

Parma Town Board meeting held on Tuesday, March 3, 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
	Building Inspector	Jack Barton
	Recreation Director	Steve Fowler
Absent	Councilman	Kenneth Blackburn
	Highway Supt.	Brian Speer

### **OTHERS IN ATTENDANCE**

Kay Dodds, Carol Kluth, Dick Kluth, Don Green, Bob Prince, Jim Christ, Gene DeMeyer, Kris Schultz, Nina VanLare, Pam Speer, Mike Weldon, Richard DeMeyer, Pat Buskey, Scott Copey, Tod Edenhofer, Michael Adams, Mike Wyant and other 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.

### **CONTINUATION OF PUBLIC HEARING AGRICULTURAL AND FARMLAND PROTECTION PLAN**

Scott Copey reported that Barb Johnston had completed the recommended revisions received. Copies of the revised portions will be available on the Town website, in the Town Clerk's office and at the Parma Public Library. He highlighted the changes that were made. There was discussion on the amount of time to leave the public hearing open. It was agreed that the public hearing would be extended to the April 7, 2009 Town Board meeting. If Board and Committee members wish to turn in their original copies, the portions that were not changed will be incorporated into the final version copies.

Mr. Copey also reported that the DEC has closed on the purchase of the 200 acre Ventimiglia parcel to the east of Bennett Road. The DEC has advertised over 100 acres of the parcel to be put out to bid for farming for a minimum of a 40 year lease with a 5 year renewal option on it. The Farmland and Open Space Committee felt this was a victory for the Town because the Town Board chose to request that the farmed portion of the land remain available for agricultural use. It was also felt that if this step had not been taken by the Town, the DEC would not have considered continuing this use for that particular land. There was additional discussion on the Wildlife Habitat Improvement Program (WHIP) in which the federal NRCS program administered by the DEC pays landowners or the Town for their time and use of their equipment to maintain parts of the management area. Funding comes from a percentage of what is made from the agriculture lease. Mr. Petricone has made contact for how to proceed to do this work. It was noted that portions of the property will be open to the public. There was discussion on parking, road access, potential for crop damage and the possibility for someone from the Town to sit on the Braddock Bay Wildlife Management Board. This would provide an opportunity to advocate for the Town's perspective with regard to the management of the property.

## **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.

Gene DeMeyer asked if the Town Board meetings had to be held on the same night as court. Screening of everyone coming into the building on court nights has prompted the question. Supervisor Lemcke responded that the meeting has been held on Tuesday for an extremely long time and indicated that alternate solutions could be considered in the future.

## **MINUTES – FEBRUARY 17, 2009**

**RESOLUTION NO. 75-2009** Motion by Councilman Carmestro, seconded by Councilman Smith, to accept the Minutes of the February 17, 2009 meeting.

Motion carried: Aye 4 Nay 0 Absent: Councilman Blackburn

## **TOWN CLERK REPORT**

The Town Clerk reported the Town Clerk and VFW Summary reports for February have been submitted. The Class of 1969 has reserved the Lloyd Pavilion for July 25<sup>th</sup> and may have more than the 125 limit. The Town Board did not have an objection. The full amount of the warrant for the 2009 taxes collection for the Town has been turned over to the Supervisor. Notice has been received that Forks Park Softball Complex has reapplied for their liquor license for the 2009 season. A copy of the North Greece Fire District financial audit which was approved by the North Greece Fire District Board at their February 24, 2009 meeting has been filed with the Town Clerk. The Clerk also reported the Village Clerk has responded that she will not have additional information on non-profit room rental at the community center until summer.

## **HIGHWAY DEPARTMENT REPORT**

Supt. Speer was not in attendance. Supervisor Lemcke asked Councilman Smith to check with the Highway Superintendent regarding seeing a Town Highway truck on February 21<sup>st</sup> at 1:30 a.m. on Elmgrove Road. Councilman Smith acknowledged a highway employee had informed him that he had gone to get coffee. There was discussion on not leaving the Town limits and the distance to go at that time of the night. Supervisor Lemcke felt it was not appropriate and that returning to the Highway garage was a better choice.

Supervisor Lemcke has also received a complaint about the numerous streetlights being out along Ridge Road and requested that the night watch person canvass the Town for lights that are out. Identified locations can be report to Marian Aprilano who will pass the information along to RG&E. Pat Buskey requested the light at Hill Road and Route 18 be added to the list. Marilyn DeMeyer requested the light at Bailey Road and Route 18 also be added.

## **BUILDING DEPARTMENT REPORT**

Mr. Barton reported he is still waiting for the last asbestos abatement report for the court offices. The Building Department Report for February has been submitted. He also noted he put copies of the spring training courses in the Board member's mailboxes. There is a SEQR introductory course being offered that might be of interest since there

have been more occasions coming before the Town Board. It will be held on March 12, 2009 at MCC.

## **RECREATION DEPARTMENT REPORT**

### **ACCEPTANCE OF BIDS– SPORTS FIELD LIGHTING PROJECT**

Mr. Fowler reported the bid opening was held on February 24, 2009 by Chatfield Engineers, P.C. The bid packet was designed around a base bid for placing field lighting on diamond #4 softball field and the multipurpose (football, soccer) field and a total of seven alternate projects. After reviewing the bids Mr. Fowler is recommending downsizing the scope of the project to stay within the \$250,000 grant funding and explained his reasoning. He has been in contact with the Dormitory Authority to verify that our grant amount would not be reduced because the scope of the project has been reduced. He was informed of the steps to be taken to initiate the necessary changes and that the \$250,000 would not be reduced because we can prove the scope of the contract will reach the \$250,000 threshold.

Chatfield provided a summary of the bids received (*See Schedule A at the end of the minutes*). They recommended the Town Board accept the low bid for the Base Bid amount of \$199,000 and award the Alternates B: Flag Pole Lighting for \$1,200; Alternate F: Conduit for Scoreboard at Field No.4 for \$1,700; and Alternate G: Relocate Scoreboard Remote Sensor for \$950 to Billitier Electric, Inc. A copy of the entire bid package is on file in the Town Clerk's office.

**RESOLUTION NO. 76-2009** Motion by Supervisor Lemcke, seconded by Councilman Carmestro, to accept the base bid of \$199,000 from Billitier Electric, Inc. and Alternates B, F and G totaling \$3,850 with the stipulation that we do not proceed forward until we have documentation that we are going to receive the money.

Motion carried: Aye 4 Nay 0 Absent: Councilman Blackburn

Mr. Fowler noted that he will work on getting the requested documentation and noted that the bids are binding for a set number of days. If this progresses into next month there is the possibility that the project would have to be rebid.

## **PARKS DEPARTMENT**

Mr. Petricone reported he has looked into having a phone line installed in the warming hut for the Park Attendants. There would be a \$75 installation fee and a \$20 per month charge. Supervisor Lemcke suggested he look at Time Warner as well.

A proposal will be submitted to replace an Exmark mower. Mr. Petricone will be meeting with the Fire Marshall next week. A propane leak was identified at the VFW and fixed. A problem with wires in the circuit panel in the Historical building has been indentified. Mr. Petricone also wanted to inform the Town Board of fires being started in the woods.

## **BICENTENNIAL**

Supervisor Lemcke stated he was going to challenge all employees to do a float in the Bicentennial parade. It was noted that the Recreation has already started plans for a float.

## **BUSINESS ITEMS**

### **HIGHWAY SALARIES – PART TIME**

This was moved to the March 17<sup>th</sup> meeting.

**APPLICATION OF K & K PROPERTY VENTURES TO REZONE A PORTION  
OF 4618 RIDGE ROAD WEST**

An application has been received to rezone the northerly portion of 4618 Ridge Road West which is currently zoned Light Industrial to Highway Commercial. The application and public hearing fees have been paid. There was discussion on the type of SEQR action, the portion of the parcel to be rezoned was under the 25 acre threshold and it was noted there is an identified wetland on the parcel. It was determined this would be an Unlisted action under SEQR.

**RESOLUTION NO. 77-2009** Motion by Councilman Carmestro, seconded by Councilman Comardo, to advertise a public hearing for the rezoning of the northerly portion of 4618 Ridge Road West from Light Industrial to General Commercial on April 7, 2009 at 6:30 p.m. at the Parma Town Hall and determined this will be an Unlisted action under SEQR.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

**USE OF FORCE POLICY**

The Use of Force Addendum has been reviewed and a copy of the reporting form has been provided. It was decided the word “Excessive” would be removed from the last paragraph’s heading.

**RESOLUTION NO. 78-2009** Motion by Councilman Comardo, seconded by Councilman Smith, to adopt the Use of Force Addendum to the Court Attendance Operational Guidelines; removing the “Excessive” from the title of the last paragraph.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

**REQUEST FOR PREPAID CHECK - EDENHOFER**

The final cost for the purchase of ID card equipment, PVC Cards, print ribbons and a Quickcam Communicate Webcam came to \$810.00. Mr. Edenhofer has requested a prepaid check to reimburse him for this purchase. It was noted the original authorization was for \$700.

**RESOLUTION NO. 79-2009** Motion by Supervisor Lemcke, seconded by Councilman Comardo, to authorize a prepay check to reimbursement to Tod Edenhofer \$810 for the purchase of ID card equipment and related supplies with the additional \$110 to come from Miscellaneous.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

**EMPLOYEE IDENTIFICATION BADGES**

The Board was in agreement that all Town employees and members of the various boards will have picture identification issued by the Town. The Special Police will do the first round of pictures on Friday March 13th from 10:00 am to noon. There was discussion on how the process will be handled after the initial issue of ID badges. It was determined that Marian Aprilano will be crossed trained and be the onsite representative. Digital photographs can also be provided by employees.

**DISPOSAL OF 1994 FORD F150 PICKUP TRUCK**

The Special Police had expressed interest in having the truck. After discussion it was

determined that it would not be kept by the Town. When the Special Police need a truck to move their equipment a town truck can be used. The Parks Department would be the best choice.

### **CELL PHONES**

There was discussion on the Sprint bills received for cell phones acquired by the Highway Superintendent. Supervisor Lemcke stated he had instructed the Finance Director to return to the 2 Verizon phones per the Town Board's direction. Supervisor Lemcke explained the actions which took place in trying to get the phones cancelled and back to the 2 which were budgeted. Supervisor Lemcke contacted the Attorney, who spoke to Sprint's legal department. This resulted in the Supervisor sending a letter and a copy of the Town Board resolution to Sprint's legal department. We are waiting for a response.

### **MISCELLANEOUS**

#### **HILTON-PARMA COMMUNITY COUNCIL OF CHURCHES**

The Hilton-Parma Community Council of Churches has contacted the Town about having information on the helping branches of their organization placed on the Town website. The Town Board was in agreement to post this information on the website.

#### **RELEASE OF FUND REQUEST COUNTRY VILLAGE ESTATES SUBDIVISION PHASE II-B**

Correspondence was received from Larsen Engineers recommending release of \$11,287.50 to Country Village Development, LLC for work completed for Phase II-B of the Country Village Estates Subdivision. A balance of \$34,908.50 would remain as contingency funds for a maintenance bond which has not been submitted as yet to cover the completed work.

**RESOLUTION NO. 80-2009** Motion by Supervisor Lemcke, seconded by Councilman Comardo, to release \$11,287.50 to Country Village Development, LLC for work completed for Phase II-B of the Country Village Estates Subdivision per the recommendation of Larsen Engineers leaving a balance of \$34,908.50.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

### **SPECIAL POLICE ACKNOWLEDGEMENT**

Correspondence to the Special Police was received from the Gates Police Department thanking the 3 Parma Special Police who volunteered their time to act as role players for the Gates Police Department active shooter in-service.

### **GREECE COBRA SOCCER CLUB PETITION**

Supervisor Lemcke reported that the return date for the Petition filed by the Greece Cobra Soccer Club has been adjourned to March 30<sup>th</sup> at the request of the attorney for the Soccer Club.

### **INTERMUNICIPAL AGREEMENT FOR INSTALLATION OF SIDEWALK ON THE WILDER ROAD BRIDGE**

This was approved at the last meeting. There was discussion on the informational meeting held by Monroe County Transportation Department.

### **DEPARTMENT OF ENVIRONMENTAL CONSERVATION - SOIL TESTING**

Supervisor Lemcke brought the Town Board up to speed on the stockpiled dirt soil testing. He spoke with the DEC person that Mr. Chart contacted regarding soil samples Mr. Chart took from dirt stockpiled at the Town Hall Park. The DEC representative indicated to Supervisor Lemcke that the 2.3 parts per million (it was not clear if this was millions or billions) is the food acceptance level for arsenic and cannot have more than that amount. Soil can have up to 13 parts per million before it is considered a hazard. It would not be uncommon to test soil from an orchard in the Town or Monroe County and have it be positive. Arsenic was commonly used in orchards in the past. The Town has purchased topsoil from Mr. Crowley that has been used by the Park and the Highway Departments. Mr. Crowley informed the DEC of this when arsenic was identified in soil from his property.

Supervisor Lemcke has contacted Chatfield Engineers asking them to take soil samples. The Town will not be involved in the actual process. They will contact Mr. Petricone as to where the stockpiled soil is located when they are ready to take the samples. Supervisor Lemcke informed Chatfield that the upper layer of the stockpile is soil from the fire department which was spread out to dry by the Highway Department. The remaining soil is residual from grading in the Park. Chatfield will give the samples to Paradigm Environmental Services for testing. They will return the results to Chatfield who will then provide to the Town Board.

### **INFORMATION ITEMS**

#### **INTERSECTION LIGHTING**

Follow up on the request for a streetlight at Peck Road and Trimmer Road was moved to the next meeting.

#### **WIND ENERGY**

The Village of Hilton is researching wind energy as an energy source and if pursued would make wind energy a possibility in the Town of Parma. Supervisor Lemcke explained if a wind energy company was interested in locating in the Town there is criteria they look for as part of identifying possible locations (location to a grid, wind speed, payment in lieu of taxes, etc.). One of the criteria they look for is whether the municipality(ies) would be willing to accept a PILOT program as a payment in lieu of taxes. Wind energy companies are exempt from taxes and this type of program would allow the involved jurisdictions (Town, Village and School District) to get some tax monies that it would not otherwise receive. The payments start out small and increase over a period of time. Discussion followed and no one was opposed to a PILOT program. It was noted that this is not an endorsement or approval for wind energy in the Town. The consensus was that if there was to be wind energy produced in the Town, the Town would at least receive something.

#### **COMPUTEL CONSULTANTS**

Supervisor Lemcke reported Computel Consultants has contacted the Town regarding underpayment of cable franchise fees. They would complete an audit of the Time Warner franchise fees in hopes of identifying errors. There fee would be 50% of any refund received. There was discussion and it was decided that Marian Aprilano would be asked to research other companies that provide this service.

#### **MISCELLANEOUS**

Supervisor Lemcke reported another worker compensation claim has been filed. He also reported the amount received for 4<sup>th</sup> quarter sales tax distribution to the Town is down

14%. The federal stimulus package is expected to bring funding for 4 projects within the Town of Parma. These have been designated as shovel ready projects and will be put out to bid for local contractors. It was also noted that Attorney General Cuomo's office will be hosting a presentation on saving and protecting your home which will deal with refinancing and predatory scams. It will be held at the Town of Greece on March 5<sup>th</sup>.

### **2009 APPLEFEST**

The Apple Fest Committee has requested use of a gator and the assistance of the Parma Special Police for this year's Apple Fest on October 3<sup>rd</sup> and 4<sup>th</sup>.

**RESOLUTION NO. 81-2009** Motion by Councilman Comardo, seconded by Councilman Carmestro, to allow use of a gator for this year's Apple Fest on October 3, 2009 and October 4, 2009.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

### **SAFETY INSPECTION**

Selective Insurance performed a random safety management survey which identified one correction needed at the Highway garage. Supervisor Lemcke indicated this might be addressed when Mr. Petricone goes with the Fire Marshall next week for the Town facility inspections. Supt. Speer will be given a copy.

### **LIAISON REPORTS**

\*\*Councilman Smith reported Mr. Fritz has 14 open complaints. There are 3 or 4 buildings that have received Do Not Occupy status. They have either had the water and power shut off or have been unoccupied more than 6 months. They will have to be re-inspected before they can be occupied. Special use permits are being brought up to date.

\*\*Councilman Comardo reported he had a conflict for the last Recreation Commission meeting but expects to be at the next meeting. The Special Police is looking for a location for their communication equipment. The new fire hall has been offered. It was noted that the building is approximately the same height as the Highway garage across the street and we might want to consider placing it there because it is a town building.

During the Special Police meeting there was discussion regarding the NYS Unified Court System absorbing Town court attendants in various municipalities so they can be run from one central state office. It is not clear at this time when or if Parma will be affected. He expects more information will follow.

\*\*Councilman Carmestro reported he had been at the Village meeting prior to coming here. There were a number of citizen neighborhood complaints and no other action had been taken before he left. The Fire Department is on schedule for their move and their generator has arrived.

Councilman Carmestro directed a representative from Blue Rock Energy to the Finance Director. His company offers a lower therm rate for gas than RG&E. Preliminary numbers indicate there could be \$4,000 to \$5,000 in potential savings. He is checking with the Better Business Bureau and more information will be forthcoming.

Councilman Carmestro received an email from Denise Legory on behalf of the Hilton Select Basketball program. They would like to plant a tree and place a plaque near the basketball courts in honor of Mike Miller and Todd Prince for their work since the start of the program.

A list of items that need to be done in the Parks Department for 2009 was provided. Items reviewed on the list included the skate park, resurfacing of the tennis and basketball courts, trading in the Exmark mower, need for a new roof at the VFW lodge and soffit and fascia repair on the park maintenance building. Discussion followed on those topics. Mr. Petricone was asked to remove any skate park ramps that are unsafe,

leave the one good ramp, to watch for any better ramps that might become available and to get quotes for resurfacing the tennis and basketball courts. It was noted a quote was obtained from Brodner Mower for a new Exmark mower. After trade-in on the current mower the cost would be \$7,499. Numerous opinions were expressed on the list and included: there is high use of the skate park, funds are provided for other recreational uses in the park and the skate park is also deserving, dollars might be better used on maintaining the courts than on the skate park or a new mower, and skate boarding has evolved into more of a street park venue which is more inline and free style skating. It was also noted that the Recreation Commission has discussed ice skating as a possible offering.

Councilman Carmestro has started discussions with the Hilton Raiders for field usage and will be having a meeting with the VFW Post to discuss their agreement with the Town for the VFW Lodge.

\*\*Supervisor Lemcke reported the Library Board is looking into new carpeting and other vendors for replacement of the front doors.

### **ENTER INTO EXECUTIVE SESSION**

**RESOLUTION NO. 82-2009** Motion by Supervisor Lemcke and Councilman Carmestro, seconded by Councilman Comardo to enter into Executive Session regarding a workplace violence issue pertaining to a particular employee's employment history and the employment of a particular business leading to work with the Town of Parma.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

The Board entered into executive session at 8:10 p.m.

### **CLOSE EXECUTIVE SESSION**

**RESOLUTION NO. 83-2009** Motion by Councilman Carmestro, seconded by Councilman Comardo, to close the Executive Session at 9:07 p.m. and return to regular session.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

There being no further business before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 9:08 p.m., seconded by Councilman Comardo.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk

**Schedule A**

**Bid Tabulation for the Town of Parma  
 Town Park Field Lighting  
 February 24, 2009 - 11:00 a.m.**

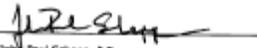
Description	Qty	Unit	Biller Electric, Inc. 737 Atlantic Avenue Rochester, NY 14609	O'Connell Electric Co. 820 Phillips Road Victor, NY 14564	M.L. Caccamise Electric 721 Portland Avenue Rochester, NY 14621	Calles Electric, Inc. 49 Ajax Road Rochester, NY 14624
			Amount	Amount	Amount	Amount
Utility Connection, Transformer & Controls	1	LS	\$21,000.00	\$27,200.00	\$27,545.00	\$25,200.00
Multipurpose Field Lighting	1	LS	\$103,000.00	\$103,000.00	\$112,256.00	\$114,200.00
Field No. 4 Lighting	1	LS	\$75,000.00	\$74,600.00	\$74,516.00	\$77,375.00
<b>Total Amount Base Bid</b>	<b>1</b>	<b>LS</b>	<b>\$199,000.00</b>	<b>\$204,800.00</b>	<b>\$214,317.00</b>	<b>\$216,775.00</b>
Alternate A: Field No. 2 Lighting	1	LS	\$108,000.00	\$101,400.00	\$113,148.00	\$112,000.00
Alternate B: Flag Pole Lighting	1	LS	\$1,200.00	\$1,100.00	\$1,310.00	\$1,400.00
Alternate C: Bolling Cage Lighting	1	LS	\$7,000.00	\$7,000.00	\$6,598.00	\$5,275.00
Alternate D: Receptacle at Field No. 3	1	LS	\$2,500.00	\$1,300.00	\$1,675.00	\$2,970.00
Alt. E: Field No. 2 Scoreboard Conduit	1	LS	\$1,600.00	\$1,230.00	\$305.00	\$1,250.00
Alt. F: Field No. 4 Scoreboard Conduit	1	LS	\$1,700.00	\$1,530.00	\$877.00	\$695.00
Alternate G: Receptacle Scoreboard Remote	1	LS	\$950.00	\$1,270.00	\$1,228.00	\$1,610.00

Note: Shaded cell represents corrected mathematical error.

**Bid Tabulation for the Town of Parma  
 Town Park Field Lighting (Continued)**

Description	Qty	Unit	Eastcoast Electric, LLC 546 Lyell Avenue Rochester, NY 14606	Connors Hoss Inc. 6337 Dean Parkway Oranito, NY 14619
			Amount	Amount
Utility Connection, Transformer & Controls	1	LS	\$31,069.00	\$33,000.00
Multipurpose Field Lighting	1	LS	\$115,655.00	\$136,000.00
Field No. 4 Lighting	1	LS	\$85,152.00	\$93,000.00
<b>Total Amount Base Bid</b>	<b>1</b>	<b>LS</b>	<b>\$231,876.00</b>	<b>\$262,000.00</b>
Alternate A: Field No. 2 Lighting	1	LS	\$117,102.00	\$141,000.00
Alternate B: Flag Pole Lighting	1	LS	\$1,113.00	\$1,500.00
Alternate C: Bolling Cage Lighting	1	LS	\$7,365.00	\$7,700.00
Alternate D: Receptacle at Field No. 3	1	LS	\$5,380.00	\$4,100.00
Alt. E: Field No. 2 Scoreboard Conduit	1	LS	\$913.00	\$700.00
Alt. F: Field No. 4 Scoreboard Conduit	1	LS	\$2,586.00	\$2,100.00
Alternate G: Receptacle Scoreboard Remote	1	LS	\$2,004.00	\$2,200.00

I certify that this tabulation of bids is a true representation of the bids received on February 24, 2009 for this project.

By:   
 John Paul Schopp, P.E.  
 Chetfield Engineers, P.C.  
 2800 Doney Avenue  
 Rochester, NY 14616