

Parma Town Board meeting held on Tuesday, September 16, 2008 at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

Supervisor	Richard Lemcke
Councilman	Kenneth Blackburn
Councilman	Carm Carmestro
Councilman	James Smith
Councilman	Gary Comardo
Building Inspector	Jack Barton
Highway Supt.	Brian Speer
Recreation Director	Steve Fowler

OTHERS IN ATTENDANCE

Pam Speer, Nina VanLare, Dave Keech, Art Cosgrove, Gene De Meyer, Michael Weldon, Jim Zollweg, Larry Speer, Walter Horylev, John Chart, Scott Copey and other unidentified individuals.

CALL TO ORDER

Supervisor Lemcke called the meeting to order at 6:30 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. He noted emergency exit procedures and that the meeting was being recorded.

PUBLIC FORUM

Supervisor Lemcke asked if there was any citizen present who would like to address the Town Board on any topic not on the agenda.

Peter Beasley inquired about the status of the Planned Development – Senior Residential zoning proposal. He indicated that he had read the draft which is posted on the website. Supervisor Lemcke responded that this is an overlay district the Town is considering on parcels greater than 15 acres and meet the zoning regulations for what district can have the overlay. In response to status of the proposal, the Town Board has reviewed the draft with input from the public; is waiting for the revised draft from the consultant at Stuart Brown Associates and an environmental impact review before proceeding. A public hearing will be held and the Town Board will decide after the public hearing whether they wish to have this type of zoning. There was discussion on the process, that the wording is still in the drafting stage and that once this process is complete then the public hearing will be held. It was noted that revisions can still be made after the public hearing and the public hearing could be continued if the Town Board chooses. The first draft is currently available on the website and at the Town Hall and future drafts will be available in the same manner. There was discussion on Mr. Beasley's concern that the Town Board could override a recommendation of the Planning Board. Mr. Beasley sought additional information on how the Planning and Zoning boards relate to development and their governance roles.

John Chart asked for clarification on how approval could be given to Fairfield Place without access to sewers. It was explained that there is access to sewers and the reason they have not been extended is due to a cost factor in getting the sewers to the development.

**INTERMUNICIPAL AGREEMENT FOR SHARED SERVICES – HAMLIN,
CLARKSON, SWEDEN AND PARMA**

An intermunicipal agreement was drafted between the highway superintendents of the Towns of Hamlin, Clarkson, Sweden and Parma. The total expected cost is \$200,000 with \$173,536.10 being the most to be reimbursed. The estimated amount the Town of Parma is responsible for will be \$6,625. It was noted there would be 2 operators and 1 mechanic trained on this piece of equipment.

RESOLUTION NO. 231-2008 Motion by Councilman Carmestro, seconded by Councilman Comardo, to enter into an intermunicipal agreement with the Towns of Hamlin, Clarkson and Sweden for the purchase and operation of a sweeper with an expected cost not to exceed \$7,.000.

Motion carried: Aye 5 Nay 0

Councilman Carmestro inquired as to the status of the vacation time issue within the highway department. There was discussion that this is between Steve George (UNITE) and James Holahan (Town's attorney) to address and that Mr. George should be pursuing this as a union obligation. Councilman Blackburn felt the Town Board should exert pressure on the union to follow up. There was not a consensus among the Town Board to do so because the responsibility lies with the union.

Councilman Smith indicated he had driven the Town roads to see if there were limbs down after the most recent storm and wanted to know if a quick sweep should be done. There was discussion and the number of calls will be monitored and that residents could bring debris to the Town garage.

Supervisor Lemcke referred to discussion at an earlier meeting about chips and millings not being available. He stated that it has come to his attention that an employee was instructed by the Highway Foreman to haul chips and millings to a location outside of Parma. The Supervisor expressed his disagreement with this and suggested alternatives such as providing to local farmers for use on their field pathways. Supt. Speer responded that normally excesses are provided to residents and that back in January and February there was an excessive amount of debris due to storms. He explained the reasoning for delivering as there were few requests for chips at that time, normal places for storing had been used and the excess was taken to get rid of it. With regard to millings, the material was a hodgepodge of different types of materials that were useless to the Town and could not use for roads or driveways. He also noted that there were 6 or 7 loads and it was not the normal practice but done to cleanup. There was discussion on these materials being available to everyone in the Town or just certain people. It was noted they are made available to anyone who asks and a specific instance on Dean Road was noted where milling and paving was done because their property was used during a road project.

Mr. Beasley sought clarification on when an attorney is used to review contracts. Mr. Cosgrove questioned the discontinuance of the brush pick up and expressed his dissatisfaction. Pam Speer questioned justification for paying electric for the lighting project but not being able to pay for brush pick up. It was explained that it was the unanimous decision of the Town Board to discontinue when the actual amount of how much over budget this service was (\$35,000 earmarked; cost when discontinued was \$57,000). Residents have the option to take brush to the Highway garage or pay to have a private company chip. Supervisor Lemcke noted that out of the 20-30 residents who called only 2 expressed they would rather have their taxes go up to have brush picked up.

RECREATION DEPARTMENT REPORT

Mr. Fowler updated the Town Board on the Field Lighting and Improvement Project. Mr. Fowler has been working with Stuart Brown Associates regarding the required paperwork for the Town's contract with the Dormitory Authority of the State of New York. The grant will come from the New York State Economic Development Capital Assistance Program

(NYEDCP). Since the beginning of September work has been done with Bill Simone and Associates in preparation for going out to bid on the purchase of lights and their installation. Quote packets have also gone out to nine sporting good companies for additional project equipment. Responses are expected by October 1st.

Mr. Fowler also reported he is meeting with representatives from five of our youth sport organizations next Wednesday to keep them involved with the construction process and in touch with Senator Robach's office regarding the project.

TOWN HALL PARK FIELD LIGHTING PROJECT – FENCING

Price quotes were solicited from four different fence companies to produce the work on this project. The quotes are as follows:

Regency Fence Company	\$10,300
Empire Fence Company	\$13,600
NY State Fence Company	\$14,595
Butler Fence Company, Inc.	\$17,472

Mr. Fowler is recommended Regency Fence Company of 52 Pinecrest Drive, Rochester, NY 14617.

RESOLUTION NO. 231-2008 Motion by Councilman Comardo, seconded by Councilman Carmestro, to accept the quote from Regency Fence Company for the installation of fencing for the Town Hall Field Lighting Project in the amount of \$10,300.

Councilman Blackburn questioned if the quote was within the quote threshold and whether bidding should be on the total cost of the project and not specific parts of the project. Mr. Fowler responded that the project has two components the lighting and the fencing and if put out to bid as one project portions would be subcontracted. Both are being treated as they fall under the procurement policy. Most all other work would be in kind by the Park and Highway Departments.

Motion carried: Aye 4 Nay 1 Voting Nay Councilman Blackburn

The Apple Derby 5 Mile Run on Saturday, October 4th and the Community Halloween Celebration on Saturday, October 18th were noted as upcoming events for the Town. The Halloween Celebration usually entertains 500 children. The parade starts at St. Leo's and ends at the Community Center on Henry Street.

BICENTENNIAL COMMITTEE

The Bicentennial Committee met Monday for the first time since the Parma Fest. They would like to move the sign which is currently on the west side of the Historical Building to the front of the Town Hall. The Park Foreman will be asked to move the sign and have a picture taken of it to bring back to the Town Board for review. The committee would also like to place a sign on the Library that would stay for a longer period. Village Trustee Horylev was asked to research what would be necessary to do this with the Village. Work is progressing for participation in the Apple Festival, the Antique Show the first weekend in November and events for the upcoming year.

BUILDING DEPARTMENT REPORT

Mr. Barton reported that notice has been received that the Peck Road bridge over Salmon Creek has been scheduled to be replaced next year. There will be an information meeting the first week in December and there will be a notice in the newspaper.

Councilman Carmestro and Mr. Barton have met with the County regarding NIMS. Currently, Councilman Carmestro is the point of contact for the Town. It was suggested at the meetings

that the contact person should be changed to an employee rather than an elected official. Mr. Barton will assume the role and Councilman Carmestro will still work with Mr. Barton on this.

A copy of the easement for 12 and 13 Clearview Avenue for permanent ingress and egress to Bogus Point Park prepared by the Town Attorney has been received. He sought their permission to send to the residents for signature. The Town Board was in agreement to have the easement given to the residents to sign and then brought back to the Town Board for final approval by resolution.

Current policy does not require review at Planning Board level for agriculture operations but does review for commercial operations. Mr. Barton would like to know if the Town Board wants to consider site plan approval by the Planning Board in cases where additional buildings such as greenhouses are possible. It was indicated that this might be appropriate from a stormwater perspective and how it might affect local drainage. The Planning Board has discretion if it involves commercial changes of use or occupancy. Larger commercial uses are referred to Monroe County DRC (Development Review Committee) and smaller issues are done locally.

Supervisor Lemcke inquired what was prompting this request. There was discussion on a hydroponic agricultural operation that would be using geothermal energy and whether it is a commercial operation that goes beyond the normal form of an agricultural operation. Concerns were expressed that the amount of energy needed may not be available through RG&E as current access exists and the property owner may have to make a significant investment to get that kind of power. It was noted that this is a risk the developer would be taking. Little information is available on the traffic as it pertains to delivery and pick up of products. By having a site plan review, some of these concerns could be addressed early on. Questions were raised on the scope and size of the business; whether it borders on food processing; the potential for higher traffic, trucks in particular; whether it meets the existing zoning requirements, the scope of the project and its impact on neighbors. There was discussion on what makes this different that it would require additional oversight. There has been no official proposal made on the project. It was agreed to seek input from Bob King, Director of the Agriculture and Life Sciences Institute at Monroe Community College on the definition of this type of business.

PARKS DEPARTMENT

The Park Foreman was not in attendance but asked Jack Barton to provide the Town Board with quotes he received for sealing the pathways this year.

SEALING OF TOWN HALL PARK PATHWAYS

Two quotes were received:	North Coast Sealing	\$2,200
	Rochester Asphalt Sealers	\$1,615

RESOLUTION NO. 233-2008 Motion by Councilman Comardo, seconded by Councilman Blackburn, to authorize expenditure of \$1,615 for the sealing of pathways at the Town Hall Park by Rochester Asphalt Sealers.

Motion carried: Aye 5 Nay 0

BUSINESS ITEMS

SEQOR RESOLUTION – TOWN HALL PARK FIELD LIGHTING PROJECT

The Town Board reviewed the Short Environmental Assessment Form prepared by Stuart Brown Associates for the Town Hall Park Field Lighting Project.

RESOLUTION NO. 234-2008 Motion by Councilman Carmestro, seconded by Councilman Comardo, be it

“RESOLVED, that in accordance with the New York State Environmental Quality Review (SEQR) regulations, the Town Board of the Town of Parma hereby announces that it will serve as Lead Agency for the environmental review of a project to install field lighting and other field improvements within the Parma Town Hall Park. Activities include the installation of field lights to illuminate three sports fields, installation of lights to illuminate an adjacent parking lot, the relocation of an existing ball field and its redesign into a softball field, construction of an outdoor batting cage facility, and installation of field drainage.

FURTHER RESOLVED, the Town Board, in its capacity as Lead Agency, has determined that the proposed action is an Unlisted Action as define under SEQR; and, be it

FURTHER RESOLVED, that the Town Board hereby accepts the Environmental Assessment of this project, prepared by Stuart I. Brown Associates, Inc., and be it

FURTHER RESOLVED, that based on the environmental assessment form which has been prepared, the project will result in no major impacts, and, therefore, will not cause significant damage to the environment. A Negative Declaration under SEQR is therefore issued for the project.”

Motion carried: Aye 5 Nay 0

FARMLAND AND OPEN SPACE PRESERVATION COMMITTEE REPORT

Scott Copey, Chairman for the Farmland and Open Space Committee, reported that work on the plan is progressing. Stuart Brown Associates has been working with the committee since spring and they are on target with their anticipated project schedule which includes a draft plan to the Town Board and eventually a public hearing. The consultant has attended four committee meetings to discuss preservation strategies. Strategies mentioned were zoning, cluster subdivisions to maintain farmland, strengthening the local Right to Farm Law, purchase of development rights with the help of state and federal funding, utility extension policies and public education and outreach. Priority farmland has been identified and prioritized along with identifying target acreage and estimated cost via a market study. Interviews have been held with individual farmers and the group has discussed funding, public input, and logistics which raised the question of whether this should be added to the Comprehensive Plan or be a separate document.

The committee hopes to have a draft plan ready for the Town Board at the second meeting in October. It will be posted on the website and available at the Town Hall and Library. Next steps include interviews with farmers/landowners, drafting the plan, a public hearing, submitting the plan for state and county agricultural board approval and then adoption of the plan.

The long term program would be the purchase of development rights and to seek funding during the next funding round in 2009. Mr. Copey indicated there had been a lot of interest. A meeting schedule for the remainder of 2008 was also provided. Consideration will be given at the organization meeting in January to appoint a Town Board liaison.

FIRE CODE POLICY - ABOVE GROUND FUEL STORAGE TANKS

Bob Prince reported the Fire Code Policy was adopted in September of 1981 and follows the NYS Fire Code at that time. A copy of the NYS Fire code as it existed in 1981 was not available. Mr. Prince indicated the easiest way to handle would be to state that all above ground fuel storage tanks be installed and maintained per the requirements of the Fire Code of New York State, the NFPA, and the DEC. Where they will be allowed in Parma needs to be addressed. Discussion included allowing in agriculture, commercial, industrial and highway commercial districts. Others would have to come in for the appropriate type of approval. Currently, there are no setback requirements. This may be something the Board would want to consider. Mr. Prince was asked to draw up a draft and submit for the next meeting.

ANNUAL FIRE SAFETY INSPECTIONS

It was noted that no reinspections have been done yet. There was discussion on the corrections that have been made and some of the items which cannot be addressed by Town staff. A notice will be sent indicating there will be another inspection in the next 30 days.

REQUEST FOR PUBLIC HEARING FOR VETERANS COLD WAR EXEMPTION

A memo was received from the Assessor's office that Monroe County has adopted a new exemption known as the Cold War Veterans Exemption. To qualify one must be a veteran or un-remarried surviving spouse of a veteran who served over one year of active duty from September 2, 1945 through December 26, 1996 and discharged under honorable conditions. The exemption approved by the County is for 10%. The exemption is granted for a duration of 10 years. The exemption does not apply to school taxes and cannot be used in conjunction with any other veterans' exemption programs.

RESOLUTION NO. 235-2008 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to hold a public hearing to adopt the Cold War Veterans Exemption.

Motion carried: Aye 5 Nay 0

TOWN COURT OFFICE ADDITION – PARDI PARTNERSHIP ARCHITECTS

Grant money has been received by the Town Court to expand their office space. A proposal was sought from Pardi Partnership Architects

RESOLUTION NO. 236-2008 Motion by Councilman Blackburn, seconded by Councilman Smith, to accept the proposal from Pardi Partnership Architects to complete the contract document package for bidding and construction purposes services in the amount of \$4,640 and to provide services during construction at the following rates: Architect at \$100/hour and Project Manager, Staff at \$65/hour.

Motion carried: Aye 5 Nay 0

ELECTION INSPECTOR VOUCHER APPROVAL

RESOLUTION NO. 237-2008 Motion by Councilman Carmestro, seconded by Councilman Comardo, authorizing payment of vouchers for election inspectors from the September primary.

Motion carried: Aye 5 Nay 0

HILTON HEAT SOCCER CLUB – TOURNAMENT FIELD REQUEST

The Town Board has received a letter for the Hilton Heat Soccer Club requesting use of the Town Hall Park to host their annual Hilton Parma Soccer Club "Just for Kicks" Tournament to be held the weekend of June 5-7, 2009. The request included a tournament layout map as well as a request for written confirmation as they are required to submit a written confirmation to the NYS West Youth Soccer Association. There was discussion on waiting to make a decision on agreement issues until January before acting on the request so that feedback could be obtained from the Parks Department and numbers on actual costs incurred for the year. It was noted that the club has to schedule the date with NYS West Youth Soccer Association and these issues are not a question of not having the tournament but getting information on the agreement for the next year.

RESOLUTION NO. 238-2008 Motion by Councilman Comardo, seconded by Councilman Smith, to accept the Hilton Heat request to hold their annual “Just for Kicks” Tournament at the Town Hall Park on the weekend of June 5-7, 2009.

Motion carried: Aye 5 Nay 0

INFORMATIONAL ITEMS

SAFE ROUTES TO SCHOOLS

Supervisor Lemcke reported notification was received from the State of New York Department of Transportation that the Safe Routes to Schools sidewalk request was not selected for funding. It was also noted that with funding cuts it is unlikely that this funding will be available in the future.

MISCELLANEOUS

LIBRARY COMMUNITY CENTER PROJECT

Supervisor Lemcke summarized the options for proceeding with the Library Community Center project. Option 1 would be a combined Library Community Center at the Town Hall. Option 2 would be to build a Library with no Community Center within the Village, option 3 would be not taking any action and option 4 would be to expand the current Library location. There was discussion leaving option 4 out of the picture for now until a new Librarian is chosen so that upgrades can be discussed with whoever is selected. The status of Option 2 will require the outlay of money now by the Town to acquire options on land. Supervisor Lemcke asked to poll the Board without speaking about any specific numbers on how they would like to move forward. Councilman Blackburn would like to see Library within the Village. Councilman Carmestro was in favor of option 1 a combined Library Community Center at the Town Hall. Councilman Comardo indicated none of the above. Councilman Smith favors a joint Library Community Center at the Town Hall and Supervisor Lemcke indicated none of the above because of cost. Since there was no clear consensus, Supervisor Lemcke stated the Board will adjourn into executive session at the end of the meeting to discuss the option proposed by the Village. It was noted that any real estate issue would be discussed in executive session and that no decision will be made tonight. Discussion will be held in executive session because the discussion will involve a proposal to acquire property and the price could be affected by making the discussion public. Any determinations will wait until the next Town Board meeting.

There was discussion on a possible interest rate and making that information public if option 1 or 2 moved forward. There was additional discussion on demand and use, the information that has been gathered, recommendations by the Library Board and Recreation Commission and the expectations for the next twenty five years.

SPECIAL POLICE

Village Trustee and Village Liaison for the Special Police, Larry Speer, wanted to thank Councilman Smith for bringing the Special Police to the Village Board meeting. He felt the active discussion on concerns expressed was helpful. Councilman Smith indicated that additional meetings will be held with all parties.

2009 TENTATIVE BUDGET

Supervisor Lemcke met with department head to review their submitted budgets. He reviewed his proposal for the tentative budget. Highlights included:

Assessor - removal of contracted services for the required reassessment every 6 years which was done last year and a reduction in STAR revenue

Building – a stipend was added for the GIS coordinator
Court – an additional bailiff was added to meet the new security requirements
Town Clerk, Dog Control and Fire Marshal – came in at 0% within the parameter of allowing the 3% wage increase.

Library – Increases in the budget over and above the wage increase have been offset by the balance in the Library Fund.

Parks – addition of a Park Attendant stipend for closing the Park during off times when regular security is not available.

Recreation – Third year with a 0% increase

Supervisor – Nothing has been added for the Bicentennial. If an amount is to be assigned, it will come from surplus. Changing to health savings accounts (HAS) has been calculated into the budget. A \$57,000 savings is expected if the Town Board opts to do this.

Highway – as the department budget was submitted there would be a 38% increase. Supervisor Lemcke is proposing the following changes to the Highway budget:

Salt be increased to \$121,500 instead of the \$145,121 proposed – prior year budget \$110,000

Fuel be increased to \$70,000 instead of the 100,000 proposed – prior year budget \$52,000

Road repairs increased to \$100,000 instead of the \$150,000 proposed – prior year budget \$68,000. He also proposed the Highway Superintendent submit a list of the road repairs and their cost for next year and funds would be earmarked from the B Fund rather than a tax increase.

Revenues at this time are projected to be \$170,000 for this year. \$280,000 was budgeted. This is a shortfall of \$110,000 for the current year. The shortfalls from prior years total \$150,000; for an estimated total shortfall of \$260,000. In addition, a \$27,000 worker compensation assessment will be levied the first of the year and \$40,000 has been budgeted for a legal matter that will be discussed later in executive session. Using \$26,000 from Fund balance a \$300,000 deficit is estimated.

Townwide Drainage was increased from \$5.00 to \$10.00. There had been a prior suggestion raise this fee to \$15.00.

Brush pick up was reduced to \$20,000 with the suggestion that a tub grinder be used like Sweden and Hamlin do.

A wage reduction of \$29,000 was proposed. Supervisor Lemcke acknowledged that he cannot tell the Highway Superintendent how the money is spent but makes the suggestion that a 4 day week/9hours per day be implemented from May 1st to September 1st. He also suggested the Town Board consider not filling the Foreman position for a savings of \$72,000 in wages and benefits to pay down the \$300,000 deficit. Additional fuel savings could be realized by the 4 day work week.

There will be a budget workshop meeting held on September 23, 2008 at 6:00 p.m. The Town Clerk was directed to advertise this meeting.

LIAISON REPORTS

**Councilman Smith reported work continues on the Spencerport Fire Department building and the Ambulance has a new board and the drive for new members has been a success. The Assessor's office has no issues at the present time.

He also reported he has met with the Special Police a couple of times and will be meeting in the next couple of weeks with the Special Police and Village representatives. He has reviewed the hard copies of their job descriptions and their mandate by-laws from the Town. Next he will be reviewing specific duties including input from the Village with the goal to better define reasonable goals and objectives for the unit as directed from the Town Board. Currently, they are working from the perspective of Constables.

**Councilman Comardo reported the Planning Board has had a couple of meetings since the last meeting. They included looking at the development overview for the St. George proposal and a couple of new businesses for the Town. There was no Parks Department update.

**Councilman Carmestro reported Mr. Fritz is busy with code issues and the Zoning Board has a full docket this Thursday. He attended a POD meeting this afternoon and our POD will be used as a template because we have progress further than any of the other groups. The Hilton Fire Department is working on their budget.

**Councilman Blackburn had no report.

WARRANTS

RESOLUTION NO. 239-2008 Motion by Councilman Smith, seconded by Councilman Comardo, to approve payment of the A Fund, General Fund bills, in the amount of \$49,025.50.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 240-2008 Motion by Councilman Smith, seconded by Councilman Carmestro, to approve payment of the B Fund, Part Town Bills, in the amount of \$7,669.46.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 241-2008 Motion by Councilman Smith, seconded by Councilman Blackburn, to approve payment of the DA Fund, Highway Townwide bills, in the amount of \$1,819.38.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 242-2008 Motion by Councilman Smith, seconded by Councilman Comardo, to approve payment of the DB Fund, Highway Outside bills, in the amount of \$84,529.58.

Supervisor Lemcke inquires as to what the large expenditure was for this fund. Councilman Smith responded it was for the second part of the truck purchase for the plow and dump body.

Motion carried: Aye 4 Nay 1 Supervisor Lemcke voting Nay

RESOLUTION NO. 243-2008 Motion by Councilman Smith, seconded by Councilman Carmestro, to approve payment of the SD Fund, Townwide Drainage bills, in the amount of \$2,433.06.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 244-2008 Motion by Councilman Smith, seconded by Councilman Blackburn, to approve payment of the T Fund for Trust and Agency bills, in the amount of \$4,053.39.

Motion carried: Aye 5 Nay 0

ENTER INTO EXECUTIVE SESSION

RESOLUTION NO. 245-2008 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to enter into Executive Session to discuss the potential acquisition of property where discussion of price could affect the value and a legal matter.

Motion carried: Aye 5 Nay 0

There was a short recess as the public left the meeting. The Town Board entered into executive session at 8:55 p.m.

CLOSE EXECUTIVE SESSION

RESOLUTION NO. 246-2008 Motion by Councilman Carmestro, seconded by Councilman Smith, to close the Executive Session at 9:35 p.m. and return to regular session.

Motion carried: Aye 5 Nay 0

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 9:35p.m. , seconded by Councilman Blackburn and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk