

Parma Town Board meeting held on Tuesday, November 8, 2006 at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

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|---------------------|---------------------------|
| Supervisor | Richard Lemcke |
| Councilman | Kenneth Blackburn |
| Councilman | Joseph Reinschmidt |
| Councilman | Carm Carmestro |
| Councilman | James Smith |
| Recreation Director | Steve Fowler |
| Building Inspector | Jack Barton |
| Absent | Highway Supt. Brian Speer |

OTHERS IN ATTENDANCE

Ann & John Penell, Gene DeMeyer, Stan Hoy, John Brazas, Jim Christ, Carole Munger, Eric Dude, Diane Boothe, Tod Edenhofer, Chris Foote, Larry Gurslin, Ed Arnold, and others not signed in.

CALL TO ORDER

Supervisor Lemcke called the meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Supervisor Lemcke noted emergency exit procedures.

PUBLIC HEARING – DUNBAR ROAD EAST SEWER DISTRICT

Supervisor Lemcke opened the public hearing at 7:06 pm. The following legal was placed in the October 29, 2006 issue of the Suburban News, North Edition and posted on bulletin boards at the Town Hall and Post Office.

A resident asked if there is an expiration date on the grant received. Supervisor Lemcke thought that it was good for one year. There was discussion on the next steps of the process.

Public hearing was closed at 7:10 pm.

ORDER ESTABLISHING THE DUNBAR EAST ROAD SEWER DISTRICT PURSUANT TO ARTICLE 12-A OF THE TOWN LAW

RESOLUTION NO. 289-2006 Motion by Councilman Carmestro, seconded by Councilman Blackburn,

In the Matter of the Establishment of the Dunbar Road East Sewer District in the Town of Parma, in the County of Monroe, in the State of New York

**AMENDED AND RESTATED
ORDER ESTABLISHING
SEWER DISTRICT
AFTER PUBLIC HEARING**

WHEREAS, the Town Board of the Town of Parma (the "Town Board") previously passed Resolution No. 240-2003 ordering the establishment of the Dunbar Road East Sewer District which Order was recorded in the Monroe County Clerk's Office on September 9, 2003 (the "Order"), and

WHEREAS, certain changes in the financing of the proposed Sewer District, as well as, the average cost to a typical user have changed mandating that the Order previously entered be Amended and Restated, and

WHEREAS, previous hereto, a map, plan, and report have been prepared by Larsen Engineers in such manner and in such detail (the "Project") as heretofore determined by the Town Board relating to the establishment of a proposed sewer district, to be known and designated as the Dunbar Road East Sewer District in the Town of Parma (the "Town"), and

WHEREAS, the Town Board having previously declared itself as Lead Agent pursuant to the State Environment Quality Review Act ("SEQRA") and having previously accepted an environmental assessment of the Project by Larson Engineers, and declared that based upon a review of the assessment the Project will not have a significant adverse impact on the environment and issued a Negative Declaration under SEQRA for the Project, and

WHEREAS, nothing contained within the current Project will change or alter the previous determination of no significant adverse environmental impact by the Town Board, and

WHEREAS, after the said engineers duly filed said map, plan, and report in the office of the Town Clerk of the Town the Town Board did, on October 17, 2006, duly adopt an order reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the cost to a typical user, the proposed method of financing to be employed, the fact that a plan, map and report describing the same are on file in the Town Clerk's Office for public inspection, and specifying that the Town Board shall meet at the Town Hall in the Town, on November 8, 2006, for the purpose of conducting a public hearing on such proposal to establish the sewer district with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, copies of said order were duly published and posted according to law, and the Town Board did, at the time and place specified in said order, duly meet and consider said proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same, and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereafter made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Parma, in the County of Monroe, that it be and hereby is determined as follows:

1. The notice of hearing was published and posted as required by law, and is otherwise sufficient.
2. All of the property and property owners within the proposed sewer district are benefited thereby.
3. All of the property and property owners benefited are included within the proposed sewer district.
4. It is in the public interest to establish the proposed sewer district as hereinafter described, and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a sewer district as hereinafter described to be known as the Dunbar Road East Sewer District in the Town of Parma (the "District"), the boundaries of which are set forth more particularly in the attached Schedule A; and be it

FURTHER RESOLVED, that the following improvements in the District will be constructed with the required funds being made available or provided for: the construction of 230 linear feet of 8-inch sanitary sewer connecting to the Westervelt Subdivision sewer to create a sewer system serving the District at the approximate location set forth and described in a certain map and plan now on file in the Office of the Town Clerk of the Town; and be it

FURTHER RESOLVED, that the proposed improvements, including costs of rights-of-way, construction costs, legal fees, and other expenses in the amount of \$80,000.00 of which \$56,000.00 will be borne by the properties within the District on

a benefits basis and of which \$24,000.00 will be provided from a Lake Ontario Coastal Initiative Grant; and be it

FURTHER RESOLVED, the total first year cost for a typical user of the District is estimated at \$565.94 and as such formation of the District is not subject to the approval of the Office of the State Comptroller; and be it

FURTHER RESOLVED, the proposed method to be employed for financing such improvement is as follows:

The cost of the sewer system construction would be paid through a benefit based tax against the properties within the proposed Town Sewer District. It is anticipated that the project cost will be financed by the issuance of one or more bonds of the Town, to be paid over 38 years at an interest rate of 4.375% per annum, and be it

FURTHER RESOLVED, the total first year cost for an average user of the proposed Dunbar Road Sewer District is estimated as follows: a one-time connection charge of \$2,600 representing a one-time charge for lateral construction for hookup of \$1,800; a one-time septic tank abandonment charge of \$500; a one-time Monroe County Pure Waters connection fee of \$250; and a one-time Town of Parma connection fee of \$50; and be it

FURTHER RESOLVED, that this Resolution is subject to a permissive referendum as provided in Section 209-e of the Town Law.

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|----------------|-----------|----------------------------------|
| Aye <u> X </u> | Nye _____ | Richard Lemcke, Supervisor |
| Aye <u> X </u> | Nye _____ | Ken Blackburn, Board Member |
| Aye <u> X </u> | Nye _____ | Joseph Reinschmidt, Board Member |
| Aye <u> X </u> | Nye _____ | James Smith, Board Member |
| Aye <u> X </u> | Nye _____ | Carmey Carmestro, Board Member |

Motion carried: Aye 5 Nay 0

*** *See end of Minutes for Schedule A*

PUBLIC FORUM

Supervisor Lemcke indicated that the budget hearing would take place later in the meeting and asked if anyone present would like to address the Town Board on any topic not on the agenda.

Petition for Street Lights – Stephanie Court

Anne Pennell, a resident of Stephanie Court, submitted a petition to the Town Board requesting two street lights to be placed on Stephanie Court. Discussion followed and information on pole placement and estimated costs will be sought from RG&E.

Village Electric Program

Larry Gursslin, Hilton Mayor, addressed the Town Board regarding Parma residents' participation in the Village electric program. Brochures will be mailed to Parma businesses and to date one hundred thirty Parma residents have applied. A proposed Intermunicipal Agreement between the Town of Parma and the Village of Hilton to supply electricity to residents and businesses in Parma was also provided to Town Board members.

Library – Community Center

Mayor Gursslin stated that the Village Board is interested in opening a dialogue to ascertain mutual benefits for possible purchase of the Library building and how the Community Center might be used by the Library. Supervisor Lemcke indicated that the first step in discussion

should be with the Library Director and Library Board. If there is interest on their part, a presentation should then be made by them to the Town Board.

Annexation - 610 Burritt Road

Mayor Gurrslin discussed a proposal that has been received by the Village of Hilton and the Town of Parma for annexation of 610 Burritt Road. It consists of 47 acres west of Unionville Station owned by James and Susan Beehler. Owners are requesting a joint public hearing to consider the annexation as soon as possible. Discussion followed. There was no action taken since the Town Board just received the request.

Concerned Citizens of Hilton-Parma - CCHP Proposed Soccer Complex

Chris Foote, Chairman of CCHP, presented the Town Board with a letter summarizing their position regarding the allowance of a soccer complex at 134 and 140 Parma Center Road. A petition signed by 2,116 residents of the Town of Parma was also submitted. Collection of signatures has been stopped, since there is no formal proposal before the Town of Parma. Mr. Foote noted that should a formal proposal come before the Town the collection of signatures would resume.

Repaving – Dunbar Road

Diane Boothe asked that the edging be looked at on the recent repaving of Dunbar Road. This request will be directed to the Highway Superintendent.

MINUTES – OCTOBER 17, 2006

RESOLUTION NO. 290-2006 Motion by Councilman Carmestro, seconded by Councilman Smith, to accept the Minutes of the October 17, 2006 as submitted.

Motion carried: Aye 5 Nay 0

TOWN CLERK REPORT

The Town Clerk's October report and the VFW summary for October have been given to Town Board members. The warrant for full payments has been turned over to the Monroe County Treasury. Starting in January some tax payments will be sent to M&T Bank's lockbox service for payment processing. Changes in the Freedom of Information Law (FOIL) require that a designated email address be established to accept requests. The Town Clerk will be working on changes to the website to reflect this. There has been a request by the Hilton Book Club to use a meeting room November 15, 2006 in the afternoon. They are in need of a location with a speaker phone for a guest author. The Board agreed for the use if there were no conflicts.

HIGHWAY DEPARTMENT REPORT

Supt. Speer was not in attendance therefore there was no report.

RECREATION DEPARTMENT REPORT

Councilman Carmestro noted that the Recreation Director would be late and read proposed resolutions requesting approval of a grant application to the Urban and Community Forest Program and an agreement between the County of Monroe and the Town of Parma for State Aid for youth programs.

APPROVAL OF GRANT APPLICATION TO THE URBAN AND COMMUNITY FOREST PROGRAM – PARMA’S TREE PLANTING PROGRAM

RESOLUTION NO. 291-2006 Motion by Councilman Carmestro, seconded by Councilman Smith,

WHEREAS: the Town of Parma is applying to the New York State Department of Environmental Conservation for a project grant under the Urban and Community Forestry Program to be located at 1300 Parma Corners Road, a site located within the territorial jurisdiction of the Parma Town Board; and

WHEREAS: as a requirement of these programs, said municipality must obtain the approval/endorsement of the governing body of the municipality in which the project will be located;

NOW, THEREFORE: be it resolved that the Parma Town Board hereby does approve and endorse our application for a grant under the Urban and Community Forest Program for a project known as Parma’s Tree Planting Program and located within this community.

Motion carried: Aye 5 Nay 0

AGREEMENT BETWEEN THE COUNTY OF MONROE AND THE TOWN OF PARMA – ROCHESTER MONROE COUNTY YOUTH BUREAU STATE AID

RESOLUTION NO. 292-2006 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt,

WHEREAS: the Town of Parma wishes to participate in the integrated County plan approved in 2001 by the New York State Office of Children and Family Services for Monroe County; and

WHEREAS: this is the third year of a multi-year funding cycle through the Rochester-Monroe County Youth Bureau; and

WHEREAS: the Monroe County Legislature by resolution approved authorizing the execution of an agreement with the Town of Parma for youth programming at a reimbursable amount of \$4,782 during calendar year 2006;

THEREFORE: the Town of Parma understands and agrees to all regulations specified within the agreement set forth for State Aid for youth programs and agrees to enter in the contract.

Motion carried: Aye 5 Nay 0

PARKS DEPARTMENT

A proposal was submitted, to purchase a 2006 Exmark Lazer Mower. The original price is \$13,763.00 and has been adjusted by the Bid Assistance Program to \$9,499.00. A trade in allowance of \$2,800.00 for the existing mower and \$600.00 for the snow blower with mounting kit brought the purchase price to \$6,099.00.

EXMARK LAZER MOWER

RESOLUTION NO. 293-2006 Motion by Supervisor Lemcke, seconded by Councilman Reinschmidt, to authorize the purchase of a 2006 Exmark Lazer Mower for \$6,099.00.

Motion carried: Aye 4 Nay 1 Councilman Blackburn voting nay

BUILDING DEPARTMENT REPORT

Jack Barton reported that the monthly Building Department Report has been submitted.

21 DEAN ROAD

Mr. Barton informed the Town Board that over ninety days has passed since notices were sent to the property owner at 21 Dean Road. Notices were sent certified and first class mail. The certified letter was never accepted by the owner and the first class letter has not been returned. At this point the Town Board can proceed by filing a petition in a special term of the Supreme Court for removal of the structures in question or start over with another notice.

RESOLUTION NO. 294-2006 Motion by Supervisor Lemcke, seconded by Councilman Blackburn, authorizing Sercu & Sercu to file a petition against Donald Crosby in a special term of the Supreme Court to remove unsafe structures located at 21 Dean Road in the Town of Parma.

Motion carried: Aye 5 Nay 0

Petition for Street Lights on Stephanie Court- Continued

Mr. Barton was informed of the request from residents of Stephanie Court for street lighting. Mr. Barton felt that the installation and cost of poles would be an expense of the lighting district but will confirm.

BUSINESS ITEMS

SENIOR INCOME LIMITS

No updated information has been received.

SPECIAL POLICE APPOINTMENTS

Tod Edenhofer requested that the Town Board accept Randy Mousaw and Dan Kohler as full members of the Town of Parma Special Police.

RESOLUTION NO. 295-2006 Motion by Councilman Smith, seconded by Councilman Reinschmidt, to accept Dan Kohler and Randy Mousaw from probationary to full membership status in the Town of Parma Special Police.

Motion carried: Aye 5 Nay 0

MISCELLANEOUS

LETTER OF SUPPORT – URBAN LEAGUE OF ROCHESTER ECONOMIC DEVELOPMENT CORPORATION

A number of homes have been developed and sold with in the Town of Parma for first time home buyers. The Urban League of Rochester Economic Development Corporation has requested a letter of support for its application to the New York State Affordable Housing Corporation (AHC) to continue this program.

RESOLUTION NO. 296-2006 Motion by Councilman Reinschmidt, seconded by Councilman Carmestro, to send a letter of support for the Urban League of Rochester Economic Development Corporation's application to the New York State Affordable Housing Corporation.

Motion carried: Aye 5 Nay 0

EDUCABLE

RESOLUTION NO. 297-2006 Motion by Supervisor Lemcke, seconded by Councilman Blackburn, to renew Educable Communications Corporation contract for operation of cable 12 and 15 west public access channels for a one year renewal period starting January 1, 2007 at a cost of 4% of the franchise fee paid to the Town of Parma by Time Warner Communications for 2007.

Motion carried: Aye 5 Nay 0

**ANNUAL INSPECTION OF DOG CONTROL OFFICER'S RECORDS BY NYS
DEPARTMENT OF AGRICULTURE AND MARKETS**

A copy of the inspection was submitted to the Town Board.

SCAN AND STORE

There was discussion regarding the service and its purchase. The cost is expected to be less than the estimate since much of the work will be done by the Assessor's office. Other companies could not provide the same service per research done by the Assessor; therefore it is exclusive in its ability to provide what the Assessor is looking for in a product.

RESOLUTION NO. 298-2006 Motion by Supervisor Lemcke, seconded by Councilman Blackburn, to move forward with Scan and Store.

Motion carried: Aye 5 Nay 0

MISCELLANEOUS

Supervisor Lemcke reviewed a letter to the Captain of the Monroe County Sheriff C Zone from Terry Rice of the NYS Department of Transportation regarding Wilder Road traffic from Bennett Road to Manitou Rd. The Town of Parma had requested the Department of Transportation to conduct this study. Mr. Rice has requested that the Monroe County Sheriff's Department give special attention to this area because of the excessive speed of vehicles using this area of roadway.

A proposal has been received from the Finance Director for a Human Resource Director.

**PUBLIC HEARING FOR 2007 PRELIMINARY TOWN BUDGET
AND 2007 PRELIMINARY SPECIAL DISTRICT ASSESSMENTS**

Supervisor Lemcke opened the Public Hearing at 8:05 p.m. A Legal Notice was published in the official Town paper and was posted on the Town of Parma bulletin board and at the Hilton Post Office and Parma Library.

**Legal Notice
Town of Parma
Public Hearing for the 2007 Preliminary Budget and
2007 Preliminary Special District Assessments for the Town of Parma**

Notice is hereby given that the 2007 Preliminary Budget for the Town of Parma and the 2007 Preliminary Special District Assessments has been completed and will be available in the Town Clerk's Office for review by interested persons during regular business hours.

PLEASE TAKE NOTICE that the Town of Parma will hold a Public Hearing on November 8, 2006, at 7:00 p.m., at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton,

New York for the 2007 Preliminary Budget and 2007 Preliminary Special Districts for the Town of Parma. All persons may be heard in favor or against the 2007 Budget at that time.

The proposed salaries for the Town of Parma Elected Officials are as follows:

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|--------------------------------------|-------------|
| Supervisor | \$18,230.00 |
| Councilpersons (4 @ \$5,617.30 each) | \$22,469.20 |
| Town Clerk | \$32,941.00 |
| Highway Superintendent | \$54,225.00 |
| Town Justices (2 @ \$13,047.00 each) | \$26,094.00 |

Dated: October 25, 2006
Donna K. Curry
Parma Town Clerk

The proposed Preliminary Budget reflects a \$.025 increase for the Village and a 2.49% increase for the Town. This is 6.8 cents for the Town and less than .001 cents for the Village. Supervisor Lemcke reviewed changes that had been made during previous workshop sessions and at the last Town Board meeting. Questions and comments were taken from those in attendance.

RESOLUTION NO. 299-2006 Motion by Councilman Reinschmidt, seconded by Councilman Blackburn, to accept the 2007 Preliminary Budget as proposed, with a \$.025 increase for the Village and a 2.49% increase for the Town.

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| Roll Call Vote: | Councilman Smith | Nay |
| | Councilman Carmestro | Nay |
| | Councilman Reinschmidt | Aye |
| | Councilman Blackburn | Aye |
| | Supervisor Lemcke | Nay |

Motion failed: Aye 2 Nay 3

Discussion continued on ways to reduce the budget and centered on the park and highway departments and brush removal.

RESOLUTION NO. 300-2006 Motion by Supervisor Lemcke, seconded by Councilman Smith, to amend the 2007 Preliminary Budget to reduce the Town's tax rate to 0% by means of \$33,740.00 from DA 2300 Services from Other Government.

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|-----------------|------------------------|-----|
| Roll Call Vote: | Councilman Smith | Aye |
| | Councilman Carmestro | Aye |
| | Councilman Reinschmidt | Nay |
| | Councilman Blackburn | Nay |
| | Supervisor Lemcke | Aye |

Motion carried: Aye 3 Nay 2

Public Hearing for the 2007 Preliminary Budget was closed at 9:30 p.m.

LIAISON REPORTS

**Councilman Smith reported that the Special Police received two letters of recognition from the Town of Gates for their assistance. Councilman Smith reported on an incident at the VFW over the weekend. Security deposit will be refunded but letter should be sent indicating that the board did review the matter. Councilman Smith attended an Open Space Workshop which was very informative and provided information on how to select a committee and land for this purpose.

**Councilman Carmestro reported that there was no quorum for the Recreation Commission meeting. There will be a POD seminar at the Hilton Fire Department on November 20, 2006.

**Councilman Reinschmidt will be attending a seminar in Mt. Morris for the Genesee Finger Lakes Regional Planning Council. Spencerport Fire District has reported tax rate information on a \$1,083,000.00 budget. The tax rate will go up 3.21% or \$.026 for their regular budget. They will be having a public informational meeting for the new fire house proposal on November 30, 2006 at the Spencerport Wilson High School and a public referendum on December 12, 2006. They were meeting tonight for bonding.

**Councilman Blackburn reported that the Library trustees are working on a five year plan. He also expressed his dismay with the budget process this year.

**Supervisor Lemcke reported that Rick Holden, Ed Fuierer, Tim Harden, and himself attended a seminar at Genesee Community College regarding Farmland Development. It was noted that attendance at this seminar provides required credit hours for education training required by the state.

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 9:37 p.m., seconded by Supervisor Lemcke and all were in favor.

Respectively submitted,

Donna K. Curry
Parma Town Clerk

SCHEDULE A

Boundary Description

Dunbar Road Sewer District, Town of Parma, Monroe County, New York

Beginning at a point in the centerline of Dunbar Road, said point being the intersection with the extension of the easterly property line of lands owned now or formerly by Douglas A. & Regina McPherson, tax account number 023.020-0002-011; thence

- (1) southerly along said extension and easterly property line to the southeast corner of said lot; thence
- (2) westerly along the southerly property line of said parcel, and continuing along the southerly property line of parcels owned now or formerly by Bernard E. & Helen Ives, tax account number 023.020-0002-012, and Andrew D. & Mary Arnold, tax account number 023.020-0002-013, to the intersection with the easterly property line of lands owned now or formerly by Ronald F. Ventura, tax account number 023.020-0002-014; thence
- (3) southerly along the aforementioned easterly property line of lands owned now or formerly by

Ronald F. Ventura to the southeast corner of said parcel; thence

(4) westerly along the southerly property line of said parcel and continuing westerly along the southerly property lines of lands owned now or formerly by John E. & Zyllene Kagel, tax account number 023.020-0002-016, and George F. & Margaret K. DeRoller, tax account number 023.020-0002-017, to the southwest corner of said lands owned now or formerly by George F. & Margaret K. DeRoller; thence

(5) northerly along the westerly property line of lands owned now or formerly by George F. & Margaret K. DeRoller and its northerly extension to a point in the centerline of Dunbar Road; thence

(6) easterly along the centerline of Dunbar Road to the point of beginning.

Intending to describe the parcels of land more commonly known as No. 87, 91, 95, 99, 103, 109 and 113 Dunbar Road.