2-66, and 165.14-2-65, a distance of approximately 472 feet to its intersection with the westerly boundary of Tax Acct. No. 165.14-2-63; thence
23. Northerly, along the westerly boundary of Tax Acct. No. 165.14-2-63 a distance of approximately 50 feet to the northwesterly corner of Tax Acct. No. 165.14-2-63; thence
24. Southeasterly along the northerly boundary of Tax Acct. No. 165.14-2-63, continuing along that line crossing Duncott Road, and along the northerly boundaries of Tax Acct. No's 165.14-2-62, 165.14-2-55, and continuing along that line a distance of approximately 687 feet to its intersection with the centerline of Mill Road; thence
25. Southerly along the centerline of Mill Road a distance of approximately 96 feet to, its intersection with the northerly highway boundary of Blandford Lane extended westerly; thence
26. Southeasterly along the northerly highway boundary of Blandford Lane extended, a distance of approximately 177 feet to its intersection with the westerly boundary of Tax Acct. No. 165.15-1-34; thence
27. Northeasterly along the westerly boundary of Tax Acct. No. 165.15-1-34, a distance of approximately 206 feet to its intersection with the southerly highway boundary of Pittsford-Palmyra Road, Rte. 31, being the Point Of Beginning.

The foregoing described lands are shown on a map entitled Extension No. 58 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. 58 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. 58 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

Whereupon the Supervisor declared the foregoing determination and resolution of approval of the creation of Extension No. 58 of to Perinton Consolidated Sewer District No. 8 adopted.

APPROVE BUDGET TRANSFERS FROM CAPITAL RESERVE FUNDS

Supervisor Smith stated that the Board has a memo from Finance Director Spacher requesting budget transfers from the various Capital Reserve Funds. Supervisor Smith went on to explain that each fall the budget includes the transfer of funds out of Capital Reserve Funds into the operating funds to offset taxes and help to stabilize the Town's tax rate. At this time of year, we begin to expend the monies and need a motion from the Board to authorize the actual moving of the funds from the Capital Reserve Funds into the operating accounts. Director Spacher has requested that the following transfers be approved:

\$285,000 from the Capital Reserve Fund for DPW Equipment to the General Highway Fund

\$30,000 from the Capital Reserve Fund for Parks & Recreation Equipment to the Parks & Recreation Fund

\$900,000 from the Capital Reserve Fund for Road Repair to the Part-Town Highway Fund

\$100,000 from the Capital Reserve Fund for Sidewalks to the Part-Town Fund

\$150,000 from the Capital Reserve Fund for Sewer Equipment to the Sewer Operating Fund

\$429,000 from the Capital Reserve Fund for Sidewalks to the Bushnell's Basin Canal Improvement Project

Councilperson Havens made a motion, seconded by Councilperson LaFay, that the budget transfers from the Capital Reserve Funds be approved as requested. This action is subject to Permissive Referendum.

Ayes: Smith, Knapp, Saum, LaFay, Havens

Nays: None

Unanimously approved

APPROVE APPOINTMENT
OFFICE CLERK IV RECREATION AND PARKS

Commissioner of Recreation and Parks Myers reviewed a memo to the Town Board in which he requested approval to appoint Margareth Hjemdahl-Monsen as a receptionist (Civil Service title Office Clerk IV) in the Recreation Department. Ms. Monsen would begin as a full-time Receptionist on February 28, 2011 at a starting salary of \$[].

Councilperson Havens made a motion, seconded by Councilperson Saum to approve the appointment of Margareth Hjemdahl-Monsen as a Receptionist in the Recreation Department effective February 28, 2011 at a starting salary of \$[].

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

AUTHORIZE SUPERVISOR TO SIGN
CONTRACT WITH JD COMPUTER SOLUTIONS

Supervisor Smith stated that the Town Board had the same contract before it last year at this time. This contract provides for the computer services of James Donahue, former Commissioner of Recreation and Parks and IT service provider. Mr. Donahue currently provides IT services to the Town through his company, JD Computer Solutions. The new contract has an automatic renewal clause for up to five years.

Councilperson Havens made a motion, seconded by Councilperson Saum to authorize Supervisor Smith to sign a new contract with JD Computer Solutions.

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

APPROVE CHANGES TO THE MEMBERSHIP
OF THE EGYPT FIRE ASSOCIATION, INC

A motion was made by Councilperson Knapp, seconded by Councilperson Saum, that the following change in the membership of the Egypt Fire Association, Inc. be approved:

Resident Active Firefighter

Timothy Sardone
38 Emerald Hill Circle
Fairport, NY 14450

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

AUDIT APPROVED

A motion was made by Councilperson LaFay, seconded by Councilperson Saum that Audit #2 for February 2011 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

FEBRUARY AUDIT

General Fund	66,071.00
Town Outside of Village	22,926.47
Recreation	66,418.26
Highway General Repair	2,412.37
Highway Snow & Miscellaneous	182,390.40
Joint Sewer	8,381.59
Special Recreation	3,721.64
Perinton Ambulance Dist	68.09
B Basin Fire Protect Dist	19.62
Egypt Fire Protect Dist	18.90
Basin Canal Port	6,199.77
O'Connor Road Relocation Proj	6,716.06
Chardonay Connector Project	41.32
Jefferson Ave Sewer Project	<u>673,468.55</u>
	\$1,038,854.04 Total

The above items were numbers 80765-80992.

FEBRUARY MANUAL

General Fund	150,592.95
Town Outside of Village	9,744.79
Recreation	44,994.69
Joint Sewer	17,485.01
Midlands Lighting Dist	432.36
Lake Lacoma Lighting Dist	16.62
Meadows Lighting Dist	463.90
Deer Run Lighting Dist	1,483.58
Misty Meadows Lighting Dist	<u>116.86</u>
	\$225,330.76 Total

The above items were numbers 80736-80741, 80743-80745, and 80757-80763.

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 8:35 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk

Draft

draft

draft