

Parma Town Board meeting held on Tuesday, July 7, 2009 at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

## **ATTENDANCE**

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

## **OTHERS IN ATTENDANCE**

Mike Weldon, Carol Kluth, Helen Ives, Bruce Jones, Gene DeMeyer, John Chart, Barb Schwan, Nancy Johnson, Michael Johnson, Blair Johnson, Jack Wade, Mary Ann Wade, Michael W. Adams, Carol Lennon, Annette Tassey, Peter Tassey, and other unidentified members of the public.

## **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. Supervisor Lemcke noted emergency exit procedures. It was noted that the meeting is being digitally 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. There was no response.

## **MINUTES – JUNE 16, 2009**

**RESOLUTION NO. 161-2009** Motion by Councilman Carmestro, seconded by Councilman Roose, to accept the Minutes of the June 16, 2009 meeting.

Motion carried: Aye 4 Nay 0      Absent      Councilman Smith

## **TOWN CLERK REPORT**

The Town Clerk Report and VFW Summary Report for June have been submitted. The 2008 Annual Report from the Monroe County Board of Election has been received and filed. Copies of the 2007 and 2008 audit and financial statements for the Spencerport Fire District have been received and filed.

A copy of the New York State Liquor Authority renewal application notice has been received for Mulligan's Pub at 4618 Ridge Road West. When renewing liquor licenses the applicant is required to inform the Town thirty days in advance so if there are any concerns they can be addressed.

Notices received included the closure of Clarkson Parma Town Line Road between Ridge Road and Peck Road for culvert work from the Monroe County Department of Transportation; notice for funding availability through the Water Quality Improvement Project (WQIP) Grant

Program and a notice for a workshop on Environmental Protection Fund matching grants for 2009. Funding categories include Park Development and Planning, Acquisition Historical Preservation and Heritage Area Programs.

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported crews are finishing up work on Spencer Road and County road work for Bennett Road and piping on Wilder Road. Remaining work at the old fire hall includes bringing in fill where the trucks were housed, fencing off the area for the carnival and milling off the parking lot after the carnival.

Proposals from design engineers are due to the County by 3:00 p.m., July 8, 2009 for the bridge reconstruction projects on Hill and Collamer Roads.

Supt. Speer asked about the status of Greg Speer's vacation time issue. Supervisor Lemcke stated he had spoke with Mr. Speer and asked him to notify the new union representative who should then contact Mr. Holahan.

### **REQUEST TO PURCHASE TRUCK**

Supt. Speer requested that the Town Board authorized the purchase of a Ford F350 at state bid pricing through Van Bortel Ford for \$26,202. Included is a lift gate and the warranty was removed. The department would build the sides and may build the tool boxes to fit the specific needs. This cost would be in addition to the quote. This truck would be used for summer work in particular to haul heavy equipment. It would not be used for plowing. Supt. Speer feels there are two ½ ton trucks (1997 and 1998) that need to be replaced. They have 125,000 and 128,000 miles. He felt it could be paid for with money from the DA Fund. There will be additional funds in this account due to increased revenues from the Snow and Ice Agreement this year.

Supervisor Lemcke suggested the 2000 Park Department pick up be transferred to the Highway Department and something smaller be looked at for the Parks Department. He is opposed to the purchase of a new truck in the Highway Department citing the current budget situation. There was discussion on whether payment could come from DA.

Councilman Carmestro asked how many pick up trucks the department has. Supt. Speer indicated there are five trucks. One is six months old, one is a 2000 and he felt three should be replaced.

Councilman Roose asked what would happen to the old truck. Supt. Speer thought it could be sent to auction.

Councilman Comardo stated it seemed reasonable to replace a vehicle that gets this kind of use and he was comfortable with appropriating funds for this. Discussion continued on whether funds from DA could be used for this purchase.

This was tabled until additional information can be obtained from the State Department of Audit and Control.

Supervisor Lemcke questioned an overtime entry for a salaried employee in the Highway Department. Supt. Speer indicated it was not a mistake because there was no dollar amount associated with the entry. Supt. Speer will check. Councilman Carmestro asked if there was comp time. Supt. Speer stated that there could be.

### **BUILDING DEPARTMENT REPORT**

The Building Department report for June has been submitted. Mr. Barton reported Karis Manning, an engineer for the Department of Environmental Conservation (DEC), performed a

Community Assistance visit. She reviewed how the Town administered our flood protection program and looked at examples of records. Mr. Barton felt the review went well and acknowledged the good record keeping done by Bob Prince for these records.

Peter Tassey inquired whether the Town was aware of a certification the Town could get, similar to a community rating system, which could lower rates for flood insurance. Mr. Barton noted this was looked at previously, is a national program and as a whole decided not to participate.

### **RECREATION DEPARTMENT REPORT**

Mr. Fowler reported that the department has put together a partial listing of activities for the annual "Park it in Parma" Summer Celebration and has determined the best stage times for announcements or presentations.

Copies of the Hilton-Parma Playground News were given to the Board. The summer playground program began this week will run through August 14<sup>th</sup>. Sherry Farrell coordinates this program which has seen a 250 participant increase this year. It was noted that counselors are primarily local college students who are aspiring to be teachers or actual local teachers.

### **REQUEST FOR PLAYGROUND PROGRAM REFUND**

Mr. Fowler requested a refund of \$508 for playground program fees paid by Jason Cromheeke due to a financial hardship. The refund would come from the following accounts:

A00 570.7140.491.00	\$228.00
A00 570.7140.490.00	\$280.00

**RESOLUTION NO. 162-2009** Motion by Councilman Comardo, seconded by Councilman Roose, to refund \$508 to Jason Cromheeke due to a financial hardship.

Motion carried: Aye 4 Nay 0      Absent      Councilman Smith

### **PARKS DEPARTMENT**

There was no Parks Department report.

John Chart inquired about the status of the skate park ramps and what are the plans for the old fire hall property. It was noted that the Richmond Town Board meets once a month and their meeting will be tomorrow night. The old fire hall property is owned by the Village and has to be converted to a park.

### **BICENTENNIAL COMMITTEE**

Supervisor Lemcke indicated Saturday, August 8<sup>th</sup> at 7:00 would be the best time for announcements. The Bicentennial Parade has been cancelled. Councilman Carmestro explained the committee felt the impact of the parade would not be the same as if when it was planned to come down East Avenue. In lieu of the parade, participants who are still interested will be able to display their floats at the museum on Saturday, August 8<sup>th</sup>. Consideration is being given to a prize to be awarded by popular vote.

Later in the meeting it was noted that all Town Board members received an accounting of Bicentennial accounts.

## **BUSINESS ITEMS**

### **HILTON RAIDERS - AGREEMENT FOR USE OF FOOTBALL FIELDS**

Councilman Carmestro informed the Town Board of three changes made from the last contract. The usage fee was changed from \$700 to \$1,000. During operating hours keys will not be given out for access. The agreement was also changed to reflect that the goal posts are the property of the Town of Parma. An electronic copy was received from the Raiders president. A typo will be corrected and then signed by the Supervisor.

**RESOLUTION NO. 163-2009** Motion by Supervisor Lemcke, seconded by Councilman Comardo, to accept the Agreement for Use of Football Fields with the Hilton Raiders Youth Football and Cheerleading Organization.

Motion carried: Aye 4 Nay 0      Absent      Councilman Smith

### **OUT OF DISTRICT APPLICATION – 577 NORTH AVENUE**

William Reger has applied to become an out-of-district customer in North Avenue Sewer District #1. As an out-of-district customer he must sign the agreement acknowledging the payment of the fees involved and should there be any extension to the district he would have to abandon theirs and go into the newly created district and pay those associated fees. There will be no cost to the Town or to the four original homeowners if approved.

**RESOLUTION NO. 164-2009** Motion by Councilman Carmestro, seconded by Councilman Comardo, to approve the application of William Reger, 577 North Avenue, as an out-of-district customer in the North Avenue Sewer District #1.

Motion carried: Aye 4 Nay 0      Absent      Councilman Smith

### **SPENCERPORT VOLUNTEER AMBULANCE RECRUITING DRIVE**

The Spencerport Volunteer Ambulance will be conducting their volunteer recruiting drive July 1<sup>st</sup> through September 30<sup>th</sup>. Bruce Jones was present to represent the Spencerport Volunteer Ambulance. They would like to place lawn signs at four key locations along Ridge Road. The signs will be removed at the end of the drive. Town Board had no objection to the placement of the signs.

There was a brief discussion on signs that are placed at the corner of Route 104 and Route 259 on Town property. Commercial signs were recently removed and it was noted that only non profit signs or approved requests should be there.

### **MONROE COUNTY YOUTH SERVICES AGREEMENT**

Mr. Fowler addressed the Town Board regarding free youth programs offered through the Recreation Department in partnership with the Monroe County Youth Bureau which are funded through a reimbursement via the federal government that filters down from the State.

**RESOLUTION NO. 165-2009** Motion by Councilman Comardo, seconded by Councilman Roose;

WHEREAS: the Town of Parma wishes to enter into an agreement with the State of New York Office of Children and Family Services under the Comprehensive Youth Services Plan administered by the Rochester Monroe County Youth Bureau; and

WHEREAS: the Town of Parma is aware of the regulations associated with the pre-determined \$3,934 funding amount designated by the OCFS;

THEREFORE: the Parma Town Board agrees to enter into contract to provide free active and passive recreational activities for school age youth in accordance with the guidelines set forth in the OCFS Comprehensive Youth Services Plan.

Motion carried: Aye 4 Nay 0 Absent Councilman Smith

### **BUDGET TRANSFERS**

TRANSFERS TO BUDGET

Jul-09

ACCT #	FROM DESCRIPTION	AMT.	TO DESCRIPTION	AMT.	REQUESTED
LOO5747410451500	JANITORIAL SUPPLY	200.00	LOO574741042500	MAINTENANCE SUPPLIES	200.00
LOO574741042200	EQUIPMENT REPAIR	500.00	LOO574741049200	VISITING ARTISTS	500.00
	DA FUND BALANCE	3,000.00	DA550514221000	EQUIPMENT	3,000.00

**RESOLUTION NO. 166-2009** Motion by Councilman Roose, seconded by Councilman Comardo, to approve the Budget Transfers as submitted.

Motion carried: Aye 3 Nay 1 Voting Nay Councilman Carmestro  
Absent Councilman Smith

### **INFORMATIONAL ITEMS**

#### **LAKEFRONT ISSUE**

Annette Tassey requested the Town Board change the zoning for lakefront properties so that what is normally considered the front of the house would be the lakeside of the property. Currently, the front of the house is considered the roadside of the property. She indicated other Towns consider the front of the house as being on the lakeside and having it this way would prevent property owners from having to apply for variances for storage and utility sheds.

There was discussion on a request denied by the zoning board for an accessory structure in a neighbor's front yard. This person is expected to apply for the structure in the rear yard and it will block the view of the lake for several properties. There was discussion on how to change the zoning to designate the front of the house as the lakeside. There was also discussion on whether the road at one time had been on the lakeside of the houses.

Jack and Mary Ann Wade stated that if the zoning were changed there would be no need for a variance. They were concerned that there is no way to protect the views of the lake for their property, the Tassey's and the property owner who wishes to have the storage structure. Mr. Barton cited drainage, the closeness of the neighbor's property, placement of the septic system and the Zoning Board requesting that the property owner look at alternative locations as the reasons for denial by the zoning board. Mrs. Wade felt that there were other options on the west side of the property where there was more room. There was further discussion.

Mr. Tassey stressed the importance of having the lakefront be the front of the house, that there are many sheds not in compliance because property owners do not want their views blocked. He felt the town could cut down on the number of non-compliant structures and be more attentive to the needs of this community of property owners.

Mr. Barton will gather information from other towns with lakefront property and provide this at the next meeting.

#### **PERSONAL USE – HIGHWAY TRUCK**

Supervisor Lemcke asked Supt. Speer what he found out about an employee using a Town truck for personal use. Supt. Speer stated the matter was settled and over. There was discussion on this being a repeat offense and that there has been no disciplinary action taken on this second offense.

### **CUB SCOUT CARNIVAL**

A letter was received from the Otetiana Council – Lighthouse District for the use of facilities in the Town Hall Park for their Cub Scout Carnival on June 20<sup>th</sup>. Park staff was acknowledged as being very helpful.

### **HIGHWAY DEPOSITIONS**

A time will be scheduled for Highway Department employees to be deposed regarding a lawsuit between two highway employees and the Town of Parma. The Town's attorney will set the date and the Town Clerk will schedule the room.

### **RT. 104 CONSTRUCTION**

Supervisor Lemcke received a letter from the NYS Department of Transportation regarding the resurfacing of Route 104 from Route 259 to Route 261. Work is expected to take two to three months and will involve lane closures.

### **MISCELLANEOUS**

#### **RECREATION DEPARTMENT RENT**

A letter was received from the Village Mayor and read informing the Town of a 3% rent increase for space used by the Recreation Department. This will be an increase of \$413.00. Later in the meeting Mr. Fowler noted that even though the rent has only increased in two of the last nine years, there have been additional charges and increased in other areas of usage. Such as air conditioning, gym space and use of the Ingham Room. Mr. Fowler noted the Village provides storage space for the department's sports equipment in the basement at no charge and spoke positively about the working relationship they have with the Village. He wished to make the point that there have been increases every year; they just have not been directly to rent.

#### **UNEMPLOYMENT REQUEST**

An unemployment request has been received for Jeffery DeLong, who worked in the Town Highway Department from May into August in 2008. Supt. Speer thought that Mr. DeLong quit his last employment. Supervisor Lemcke will follow up with the Finance Director to respond.

### **LIAISON REPORTS**

\*\*Councilman Comardo attended the Recreation Commission. There was discussion on the pickleball courts and the possibility to have it set up on our tennis courts; skate park ramps, soil testing results; and program registration stats.

The Special Police have not met since the last meeting and are ready to meet with the Fire Department for the carnival.

\*\*Councilman Carmestro noted we are waiting to hear back from the Town of Richmond on the skate park ramps and there have been problems with the automatic timers for the lights in the park. The Fire Department is gearing up for the annual parade and carnival.

\*\*Councilman Roose attended the Zoning Board meeting where the Kesselring property was the primary discussion. He was unable to attend the Planning Board meeting.

\*\*Supervisor Lemcke addressed a concern from a resident in the back parking lot and wooded area of the Town Hall Park. Captain Bergman of the Monroe County Sheriffs Department has been notified. It was felt the Special Police should be made aware but that the Sheriffs should handle.

#### **TOWN CODE SUPPLEMENT FEE**

The Town clerk reported the Town Code is updated twice a year and hard copies of the page changes (supplements) have been provided to everyone that has copies at no charge. It is

estimated that this supplement will cost \$3.69 to provide. Ms. Curry requested that a fee of \$5.00 be instituted to cover the expense to those entities that would still like to receive hard copies. The Town Code is available on line and it is expected that many entities no longer have a need for the hard copies. A letter would be sent giving entities the option to purchase or discontinue receiving the hard copies. The fee will not be applicable to entities representing the Town.

**RESOLUTION NO. 167-2009** Motion by Councilman Carmestro, seconded by Councilman Comardo, to approve a fee of \$5.00 for Town of Parma Code supplement replacement pages.

Motion carried: Aye 4 Nay 0 Absent Councilman Smith

**ENTER INTO EXECUTIVE SESSION**

**RESOLUTION NO. 168 -2009** Motion by Supervisor Lemcke, seconded by Councilman Comardo, to enter into Executive Session on a real estate matter.

Motion carried: Aye 4 Nay 0 Absent Councilman Smith

The Board entered into executive session at 7:45 p.m.

**CLOSE EXECUTIVE SESSION**

**RESOLUTION NO. 169 -2009** Motion by Supervisor Lemcke, seconded by Councilman Carmestro, to close the Executive Session at 8:05 p.m. and return to regular session.

Motion carried: Aye 4 Nay 0 Absent Councilman Smith

**ADDITIONAL INFORMATION**

**DISTRIBUTION OF CAMPAIGN MATERIALS**

There was discussion on campaign literature being placed in Town buildings. The Town Board was in agreement that this was not appropriate in the workplace.

**RESOLUTION NO. 170-2009** Motion by Councilman Comardo, seconded by Councilman Carmestro, to prohibit distribution of campaign materials in all Town buildings.

Motion carried: Aye 4 Nay 0 Absent Councilman Smith

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 8:10 p.m., seconded by Councilman Comardo and all were in favor.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk