

PERINTON TOWN BOARD MEETING  
1350 Turk Hill Road, Fairport, NY 14450  
Wednesday, November 14, 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; Diane Riesenberger, Recreation Director; Stacey Estrich, Parks Director; 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 October 24, 2012 be approved as submitted by the Town Clerk.

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

#### PUBLIC HEARINGS

Supervisor Smith called the following Public Hearings to order and asked the Clerk for proofs of publication and affidavits of posting. Proofs of publication were given in the Fairport ER Post on October 18, 2012; affidavits of posting were also October 18, 2012.

Finance Director Spacher gave an explanation of the contract amounts and the resultant tax rates for each district. Supervisor Smith asked if there were questions from the audience.

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

A motion was made by Councilperson Van Vreede, seconded by Councilperson Knapp, that the Supervisor and the Town Board members be authorized to sign the following contracts, and that the Supervisor be authorized to adjust the contracts to reflect any changes in insurance liability clauses:

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

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign amendment #1 to the contract for fire protection between the Town of Perinton, the Perinton Fire Protection District, the Village of Fairport and the Fairport Fire Department for the payment of \$ 863,136.00 per year instead of \$843,521.00 per year. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2016.

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

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign amendment #1 to the contract for fire protection between the Town of Perinton, the Egypt Fire Protection District and the Egypt Fire Department for the payment of \$643,470.00 per year instead of \$630,853.00 per year. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2016.

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

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign amendment #1 to the contract for fire protection between the Town of Perinton, the Forest Hills Fire Protection District, the Town/Village of East Rochester and the East Rochester Fire Department for the payment of \$165,514.00 per year instead of \$163,815.00 per year. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2016.

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

RESOLVED, that authorization be given to the Supervisor and the Town Board members to sign amendment #2 to the contract for fire protection between the Town of Perinton, the Bushnell's Basin Fire Protection District, and the 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. This contract can be renewed each year but in no event shall the term of the contract be renewed or extended beyond December 31, 2015.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede

Nays: None

Unanimously approved

PUBLIC HEARING  
DEBT SERVICE APPORTIONMENTS AND  
ASSESSMENT FOR IMPROVEMENTS

Supervisor Smith called the Public Hearing to order and asked the Clerk for proof of publication and affidavit of posting. Proof of publication was given in the Fairport ER Post on October 18, 2012; affidavits of posting were also October 18, 2012.

Finance Director Spacher presented the information relative to the Debt Service Apportionment and Assessment for Improvements. Supervisor Smith asked for questions from the audience. There being none, and all those wishing to be heard having been heard, the Public Hearing was closed.

A motion was made by Councilperson Havens, seconded by Councilperson LaFay, that the Board approve 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 construction of improvements. The Board 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.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede

Nays: None

Unanimously approved.

ADOPTION OF THE 2013 TOWN OF PERINTON BUDGET

Supervisor Smith reported that a public informational meeting on the 2013 budget was held on October 10, 2012 and a Public Hearing was held on October 24, 2012. The total appropriations are to be \$18,169,089.00.

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

WHEREAS, this Town Board has met at the time and place specified in the Notice of Public Hearings on the Preliminary Budget for 2013, and the Town Board heard questions and comments upon items in the Preliminary Budget,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby adopt such preliminary budget as the annual budget of the Town for the fiscal year 2013, and that such budget as so adopted be entered in detail in the minutes of the proceedings of this Town Board, and,

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall prepare and certify, in duplicate, copies of said Annual Budget as adopted pursuant to Section 202-a of Town Law and deliver two copies thereof to the Supervisor of this Town to be presented by him to the Monroe County Legislature, and

BE IT FURTHER RESOLVED, that the Town Clerk of this Town be authorized to place a Notice of Adoption of said 2013 budget in the official paper of the Town of Perinton.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede

Nays: None

Unanimously approved

#### APPROVE CONTRIBUTION TO SENIOR LIVING COUNCIL

Supervisor Smith stated that the Town of Perinton, Village of Fairport and Perinton Churches Housing provide annual financial support for the Senior Living Council, an organization which provides services for Perinton's senior citizens. Among the services provided are housing at Roselawn and Rose Hollow and the Senior Options for Independence (SOFI) program.

SOFI provides services for Perinton and Fairport senior citizens which help them stay in their own homes and maintain their independence. Clerk West said that her office has had reason to call SOFI for senior citizens who were in need of support and has seen the results of SOFI's assistance. Elderbus is another valuable service provided by the Senior Living Council to Perinton seniors that can no longer drive. Supervisor Smith also pointed out that the proceeds from Crafts Bits and Pieces supports the operation of SOFI and Elderbus.

A motion was made by Councilperson Van Vreede, seconded by Councilperson Havens, that the Town Board approve funding of \$6,500 as its contribution to the Senior Living Council for 2012-2013 and that the Board amend the 2012 Town Budget by increasing the appropriation in the Programs for the Aging by \$6,500 and increasing the revenues from Rental of Real Property by \$6,500.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede

Nays: None

Unanimously approved

#### APPROVE 2013 AMENDATORY ALL SEASONS COUNTY/TOWN WORK AGREEMENT

DPW Commissioner Beck presented the 2013 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 58.19% (3% increase). 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. Commissioner Beck also stated that all other types of work accomplished under contract to Monroe County, except for Snow & Ice Operations, are reimbursed on a time and material basis, so the Town is paid in full for the actual expenses. He asked the Board to approve the contract and authorize the Supervisor to sign the contract.

Councilperson Knapp made a motion, seconded by Councilperson LaFay, that the Board approve the 2013 All Seasons County/Town Work Agreement and that the Supervisor be authorized to sign that agreement.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede

Nays: None

Unanimously approved

### APPOINT CROSSING GUARD

Supervisor Smith stated that the Board has a memo from Barb Clay recommending the appointment of Michelle Taylor, 3 Quinton Hill Circle, Perinton, 14450, as a substitute Crossing Guard for the Town of Perinton, effective November 13, 2012, at the substitute rate of pay, which is \$18.50 per day.

A motion was made by Councilperson Havens, seconded by Councilperson LaFay, that Michelle Taylor, 3 Quinton Hill Circle, Perinton, NY 14450 be appointed as a substitute Crossing Guard for the Town of Perinton, effective November 13, 2012, at the substitute rate of pay, which is \$18.50 per day.

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

### 2013 UNDERTAKING RECEIVER OF TAXES AND ASSESSMENTS

Supervisor Smith reported that, as required by Section 25 of Town Law, the Town Board annually approves the bonding of the Receiver of Taxes and Assessments. He asked that the Board do so for the year 2013.

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

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 Susan Frykholm, 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, Van Vreede  
Nays: None  
Unanimously approved

### APPROVE PURCHASE OF PERINTON PARK PLAYGROUND EQUIPMENT AND TRANSFER OF FUNDS

Commissioner of Recreation and Parks Myers stated that the playground equipment at Perinton Park is approximately 19 years old and does not meet the current accessibility and safety standards. Parks Director Estrich has received a proposal to purchase two new pieces of playground equipment, one for 2 to 5 year olds and one for 5 to 12 year olds.

Commissioner Myers stated that the installation would take place in the spring of 2013 and that the entire project, including installation costs, the wood fiber safety surfacing and necessary accessories would cost \$88,836.93. Commissioner Myers

has identified an available grant, which would result in a \$26,762.00 credit toward the purchase.

Councilperson Van Vreede asked where we stand with liability with the current playground equipment. Supervisor Smith added that the equipment met the standards up until 2010. Parks Director Estrich stated that the old equipment would come down as soon as possible, possibly this winter.

Councilperson Havens made a motion, seconded by Councilperson LaFay to authorize the purchase and installation of two new playground equipment pieces for Perinton Park in the amount of \$88,836.93 to be paid for out of the Special Recreation Fund, and to amend the Special Recreation budget by increasing the contractual expense line and increasing the appropriated fund balance by the amount of \$65,000.

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

APPROVE CHANGES TO THE MEMBERSHIP  
OF THE BUSHNELL'S BASIN FIRE ASSOCIATION, INC

A motion was made by Councilperson Knapp, seconded by Councilperson Havens, that the following changes in the membership of the Bushnell's Basin Fire Association, Inc. be approved:

Resident Active Firefighter	Mr. Doug Carpenter 56 Manorshire Drive Fairport, NY 14450
Non-Resident Active Fire Police	Mr. Jason Bendix 370 Jefferson Avenue Apt. 16-10 Fairport, NY 14450
Resident Active Firefighter To Non-Resident In-Active Firefighter	Mr. Roland Massaad 1 Green Valley Road Pittsford, NY 14534
Resident Active Firefighter To Resident In-Active Firefighter	Mr. Jason Park 2 Cavan Way Pittsford, NY 14534
Resident Active Firefighter To Resident In-Active Firefighter	Mr. Manny Lopes 67 Blackwatch Trail Fairport, NY 14450
Resident Active Firefighter to Resident Exempt	Mr. Chris Mueller 554 Garnsey Road Fairport, NY 14450
Non-Resident Active Fire Police To Non-Resident Exempt	Mr. Bob Henry 783 Cheese Factory Road Honeoye Falls, NY 14472
Resident Active to Non-Resident Active Firefighter	Mr. Wes Lackey 3 Hanningfield Circle Fairport, NY 14450

Resident In-Active Life Time	Mr. Gary Warren
Member to Resident Active Life	18 Dunmow Crescent
Time Member	Fairport, NY 14450

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

APPROVE CHANGES TO THE MEMBERSHIP  
OF THE EGYPT FIRE ASSOCIATION

A motion was made by Councilperson LaFay, seconded by Councilperson Van Vreede, that the following changes in the membership of the Egypt Fire Association be approved:

Resigned as member	Kelly Hayley
	9 Bordeaux
	Fairport, NY 14450

New Member	Mr. Glenn Beaton
	341 Lyndon Road
	Fairport, NY 14450

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

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

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

There being no further business before the Board and no further questions from the audience, the Board adjourned at 8:25 pm.

Respectfully submitted,

Jennifer A. West  
Town Clerk