

Parma Town Board meeting held on Tuesday, June 18, 2013 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

Supervisor	Carmey Carmestro
Councilperson	James Smith
Councilperson	Gary Comardo
Councilperson	James Roose
Councilperson	Tina Brown
Building Inspector	Jack Barton
Highway Supt.	Brian Speer
Recreation Director	Steve Fowler

OTHERS IN ATTENDANCE

Fritz Gunther, Carol Kluth, Kyle Mullen, Emily Mullen, Ken Mullen, Carol Mullen, John Duggan, Mike Weldon, Recreation Commissioner Art Cosgrove, Richard Ricotta, Don Payne, Larry Speer, members of the Farmland and Open Space Committee Scott Copey, Marilyn DeMeyer, Tim Thomas, Pat Buskey, Linda Judd; and other members of the public who did not sign in.

CALL TO ORDER

Supervisor Carmestro called the meeting to order at 7:08 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Emergency exit procedures were noted and that the meeting was being recorded.

MINUTES MAY 21, 2013

RESOLUTION NO. 144-2013 Motion by Councilperson Roose, seconded by Councilperson Brown, to accept the Minutes of the May 21, 2013 Town Board meeting.

Motion carried: Aye 5 Nay 0

TOWN CLERK REPORT

The Town Clerk report for May has been submitted and filed. A request was received to have a bounce house on site during a pavilion rental. It has been our practice to inform the Board of these requests and address any concerns you might have. The party has provided the appropriate general liability insurance and signed the indemnification and hold harmless paperwork. The Board was in consensus to allow. A letter of resignation has been received from Library employee, Robin Viera, and filed.

The Clerk reported the State has expanded the means for how municipalities will be notified of claims. One can now file their claim with the Department of State and if they do so the State will charge them a fee. The municipality is entitled to a portion of that

fee. The Town must register with the State so that they know who to notify within the municipality. A resolution must be passed to do this.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported on drainage issues after the recent heavy rains in particular at Country Meadow and on North Avenue. He will be looking into how to address these problem areas.

AUTHORIZATION TO BID PICKUP TRUCK FOR HIGHWAY DEPARTMENT

Supt. Speer reported he was looking for a pickup truck which has a utility box to replace the 1997 Ford F150 which has over 150,000 miles on it. He is interested in a used vehicle with low mileage, automatic transmission and has a utility box. He has located a used vehicle that would meet his needs at Doan. Due to our procurement policy, this will need to be bid out. He would use those specs as parameters for bidding it out. There was discussion on selling it at auction along with other older equipment later in the year, whether there was money budgeted for this and funds coming from the B Fund. Supt. Speer indicated he has a list of equipment that he would like to buy and part of that proposal would include getting rid of some other equipment that they really do not use much anymore possibly at auction.

RESOLUTION NO. 145-2013 Motion by Councilperson Smith, seconded by Councilperson Comardo, to authorize the Highway Superintendent to put out for bid for the purchase of a 2005 Chevy Silverado or comparable and newer pickup truck with the bid opening to be held on Monday, July 15, 2013 at 10:00 a.m. at the Parma Town Hall. At that time all bids will be opened and read aloud.

Motion carried: Aye 5 Nay 0

BUILDING DEPARTMENT REPORT

Mr. Barton reported the monthly report for May has been completed and submitted. There were 196 inspections done by the Building Department, Code Enforcement, and Fire Marshal.

TOWN CODE CHANGE - ACCESSORY APARTMENTS

Mr. Barton reported the Town Board has received the proposed changes for accessory apartments based on the discussion at the last meeting. He had discussion with the Zoning Board Chairperson who indicated that Board would like to see the tenant's name be required as part of the special permit request. He also noted that prior discussion yielded concerns about lot sizes being too small and explained why this was not specifically mentioned in the updated draft. The Zoning Board has discretion in that area. They would look at each application and determine whether it was appropriate for each

circumstance, as they do with other variances. If there was an adverse impact the Zoning Board would deny.

There was further discussion on moving forward with setting a public hearing and the concern expressed for potential abuse of non-family members renting the space. Mr. Barton noted there would be inspections at the time of the application, renewals of a special permit and at the termination of a special permit. There is no language currently requiring them to remove the kitchen and/or bathroom for the separate accessory structure. He acknowledged that there will really be no other way to keep track unless a complaint is received.

**SET PUBLIC HEARING DATE FOR TOWN CODE CHANGE
ACCESSORY APARTMENTS**

RESOLUTION NO. 146-2013 Motion by Councilperson Comardo, seconded by Councilperson Brown, to hold a public hearing to amend the Parma Town Code for Accessory Apartments on July 16, 2013 at 7:30 pm at the Parma Town Hall at which time all interested parties will be heard. *This will be a type 1 action under SEQR.*

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 147-2013 Motion by Councilperson Comardo, seconded by Councilperson Brown, to amend Resolution No 146-2013 to include that this will be a Type 1 action under SEQR.

Motion carried: Aye 5 Nay 0

Mr. Barton reported that he has become aware that two property owners have tapped into the Pure Waters' sanitary sewer on Dunbar Road. He has researched Town records and cannot find where this was ever approved. It happened prior to the current owners. He is looking into having them apply as out of district users and is awaiting a response from Monroe County. The issue is they tied directly into the interceptor and are not a part of the district. Further discussion identified that this occurred in the mid-nineties by a private contractor at the request of the property owners at that time.

RECREATION DEPARTMENT REPORT

Mr. Fowler reported that the girls' softball and boy's baseball leagues are underway and the t-ball program will be ending their season tonight. The baseball program has increased by 52 players this year from 201 and a 71% increase since 2011. Similarly, t-ball increased by two teams and participation has jumped over 100% since the 2009 season. The department expects that these programs will continue to grow through the next year. Summer program registration has been steady since June 3rd. To date the department has processed over 1,000 program registrations totaling a little over \$48,000.

SERVICE OF A NOTICE OF CLAIM

RESOLUTION NO. 148-2013 Motion by Councilperson Smith, seconded by
Councilperson Roose,

WHEREAS, General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Parma, County of Monroe designates Donna K. Curry, in her capacity as Town Clerk, to receive notices of claims served upon the Secretary of State by mail at 1300 Hilton Parma Corners Road, P.O. Box 728, Hilton, New York 14468 and email at townclerk@parmany.org.

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

Motion carried: Aye 5 Nay 0

PUBLIC HEARING
REQUEST TO REZONE 4658 RIDGE ROAD WEST

Supervisor Carmestro opened the public hearing to hear the request to rezone 4658 Ridge Road West from Light Industrial to Highway Commercial at 7:35pm. It was noted that the following legal notice was published in the Suburban News and posted as required.

Town of Parma Legal Notice
Public Hearing
Request to Rezone 4658 Ridge Road West

Please take notice that the Town of Parma will hold a Public Hearing on June 18, 2013 at 7:30 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York for the Parma Town Board to consider the request to rezone 4658 Ridge Road West from Light Industrial to Highway Commercial.

DESCRIPTION OF THE PORTION OF TAX PARCEL NO. 072.02-2-9
REQUESTED TO BE REZONED

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Parma, Monroe County, New York, being a part of Lot 18 in the Gore Tract on the north side of the West Ridge Road, and more particularly bounded and described as follows:

Beginning at a point in the north line of West Ridge Road a distance of 33 feet easterly along the north line of said West Ridge Road at right angles from the west line of said Lot 18; thence (1) running easterly along the north line of West Ridge Road a distance of 272.50 feet to a point on the west line of premises of Patrick Kedian (formerly owned by James Davy); thence (2) running northerly at an interior angle of $78^{\circ}13'$ with the last described course a distance of 411.36 feet to a point; thence (3) running westerly at an interior angle of 90° with the last described course, a distance of 229.02 feet along a stone wall to a point 66 feet distant easterly from the west line of said Lot 18; thence (4) running northerly at an interior angle of $89^{\circ}29'$ with the last described course, a distance of 1022.53 feet along a line parallel with and 66 feet distant easterly from the west line of said Lot 18 to the northwest corner of premises of Patrick Kedian (formerly James Davy); thence (5) running westerly a distance of 33 feet to the land formerly owned by James Bygrave; thence (6) running southerly, on a line parallel with and 33 feet distant easterly from the west line of said Lot 18, a distance of 1376.59 feet to a point on the north line of said West Ridge Road and the place of beginning, said premises so described containing 3.05 acres. Reference being had to a survey of said premises made by H. A. Herrick, Engineer, dated April 23, 1928.

Together with all the right, title, and interest of the party of the first part in and to West Ridge Road in front of the premises above described to the center line thereof.

This conveyance is subject to all covenants, easements, and restrictions of record affecting said premises, if any.

Supervisor Carmestro noted that the applicant is Farmington Lawn Care, Inc., a copy of the purchase contract has been received, and responses were received from Monroe County Planning and Development and the Planning Board. Mr. Barton read the response letter from the Planning Board. (*This is attached as part of Schedule A*) Notifications were made to property owners within 500 feet and documentation of same has been received. A sign board was also posted on the property notifying the public of the public hearing.

Wendy Meagher, of Meagher Engineering, is the Engineer for Farmington Lawn Care, Inc. the owners of Country Max stores. She stated that Country Max is currently leasing space further west on Ridge Road. They have entered into a purchase agreement for 4658 Ridge Road West and are requesting the change from Light Industrial to Highway Commercial because of the outdoor displays needed on a seasonal basis. She noted that there is Highway Commercial all along Ridge Road including the parcels two lots away. The two adjacent parcels are General Commercial but are for access and would likely not be built on.

John Lodge, the owner of the Friendly Motel questioned what will happen at the right of way which is part of the development project off Manitou Road (Fairfield Development). He wanted to know where the boundary was. He would like to see that there is vegetation in this area. Ms. Meagher noted there is a rock wall along the property line which has been surveyed and another rock wall on the other side of the right of way property. Mr. Lodge wanted to know what kind of landscaping would be done. Ms. Meagher indicated that there would need to be some filling near the front and there would be a retaining wall with a four foot fence toward the back based on their proposal. Mr. Lodge also inquired about the location of the propane tanks and asked how high the grade

would be raised. She indicated the location of the tanks on a drawing and thought the grade would be raised between four and six feet.

Councilperson Roose questioned the number of parking spaces. It was noted the code requires one space per hundred square feet of building and that the recent change to smaller size spaces has been taken into account. He felt the number was excessive. It was noted the applicant will be applying for a variance as the 115 spaces shown does not meet the code which will require 13. One space per one hundred square feet and the size of the parking spaces have been adjusted to the smaller size.

Mr. Lodge also wanted to know what the permitted uses are in highway commercial zoning. Mr. Barton responded this would include everything allowed in General Commercial and motor vehicle sales, service and repairs, gasoline dispensing, building supply sales, gardening and nursery sales, enclosed storage, public utility stations, commercial recreation, outdoor recreation, and customary agricultural operations.

The leach field will be located at the front of the property between the road and the building as a green space area. Ms. Meagher noted that they will be going before the Zoning Board and are trying to meet the Code as much as possible. Kyle Mullen questioned if preliminary perk tests have been done. Ms. Meagher stated they have and a perk test is scheduled with the health department. Mr. Mullen questioned why it would be rezoned with so many issues still to be addressed. Mr. Barton explained that the correct zoning has to come first. The applicant cannot apply to the other Boards until the correct zoning status of the parcel has been determined. Once the zoning is established then any variances would be applied for and decisions made based on that zoning.

Mr. Mullen inquired how the runoff would be handled and where would it be captured. Ms. Meagher explained there would be a slight slope in the middle to a curtain drain which would direct the stormwater to the swale which will run to the back of the flag portion of the lot. There is approximately 1000 feet in the flag portion of the lot. The runoff would travel approximately 500 feet before reaching any wetland area. It was noted that all stormwater will be contained on site and that the longer it travels the better the natural filtration process will be to cleanse the water for the most impact. A series of check dams and grassy swales would be used before making its way back to the natural wetlands. Mr. Mullen questioned if there was enough distance to prevent contaminating wetlands especially in light of the recent references to hundred year rainfall amounts. Ms. Meagher stated that it would travel 1500 feet and this is a substantial distance to cleanse the water. Councilperson Smith noted this would go out for review at the Planning Board stage as well. Mr. Barton noted the DEC will be reviewing as it pertains to the State Pollutant Discharge System (SPDES) permit for a disturbance. The wetland is a federal wetland as identified on the National Wetland Inventory. Mr. Barton did not know how involved the Army Corps of Engineers would be as the distance is nowhere near the wetland. Ms. Meagher noted again that runoff would travel 1,000 feet back to the wetland, you want to replenish the wetland and you would want the longest route possible which it will provide. Ms. Meagher reiterated their intention to contain all runoff on the site, keeping the site as green as possible and the company will also be looking at the economics of a green roof to capture storm water.

Supervisor Carmestro asked if anyone wished to speak. There was no response. The Town Board was polled and they were in agreement they were ready to proceed. The public hearing was closed at 7:56 p.m. .

Supervisor Carmestro reviewed the response was received from Monroe County Planning and Development. *(See copy attached as part of Schedule A)*

It was noted this is an Unlisted action under SEQR and Part 1 of the Short Environmental Assessment Form was reviewed by Town Board members. The Town Board proceeded to answer the questions for Part 2. *(See copy attached as part of Schedule A)*

**REQUEST TO REZONE 4658 RIDGE ROAD WEST FROM
LIGHT INDUSTRIAL TO HIGHWAY COMMERCIAL**

RESOLUTION NO. 149-2013 Motion by Councilperson Smith, seconded by Councilperson Roose, to approve the request to rezone 4658 Ridge Road West from Light Industrial to Highway Commercial

Motion carried: Aye 5 Nay 0

**REZONE 4658 RIDGE ROAD WEST FROM LIGHT INDUSTRIAL TO
HIGHWAY COMMERCIAL**

RESOLUTION NO. 150-2013 Motion by Councilperson Comardo, seconded by Councilperson Brown, to approve the rezoning of 4658 Ridge Road West, Tax Account # 072.02-2-9, from Light Industrial to Highway Commercial.

Motion carried: Aye 5 Nay 0

**PUBLIC HEARING - RESIDENCY REQUIREMENT
SPECIAL POLICE AND COURT OFFICER ATTENDANTS**

Supervisor Carmestro opened the public hearing at 8:06 p.m. to change the residency requirements for members of the Special Police, Court Officer Attendants and Peace Officers for the Town of Parma. It was noted the following legal notice was published in the Suburban News on June 2, 2013 and posted as required.

**LEGAL NOTICE
TOWN OF PARMA**

Notice is hereby given that the Parma Town Board will hold a Public Hearing on proposed Local Law #3 of 2013 entitled "A Local Law to Establish the Residency Requirements for positions within the Parma Special Police and Town Court Officer Attendants for the Town of Parma." This Public Hearing will be on June 18, 2013 at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York 14468 at 8:00 pm, at which time all interested parties will be heard.

A copy of the proposed Local Law will be on file with the Town Clerk and will be posted on the Town's website at www.parmany.org.

By order of the Town Board

Supervisor Carmestro explained the State now requires that Special Police members and Court Officer Attendants must be residents of the municipality they are serving. Currently, there are several individuals in this capacity that are not residents. Passing this local law will allow them to continue in their capacity for the Town. There were no comments from the public. The public hearing was closed at 8:09 p.m.

RESOLUTION TO APPROVE LOCAL LAW 3-2013
RESIDENCY REQUIREMENT FOR POSITIONS IN THE SPECIAL POLICE,
TOWN COURT OFFICER ATTENDANTS AND PEACE OFFICERS
IN THE TOWN OF PARMA

RESOLUTION NO. 151-2013 Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve Local Law 3-2013 passing the residency requirement for position in the Special Police, Court Officer Attendants and Peace Officers in the Town of Parma and the effective date shall be upon filing in the in the office of the New York Secretary of State in accordance with Section 27 of Municipal Home Rule Law and will become effective upon filing with the Department of State.

Motion carried: Aye 5 Nay 0

BUSINESS ITEMS

ORDER CALLING FOR PUBLIC HEARING
PUBLIC HYDRANT DISTRICT AT 5640 RIDGE ROAD

A petition has been received to establish a public hydrant district at 5064 Ridge Road West. An out building on the property has been converted to a repair facility. During the Planning Board review it was identified that the setback from a fire hydrant exceeds the Fire Code. Options for the owner were to install sprinklers in the building or run a hydrant from across the road. The property owner will be responsible for the construction costs and an annual maintenance fee charged by the Monroe County Water Authority, which is currently \$200.00. The fee would be collected annually and sent to the Water Authority and the fee is reviewed annually and charged to the property owners' tax bill. It was noted that this will be an unlisted action under SEQR, the Town would be the lead agency and the Monroe County Water Authority would be an involved agency. Monroe County Planning and Development will need to review. For this action surrounding municipalities will not have to be notified as interested parties.

RESOLUTION NO. 152-2013 Motion by Councilperson Smith, seconded by Councilperson Brown,

WHEREAS, previously hereto, a Petition having been filed and a map, plan and report having been prepared by Razak Associates, PLLC relating to the facilities, improvements and services in a portion of said Town, wherein the 5064 Ridge Road West Hydrant District is proposed to be established, and

WHEREAS, such Petition and map, plan and report have been duly filed in the Office of the Town Clerk of the Town of Parma, and

WHEREAS, the boundaries of the proposed Hydrant District are more particularly set forth in Schedule "A" attached hereto, and

WHEREAS, the improvements proposed consist of a water hydrant and appurtenances as set forth in a certain map and plan now on file in the said office of the Town Clerk of said Town of Parma, and

WHEREAS, the Petitioner shall be responsible for the amount to be expended for the construction of said water hydrant and appurtenances, there will be no town funds expended, and

WHEREAS, the said Petitioner shall be responsible for the fee to be charged annually for the inspection and maintenance of said water hydrant and appurtenances, which is currently \$200.00 and

WHEREAS, a map, plan and report describing said improvement are on file in the office of the Town Clerk of the Town of Parma for public inspection,

NOW, THEREFORE, BE IT ORDERED, that the Town Board of the Town of Parma shall meet at the Parma Town Hall, 1300 Hilton-Parma Corners Road, Hilton, New York on the 16th day of July, 2013 at 8:00 o'clock P.M., for the purpose of conducting a public hearing on the proposal to establish said Public Hydrant District with improvements specified above, at which time, all persons interested in the subject thereof may be heard concerning the same, and it is further

ORDERED, that the environmental significance of said proposed 5064 Ridge Road West Hydrant District will be reviewed by the Town Board of the Town of Parma, incident to and as part of the aforementioned public hearing and all persons interested may be heard concerning this issue, and it is further

ORDERED, that the Town Clerk of the Town of Parma, is hereby authorized and directed to publish a copy of this order in the Suburban News, and post a copy of the same on the sign-board of the Town of Parma, in the time and manner required by law.

Motion carried: Aye 5 Nay 0

DELORES HOOPER – 725 BURRITT ROAD

Mrs. Hooper called earlier and cancelled.

HAYLO REFUND

Due to the heavy rain Saturday before the Hilton Area Youth Lacrosse Organization tournament, the tournament had to be cancelled. Field inspections identified there was standing water on the fields and they were unplayable. Unfortunately the tournament is

their annual fund raiser. Councilperson Smith asked that the annual fee and prepaid trash removal fee of \$350 be refunded to them.

RESOLUTION NO. 153-2013 Motion by Councilperson Smith, seconded by Councilperson Comardo, to refund the annual fee and the trash removal fee prepaid by Hilton Area Lacrosse due to the cancellation of their tournament as the fields were not playable.

Motion carried: Aye 5 Nay 0

3 ON 3 BASKETBALL TOURNAMENT – AUGUST 3, 2013

The Hilton Select Basketball organization inquired about holding a 3 on 3 basketball tournament at the Town Hall Park Courts on August 3, 2013. Due to conflicts their request was withdrawn. It was noted that organizations should get their requests in at the beginning of the year to help with planning and alleviate unexpected conflicts.

INFORMATION TECHNOLOGY SERVICES

The following quotes were obtained from three vendors for Information Technology (IT) services and our Disaster Recovery (DR) Plan:

Tri Delta	\$30,821.00
ATS	\$19,949.10
System/NY	\$23,057.13

See Schedule B for summary.

The amounts were reviewed and it was noted this will meet the recommendations for the disaster recovery recommendations made during the State audit by the Comptroller's office. Payments will be made as services are provided not as a lump sum.

RESOLUTION NO. 154-2013 Motion by Councilperson Smith, seconded by Councilperson Comardo, to enter into an agreement with ATS for Information Technology and Disaster Recovery Services which will include a new server, the development of the emergency backup and disaster recovery recommendations made during the audit at a cost of \$19,949.10.

Motion carried: Aye 5 Nay 0

SET PUBLIC HEARING DATE - RIGHT TO FARM LAW

Chairman of the Farmland and Open Space Committee, Scott Copey, introduced the members of the committee, Tim Thomas, Patrick Buskey, Linda Judd and Marilyn DeMeyer and in particular thanked Marilyn DeMeyer for her work in drafting the wording. It was noted Right to Farm Law was a major recommendation of the Farmland and Open Space Plan approved in 2009 and that the law is a statement of intent.

It was noted this is an Unlisted action under SEQR, there are no involved parties and the Towns of Greece, Ogden, Sweden, Clarkson, Hamlin and the Village of Hilton will be notified as interested parties. This will also be referred to Monroe County Planning and Development for review.

RESOLUTION NO. 155-2013 Motion by Councilperson Smith, seconded by Councilperson Roose, to hold a public hearing on July 16, 2013 at 8:30 p.m. at the Parma Town Hall on the Right to Farm Law, at which time all interested parties will be heard.

Motion carried: Aye 5 Nay 0

UMPIRE PAYMENT APPROVAL

RESOLUTION NO. 156-2013 Motion by Councilperson Roose, seconded by Councilperson Brown, to approve funds to pay for baseball and softball umpires for the current season as follows:

570.7315.490.03	Baseball	\$3,300
570.7315.491.03	Softball	\$1,200

Motion carried: Aye 5 Nay 0

LIAISON REPORTS

**Councilperson Brown reported she attended a meeting with the Court Officer Attendants. They discussed the \$2,000 in grant money they have received. They would like to allot the money for gang devices that would attach to court chairs. Town Board discussion included the purpose for having, cost, the room being used in a multipurpose capacity and whether this was needed. The recommendation was made based on New York State best practices for court room safety. The Board tabled any action at this time to look at all the uses of the room.

The Recreation Commission meeting included a great deal of discussion on the Park. This included playground mulching and batting cages. Councilperson Smith noted the Parks Department is getting quotes for the playground mulch. It was noted it is a specific type of mulch is used which is a certified product that creates drop zones. Supervisor Carmestro indicated the electricity at the batting cages had been fixed.

The dedication for the Hamlin Dog Kennel was held this past Saturday.

**Councilperson Comardo reported the Zoning Board of Appeals will be meeting later this week. Code Enforcement has sent twenty-two notices most of which are for property maintenance issues and he received a summary of the actions so far this year.

**Councilperson Smith reported the park has received a great amount of water because of all the rain which has made mowing difficult. He noted the lacrosse tournament was cancelled after he walked the fields which had standing water on them. He complimented the Hilton Heat organization for taking the initiative to cancel the last day

of their tournament due to the very wet conditions, even though they still had to pay expenses such as referee fees and refunds to teams. They felt it was in the best interest of the teams and the field conditions.

**Councilperson Roose reported there have been two Planning Board meetings since our last meeting and mostly covered car lot issues. The Country Max project and the establishment of the Public Hydrant District were also discussed.

**Village Liaison Larry Speer thanked the Recreation Department for their cooperation during the recent reroofing at the Community Center. Monroe County Sheriffs will be patrolling with the four-wheeler unit in an attempt to limit the illegal use of these vehicles on Village Streets. He also reported that Janet Surrige is retiring at the end of the month and Shari Pearce will be moving up to Village Manager. Ms. Surrige will be available in a consulting capacity as needed. He also confirmed that the Town Building and Code Enforcement office is providing coverage during Mr. Lissow's absences. It was confirmed that this is the case and the Building Department is to be notified when he will be away.

**Supervisor Carmestro reported he received correspondence from Linda Viney with this year's dates for the Apple Festival, which will be on October 5th and 6th. He also reported he had spoken with the Sherriff's Department regarding the four-wheeler concerns. The Sherriff's have asked the Town to send letters to residents along the lakefront informing them the department will be strictly enforcing no fireworks and a reminder will be going in the Suburban News. He informed those present that the Town Board would be going into an executive session at the end of the meeting.

PUBLIC FORUM

Supervisor Carmestro opened the public forum to anyone who wished to address the Board.

Art Cosgrove commented that flying lanterns can come from miles away and although they are not fireworks, they are dangerous and can also be a fire hazard. Last year one landed in his yard. Supervisor Carmestro asked that if anyone has a concern to call 911.

Pat Buskey inquired as to the meaning of the red signs that have been posted on vacant properties and if it was only a Parma action as he has not seen them in other Towns. Mr. Barton explained that they are required by the State Fire Code. Most municipalities waited to start after the results of an appeal for relief from the requirement was filed by the City of Rochester. The State denied the appeal. The signs let emergency services know there are safety issues with a structure.

Kyle Mullen inquired if the fire district where the public hydrant district is being considered should be notified. It was explained they are not an involved party and that the Monroe County Water Authority will notify them of the installation. There was discussion on if anyone else would benefit from the hydrant. It was noted there are existing hydrants that service the surrounding parcels and that the distance for that building is the issue. He also inquired about the IT service company that has been

selected and expressed concern about “cloud” storage. It was explained there will be offsite storage, several options were looked at and the company selected provides the same services to the Town of Greece.

WARRANTS

RESOLUTION NO. 157-2013 Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve payment of AOO General Fund bills, in the amount of \$61,409.19.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 158-2013 Motion by Councilperson Comardo, seconded by Councilperson Smith, to approve payment of BOO Part Town Fund bills, in the amount of \$10,636.10.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 159-2013 Motion by Councilperson Smith, seconded by Councilperson Roose, to approve payment of DAO Highway, Townwide Fund bills, in the amount of \$454.50.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 160-2013 Motion by Councilperson Roose, seconded by Councilperson Brown, to approve payment of DBO Highway, Part Town Fund bills, in the amount of \$124,084.51.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 161-2013 Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve payment of HDO Town Bridges Fund bills, in the amount of \$36,336.30.

Motion carried: Aye 5 Nay 0

Councilperson Smith asked if this was the end of the payments. Supt. Speer stated no that we are still waiting for invoices from Wind-Sun. Mr. Weldon asked if the drainage concerns he expressed at a previous meeting will be fixed and if the bales of hay could be removed. Supt. Speer will address.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 162-2013 Motion by Councilperson Smith, seconded by Councilperson Roose, to approve payment of HHO Salt Shed Fund bills, in the amount of \$82,157.50.

RESOLUTION NO. 163-2013 Motion by Councilperson Roose, seconded by Councilperson Brown, to approve payment of SDO Townwide Drainage Fund bills, in the amount of \$2,942.00.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 164-2013 Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve payment of TAO Trust & Agency Fund bills, in the amount of \$27,578.64.

Motion carried: Aye 5 Nay 0

The total to be paid is \$345,598.74.

ENTER INTO EXECUTIVE SESSION

RESOLUTION NO. 165-2013 Motion by Councilperson Comardo, seconded by Councilperson Brown, to enter into Executive Session to discuss a personnel matter regarding the performance and discipline of a particular employee at 8:51 p.m.

Motion carried: Aye 5 Nay 0

CLOSE EXECUTIVE SESSION

RESOLUTION NO. 166-2013 Motion by Councilperson Comardo, seconded by Councilperson Brown, to close the Executive Session at 9:50 p.m.

Motion carried: Aye 5 Nay 0

Upon coming out of executive session the Clerk requested that the reason for entering into executive session be stated so it could be included in the resolution.

A motion was made by Councilperson Comardo to adjourn the meeting at 9:50 p.m. and seconded by Councilperson Brown. All were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk

SCHEDULE A



TOWN OF PARMA

Building Department

1300 Hilton-Parma Road
P.O. Box 728
Hilton, New York 14468

Office (585) 392-9449
Fax (585) 392-6659
www.parmany.org

JUNE 18, 2013

TO: TOWN BOARD

FROM: JACK D. BARTON, EXEC. SECRETARY
PLANNING BOARD

RE: REZONING REQUEST FOR PROPERTY LOCATED AT 4658 RIDGE
ROAD WEST, TAX ID #072.02-2-9

The Planning Board reviewed the request for change of zoning from Light Industrial (LI) to Highway Commercial (HC) at the above referenced address. The Board looked to the Town's Master Plan for guidance.

The Master Plan discusses that this type of Zoning is already in place along Ridge Road and states in part that it "envisions expanding upon this base of highway commercial areas primarily through the use of in-fill development in depth from the highway. Some expansion along the highway of these uses may be appropriate."

The Land Use Plan Map in the appendix of the Town's Master Plan show this area of Ridge Road between Manitou and Pease Roads as Highway Commercial.

The Planning Board does believe that this request is consistent with the long-range development objectives set forth in the Master Plan.

Please contact the Planning Board if you have any questions.

A handwritten signature in black ink, appearing to read "Jack D. Barton".

JDB:eb

617.20
Appendix C
 State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1 APPLICANT/SPONSOR FARMINGTON LAWN CARE, INC.	2 PROJECT NAME COUNTRY MAX STORE
3 PROJECT LOCATION Municipality TOWN OF PARMA County _____	
4 PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc. or provide map) 4650 RIDGE RD WEST, SPARKBROOK, NY 14559	
5 PROPOSED ACTION IS <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6 DESCRIBE PROJECT BRIEFLY RE-ZONE FROM LIGHT INDUSTRIAL TO HIGHWAY COMMERCIAL FOR NEW BUILDING & PARKING OF THE NEW COUNTRY MAX STORE	
7 AMOUNT OF LAND AFFECTED: Initially <u>0.2</u> acres Ultimately <u>3.0</u> acres	
8 WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly: MAY REQUIRE SIDE SETBACK - AREA VARIANCE	
9 WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park Forest/Open Space <input type="checkbox"/> Other Describe: COMMERCIAL/RETAIL	
10 DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit approvals: HEALTH DEPT, NYS DOT & TOWN OF PARMA BUILDING PERMITS	
11 DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit approvals:	
12 AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: DON PAYNE, OWNER Date: 5/24/2013 Signature:	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p style="padding-left: 20px;">No, this commercial site was previously used for a motel. The property is proposed to be renovated and a new retail store will be constructed. The Country Max business is moving from another location approximately three miles west of this site.</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p style="padding-left: 20px;">No, this property, until very recently was used for a commercial business. The neighborhood character is commercial.</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p style="padding-left: 20px;">No, the project is proposed to be located on an existing developed lot.</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p style="padding-left: 20px;">No, the properties in the immediate area are currently zoned Light Industrial, General Commercial and Highway Commercial.</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:</p> <p style="padding-left: 20px;">No, the proposed action is limited by the property dimensions.</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:</p> <p style="padding-left: 20px;">No negative effects have been identified.</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:</p> <p style="padding-left: 20px;">None have been identified.</p>
<p>D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly</p>
<p>E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:</p>

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility, (e) geographic scope, and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<p><input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.</p> <p><input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.</p>	
<p>TOWN OF PARMA TOWN BOARD</p> <p>_____ Name of Lead Agency</p> <p>CARMEY CARMESTRO</p> <p>_____ Print or Type Name of Responsible Officer in Lead Agency</p> <p><i>Carmey Carmestro</i> Signature of Responsible Officer in Lead Agency</p>	<p style="text-align: right;">7/16/13 _____ Date</p> <p>SUPERVISOR</p> <p>_____ Title of Responsible Officer</p> <p><i>James D. Barton</i> Signature of Preparer (If different from responsible officer)</p>

Reset



Department of Planning and Development
Monroe County, New York

Maggie Brooks
County Executive

Judy A. Seil
Director

To: Town of Parma Town Board
From: Renee Casler, Planner II *rc*
Date: June 17, 2013
Subject: Rezone 3.037 acres from Light Industrial to Highway Commercial
4658 Ridge Road West
MCDP&D Response to Development Review Referral (PM13-7Z)



Review Authority and Response:

General Municipal Law: Section 239-m (Zoning)
 Approval Modification Disapproval Comment No Comment
 Section 239-n (Subdivision)
 Approval Modification Disapproval Comment No Comment
County Charter: Section C5-4.A (Airport)
 Approval Approval with Conditions Disapproval
 Section C5-4.C (Advisory Review)
 Approval Modification Disapproval Comment No Comment

Referred to the Development Review Committee (DRC) (If yes, DRC Project Review Report attached):
 Yes No

MCDP&D Comments:

The rezoning of parcels needs to be consistent with the Town of Parma's Comprehensive Plan. In the case of a rezoning the Town Board should develop a clear written record describing how the rezoning will promote the goals and objectives of the comprehensive plan.

According to the National Wetland Inventory (NWI) maps prepared by the United States Department of Interior, this site appears to contain a portion of a federal wetland that is classified as PFO1B. This feature should be taken into consideration when determining if the proposed rezoning of this land should be approved. The Board should consider how this feature may be impacted by the proposed use and density.

If you have any questions regarding this review, please contact me at (585) 753-2026 or rcasler@monroecounty.gov.

Attachment

xc: Development Review Committee
Mel Schroeder, Army Corps of Engineers
Meagher Engineering
Don Payne, President

8100 CityPlace • 50 West Main Street • Rochester, New York 14614
(585) 753-2000 • fax: (585) 753-2028 • www.monroecounty.gov

PROJECT REVIEW REPORT
Monroe County Development Review Committee

June 17, 2013

Subject: Attachment to File PM13-7Z

The Monroe County Development Review Committee (DRC) has reviewed the subject application and has identified the following points that require appropriate action PRIOR TO SUBMISSION OF FINAL PLANS FOR APPROVAL.

(NOTE: The letter in parentheses following each comment identifies the DRC member listed at the bottom of the page making the comment. Questions should be addressed to the appropriate DRC agency.)

1. If the map for this project is going to be filed in the County Clerk's office, monumentation must be checked by the Monroe County Department of Transportation Survey Office. If a County or State monument will be affected by the project, the engineer must call the Monroe County Department of Environmental Services Survey Office at 753-7530. (B)
2. All proposed work within the Route 104 right of way, including the removal of the westerly driveway, will require a NYSDOT highway work permit. (D)
3. The following agencies reviewed this project and have no comments. (A)
4. This project was not sent to the following agencies for review. Applicants should verify with these agencies that they do not have jurisdictional requirements for this project. (C)

SCHEDULE B

3 QUOTES FOR IT SERVICES & DR PLAN

TRI DELTA		ATS		SYSTEM/NY	
SERVER	11,164.00	SERVER	7,093.80	SERVER	9,791.13
LABOR	4,000.00	LABOR	2,275.00	LABOR	4,950.00
TOTAL SERVICE	15,164.00	TOTAL SERVICE	9,368.80	TOTAL SERVICE	14,741.13
DR PLAN		DR PLAN		DR PLAN	
SERVER	10,917.00	SERVER/LABOR	5,300.30	SERVER/labor	3,600.00
LABOR		LABOR			
MONTHLY COST		MONTHLY COST		MONTHLY COST	4,716.00
395.00/MONTH	4,740.00	440.00/MONTH	5,280.00	393.00/month	
TOTAL SERVICE	15,657.00	TOTAL SERVICE	10,580.30	TOTAL SERVICE	8,316.00
Total Cost	30,821.00	Total Cost	19,949.10	Total Cost	23,057.13
IT MONITORING	3,000.00	IT MONITORING		IT MONITORING	3,168.00
250.00/MONTH		95.00/HOUR		264.00/MONTH	
95.00/HOUR				125.00/HOUR	
MONTHLY DR PLAN	8,400.00				
W/VENDOR EQUIP					
\$700.00/MONTH					

Per our Procurement policy - Statutory Exception From these Policies and Procedures - Professional/Professional Service Contracts

Funds to be provided - AOO516.1680.210.00 IT Equipment - 70%
 BOO537.3620.210.00 - Equipment - 30%

20 Computer Total
 14 A Fund
 6 B Fund