

Parma Town Board meeting held on Tuesday, August 21, 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
Building Inspector	Jack Barton

### **OTHERS IN ATTENDANCE**

Bob Prince, John Frillici, Paul Zarpentine, Nick Coffee, Engels Gualdani, Dave Keech, Carol Lennon, Larry Gurslin, Larry Heininger, Pat Buskey, Marilyn De Meyer, Rick Holden, Jim Zollweg and other unidentified members of the public.

### **CALL TO ORDER**

Supervisor Lemcke called the meeting to order at 7:04 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. 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.

John Frillici thanked Highway Supt. Speer for a job well done in cleaning out the ditches and marsh behind his property.

Albert Lopa came before the Town Board to request rezoning for Parma Plaza on West Ridge Road. He asked to address the Town Board later in the meeting, after their engineer has arrived.

Mayor Larry Gurslin read portion of a letter addressed to the Town Board regarding the Library/Community Center project, provided a copy for the Town Clerk and asked that it be officially recorded as part of the minutes of this meeting. *See end of minutes.*

Tom Ganley, Chairperson for the Recreation Commission, expressed concern regarding the Library/Community Center. He stated that the Commission has always wanted a Community Center in the Village and feels that the Hojack Line is the ideal site. This property is owned by the Village and they feel it would be wonderful if the Village donated the property and the Town of Parma would pay for all construction, staffing and operating. It was noted by Supervisor Lemcke that Town taxpayers include village residents. Councilman Carmestro noted that the Village has previously taken the stance that the Hojack property is not available for this use.

Supervisor Lemcke provided an update that the Library Board has decided that it no longer wishes to be part of the joint project if it was to be located at the Town Hall site and prefer that it be located in the Village. Steve Fowler was asked to contact Dave Bono of DeWolff Partnership and inform him that the project is on hold. There will be no further steps taken until there has been a meeting to come up with alternative plans. The taxpayers should decide

where and what configuration. Mr. Ganley reiterated that the Recreation Commission would like to be present for any meetings to decide how to proceed. There was extensive discussion on when this might occur, when it would be proposed to the public, and other obligations that the Town has for existing facilities including the safety of workers and the court system. Supervisor Lemcke indicated that no action would be taken until all information has been gathered and that there will be an advertised meeting at some point in the future which would include the Recreation Commission, Library Board, Town Board, Village Board and the public. There was continued discussion on history of funding for the study provided to date.

### **MINUTES – AUGUST 7, 2007**

**RESOLUTION NO. 217-2007** Motion by Councilman Blackburn, seconded by Councilman Reinschmidt, to accept the Minutes of the August 7, 2007 Town Board meeting.

Motion carried: Aye 5 Nay 0

### **TOWN CLERK REPORT**

The Town Clerk reported that a request had been received for waiver of the 30 day waiting period by the Plantation Party House for filing of their liquor license renewal.

### **WAIVER OF 30 DAY WAITING PERIOD FOR NYS LIQUOR LICENSE RENEWAL – THE PLANTATION PARTY HOUSE, INC.**

**RESOLUTION NO. 218-2007** Motion by Councilman Carmestro, seconded by Councilman Reinschmidt,

**Whereas,** The Plantation Party House, Ltd., doing business at 1875 North Union Street in the Town of Parma intends to file for a New York State Liquor License; and

**Whereas,** pursuant to Alcohol Beverage Control Law §64(2A), an applicant must give the municipality thirty (30) days notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement; now therefore be it

**Resolved,** that the Town Board of the Town of Parma hereby waives the thirty (30) days notice period in regard to Plantation Party House, Ltd. allowing an earlier submission of the liquor license application.

Motion carried: Aye 5 Nay 0

The department has been busy issuing Hunting and Fishing licenses. There have been numerous issues with being able to access the DECALS system this year.

A notice was received on August 20, 2007 for a public hearing to be held on August 27, 2007 at the Ogden Town Hall regarding proposed additions to the Monroe County Northwestern Agricultural District. 55 Hill Road is one of the parcels to be added.

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported that he has looked into the cost of replacing drainage pipe which is badly deteriorated near the Toal's property on Collamer Road. He estimated the cost to be \$12,000. He explained the conditions that exist which are necessitating the repairs. There was discussion on possible alternatives and the need for an easement. Supt. Speer will research alternatives and provide information needed for an easement for the Town Attorney.



Derby 5 Mile Run on September 29<sup>th</sup> and the Community Halloween Celebration on October 20<sup>th</sup>. It was also noted that the Town will celebrate its bicentennial birthday next year.

He also reported that the department has entered into an agreement with Certified Background.com to begin background checks on perspective employees hired as summer playground staff. This covers social security number verification, county of residence criminal records search, resident history search and a nationwide data base search on the U. S. sexual offender index. In addition, License Event Notification Service (LENS) is used.

## **PARKS DEPARTMENT**

Joe Petricone reported that staff is finishing work on getting the cross country trails ready for the season. Stone has been laid along the bank of the new bridge over the drainage swale. The Highway Department assisted in getting the pond cleared out at the VFW and work has been done on maintaining trails in the disc golf course. He also reported that they have laid the material purchased for the backstops.

## **BUSINESS ITEMS**

### **FIRE PROTECTION STANDARDS**

Representatives from the Hilton, Spencerport and North Greece Fire Departments were present. A copy of the Proposal for New Construction Standards for the Town of Parma from the Joint Fire Department Committee was provided. Members of the committee were in agreement of the terms within the proposal and indicated that it was their purpose to address problems that arise when responding to emergencies in the interest of life safety. The standards are not intended to cause undue burden but to address issues that arise in providing services. Also included were review comments from the Town Engineer. There was discussion on other towns that use this, whether it should be a guideline or incorporated in the Town Code, reactions by builders and homeowner, input of fire departments in the planning process. In addition, there was discussion on matching up proposed standards to NYS Fire Code and whether and this should be incorporated into the Town Code or added in design criteria. It was suggested that elevated driveways be added. A final draft will be prepared to present at the next meeting so that advertisement for a public hearing can be addressed.

### **PUBLIC FORUM - CONTINUED**

Albert Lopa and Engels Gualdani, from GLC of Monroe County, Inc., came before the Town Board to seek rezoning of 5063, 5067, 5071, 5083, 5087, 5091 and 5095 West Ridge Road from General Commercial to Highway Commercial. GLC of Monroe County, Inc. had approached the Town Board regarding this last fall. All property owners except 5057 have submitted an application.

Their engineer, Larry Heininger, described the parcels involved in the proposal. The request for 5071 West Ridge Road would only be 400 feet deep. There was discussion on the concept they are proposing for 5087, 5091 and 5095 West Ridge Road. These properties will be occupied by GLC of Monroe County for the purpose of having a classic car business and sales of more unique trade-ins. They have a commitment from Valley Cadillac. There will be no service or repairs done at this location.

Applications have been received and fees paid for the seven parcels. The legal description includes all eight parcels. The question was raised whether 5057 West Ridge Road was going to be included in the rezoning. It was believed that the Town Board could include it at its own discretion. The Town Attorney will be consulted. At this time the Board will consider 5057 West Ridge Road to be included.

The Town Board recognized that the SEQR Modified Short Environmental Form has been submitted for all eight parcels and identified it as an Unlisted Action.

**PUBLIC HEARING – REZONING**  
**5057, 5063, 5067, 5071, 5083, 5087, 5091 and 5095 WEST RIDGE ROAD**

**RESOLUTION NO. 220-2007** Motion by Councilman Reinschmidt, seconded by Councilman Blackburn, to hold a public hearing regarding the rezoning of 5057, 5063, 5067, 5071, 5083, 5087, 5091 and 5095 West Ridge Road from General Commercial to Highway Commercial on October 9 16, 2007. The SEQR Modified Short Environmental Form has been received and identified as an Unlisted Action *with uncoordinated review*.

*Amended 9/4/07 Resolution No. 233-2007*

Motion carried: Aye 5 Nay 0

**OPEN SPACE GRANT APPLICATION REQUEST**

The Town Board was informed of an upcoming grant opportunity through New York State Department of Agriculture and Markets. A total grant of \$33,333 would include \$25,000 (75%) from NYS and \$8,333 (25%) from the applicant. Of the \$8,333, the minimum local contribution would be \$1,667. The remaining portion could be in-kind services.

The committee has been working on Requests for Proposals for services that might include recommendations for how to be more proactive with land use, tabulating surveys, land use regulations and identifying areas in the town for development and transfer rights. The grant could be used to fund these services.

It was noted that open space surveys will be accepted through September 1<sup>st</sup> and there have been over 2,000 submitted.

**RESOLUTION NO. 221-2007** Motion by Supervisor Lemcke, seconded by Councilman Carmestro, to authorize the application for a \$33,333 grant from the NYS Department of Agriculture and Markets of which \$25,000 will come from New York State and \$8,333 will be the local share.

Motion carried: Aye 5 Nay 0

**DUNBAR ROAD SIDEWALK SURVEY RESULTS**

Supervisor Lemcke reviewed the unofficial results as indicated on a map that showed the proposed area for sidewalks, the grant web site and pictures of the areas where surveys were mailed. There was discussion on busing done by the school district and where the sidewalks might be located. It was noted that language specifics of the grant are not known yet. It was reiterated that the Town will not plow sidewalks. Additional information suggested for a public information meeting included possible locations for the sidewalks, a chart summarizing the survey responses and a distribution of responses by road segment. It was noted that copies of the surveys are in the Supervisors office and are available for the public to view. An open meeting will be advertised when more grant information is available.

**ABOVE GROUND FUEL STORAGE**

Concern has been expressed that there are businesses in town with above ground tanks. NYS Fire Code allows but our Fire Prevention Code does not. There has been discussion on why it is not part of our code, where or where not to allow, what criteria should be established, how to regulate, what board would it come before and implementing a permit process.

Supervisor Lemcke said he would prepare a draft for what it might look like to be refined at the September 4, 2007 Town Board meeting. It was noted that an operating permit will be required per New York State and that most area towns follow the NYS Fire Code.

**REQUEST TO SEND RECREATION STAFF TO NATIONAL ACCREDITATION CONFERENCE**

There was discussion regarding the possibility of sending 3 additional staff members to the Indianapolis conference of the National Recreation and Parks Association. This year is of particular importance because our Town Park is in line to receive national accreditation from the Commission for Accreditation of Park and Recreation Agencies (CAPRA). Staff will be there to complete the review process and potentially receive the accreditation. This would be for one night rather than the entire conference because Apple Festival falls at the same time.

**RESOLUTION NO. 222-2007** Motion by Supervisor Lemcke, seconded by Councilman Reinschmidt, to authorize funding, not to exceed \$1800, for three Recreation Department staff to attend the National Recreation and Parks Association conference in Indianapolis which will be paid from Miscellaneous Contingency.

Motion carried: Aye 5 Nay 0

**BUDGET TRANSFERS**

There was discussion on the budget transfer request made at the last meeting for \$52,000.00 from Supt. Speer, a breakout of these items in the budget and chargeback of services to the Town. Supervisor Lemcke has asked for more information from the Finance Director. This will be back on the agenda for the next meeting.

TRANSFERS TO BUDGET					Aug-07	
	FROM			TO		
ACCT #	DESCRIPTION	AMT.		ACCT #	DESCRIPTION	AMT. REQUESTED
A7141.403	BASEBALL	4,000.00		A7141.414	OTHER	5,850.00 FOWLER
A7141.409	FLOOR HOCKEY	1,000.00				
A7141.412	HORSEBACK RIDING	850.00				
A7141.491	SCIENCE	375.00		A7141.492	VOLLEYBALL CAMP	375.00 FOWLER
A7141.439	VOLLYBALL YOUTH	100.00		A7141.4485	TEEN TRIPS	100.00 FOWLER
A7141.500	ICE SKATING	50.00		A7141.495	BEAR	50.00 FOWLER
A7141.401	AEROBICS	950.00		A7141.428	PLAYGROUND YOUTH	1,225.00 FOWLER
A7141.406	BASKETBALL YOUTH	275.00				
A7141.427	BASEBALL CAMP	350.00		A7141.415	PLAYGROUND TOT	350.00 FOWLER
A7141.497	SIGN LANGUAGE	400.00		A7141.443	TREE PROGRAM	2,675.00 FOWLER
A7141.494	TBALL CAMP	900.00				
A7141.488	SOFTBALL CAMP	800.00				
A7141.448	BABYSITTING TRAINING	575.00				

**RESOLUTION NO. 223-2007** Motion by Councilman Smith, seconded by Supervisor Lemcke, to approve the Budget Transfers as requested.

Clarification was asked for what the Tree Program is and it was noted that the program is not active and that a program was inadvertently entered into this line and this transfer is to compensate for this.

Motion carried: Aye 5 Nay 0

### **INFORMATIONAL ITEMS**

Justice Maley, Justice Sciortino and Court Clerk Barb Speer entered the meeting to discuss a request regarding the Court Assistance Program. It was asked that this be done in executive session due to issues of security.

### **LIAISON REPORTS**

\*\*Councilman Smith reported that in speaking with the Dog Control Officer he is with the number of unlicensed dogs and many of them are repeat offenders. The current fine is \$25.00, does not act as a deterrent and the money goes to the state. He will be investigating a possible surcharge for repeat offenders of unlicensed dogs.

\*\*Councilman Carmestro reported that the Planning Board had a full docket at their meeting and commented that there were response time issues with the Town Engineer. He also noted that the Fire Department fire department continues to review construction plans for the new firehouse.

\*\*Councilman Reinschmidt had nothing new to report fro the Library and items for the Spencerport Fire District were discussed earlier regarding the proposed fire protection standards.

\*\*Councilman Blackburn had no report.

### **ENTER INTO EXECUTIVE SESSION**

**RESOLUTION NO. 224-2007** Motion by Councilman Carmestro, seconded by Councilman Blackburn, to enter into Executive Session to discuss security issues which if discussed would imperil effective law enforcement for the justice court.

Motion carried: Aye 5 Nay 0

The Board entered into executive session at 9:08 p.m.

### **CLOSE EXECUTIVE SESSION**

**RESOLUTION NO. 225-2007** Motion by Councilman Carmestro, seconded by Councilman Blackburn, to close the Executive Session at 10:25 p.m. and return to regular session.

Motion carried: Aye 5 Nay 0

### **AUTHORIZING APPLICATION FOR 2007 JUSTICE COURT ASSISTANCE PROGRAM**

**RESOLUTION NO. 226-2007** Motion by Councilman Carmestro, seconded by Councilman Blackburn, to authorize the Justice Court to apply for the 2007 Justice Court Assistance Program.

Motion carried: Aye 5 Nay 0

### **MISCELLANEOUS ITEMS**

Supervisor Lemcke received notice of a draft resolution for sanitary sewers from the Town of Greece for the Manitou-Parma Land Company. He will forward to the Town Attorney.

Supervisor Lemcke, the Code Enforcement Officer, the Town Attorney and Mr. Dyminski's attorney met to inspect the premises of 4728 and 4742 West Ridge Road which have code violations. Mr. Dyminski's attorney has responded with a plan to and the Town Attorney has recommended a 30 day extension on trial adjournment so that Mr. Dyminski can meet the specifications. There was no objection but that after the 30 days no other extensions should be allowed.

Supervisor Lemcke reported that 2 grievance forms were received from Paul Eichas and a memo from Stuart I. Brown Associates, Inc. regarding Program Information for Restore New York.

### **WARRANTS**

**RESOLUTION NO. 227-2007** Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the A Fund, General Fund bills, in the amount of \$122,037.08.

There was discussion on the custodian bill as it pertained to the VFW.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 228-2007** Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the B Fund, Part Town Bills, in the amount of \$9,082.25.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 229-2007** Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the DA Fund, Highway Town Wide bills, in the amount of \$3,850.00.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 230-2007** Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the DB Fund, Highway Outside bills, in the amount of \$5,915.02.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 231-2007** Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the T Fund for Trust and Agency bills, in the amount of \$15,837.76

Motion carried: Aye 5 Nay 0

There being no further business brought before the Town Board, Councilman Smith made a motion to adjourn the meeting at 10:04 p.m., seconded by Councilman Blackburn and all were in favor.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk

Larry A. Gursplin, Mayor

TRUSTEES  
Jim M. Gates  
Walter P. Horylev  
Joseph M. Lee  
Larry W. Speer

Janet SurrIDGE Clerk-Treasurer  
Thomas Tilebein Supt. of Public Works

## VILLAGE OF HILTON

59 HENRY STREET  
HILTON, NY 14468  
(585) 392-4144  
(585) 392-5620 Fax  
voh@hiltonny.org



August 20, 2007

Rick Lemcke  
Parma Town Hall  
1300 Hilton Parma Corners Road  
Hilton, NY 14468

Dear Rick:

The purpose of this letter is to ask that you as Town Supervisor and your fellow board members delay any vote on allowing the general public to vote on a Community Center/Library complex at the Parma Town Hall. My reason for this request is that I do not believe we have collectively given enough thought to this proposal and that by going forward we will be dividing our community.

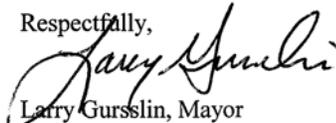
Let me be more specific. The proposed multi-million dollar project/concept came about just seven (7) months ago. As we know the various surveys, recreation needs assessments and engineering designs have been discussed and presented over the years for a new recreational facility with amenities for a senior citizen area at the Town Hall. To my knowledge at no time has a "joint" facility, one that includes the library, been a part of any such survey/study.

The Hilton Village Board in passing a non-binding resolution to support the Parma Public Library in the Village has taken the challenge by Director Sally Snow, who recently asked "what is the Village doing to keep the library in Hilton?" We have now charged our Planning Board to review possible sights in and around the Village. Furthermore, we have asked our architect Barkstrom & LaCroix to provide a cost estimate to locate it at the Community Center to include partial demolition if necessary.

Up until this time, the Village Board has taken a "hands-off" approach to both departments of the Town of Parma. After listening however to many Village and Town residents I feel it is time to convey my thoughts to you and your Board. As was mentioned on July 31<sup>st</sup> our two boards have never met to discuss this project. We look forward to an invitation from you to do so.

In conclusion, I believe a delay of offering to the general public a proposed referendum will not only allow the Village to seek a solution to the library expansion but also offer an opportunity to have more dialog on both departments. Together we can mutually reach out to the general public and I look forward to this opportunity with you.

Respectfully,

  
Larry Gursplin, Mayor