

Town Board meeting held on Tuesday, May 2, 2006 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
Highway Supt.	Brian Speer
Building Inspector	Jack Barton
Recreation Director	Steve Fowler

Councilman Reinschmidt – absent.

### **OTHERS IN ATTENDANCE**

Pete Morcent, Gene DeMeyer, Richard DeMeyer, Jim Cobia, Anthony DiNitto, Marian Aprilano, Carol Ann Zurick, Stan Hoy, David Conrad, Carole Munger, Candice Q. Gomes, Marilyn DeMeyer, Craig Gage, Chris Gage, John Brazas, Art Cosgrove, Charlene Lockner Benson, Gene Benson, Ed Arnold and other unidentified persons.

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. He noted emergency exit procedures.

Supervisor Lemcke asked if anyone present would like to address the Town Board on any topic not on the agenda. Anthony DiNitto asked to speak to the Town Board.

### **LANDSCAPING REQUEST FOR SILENT MEADOWS CUL-DE-SAC**

Anthony DiNitto, 8 Silent Meadows Drive, requested to put an island in the cul-de-sac on Silent Meadows Drive, and landscape it with grass, flowers and trees. He has presented this request before the Town Board and asked if the Highway Dept. had this in their schedule.

Supt. Speer said there is not money in his budget for this project and that the Town Engineer would have to design this island so that proper drainage would take place.

Mr. DiNitto has a neighbor who is an engineer and is willing to do the site work, also the neighbors are willing to do the work themselves, along with the maintenance after the project is completed.

Supervisor Lemcke asked Mr. DiNitto to present a map and a proposal to the Town Board.

### **JAMES COBIA - BARKING DOG ISSUE**

James Cobia, 240 Hamlin Parma Town Line Road, explained that he has a livestock guard dog to protect the alpacas he raises. He has received 3 appearance tickets from the Town of Parma Dog Control Officer for barking dog complaints. The Monroe Sheriff Department has sited him for violation of the Town of Parma Noise Ordinance on a barking dog complaint.

He submitted paperwork to the Town Board for review:

- \* Guidelines for Review of Local Laws Affecting the Control of Farm Animals
- \* Local Laws and Agricultural Districts: Guidance for Local Governments and Farmers

He feels that he is covered under the Right to Farm Law by using livestock guard dogs to protect the alpacas. The dogs are trained to bark to ward off animals that could harm the alpacas, such as coyotes.

He has a Court date for May 23, 2006.

Supervisor Lemcke will forward the paperwork Mr. Cobia submitted to Attorney Badain for review. Since a court date is coming up, Supervisor Lemcke asked the Dog Control Officer not to issue any more appearance tickets, if he should receive a complaint, pending the Judge's decision.

### **REQUEST TO RECORD MEETING**

John Brazas, 112 Bailey Road, requested to tape record portions of the Board meetings that relate to the proposed soccer complex. The Town Board agreed that he could record the meetings.

### **ED ARNOLD**

Ed Arnold, 85 Burritt Road, submitted paperwork to the Town Board that he had copied from the NYS Dept. of State website that referred to Legal Memorandum LU07 – Firehouses and Zoning. He noted that it addresses a private, not-for profit situation and compared it to the proposed soccer complex.

### **MINUTES – APRIL 18, 2006**

**RESOLUTION NO.143-2006** Motion by Councilman Blackburn, seconded by Councilman Smith, to approve the Minutes of the April 18, 2006 meeting, as presented.

Motion carried: Aye 4 Nay 0 Councilman Reinschmidt – absent

### **TOWN CLERK REPORT**

The Town Clerk Monthly Report for April was submitted to the Town Board.

### **ASSEMBLYMAN HAWLEY - MEETING DATE**

Assemblyman Hawley would like to use a room in the Town Hall to meet with residents to discuss their concerns. A room has been reserved in the Town Hall, from 9 a.m. to 11 a.m., on the third Wednesday of each month.

### **HIGHWAY DEPARTMENT REPORT**

#### **AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS FOR 2006**

**RESOLUTION NO.144-2006** Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve the Agreement For The Expenditure of Highway Moneys For 2006 between the Town Highway Superintendent of the Town of Parma, Monroe County, New York and the members of the Town Board.

For General Repairs: The sum of \$29,500.00 shall be set aside to be expended for primary work and general repairs upon 20.84 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

For Permanent Improvements: The following sums shall be set aside to be expended for the permanent improvements of town highways:  
On Walnut Hill Dr commencing at Pine Hill Road and leading to a cul de sac, a distance of .24 miles, there shall be expended not over the sum of \$20,400.00. Work to be completed: mill, reprofile and pave with 1 ½ inch Of Flex Top.

On Aristocrat Circle commencing at Walnut Hill Dr leading to a cul de sac a distance of .15 miles, there shall be expended not over the sum of \$13,600.00. Work to be completed: mill, reprofile and pave with a 1 ½ inch of Flex Top.

Motion carried: Aye 4 Nay 0 Councilman Reinschmidt – absent

### **HAZARDOUS WASTE**

On June 17, 2006, the Town of Ogden will hold a Hazardous Waste Collection Day. Residents of the Villages of Hilton, Spencerport and Brockport and the Towns of Parma, Clarkson, Hamlin and Ogden may drop off their hazardous waste.

### **RECREATION DEPARTMENT REPORT**

#### **REQUEST TO USE PARK CROSS COUNTRY COURSE**

Peter Glavin contacted Steve Fowler inquiring about hosting a 4 mile cross country race at the Town Hall Park on Sunday, November 5, 2006, in the morning through early afternoon.

Supervisor Lemcke asked Mr. Fowler to get a formal proposal from Mr. Glavin.

#### **REQUEST TO USE BASEBALL FIELD**

Mike Dunbar, coach of the Girl's Travel Softball Team, would like to practice on a field or open area at the Town Hall Park on Sundays from 4 p.m. to 6 p.m., in May and then one week night, each week, in the months of June and July, when the area is not in use. The Town Board approved the request.

### **BUILDING DEPARTMENT REPORT**

The April Building Department Report was submitted to the Town Board.

#### **SPECIAL EVENT REQUEST**

The owner of The Juke Box, 5435 Ridge Road West, has applied for a Special Event Permit to place tables on an outside patio. This will be brought before the next Town Board meeting.

#### **FENCING AT FIRE DEPARTMENT AROUND GENERATOR**

The fire department at the corner of Ridge Road and Route 259 has installed an outside generator. They are requesting to put a 5 foot high fence around the generator. The Town Board approved the request.

### **COMMUNITY WATER WATCH**

There will be an open training session on May 21, 2006 in Perinton for the Community Water Watch program. The program is great for families, adults and groups to visit a stream and collect basic data, look for patterns and learn about the health of a stream.

### **HC PARK EXPANSION ACCOUNT**

The Town has received final payment of \$62,824.36, for the Park Grant from New York State. These funds will be used to pay back the loan from A Fund.

**RESOLUTION NO.145-2006** Motion by Supervisor Lemcke, seconded by  
seconded by Councilman Blackburn, to approve transfer of funds to the A  
Fund, to pay back the loan of \$129,213.51.  
Motion carried: Aye 4 Nay 0 Councilman Reinschmidt – absent

**RESOLUTION NO.146-2006** Motion by Supervisor Lemcke, seconded by  
Councilman Blackburn, to approve the transfer of interest to the A Fund,  
From the HC Fund, to close the HC Capital Fund, in the amount of  
\$2,481.99.  
Motion carried: Aye 4 Nay 0 Councilman Reinschmidt – absent

### **SULLIVAN’S CHARBROIL**

Sullivan’s Charbroil is requesting a Special Event Permit to have a DJ play music in  
their west parking lot and have a Cruise Night during the summer on Thursday nights.

**RESOLUTION NO.147-2006** Motion by Supervisor Lemcke, seconded by  
Councilman Carmestro, to designate the Special Event Permit as a type 5  
and allow Sullivan’s Charbroil to proceed with the events after paying the  
Special Event Permit fee of \$250.00.  
Motion carried: Aye 4 Nay 0 Councilman Reinschmidt – absent

### **UNEMPLOYMENT REQUEST**

The Town has received a notice of determination from New York State Unemployment  
for unemployment insurance for Andrew Nau. The notice states that Mr. Nau will be  
eligible for unemployment insurance payments.

The Town is questioning his eligibility to receive payments and has asked New York  
State Unemployment for a hearing.

### **DUNBAR ROAD DETOUR**

The State of New York will be replacing the bridge on Route 259 over West Creek and  
the use of a town road for a detour is needed. Dunbar Road has been designated as a  
detour route and the approximate time frame is 8 months.

**RESOLUTION NO.148-2006** Motion by Supervisor Lemcke, seconded by  
Councilman Carmestro,  
WHEREAS, the New York State Department of Transportation proposes to reconstruct  
B.I.N. 1043580, Route 259 over West Creek, in the Town of Parma, Monroe County,  
P.I.N. 4259.01.

WHEREAS, in conformance with Section 10, Subdivision 19 of the New York State  
Highway Law, the New York State Department of Transportation proposes to utilize the  
following Town of Parma road and street detours during the period necessity.

Town road (Dunbar Road) between State Route 259 and Hamlin Parma Town  
Line Road; now therefore;

BE IT RESOLVED, that the Town of Parma does hereby authorize the New York State  
Department of Transportation to utilize the above mentioned roads and streets and  
maintain traffic on them in accordance with Subsection 619 of its Standard Specification  
during the period of necessity.

BE IT FURTHER RESOLVED, that the Town of Parma will continue to provide routine  
maintenance and snow and ice control for the above mentioned roads and streets.

BE IT FURTHER RESOLVED, that the Clerk of the Town of Parma is hereby directed to transmit four (4) certified copies of the resolution to New York State Department of Transportation.

Motion carried: Aye 4 Nay 0 Councilman Reinschmidt – absent

**VENTIMIGLIA & SONS, INC**  
**REQUEST TO WAIVE WATER MAIN INSTALLATION COST**

Ventimiglia & Sons, Inc. is requesting waiver of water main installation cost from Town of Parma Letter of Credit along Wilder Road, Salmon Creek Estates, Section No. 4-B (8 lots).

**RESOLUTION NO.149-2006** Motion by Supervisor Lemcke, seconded by Councilman Blackburn, to approve the request from Ventimiglia & Sons, Inc. to waive the water main installation cost from the Town of Parma Letter of Credit.

Motion carried: Aye 4 Nay 0 Councilman Reinschmidt – absent

**HISTORIC BARN PROJECT**

The Town Board received a Thank You letter from the Hilton-Parma Historic Barn Project for the support the Town has given.

**LIAISON REPORTS**

\*\* Councilman Smith met with Cheryl Dool, Parks Department, and discussed with her the setting up of a spreadsheet to track costs for field use in case the Town decides to develop a fee structure for use of the fields.

The Special Police, in the future, may request new radios for direct connect to 911.

\*\* Councilman Carmestro reported that Mr. Dyminski was in court regarding the charges against him for the properties at 4728 – 4742 Ridge Road West.

The new van has been delivered to the Hilton Fire Department.

\*\* Councilman Blackburn attended the Library Board meeting and noted that the Parma Library will be closed on Friday, May 5, 2006 so that the staff may attend a training session. The Library will hold a book sale on June 13, 2006.

The focus group, approximately 60 people, will meet to discuss community needs regarding the Library.

**DISPUTE RESOLUTION PROCESS**  
**PAUL EICHAS – HIGHWAY DEPARTMENT**

Steve George, Business Agent Local 231, is requesting a hearing, on behalf of Paul Eichas, highway department employee, with the Parma Town Board as allowed by Step Four of the Town's Dispute Resolution Process.

**EXECUTIVE SESSION**

**RESOLUTION NO.150-2006** Motion by Supervisor Lemcke, seconded by Councilman Blackburn, to enter into Executive Session at 8:33 p.m. to discuss a personnel matter.

Motion carried: Aye 4 Nay 0 Councilman Reinschmidt – absent

Parma Town Board  
May 2, 2006  
Page 6

The town clerk was excused from the meeting at 8:33 p.m. and Councilman Smith recorded the following information.

**CLOSE EXECUTIVE SESSION**

**RESOLUTION NO.151-2006** Motion by Councilman Blackburn, seconded by Councilman Carmestro, to close the Executive Session at 9:15 p.m. and return to the regular session.

Motion carried: Aye 4 Nay 0 Councilman Reinschmidt – absent

There being no further business before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 9:15 p.m., seconded by Councilman Blackburn.

Respectively submitted,

Carol A. Kluth  
Parma Town Clerk