

PERINTON TOWN BOARD MEETING  
1350 Turk Hill Road, Fairport, NY 14450  
Wednesday, October 10, 2012

PRESENT:	James E. Smith	Supervisor
	Patricia S. Knapp	Councilperson
	Joseph H. LaFay	Councilperson
	Peg S. Havens	Councilperson
	Stephen C. Van Vreede	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; Michael Doser, Director of Code Enforcement and Development; Jeffrey Myers, Commissioner of Recreation and Parks; T.C. Lewis, Planning 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 LaFay, that the minutes of the Town Board meeting of September 26, 2012 be approved as submitted by the Town Clerk.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede  
Nays: None  
Unanimously Approved

Corrine Coon, 88 Waterford Way, read a letter to the Town Board on behalf of the Citizens Alliance for a Pristine Perinton (CAPP) organization thanking the Town Board and Town Attorney Place for changing the zoning laws to ban hydrofracking.

INFORMATIONAL MEETING ON THE 2012 BUDGET

The Supervisor filed the tentative 2013 Town of Perinton budget with the Town Clerk on October 5, 2012, and she in turn has filed this budget with the Town Board.

A summary of the 2013 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 valuation from 2012 to 2013, appropriations were up \$445,688, revenues and unexpended balances were up by \$74,067 and the net amount to be raised by taxes was a \$363,330 increase or \$.05 increase in tax rate for residents in the Village of Fairport and a \$.08 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 and a decrease in landfill revenues. 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. On the Town Clerk and Tax Collection lines, the money appropriated was realigned for budgeting purposes to more accurately reflect the duties with a small net change. The Dog Warden and Animal Control Services line was reduced due to the retirement of Larry DeWitt and realignment of some duties of Animal Control. The Historian Line has been decreased due to the retirement of Jean Keplinger and the fact that her salary is at the high end of the pay scale. The Celebrations category of the Fund Appropriations page is decreased as there is no Bicentennial Celebration in 2013. The Employee Benefit category increase is due to the mandated cost increases in the NYS retirement system and health benefits for employees.

On the revenue and unexpended balances side of the budget, Supervisor Smith pointed out the receipts in lieu of taxes line. This reflects property that is receiving tax exemption and pays an "in lieu of taxes" payment (or PILOT). In some of the cases, the exemptions are decreasing and the property is becoming taxable. The Rental of Real Property revenue line increased. 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. Interest on Earnings line has lower revenue budgeted as the Town continues to reflect the current interest environment.

Supervisor Smith reviewed pie charts showing the breakout of 2013 projected appropriations and revenues in the five fund groupings. On the revenue side, local taxes went from 42.8% in 2011 to 42.5% in 2013 showing that a smaller/stable amount of the Town revenues will be coming from property taxes.

Supervisor Smith reviewed proposed equipment purchases for 2013 and explained that the budget is slightly decreased versus last year with the main effort being to keep the DPW and Recreation and Parks 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 the expense rather than having a spike in the Town tax rate.

Supervisor Smith then elaborated on the key budget drivers. The budgeted amount for the mandated costs for the retirement system, is \$152,000 (+14%) higher than the 2012 budget. Health Insurance mandates (from the State and Federal Government and separate from regular year-to-year increases) increased by \$18,000. Supervisor Smith stated that we are in an experienced-based Health consortium, which has worked well as the Town increase will be approximately 12% (10% market, 2% mandates) and lower than the marketplace increase. 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 (6%) with many hands-on services at the resident's doorstep for that expenditure.

Supervisor Smith then reviewed the complex Tax Cap Levy Calculation. The bottom line is that the Town is allowed to raise \$11,899,141 and he anticipates levying \$11,897,286 and being \$1,855 under the tax cap.

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. 11.73% of property in Perinton is exempt.

T.C. Lewis, 14 South Cross Trail, asked about the Debt Service line on the Fund Appropriations page of the budget and Mr. Spacher explained that the reduction is due to lower interest- the principal is reduced by \$300,000 each year and therefore the interest is calculated on an amount that is \$300,000 less than last year.

Ed Norton, 33 Larchwood Drive, asked about the Town's transfers into and out of reserve funds.

Mr. Norton also asked about retirement and health care cost mandates. Mr. Spacher explained that once a municipality determines that it will participate in NYS retirement, it cannot withdraw and is obligated to register full time employees in the retirement system and pay a percentage of their salary into the system. In the case of health care, there are mandates such as mental health coverage that are mandated to be provided.

Linda Isaacson Fedele, 2650 Turk Hill Road, asked about Conservation Easements and whether those properties are tax exempt. Supervisor Smith explained that they are not tax exempt and that a lower valuation is placed on the land under a conservation easement as there is an agreement by the property owner to not use their property to the highest and best use for a period of years. This stipulation on the property lowers the assessed value of the property for tax purposes and is not an exemption. Properties that are tax exempt are, for example, churches, universities and town halls. Veterans' and aged exemptions are also included in this total.

The public hearing on the 2013 budget will be held at the Town Hall at 8:00 pm on October 24, 2012.

**ORDER FOR HEARING  
AMENDMENT #2 TO THE CONTRACT BETWEEN THE  
BUSHNELL'S BASIN FIRE PROTECTION DISTRICT  
THE BUSHNELL'S FIRE ASSOCIATION AND  
THE TOWN OF PERINTON**

A motion was made by Councilperson Van Vreede, seconded by Councilperson Havens, that a Public Hearing be held on November 14, 2012, to approve an amendment to the contract with the Bushnell's Basin Fire Protection District as follows:

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Perinton, Monroe County, New York, at the Town Hall, 1350 Turk Hill Road, Fairport, New York on November 14, 2012 at 8:00 p.m. for the purpose of considering an amendment to the contract with Bushnell's Basin Fire Protection District and Bushnell's Basin Fire Association, Inc. to provide for the payment of \$775,549.00 per year instead of \$760,343.00 per year as previously provided.

All persons interested in the matter will be heard at such time and place.

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

**ORDER FOR HEARING  
AMENDMENT #1 TO THE CONTRACT BETWEEN THE  
EGYPT FIRE PROTECTION DISTRICT,  
THE EGYPT FIRE DEPARTMENT AND  
THE TOWN OF PERINTON**

The following motion was made by Councilperson Van Vreede, seconded by Councilperson Havens, that a Public Hearing be held on November 14, 2012, to approve an amendment to the contract for the Egypt Fire Protection District as follows:

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Perinton, Monroe County, New York, at the Town Hall, 1350 Turk Hill

Road, Fairport, New York on November 14, 2012 at 8:00 p.m. for the purpose of considering amendment #1 to the contract with Egypt Fire Protection District and the Egypt Fire Association, Inc. to provide for the payment of \$643,470.00 per year instead of \$630,853.00 per year as previously provided.

All persons interested in the matter will be heard at such time and place.

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

ORDER FOR HEARING  
AMENDMENT #1 TO THE CONTRACT BETWEEN  
THE PERINTON FIRE PROTECTION DISTRICT,  
THE VILLAGE OF FAIRPORT,  
THE FAIRPORT FIRE DEPARTMENT  
AND THE TOWN OF PERINTON

A motion was made by Councilperson Van Vreede, seconded by Councilperson Havens, that a Public Hearing be held on November 14, 2012, to approve Amendment #1 to the contract with the Perinton Fire Protection District as follows:

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Perinton, Monroe County, New York, at the Town Hall, 1350 Turk Hill Road, Fairport, New York on November 14, 2012 at 8:00 p.m. for the purpose of considering amendment #1 to the contract with Perinton Fire Protection District, the Village of Fairport and Fairport Fire Department to provide for the payment of \$863,136.00 instead of \$843,521.00 per year as previously provided.

All persons interested in the matter will be heard at such time and place.

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

ORDER FOR HEARING  
AMENDMENT #1 TO THE CONTRACT BETWEEN  
THE TOWN OF PERINTON, THE  
FOREST HILLS FIRE PROTECTION DISTRICT,  
THE TOWN/VILLAGE OF EAST ROCHESTER AND  
THE EAST ROCHESTER FIRE DEPARTMENT

A motion was made by Councilperson Van Vreede, seconded by Councilperson Havens, that a Public Hearing be held on November 14, 2012, to approve amendment #1 to the contract with the Forest Hills Fire Protection District as follows:

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Perinton, Monroe County, New York, at the Town Hall, 1350 Turk Hill Road, Fairport, New York on November 14, 2012 at 8:00 p.m. for the purpose of considering a new contract with FOREST HILLS FIRE PROTECTION DISTRICT AND THE TOWN/VILLAGE OF EAST ROCHESTER AND EAST ROCHESTER FIRE DEPARTMENT to provide for the payment of \$165,514.00 instead of \$163,815.00 per year. All persons interested in the matter will be heard at such time and place.

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

ORDER FOR HEARING  
DEBT SERVICE APPORTIONMENTS AND  
ASSESSMENT FOR IMPROVEMENTS

The following motion was made by Councilperson Van Vreede, seconded by Councilperson Havens, that a date of November 14, 2012, be set to hold a Public Hearing to hear objections to the 2013 Debt Service Apportionment and Assessment for Improvements. The Town Board has apportioned the amount due and to become due for principal and interest during the calendar year of 2013 upon sewer bonds and bond anticipation notes issued by the Town of Perinton for the construction of improvements and has further determined the amount to be charged during the calendar year 2013 for the operation and maintenance of said improvements and has completed its assessment rolls for and in connection with said debt service apportionment and assessment for maintenance and operation of said improvements as follows:

SEWER DISTRICTS

Perinton Consolidated Sewer District No. 8 and extensions thereto.

The said expenses for such improvements will be apportioned and assessed upon such lots or parcels of land in said District and extensions thereto in proportion to the amount of benefit which the improvement shall confer upon the same, and will be levied and collected at the same time and in the same manner as other town charges.

FIRE PROTECTION DISTRICTS

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

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

LIGHTING DISTRICTS

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

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

PERINTON AMBULANCE DISTRICT

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

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

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

The assessment rolls for each of the above improvement districts and areas have been filed in the office of the Town Clerk of the Town of Perinton.

Notice is hereby given that the Town Board of the Town of Perinton will meet on November 14, 2012 at 8:00 pm local time at the Town Hall, 1350 Turk Hill Road, Fairport, NY for the purpose of hearing objections to said debt service apportionment and charges for maintenance and operation and that such assessment rolls may be inspected prior to said hearing at the Town Clerk's office, Town Hall, 1350 Turk Hill Road, Fairport NY and that they will be available at said hearing for inspection.

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

LEVY OF DELINQUENT PAYMENTS  
2013 TOWN TAXES

Town Clerk West explained that there are two properties which were delinquent in paying for maintenance services provided by the Town. She asked the Board to approve the levy of those delinquent amounts on the 2013 Town of Perinton tax bills.

A motion was made by Councilperson Knapp, seconded by Councilperson LaFay, that, pursuant to Article 15 of Town Law of the State of New York, bills 90 days or more in arrears be levied and collected in a special ad valorem levy on Town tax bills, and that the following properties be assessed for the delinquent amounts owed the Town:

<u>Address</u>	<u>Tax map number</u>	<u>Services performed</u>	<u>Amount owed</u>
1504 Ayrault Road	166.12-3-39	Lawn Mowing	\$110.50
10 Lonesome Road	152.08-1-20	Clean up, lawn mowing	\$229.50

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

CLOSE DPW REDEVELOPMENT PROJECT

Supervisor Smith stated that the Town Board has a memo from Finance Director Spacher requesting that the DPW Redevelopment Project be closed. This project is completed and therefore Mr. Spacher is recommending that the balance of money in the fund, \$6,780.99, be transferred to the Capital Reserve for Building Maintenance Fund. This fund is used for replacement of roofs, general upkeep of buildings, etc.

Councilperson Havens made a motion, seconded by Councilperson Van Vreede, to transfer \$6,780.99 from the DPW Redevelopment Project Fund to the Capital Reserve for Building Maintenance Fund.

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

A motion was made by Councilperson LaFay, seconded by Councilperson Van Vreede, that the reports from the Finance Director, Town Clerk and the Code Enforcement and Development Department for the month of September 2012 be approved.

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

T. C. Lewis, 14 Southcross Trail, asked whether the Town funds the Penfield Fire District for coverage of the part of the Town that is in that district and Mr. Spacher stated that Penfield is a fire district, not a fire protection district. A fire district elects its own commissioners, is a tax entity unto itself, and is not funded by the Town (or have a contract with the Town).

There being no further business before the Board and no further questions from the audience, the Board adjourned at 8:40 pm.

Respectfully submitted,

Jennifer A. West  
Town Clerk