

Parma Town Board meeting held on Tuesday, July 21, 2009 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

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

OTHERS IN ATTENDANCE

Mark Thomas, Jim Zollweg, Annette Tasse, Peter Tasse, Carol Kluth, Helen Ives, Gene DeMeyer, John Chart, Kris Schultz, John Wade, Maryann Wade, Art Fritz, Matt Flagg, Pat Buskey, Michael Weldon, John Frillici, Don Brumbaugh, James Brumbaugh, and other members of the public.

CALL TO ORDER

Supervisor Lemcke called the meeting to order at 6:30 p.m. Those present participated in the Pledge of Allegiance to the Flag, followed by a moment of silence. Supervisor Lemcke noted emergency exit procedures.

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.

Kris Schultz of Schultz Associates was present on behalf of John Bridgeman the owner of property at the end of West Beach Road. Mr. Bridgeman is looking to potentially develop as a single residence (on roughly .8 acres) on the lake side of the road. The remaining portion (roughly 9 acres) would be offered to a conservation group or the Town as an easement or property for fee. The majority of the parcel is part of a DEC regulated wetland. Because the property has been in the family for many years, the DEC does give consideration for development with consideration to minimizing the impact and precluding future development. Mr. Schultz has spoken with Scott Copey of the Farmland and Open Space Committee who felt it was a potential property and suggested Bridgeman determine if there was interest by the Town. There was discussion and the Town Board indicated they would be interested.

Mark Thomas addressed the Town Board about problems he is having with dogs barking, trespassing on his property and explained his relationship with his neighbors. Mr. Thomas was asked to contact the Dog Control Officer and the Monroe County Sheriffs for assistance.

John Chart inquired why the budget process is starting so early in the year and felt the processes was starting too early. There was discussion on whether the budget process could start before September 1st. Supervisor Lemcke noted that the budget process starts with the Supervisor's budget which is presented to the Town Board and this preparation will allow for better planning. Mr. Chart also inquired how the resurfacing of the tennis court and skate park ramps would be paid for. Supervisor Lemcke responded the tennis courts would be paid from surplus in the A Fund and the skate park portion would come from Recreation Fund fees. There was further discussion on expenditures not budgeted but occur during a budget year.

MINUTES – JULY 7, 2009

RESOLUTION NO. 171-2009 Motion by Councilman Carmestro, seconded by Councilman Comardo, to accept the Minutes of the July 7, 2009 meeting as submitted.

Motion carried: Aye 4 Nay 0 Abstain: Councilman Smith

TOWN CLERK REPORT

Notices were received from Brewski, LLC and Plantation Party House for the renewal of their on premise Alcoholic Beverage Licenses.

APPLICATION FOR PEDDLING PERMIT SOUTHWESTERN COMPANY

A representative from the Southwestern Company has requested a peddling permit. The Town Clerk provided information from the school district and reviewed with the Town Board the problems that arose last year when this company was in the area.

RESOLUTION NO. 172-2009 Motion by Supervisor Lemcke, seconded Councilman Carmestro, to deny the request of Southwestern Company for a Peddler Permit in the Town of Parma for 2009.

Motion carried: Aye 5 Nay 0

Tomorrow the Town Clerk will be attending a seminar sponsored by New York State Archives regarding Records Management Policies and Procedures. The seminar is timely and is expected to help address retention of records and their disposal.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported he attended a meeting regarding the Wilder Road Bridge and there was discussion on betterments. It has been suggested that conduit be placed now should it be decided at a later time to have lighting on the bridge. There was discussion on any cost to the Town and whether there would be any delay to the project. Supt. Speer will find out what the cost might be.

A meeting will be held next Wednesday with Mr. Rice and Mr. Mansouri to narrow down the selection of an engineer for the Collamer and Hill Road bridge replacements.

RECREATION DEPARTMENT REPORT

Mr. Fowler provided photos of the elevated walkway being installed on the Wilder Road Bridge Project. He also distributed an updated financial report on the Town Hall Park Field Lighting Project. The anticipated project cost is \$295,500 with an estimated cost to the Town of \$26,000. Mr. Fowler has been working with a representative from Senator Robach's office for a timeframe for when the \$250,000 capital project grant from the Dormitory Authority will be reinstated. He hopes to have more information later this week.

Councilman Carmestro reported on an accident which occurred at the new batting cages. Mr. Fowler will follow up on what part of the cage needs to be addressed and expressed the safety of all facilities is necessary and a priority.

PARKS DEPARTMENT

Mr. Petricone reported once a week mowing has been difficult to accomplish due to the weather.

The Town of Richmond accepted the Town's offer for the purchase of their skate park ramps. Supervisor Lemcke and Mr. Petricone looked at the ramps today. The quality of the ramps with the exception of the need to repaint is exceptional. There was discussion on getting the ramps to Town Hall Park and having set up by the Town Celebration.

It was noted a bear was sighted crossing Parma Center Road and the next day on Peck Road at the VFW Hall. A news release was provided by Mr. Petricone to liaison Carmestro and will be sent to the Suburban News. A bear has also been seen in the Drake Road area of Hamlin.

BUILDING DEPARTMENT REPORT

Mr. Barton reported there was flooding on Saturday in the court construction area which spilled over into the judge's area and the hallway. The area had not been sufficiently secured. The contractor and architect were contacted and damage to furniture and carpeting is being assessed. Mr. Barton also reported the steel fabricator will be doing their final measurements and materials are expected the end of the week.

BICENTENNIAL

There will be a meeting this week to discuss modifying the pricing structure for the remaining memorabilia. Any additional sales will reduce the \$10,000 expenditure made by the Town to commemorate the Bicentennial. Supervisor Lemcke noted floats will be displayed at the museum during Parma Fest.

BUSINESS ITEMS

LAKEFRONT BUILDING PERMITS

Mr. Barton reported on his research regarding front and backyard definitions, putting a moratorium on lakefront building and changing the zoning. There was continued discussion resulting in having Mr. Barton get information from Hamlin and Greece which would be provided to the Town Board. A workshop session to review was suggested.

APPROVE MASTER FEDERAL AID MARCHISELLI AID PROJECT AGREEMENT

Supervisor Lemcke reviewed the stipulations of the agreement received from the NYS Department of Transportation to receive funding for the bridge replacements on Collamer and Hill Roads. It may be necessary to obtain a BAN and pay the interest to cover the upfront costs incurred until the Town is reimbursed with federal aid. Federal funding will cover 80% and the remaining 20% will be the Town's cost with the potential for it to be lowered to 5% with state funding. Construction is not planned until 2011. The following is a breakout of the total cost for the design and right of way incidentals phase of these projects:

Project Title	Total Project Cost	Total Federal Cost	Total Local Cost
Collamer Road Bridge Project over West Creek	\$239,000	\$191,200	\$ 47,800
Hill Road Bridge over Salmon Creek and over Brockport Creek	\$436,000	\$348,800	\$ 87,200
Grand Totals	\$675,000	\$540,000	\$135,000

APPROVE MASTER FEDERAL AID
MARCHISELLI AID PROJECT AGREEMENT
COLLAMER ROAD BRIDGE OVER WEST CREEK (BIN 2211150)

RESOLUTION NO. 173-2009 Motion by Councilman Comardo, seconded by
Councilman Smith,

WHEREAS, the Town of Parma understands and accepts the stipulations of the agreement, including the associated schedule, appendices, exhibits and attachments, and

WHEREAS, the Town of Parma understands that funding necessary to deliver the project deliver will be appropriated as per schedule A of this Agreement, and

NOW THEREFORE, BE IT RESOLVED by the Town Board of the Town of Parma that the Supervisor of the Town of Parma is authorized to enter into Master Federal Aid / Marchiselli Aid Project Agreement Project Agreement for the Collamer Road Bridge over West Creek Design and Right of Way Incidentals Phase.

Motion carried: Aye 5 Nay 0

APPROVE MASTER FEDERAL AID
MARCHISELLI AID PROJECT AGREEMENT
HILL ROAD BRIDGE OVER SALMON CREEK (BIN 2211160)
HILL ROAD BRIDGE OVER BROCKPORT CREEK (BIN 2211170)

RESOLUTION NO. 174-2009 Motion by Councilman Roose, seconded by
Councilman Comardo,

WHEREAS, the Town of Parma understands and accepts the stipulations of the agreement, including the associated schedule, appendices, exhibits and attachments, and

WHEREAS, the Town of Parma agrees to appropriate the funding necessary to deliver the project deliver as per schedule A of this Agreement, and

NOW THEREFORE, BE IT RESOLVED by the Town Board of the Town of Parma that the Supervisor of the Town of Parma is authorized to enter into the Master Federal Aid / Marchiselli Aid Project Agreement Project Agreement for the Hill Road Bridge over Salmon Creek and the Hill Road Bridge over Brockport Creek for the Design and Right of Way Incidentals Phase.

Motion carried: Aye 5 Nay 0

LOLLYPOP FARMS

Art Fritz reported the Humane Society of Greater Rochester is canceling its current contracts with municipalities. Due to increased costs it has been forced to increase its fees. In light of the impact it will have on municipal budgets, instead of the contractual 90 days notice of termination they have extended the time period to December 1, 2009 at the current charges. Lollipop Farm will be increasing their kennel/boarding fees from \$12 to \$25 per day and the euthanizing fee will increase from \$25 to \$50. The Town's kenneling fee could be reduced by changing the redemption time from five to three days. The Town is currently charging \$15.00 per day to kennel stray dogs. Research will be done on whether a public hearing is needed to increase the local fee to recoup the additional cost and to change the redemption time period.

RESOLUTION NO. 175-2009 Motion by Councilman Comardo, seconded by
Councilman Smith, to approve the agreement with Lollipop Farm Humane Society of Greater Rochester through December 31, 2009.

Motion carried: Aye 5 Nay 0

BUDGET TRANSFERS

TRANSFERS TO BUDGET

Jul-09

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

RESOLUTION NO. 176-2009 Motion by Councilman Roose, seconded by Councilman Comardo, to approve the Budget Transfers as submitted.

Motion carried: Aye 5 Nay 0

INFORMATION ITEMS

HIGHWAY REPORTS

Supervisor Lemcke noted the last Highway report received was for April of 2008. Supt. Speer indicated the information would be brought up to date with the submission of budgets.

FLSA EXEMPT EMPLOYEES

A copy of the page from the employee manual section pertaining to payment of overtime/compensatory time was provided by Supervisor Lemcke. It states that FLSA Non-Covered and Exempt Employees who work in excess of the employee's normal workday or workweek will not be paid for overtime nor receive compensatory time.

HIGHWAY PURCHASES

A response was received from Comptroller's office regarding what funds Highway Department purchases could be made from. Supervisor Lemcke reviewed the response provided:

Highway equipment purchases, pursuant to Highway Law 142, specify that the town budget and expense highway machinery and equipment purchases from the DB fund.

Highway expenditures should be budgeted and expensed based upon the type of work performed and not by the month of the year the expenditure was incurred.

Repairs and Improvements (account numbers 5110.0 & 5112.0) must be DB
 Bridges (5120.0) must be DA.

Expenditures for machinery (5130.0 and Snow & Misc. (5140.0 to 5148.00) can be DA or DB based upon the Town Board's discretion. Any decision can be changed when developing and approving the annual budget.

Machinery expenditures include the cost of purchasing and maintaining the equipment. Cost of operating the equipment should be charged to the appropriation using the machinery.

Councilman Smith noted he would like to see the names of the accounts on the Council report so there is a better understanding of where the payments are coming from.

MISCELLANEOUS

Supervisor Lemcke reported he will be meeting with a consulting company called Energy Efficiency Experts this Thursday. They are interested in providing the Town with a proposal and information on switching the Town Park lights and the Town's street lights to solar power energy. Funding is available for energy efficiencies with stimulus money and consideration

LIAISON REPORTS

**Councilman Smith reported that Mr. Fritz continues working on resolving property maintenance issues, in particular tall grass. There have been complaints regarding tractor trailers being parked at Peck Road and Ridge Road. It was also noted that over ten demolition permits have been issued for the Dyminski property. Supervisor Lemcke noted Mr. Dyminski has removed the hazardous tree which was going to fall on one of the trailers.

**Councilman Comardo reported he was unable to attend the Recreation Commission meeting due to a conflict. The Special Police have provided 58 hours of bike patrols, details for carnival coverage are being finalized, a schedule for Parma Days is being worked on and there was discussion on the portable lights for Parma Days. It was noted that there will be extra attention to an area behind the Quest School in particular the Jennejahn Lodge.

**Councilman Carmestro reported preparations are underway for the carnival. The press release will go in the paper regarding the bear sighting in the park. The Village is having a Farmers Market on Sunday mornings in the Park and Ride Lot. The next Village meeting will be next Tuesday.

** Councilman Roose reported that at this week's Planning Board meeting the King Hamlin Parma Subdivision plans were approved and approval was given for the old miniature golf site at Manitou and Ridge Road.

ADDITIONAL ITEMS

PERSONNEL - HIGHWAY

The lawsuit regarding Highway employees is proceeding. Supervisor Lemcke informed the Town Board that he was deposed yesterday. Yet to be scheduled is the Highway Superintendent and employees. Depositions for the Highway employees will be taken at the Town Hall rather than have them go downtown.

WARRANT

RESOLUTION NO. 177-2009 Motion by Councilman Smith and seconded by Councilman Comardo, to approve payment of the warrant as submitted.

		FUND TOTALS	
AOO	General Fund	\$	104,845.83
BOO	Part Town	\$	4,600.73
DAO	Highway, Townwide	\$	3,692.38
DBO	Highway, Part Town	\$	42,781.32
HCO	Park Lighting Capital PR.	\$	1,465.84
S17	Wilder Road 1 Sewer	\$	243.71
SDO	Townwide Drainage	\$	3,906.48
TAO	Trust & Agency	\$	6,142.66
		GRAND TOTAL:	\$ 167,678.95

Motion carried: Aye 5 Nay 0

USE OF TOWN HALL PARK – CYCLO-CROSS RACE

Mr. Fowler Parma Cycle Club has obtained more information and for dates to use the Town Hall Park for a cycle/cross country event. It is a combination of a 5K run and

bicycling event to be held on September 27, 2009. Race set up would begin that morning at 8:00 am. The race would start at 11:00 am and be done by 1:00 pm. This would be a physical fitness opportunity in the Town in light of the Recreation Department not offering the Apple Derby Run this year. The Town Board would like more details on the length and location of the course, emergency medical staff on site, and having information provided to Town Park staff. There are Hilton Raider football games scheduled that day. Safety concerns were expressed for crossing the bridges as there are no railings. Mr. Fowler would like a decision for the next Town Board meeting so this can be advertised in the Fall program brochure. In general, there was interest by the Town Board but the date should not conflict with Raider games.

There being no further business before the Town Board, Councilman Comardo made a motion to adjourn the meeting at 8:35 p.m., seconded by Councilman Smith and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk