

Parma Town Board meeting held on Tuesday, June 17, 2014 at the  
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

**ATTENDANCE**

Supervisor	James Smith
Councilperson	Gary Comardo
Councilperson	James Roose
Councilperson	Kyle Mullen
Highway Supt.	Brian Speer
Director of Parks and Recreation	Tom Venniro
Building and Development Coordinator	Dennis Scibbeta
Absent	Councilperson Tina Brown

**OTHERS IN ATTENDANCE**

David Tresholavy, Michael Weldon, Carol Kluth, Helen Ives, Kris Schultz, Glynne Schultz, Mindy Zoghlin, Lon Jacobs and other members of the public.

**CALL TO ORDER**

Supervisor Smith called the meeting to order at 6:33 p.m. and led those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Emergency exit procedures were noted.

**PUBLIC HEARING – PROPOSED LOCAL LAW 2-2014 RESIDENCY REQUIREMENTS BUILDING DEPARTMENT**

The following legal notice was read and noted this was published and posted as required by law. It was noted the title of Building and Development Coordinator had been added and was also posted.

**LEGAL NOTICE  
TOWN OF PARMA**

The Parma Town Board has scheduled a public hearing on proposed Local Law #2-2014 entitled “A Local Law to Establish the Residency Requirements for the positions of Building Inspector, Fire Marshal and Code Enforcement Officer.” The public hearing will be held at the Parma Town Hall, 1300 Hilton-Parma Corners Rd., Hilton, New York on June 17, 2014 at 6:30 p.m. at which time persons in favor of or opposed to said local law may be heard. Copies of the proposed local law are on file at the Parma Town Clerk’s office and are available on the Town website ([www.parmany.org](http://www.parmany.org)) for public inspection.

Dated: May 27, 2014  
Town of Parma  
Donna K. Curry, Town Clerk

Supervisor Smith explained this law will expand the residency requirements for positions in the building department to Monroe and surrounding counties. The discussion was opened to the public for comments. There was no response. The public hearing was closed.

**RESOLUTION TO APPROVE LOCAL LAW #2-2014**  
**RESIDENCY REQUIREMENT FOR POSITIONS OF BUILDING AND**  
**DEVELOPMENT COORDINATOR, BUILDING INSPECTOR, FIRE MARSHAL AND CODE**  
**ENFORCEMENT OFFICER FOR THE TOWN OF PARMA**

**RESOLUTION NO. 148-2014** Motion by Councilperson Comardo, seconded by Councilperson Mullen, to approve Local Law 2-2014 passing the residency requirement for the positions of Building and Development Coordinator, Building Inspector, Fire Marshal and Code Enforcement Officer in the Town of Parma; the effective date shall be immediately and a copy will be filed by the Parma Town Clerk in the office of the New York State Secretary of State in accordance with Section 27 of Municipal Home Rule Law.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

*See Schedule A at end of Minutes for a copy*

**MINUTES – APRIL 29, 2014 JOINT MEETING WITH**  
**VILLAGE OF HILTON AND MAY 20, 2014**

It was noted in the Joint Meeting minutes there was a concern expressed regarding access during a power failure. It was felt this should be clarified. A generator will be available for power failures and the concern was more related to access during off times, when pumps might be down or broken and having an alternate plan in place. Departments other than Highway will access the fuel island as well.

**RESOLUTION NO. 149-2014** Motion by Supervisor Smith, seconded by Councilperson Comardo, to accept the Minutes of the April 29, 2014 joint meeting with the Village of Hilton and the May 20, 2014 Town Board meeting minutes.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**TOWN CLERK REPORT**

The Town Clerk and VFW report for May has been completed, given to the Town Board and filed. The records management grant funding closes on June 30<sup>th</sup>. Records are still being sent with the remainder going prior to the end of the month.

**HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported the department is busy working on summer projects and the recycling of Peck Road. Later in the summer two coats of oil and stone will be added. Work is being done on the storm sewers around the salt shed so the fence can go back up. It is hoped the work will be done on West Creek to the specs of a parkway road. It is not a high traffic use road. He estimates the cost to be about \$19,000. This is a roadway the department plows but it is not a dedicated road. Supt. Speer will contact Dan Bryson and it was noted there will potentially be the same problem with Country Meadow and Country Village.



Supervisor Smith opened the public forum and asked if there was any citizen present who would like to address the Town Board.

Mindy Zoghlin was present on behalf of 5247 Ridge Road, LLC.; the owner of 5247 Ridge Road West. The property owner is seeking to rezone this parcel from General Commercial to Highway Commercial. The application has been filed and fee was received late this afternoon along with a summary of their request and supporting information. She indicated the owner and tenant are working with Code Enforcement to resolve violations on the site. Ms. Zoghlin reviewed the applicants request with the Town Board. It was felt a public hearing would not be realistic for the July meeting. The EAF was not complete and will need to be resubmitted. It was also felt there would not be sufficient time for a response from Monroe County Planning and Development. An August date would be better.

Kris Schultz, of Schultz Associates was present to request the formation of a Sanitary Sewer District for Mr. Lingeman on Dunbar Road. According to Mr. Schultz, Mr. Lingeman would like to hook in this summer and has gotten approval from Pure Waters for an individual connection. It was felt creating a sewer district would not be needed and this should be an out of district customer request.

Mr. Schultz was also present to inform the Town Board of circumstances around his client's request for a reduction of a letter of credit for the Walnut Grove Subdivision on Webster Road. To proceed they must post a letter of credit for a small dedicated road. Mr. Schultz stated his client is asking for a partial letter of credit which would cover erosion control and the cost of engineering inspections and would have to be fully inspected. If approved, the Chairman of the Planning Board would not sign the subdivision plans until all the improvements are in. A building permit could not be pulled on any of the lots until the plans have been signed off on. It is expected a full letter of credit would be \$120,000 and they are looking for partial letter of credit for about 10% of this. He has spoken with Supt. Speer and Chatfield Engineers and wanted to address this with the Board as well. He noted this is a different way to allow a developer to move forward.

The Town Board would like input in writing from Chatfield Engineers before making a decision. Mr. Scibetta wants to be sure the Town is protected, is not opposed to it as long as the Highway Superintendent and the Town Engineer agree with the amount and the process. He also noted often there is pressure from the builders, once the initial work is done, to start building and it has to be the understanding that everything else is to be in place before that can happen.

Mr. Schultz stated a pre-construction meeting is scheduled Thursday for the site because RG&E has to still agree to the design but the developer is not expected to put the roadway in until September.

Supervisor Smith asked for a letter from Chatfield Engineer indicating the total and partial amounts and confirmation from the Highway Superintendent that they are in agreement.

## **BUSINESS ITEMS**

### **INTERMUNICIPAL AGREEMENT WITH TOWN OF GREECE FOR BUILDING INSPECTION SERVICES**

Supervisor Smith noted he entered into an intermunicipal agreement with the Town of Greece on an emergency basis for building inspection services to cover the period of transition between the retirement of staff and the start of newly hired staff.

**RESOLUTION NO. 151-2014** Motion by Councilperson Mullen, seconded by Councilperson  
 Roose, to approve the Supervisor entering into an inter-municipal agreement between the  
 Town of Parma and the Town of Greece for Building Inspection Services during the  
 transition of retiring staff to new staff.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**HILTON NOMADS BASEBALL AGREEMENT**

This is an agreement with a breakoff team of the Hilton Cadets. Mr. Venniro reported the dates have been  
 blocked off on the calendar for the Lloyd Pavilion and has agreed to pay the fee for the pavilion as their  
 fee. Proof of general liability insurance has been provided, the contract has been signed by the  
 organization and a check is pending for the fee. Supervisor Smith asked that the usage and cleanup be  
 monitored.

**RESOLUTION NO. 152-2014** Motion by Councilperson Comardo, seconded by Councilperson  
 Roose, to authorize the Supervisor to enter into an agreement for field use with the Hilton  
 Nomads of North Coast Baseball, Inc.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**UMPIRE PAYMENTS**

**RESOLUTION NO. 153-2013** Motion by Councilperson Roose, seconded by Councilperson  
 Mullen, to authorize the payment of \$2,000 for umpire services for this year's softball and  
 baseball leagues as follows:

570.7315.490.03 \$2,000

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**BUDGET TRANSFERS**

BUDGET TRANSFERS

Jun-14

ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
AOO576752012000	VFW CLEANER	1,000.00	AOO576752011000	VFW KKEY KEEPER	1,000.00	VENNIRO
AOO516162021000	EQUIPMENT	1,400.00	AOO516168010000	EQUIPMENT	1,400.00	GAVIGAN
AOO516168041000	GRANTS	500.00	AOO516143046000	CONTRACTED SERVICES	500.00	GAVIGAN
AOO516168041000	OFFICE SUPPLIES	200.00	AOO516898948000	MISC EXPENSE	200.00	GAVIGAN
AOO536364021100	FIELD EQUIPMENT	270.00	AOO536364011000	ADMINISTRATOR	200.00	GAVIGAN
			AOO536364048000	MISC EXPENSE	70.00	GAVIGAN
AOO513132047100	AUDITOR	725.00	AOO512122043000	EDUCATIONAL	277.00	GAVIGAN
AOO513131046000	CONTRACTED SERVICES	305.00	AOO512122045000	PERSONAL CAR	100.00	GAVIGAN
			AOO512122048000	MISC EXPENSE	50.00	GAVIGAN
			AOO513131043000	EDUCATIONAL	350.00	GAVIGAN
			AOO510101041000	OFFICE SUPPLIES	238.00	GAVIGAN
			AOO510101043000	EDUCATIONAL	15.00	GAVIGAN
		4,400.00			4,400.00	

**RESOLUTION NO. 154-2014** Motion by Supervisor Smith, seconded by Councilperson Comardo, to approve the budget transfers as presented.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**INTERFUND TRANSFERS**

TRANSFERS			Jun-14			
ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
BOO599990191100	BRUSH PICK UP	23,395.00	DBO5031.01	BRUSH PICK UP	23,395.00	SPEER

**RESOLUTION NO. 155-2014** Motion by Councilperson Roose, seconded by Councilperson Mullen, to approve the budget transfers as presented.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**MISCELLANEOUS**

**THIRD QUARTER HEALTH SAVINGS ACCOUNT PAYMENTS**

**RESOLUTION NO. 156-2014** Motion by Councilperson Mullen, seconded by Councilperson Roose, to approve payment of the third quarter installment for the employee Health Savings Account (HSA) funds on July 1, 2014 in the amount of \$42,108.34.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**LIAISON REPORTS**

\*\*Councilperson Comardo reported the Farmland and Open Space Committee cancelled their last meeting.

\*\*Councilperson Roose reported in addition to items already mentioned by Tom Venni, the Village Liaison Andy Fowler reported the Greece Special Police would not be providing traffic control for the Fireman’s carnival and Apple Fest. Since then, they have agreed to do it for one more year. The Village and Town will be working to resolve the traffic control issue going forward. They also discussed increased participation in senior trips and evening meals.

\*\*Councilperson Mullen reported the Zoning Board will be meeting this Thursday and Mr. Fritz has been keeping him informed of code enforcement issues. Monroe County has new GIS interactive maps. The Town has licenses for use. He will be looking into this further. He will be unable to attend the State Comptroller on transparency and the use of social media. Supervisor Smith is also unavailable to attend but the Town Clerk will be attending.

\*\*Supervisor Smith reported on the last Library Board meeting and noted the Friends of the Parma Library through their book sales have raised \$2,400. The money has been given to the Library with the majority to go for a subscription to Ancestry.com. A committee is working on revisions to the Town’s website and significant progress has been made. Their goal is for a more user friendly site for the public

and internally for employees. Supervisor Smith also reported for the record that in addition to the recreation summer help new hires, the highway has hired two Laborers with the intent of working up to Heavy Equipment Operator when they get their CDL licenses. A Heavy Equipment Operator has also been hired with intent to move to the Automotive Mechanic position when established. One summer laborer position was also hired.

**WARRANT**

**RESOLUTION NO. 157-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve payment of AOO General Fund bills, in the amount of \$69,239.20.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**RESOLUTION NO. 158-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to approve payment of BOO Part Town Fund bills, in the amount of \$6,713.29.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**RESOLUTION NO. 159-2014** Motion by Councilperson Roose, seconded by Councilperson Mullen, to approve payment of DAO Highway, Townwide Fund bills, in the amount of \$1,934.63.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**RESOLUTION NO. 160-2014** Motion by Councilperson Mullen, seconded by Councilperson Brown, to approve payment of DBO Highway, Part Town Fund bills, in the amount of \$14,397.08.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**RESOLUTION NO. 161-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to approve payment of S08 Heilmann Sewer Fund bills, in the amount of \$1,000.00.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

**RESOLUTION NO. 162-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve payment of TAO Trust & Agency Fund bills, in the amount of \$2,832.08.

Motion carried: Aye 4 Nay 0 Absent Councilperson Brown

The total to be paid is \$96,116.28.

**MISCELLANEOUS**

An inquiry was made as to what the \$435.00 referred to during the last meeting was for in the agreement for building inspection services with the Town of Clarkson. Supervisor Smith noted this would be the maximum amount paid for miscellaneous charges such as training costs, uniform, cell phone and mileage which Clarkson has as expenses. The Supervisor and Mr. Scibetta will be meeting with the Clarkson Supervisor later this week to finalize the details of this. There are some expenses which are not necessarily applicable to Parma.

Approximately 135 students from Quest Elementary School participated in a field trip to the Town Park, Historical Museum and the Town Court on Monday, June 16<sup>th</sup>. This is the fourth year we have done this with them. It was also noted the Northwood Elementary School Flag Day ceremony was great success.

There being no further business before the Town Board, Councilperson Roose made a motion to adjourn the meeting at 7:40 p.m., seconded by Councilperson Comardo.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk

## SCHEDULE A

### LOCAL LAW #2 OF 2014

Town of Parma  
Local Law No. 2 of the year 2014

A local law to establish the residency requirements for the appointed offices of Building and Development Coordinator, Building Inspector, Fire Marshal, and Code Enforcement Officer for the Town of Parma.

Be it enacted by the Town Board of the Town of Parma as follows:

**Section I. Title:** A local law to establish the residency requirements for the appointed offices of Building and Development Coordinator, Building Inspector, Fire Marshal, and Code Enforcement Officer.

**Section II. Authority:** This local law is adopted pursuant to Municipal Home Rule Law, § 10(l)(ii)(a)(1) that grants to local governments the authority to enact local laws regarding the qualifications of local officers. This local law recognizes that the State Legislature previously amended Public Officers Law, §3 expanding the residency requirements for any appointed public office, thereby rendering Public Officers Law a special law with respect to any appointed town officer (see cf N.Y. Op. Atty. Gen. (Inf.) No. 2000 -5).

**Section III. Supersession:** This local law shall supersede Town Law, §23(1) in its application to the offices of Building and Development Coordinator, Building Inspector, Fire Marshal, and Code Enforcement Officer for the Town of Parma.

**Section IV. Residency requirements for the positions of Building Inspector, Fire Marshal, and Code Enforcement Officer for the Town of Parma:** The persons holding the offices of Building and Development Coordinator, Building Inspector, Fire Marshal, and/or Code Enforcement Officer in the Town of Parma need not be a resident nor an elector of the Town of Parma, provided, however, that such person shall reside in Monroe County or adjoining counties.

**Section V. Inconsistency:** All other local laws and ordinances of the Town of Parma that are inconsistent with the provision of this Local Law are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency and in all other respects this Local Law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this Local Law.

**Section VI. Savings Clause:** If any clause, sentence, paragraph, word, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section VII. Effective Date:** This Local Law shall take effect upon filing in the office of the New York Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.