

Parma Town Board meeting held on Tuesday, December 18, 2007 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

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

OTHERS IN ATTENDANCE

Steve Fowler, Bob Prince, Jim Christ, Gene DeMeyer, Charlene Lockner, Gene Benson, Jim Zollweg, Greg Speer, Mike Reinschmidt and other unidentified members of the public.

CALL TO ORDER

Supervisor Lemcke called the meeting to order at 7:00 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 HEARING – FOR THE ADOPTION OF FIRE PROTECTION STANDARDS

Supervisor Lemcke opened the hearing on Fire Protection Standards at 7:01 and read the following legal noticed which was published in the Suburban News on December 2, 2007.

Legal Notice Town of Parma

Public Hearing for Adoption of Fire Protection Standards

Please take notice that the Town of Parma will hold a Public Hearing on December 18, 2007 at 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York for the Parma Town Board to consider the adoption of Fire Protection Standards to be added to the Design Criteria and Construction Specifications for Land Development. This hearing is open to all interested persons. A copy is available at the office of the Town Clerk for inspection by any interested person during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday and until 5:00 p.m. on Thursday.

Dated: November 28, 2007
Donna K. Curry
Parma Town Clerk

Supervisor Lemcke outlined how the Public Hearing would proceed. He acknowledged the involvement of the Hilton, Spencerport and North Greece fire districts in the development of the standards and briefly summarized the steps taken leading to tonight's hearing. Larsen Engineer responses had been received and Supervisor Lemcke reviewed the response from Lacy Katzen. There was discussion about confusion over dry main, dry pipe and dry hydrant. It was noted that the terminology on page 2, item 1, in the Fire Protection Standards document should be reviewed.

Patti DeMarco, indicated that she felt her street was not being serviced by 911 as it had not yet been dedicated to the Town. She had looked it up on Pictometry and has called 911 and not received an answer or call back. There was discussion regarding how often Pictometry is updated, when 911 picks up new streets and the possibility that the home phone number might be an issue. Jeff Mullen, Hilton Fire Department will check into it.

Discussion returned to Fire Protection Standards. Councilman Blackburn asked if this would be a mandatory 6 inch water service. The response was no that residents have a choice of options.

Supervisor Lemcke recommended tabling further discussion until the next Town Board meeting, January 2, 2008, so that Larsen Engineers can review and provide the necessary verbiage regarding the 6 inch water service.

ADJOURN PUBLIC HEARING ON FIRE PROTECTION STANDARDS

RESOLUTION NO. 316-2007 Motion by Councilman Carmestro, seconded by Councilman Smith, to adjourn the Public Hearing on Fire Protection Standards until the January 2, 2008 Town Board meeting.

Motion carried: Aye 5 Nay 0

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.

Patti DeMarco expressed that she would like the drainage issues and garbage in the ditch at the rear of her property addressed. Supt. Speer noted that there was no funding left in 2007 budget to take care of this and that it would have to be addressed next year. There was additional discussion on what could potentially be done, where the trash is coming from, the original design and intent of the area and the role of the DEC. Supervisor Lemcke reiterated that there was no funding available in Townwide Drainage for the remainder of 2007 and that the issue would be addressed by Supt. Speer when the area dries out and can be accessed.

Jim Zollweg, 4 Judd Lane, provided additional materials regarding the GIS presentation he did at the last Town Board meeting including a drafted job description and data on other municipalities who have a GIS coordinator position. He also clarified that his proposal was for a volunteer position, no expenditures would be involved as the equipment and software already exist, and that he has experience doing municipal work.

MINUTES – DECEMBER 4, 2007

RESOLUTION NO. 317-2007 Motion by Councilman Smith, seconded by Councilman Carmestro, to accept the Minutes of the December 4, 2007 meeting.

Motion carried: Aye 5 Nay 0

TOWN CLERK REPORT

LIGHTHOUSE DISTRICT BOY SCOUTS – PAVILION USAGE

Dave Azzario, Assistant District Commissioner, Lighthouse District, Otetiana Council of the Boy Scouts of America, requested that the Town Board allow the Boy Scouts to use the Lions and Burritt Pavilions on June 21 & 22, 2008. This request has been made in previous years and the fee has been waived.

There was discussion on whether the alternate weekend was being requested. It was determined that the request was for the weekend of June 21st & 22nd with the fee waived and that if the Scouts wanted to reserve the weekend of June 28th & 29th they would need to do that and pay the fees.

RESOLUTION NO. 318-2007 Motion by Councilman Smith, seconded by Councilman Blackburn, to reserve the Lion and Burritt Pavilions for the Boy Scouts for June 21 and 22, 2008 and to waive the fee.

Motion carried: Aye 5 Nay 0

A copy of the Supervisor's response to the Fact Finder Report and Response from the arbitrator has been filed in the Town Clerk's office. The DEC is moving from dial up access to internet at the end of February 2008. Training information for newly elected officials has been received from the Town Clerk's Association on behalf of the Association of Towns and has been distributed. An invitation to the Friday, December 21, 4:00 p.m. ribbon cutting ceremony for Will Falcheck, The Country Veterinarian, has been received and distributed.

SET DATE FOR JOINT VILLAGE BOARD/TOWN BOARD MEETING

The new proposed date for the joint Village and Town meeting has been suggested as Thursday, January 24, 2008 at 6:00 p.m. at the Town Hall. This is a public meeting with an open agenda.

RESOLUTION NO. 319-2007 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to hold the joint Village and Town meeting on Thursday, January 24, 2008 at 6:00 p.m. at the Town Hall.

Motion carried: Aye 5 Nay 0

The Town Clerk will publish the notice for this meeting.

HIGHWAY DEPARTMENT REPORT

Superintendent Speer reported that the new hydro-blade worked well plowing the subdivisions during the recent storm.

AMENDATORY AGREEMENT – ALL SEASONS COUNTY/TOWN WORK AGREEMENT

An amendatory agreement for the All Seasons County/Town Work agreement for 2008 was discussed.

RESOLUTION NO. 320-2007 Motion by Councilman Smith, seconded by Councilman Blackburn, to accept the 2008 All Seasons County and Town work agreement with amendments.

Motion carried: Aye 5 Nay 0

Councilman Carmestro questioned how the new salt agreement was working out. There was discussion. Cargill seems to be responding well but the delivery problems lie with the trucking companies.

BUILDING DEPARTMENT REPORT

Mr. Barton is on vacation therefore there was no Building Department report.

RECREATION DEPARTMENT REPORT

Mr. Fowler had nothing specific to report.

PARKS DEPARTMENT

Joe Petricone was not in attendance therefore there was no Parks Department report.

BUSINESS ITEMS

TOWN BOARD REPRESENTATIVE FOR SPENCERPORT CHAMBER

Supervisor Lemcke asked for a volunteer to represent the Town on the Spencerport Chamber of Commerce. Councilman Carmestro volunteered. There was discussion. Councilman Carmestro will be the primary designee with Supervisor Lemcke and Councilman Smith as second and third designees.

RETIREMENT BENEFIT FOR E. WEBSTER

Supervisor Lemcke received a request from Elsie Webster regarding retirement benefits. She is eligible to receive up to 180 days credit towards her NYS Retirement length of service for unused sick time during her tenure as Town Clerk. It was noted that there would be no cost to the Town. Ms. Webster's request states that she took minimal time off as can be attested to by Joe Reinschmidt, Jack Barton and Gerry Ingham. In order to apply, Ms. Webster needs the board to pass a resolution.

RESOLUTION NO. 321-2007 Motion by Councilman Reinschmidt, seconded by Councilman Blackburn, to approve a credit of 180 days of unused sick time to be added to the retirement length of service for Elsie Webster.

Motion carried: Aye 5 Nay 0

ZOLLWEG REAPPOINTMENT TO RECREATION AND PARKS COMMISSION

Supervisor Lemcke presented a request by the Hilton Parma Recreation and Parks Commission to approve the reappointment of Jim Zollweg to the term that expires December 31, 2011.

RESOLUTION NO. 322-2007 Motion by Councilman Smith, seconded by Councilman Carmestro, to reappoint Jim Zollweg to the Recreation and Parks Commission for a four year term that expires December 31, 2011.

There was discussion about why this was being done now instead of at the organizational meeting.

Motion carried: Aye 5 Nay 0

BUDGET TRANSFERS

TRANSFERS TO BUDGET					Dec-07		
	FROM			TO			
ACCT #	DESCRIPTION	AMT.		ACCT #	DESCRIPTION	AMT.	REQUESTED
A7110.11D	SAFETY ATTENDANT	2,823.01		A711011F	BASEBALL FIELD ASST	2,823.01	DOOL
A7110.11D	SAFETY ATTENDANT	785.29		A7110.11G	GROUNDS PERSON SEASONAL	785.29	DOOL

A7110.449	MISC	0.30		A7110.434	ADVERTISING	0.30	DOOL
A7110.449	MISC	143.43		A7110.437	PAVILIONS	143.43	DOOL
A7110.12A	OVERTIME	56.94		A7110.11G	GROUPS PERSON SEASONAL	56.94	DOOL
A1355.412	OFFICE EQUIPMENT	1,656.00		A1355.445	ANNUAL REASSESSMENT	1,656.00	MULLER
A1420.448	SERCU & SERCU	5000.00		A1420.447	LEGAL/LABOR	5,000.00	GAVIGAN
	A SURPLUS	25,000.00		A1420.449	PETER T RODGERS	25,000.00	GAVIGAN
A7540.422	VFW PHONE	425.00		A7540.424	VFW PROCEEDS	425.00	GAVIGAN
A9050.840	UNEMPLOYMENT INSUR	100.00		A9040.830	WORKER COMP	100.00	GAVIGAN
	A SURPLUS	27,500.00		A7110.438	PARK IMPROVEMENTS	27,500.00	GAVIGAN
L7410.830	WORKMANS COMP	5,016.32		L7410.840	HOSPITALIZATION	5,016.32	KIRK
L7410.442	EQUIPMENT	2,612.00		L7410.481	BOOKS	2,612.00	KIRK
L7410.210	OFFICE EQUIPMENT	2,683.55		L7410.451	COMPUTER COSTS	2,683.55	KIRK
L7410.448	CLEANING SERVICES	272.38		L7410.411	SUPPLIES	75.31	KIRK
L7410.441	EQUIPMENT REPAIR	2,000.00		L7410.412	OFFICE SUPPLIES	32.37	KIRK
				L7410.427	MILEAGE	2.25	KIRK
A1410.449	CLERK MISC EXP	200.00		A1410.411	CLERK OFFICE EQUIPMENT	200.00	CURRY
A1310.449	REC MISC EXP	100.00		A1310.412	REC OFFICE SUPPLIES	100.00	CURRY
A3510.411	JANITORIAL SUPPLY	30.00	A3510.465		VEHICLE MAINTENANCE	1,055.00	FRITZ
A3510.412	OFFICE SUPPLIES	75.00					
A3510.416	OFFICE PRINTING	200.00					
A3510.428	CONFERENCES	100.00					
A3510.449	KENNEL	500.00					
A3510.451	DOG CENSUS	150.00					
A3510.459	VET CHARGES	400.00		A3510.212	FIELD EQUIPMENT	400.00	FRITZ
	A SURPLUS	4,000.00		A7020.212	EQUIPMENT	3,120.00	FOWLER
				A6772.468	VAN MAINT	880.00	FOWLER
A6772.449	TRIPS	50.00		A6772.468	VAN MAINT	50.00	FOWLER
A7141.411	GYMNASTICS	2,000.00		A7141.479	NUTRITION	2,350.00	FOWLER
A7141.413	KARATE	350.00					

Supervisor Lemcke noted the following change to the budget transfers: the transfer of \$25,000 from A Surplus to A1420.449 should be changed to \$41,150.69 from B Surplus to B3620.442 for \$41,150.69 for legal services to Harter Secrest.

Councilman Reinschmidt inquired as to the detail on the A Surplus \$27,500 transfer to A7110.438 for Park Improvements. There was discussion. No definitive explanation was available. It was determined that this item would be excluded pending explanation and would be addressed at the year end special bill paying session.

RESOLUTION NO. 323-2007 Motion by Councilman Smith, seconded by Councilman Carmestro, to approve the Budget Transfers as revised.

Discussion: Councilman Blackburn felt that the Harter Secrest bill should be paid out of the A Fund and not B Fund. Supervisor Lemcke offered as an explanation that A Funds which include funds raised from the Village should not be used to pay for legal services against the Village.

Motion carried: Aye 4 Nay 1 Councilman Blackburn voting Nay

Councilman Smith inquired as to the status of a budget transfer requested by the Special Police which had been tabled during the November bill paying session. Supervisor Lemcke noted that additional information should be obtained from Tod Edenhofer and that the item should be added to the Special Bill Paying Session.

INFORMATIONAL ITEMS

UNITE/HIGHWAY DEPARTMENT FACT FINDERS REPORT

Supervisor Lemcke noted there were three items to be accomplished related to the fact finder report. The first was a roll call verification was taken to establish if all Board members were in

receipt of the Supervisor's response dated December 17, 2007 letter regarding resolution of the impasse.

Roll Call Vote:	Councilman Smith	Aye
	Councilman Carmestro	Aye
	Councilman Reinschmidt	Aye
	Councilman Blackburn	Aye

The second item was to schedule a public hearing for mid to late January to consider the Fact Finder report and the respective positions of the parties involved as well as to take such actions as deemed to be in the public interested including the interest of the public employees involved.

RESOLUTION NO. 324 -2007 Motion by Supervisor Lemcke, seconded by Councilman Carmestro, to hold a Public Hearing on January 15, 2008 to discuss the Fact Finder Report.

Discussion: Councilman Blackburn inquired whether a report would be received from UNITE for review by the Town Board members prior to the public hearing. Discussion led to the third item to be addressed which was notification to UNITE of when the public hearing would be held and of their right to submit their recommendations for settlement of the dispute. The Town Clerk was instructed to notify Steve George of UNITE. Supervisor Lemcke noted that as of December 17 the Fact Finder report is public knowledge and a copy can be reviewed in the Town Clerk's Office.

Motion carried: Aye 5 Nay 0

WORKMAN COMPENSATION CLAIM - LEONE

Supervisor Lemcke was in receipt of a decision from Workman's Compensation regarding Mr. Leone's claim. He turned this over to Superintendent Speer for follow up in releasing appropriate medical information.

SAFE ROUTES FOR SCHOOLS SIDEWALK PROGRAM

Supervisor Lemcke reported that notice was received for the Safe Routes to School Program. He also reported that there will be a workshop regarding the grant to be held in Rochester in the near future. The grant application deadline is April 1, 2008. It was determined that the Town Board would discuss this at the second meeting in January.

PENDING DOG LEGAL ACTION

Supervisor Lemcke noted that Sercu & Sercu has been unable to resolve an issue regarding unlicensed, barking and running at large dogs. Therefore, the Town is forced to go to trial on January 24, 2008.

PARMA CENTER ROAD TRAFFIC STUDY

Supervisor Lemcke received the results of the traffic study for Parma Center Road between Route 18 and Bailey Road. The recommendation was that no reduction in speed was warranted at this location at this time. The Town Clerk will look to see who the resident was that requested the study.

NEW PURCHASE QUOTATION PROCESS

Supervisor Lemcke noted he had distributed copies of the Town's quote process for purchases. It was noted that the last purchase was not in compliance.

HEALTH CARE REIMBURSEMENT

Supervisor Lemcke distributed data regarding 2008 health insurance premiums for review. Rate increases range from 11 to 19 percent depending on the plan. The current Town contribution is \$705 for families and \$315 for single plans. This will be a topic at the January 2, 2008 organization meeting and a new reimbursement rate for the Town's paid portion will need to be set.

LIAISON REPORTS

**Councilman Smith noted the Recreation Commission is interested in the outcome of the joint Town and Village meeting. The Senior program hosted over 90 activities in November and 100 seniors attended a free Thanksgiving Day Dinner.

He reported that there was discussion at the Planning Board meeting regarding the Fire Protection Standards and the significant increase in the cost of new builds if a sprinkler system is installed.

**Councilman Carmestro had nothing specific to report but noted that sprinkler systems may become mandated at some point in the future.

**Councilman Reinschmidt had nothing to report.

**Councilman Blackburn had nothing to report.

**Supervisor Lemcke has contacted the NYS Open Meeting Law for an opinion regarding his foil request and is expecting a response in 7-10 business days but may be longer due to the holidays.

WARRANTS

Supervisor Lemcke noted that the A Fund warrant was originally submitted as \$144, 441.95 but due to the budget transfers was reduced by \$41,150.69 for a final total of \$103,291.26.

RESOLUTION NO. 325-2007 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the A Fund, General Fund bills, in the amount of \$103,291.26.

Motion carried: Aye 5 Nay 0

There was discussion that the Hanson Aggregate invoice was entered for wrong amount necessitating the starting total in the A Fund to be corrected to \$144, 441.95.

Supervisor Lemcke noted that the B Fund warrant was submitted as \$8,492.05. Due to the change in budget transfers for Harter Secrest legal fees it was increased by \$41,150.69 for a new total of 49,642.74.

RESOLUTION NO. 326-2007 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the B Fund, Part Town Bills, in the amount of \$49,642.74.

Motion carried: Aye 4 Nay 1 Councilman Blackburn voting Nay

RESOLUTION NO. 327-2007 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the DA Fund, Highway Town Wide bills, in the amount of \$3,586.72.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 328-2007 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the DB Fund, Highway Outside bills, in the amount of \$24,035.58.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 329-2007 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the SS3 Fund, Dunbar Road East Sewer bills, in the amount of \$8,669.21.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 330-2007 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the T Fund for Trust and Agency bills, in the amount of \$6,337.72.

Motion carried: Aye 5 Nay 0 Abstain

Supervisor Lemcke noted that a bill for \$4500 had been submitted for equipment rental to the SD Fund but there is no money in that fund. This will be reviewed and addressed at the year end bill paying session.

Supervisor Lemcke recognized Councilman Reinschmidt's departure from the Town Board and as has been the ceremonial practice had him take his name plate.

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 8:07 p.m., seconded by Councilman Smith and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk