

Parma Town Board meeting held on Tuesday, September 1, 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
Building Inspector	Jack Barton
Highway Superintendent	Brian Speer
Recreation Director	Steve Fowler

OTHERS IN ATTENDANCE

Carol Kluth, Tom Bertrand, Bob Prince, Helen Ives, Gene DeMeyer, Peter McCann, John Chart, Jim Zollweg, Dick Vance 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.

Soil Testing - John Chart provided the Town Board with a summary of the soil testing results he took from the football/multi-purpose field at Town Hall Park for arsenic and lead. A full copy of the results was provided to the Town Clerk along with pictures and a map of the locations of each test. He noted the results of the samples he took were significantly higher than the numbers allowed by the DEC. He felt there was a significant danger to those using the field. He would like to see the area roped off, the soil covered or scraped off, and have a new surface put on to remove the risk.

Mr. Chart was questioned on how the samples were taken. There was further discussion on a DEC request for the Town to produce the details of the samples taken by Chatfield Engineers. There was disagreement between Mr. Chart and Supervisor Lemcke on when the information was to be provided but a response by September 2nd was noted. Mr. Foti from the DEC has asked for a letter from the Town indicating where the soil in question is in the park and a complete narrative from Chatfield Engineers of how and where the soil samples were taken. Supervisor Lemcke noted that he is looking for agreement from the Town Board to provide the information as requested. Supervisor Lemcke consulted with the Park Foreman and it was noted that the soil was used on the multipurpose/football field and could have been used along the roadsides to fix snowplow damage and a drainage swale. It was noted that the samples taken by Chatfield Engineers followed the procedures per DEC instructions at the time. These differ from Mr. Chart's selection. There was further discussion and debate on what is considered a health hazard.

Tom Bertrand asked what the cost has been to do the sampling. There was discussion and it was noted the Town has not been billed but that \$3,000 had been authorized. Mr. Bertrand commented that the Town received recommendations for the testing, paid for the testing to be done as requested and has done due diligence in doing what was asked for.

Supervisor Lemcke will move forward with providing the information requested by the DEC. The Town Board will be copied on what will be sent.

MINUTES – AUGUST 18, 2009

RESOLUTION NO. 190-2009 Motion by Councilman Smith, seconded by Councilman Comardo, to accept the Minutes of the August 18, 2009 meeting as submitted.

Motion carried: Aye 5 Nay 0

TOWN CLERK REPORT

The Town Clerk and VFW Summary for the month of August have been submitted. School Tax bills were mailed Monday and payments have started to come in. The Town Board was reminded that the next Town Board meeting will be September 22nd at 6:30 pm.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported they are catching up on workloads and still have work to finish on Bennett and Huffer Road. The bridge over Wilder Road is expected to be open for the start of school. Paving on Wilder Road from East Avenue to Manitou Road is expected to start September 14th.

There was discussion on the paving of Manitou Road north of the Ridge. Councilman Smith inquired about needed work on North Avenue acknowledging that Supt. Speer has no control over when the projects are done. Supt. Speer noted that all parties are aware and felt the reason it is not being done at this time was because the condition has deteriorated to the extent that a complete redo would be necessary rather than repairs similar to what is being done on current roads. Supt. Speer will ask again when he attends a preconstruction meeting for Curtis Road.

There was a brief discussion on the skate park ramps.

Supervisor Lemcke asked about the status of Highway Department monthly reports. Supt Speer indicated he was working on it.

BUILDING DEPARTMENT REPORT

Mr. Barton reported the monthly Building Report for August has been submitted. He informed the Town Board that he has been in contact with the Town Attorney regarding code violations at the 4742 Ridge Road West. It is now time to continue to the Supreme Court as has been already approved by the Town Board. The Code Enforcement Officer and the Fire Marshall have made a site visit to provide an updated accurate list of violations.

He also informed the Town Board that the Building Department is looking at how they review commercial projects as it pertains to change of tenants, change of use and currently try to get them in front of the Planning Board when not meeting code. They would like to offer help up front for the requirements and will be more involved by having a business plan and possibly a site plan where needed.

Court Addition – The contractor was out at the beginning of the week to finish closing up the exterior and the contractor still expects completion by the middle of September.

There was discussion on the number of building permits. Mr. Barton noted they are being classified differently since the new BAS software was installed. Three new home permits were issued and two are in review.

RECREATION DEPARTMENT REPORT

Mr. Fowler introduced Charlie Hutton who will be interning through SUNY Brockport with the Recreation Department on a full time basis through the second week in December. Mr. Hutton graduated from Hilton High School.

Senator Robach's office has informed the Town that the capital grant for the Town Hall Park Field Lighting Project could be reinstated by the Dormitory Authority in mid-September. Chatfield Engineers will be contacting Billitier Electric, LLC to discuss the original low bid for the purchase and installation of the lighting system.

The fall program brochure is expected back from the printer this week. Mr. Fowler noted there will be over seventy program offerings with registration to begin September 8th.

The following events for September and October were highlighted:

Active Aging Week	September 21 st -25 th
Parma Cyclocross	October 4 th
Knights of Columbus Soccer Challenge	October 10 th
Community Halloween Party	October 17 th
Flu Shot Clinic	October 20 th
Make A Difference Day	October 24 th

Additional information was provided for Active Aging Week which will promote healthy lifestyles by providing older adults the opportunity to experience activities and exercise in a safe, friendly and fun atmosphere.

APPROVAL OF FINAL PAYMENT – NYSRPS

Payment was requested to settle the account with NYSRPS for the sale of discounted amusement park tickets by September 8, 2009.

RESOLUTION NO. 191-2009 Motion by Councilman Comardo and seconded by Councilman Carmestro, to authorize payment of \$138 to NYSRPS for the remaining balance of consignment tickets.

Motion carried: Aye 5 Nay 0

PARKS DEPARTMENT

Mr. Petricone reported staff is making repairs to the cross country trails and removing dead trees in wooded areas. He noted there is little new growth in the wooded areas and is considering contacting the DEC Forestry Department to request an evaluation of the area. Siding work has been completed at the warming hut and other bathrooms. Dismantling of the skate park ramps from the Town of Richmond has started.

BUSINESS ITEMS

ABOVE GROUND FUEL STORAGE TANKS

Mr. Prince has provided a rough draft for revisions to the Town's Fire Code for above ground fuel storage tanks and noted points to be considered for review. Town Board members can make any revisions they would like and present at the next meeting.

KING HAMLIN - PARMA SANITARY SEWER

A Petition for the Establishment of a Sanitary Sewer to serve the King Hamlin-Parma Subdivision has been received. The proposed sewer district can connect to West Hill

Estates and extend down Hamlin Parma Town Line Road on the Parma side of the road or an intermunicipal agreement with the Town of Hamlin will be necessary if the connection goes directly under Hamlin Parma Town Line Road. Parma is drafting wording which will be presented to the Town of Hamlin for approval.

SCHEDULE PUBLIC HEARING
KING HAMLIN – PARMA SANITARY SEWER DISTRICT

RESOLUTION NO. 192-2009 Motion by Councilman Comardo and seconded by Councilman Roose, to hold a public hearing for the establishment of the King Hamlin-Parma Sanitary Sewer District on October 6, 2009 at the Parma Town Hall at 6:30 pm.

Motion carried: Aye 5 Nay 0

SAFE PLACE PROGRAM - CENTER FOR YOUTH SERVICES

Mr. Fowler has provided a copy of the ‘Safe Place’ brochure and a list of businesses and other municipalities involved in this service. He requested that if the Town decides to become a designated Safe Place that they discuss making the Community Center a designated location at the next joint meeting with the Village. This would allow Recreation Department personnel to participate in the program as well. There did not appear to be any specific costs to the Town to participate other than the time staff would be trained.

RESCIND RESOLUTION NO. 189-2009 TO CORRECT WARRANT APPROVED
AUGUST 18, 2009

The Finance Department has corrected an entry for payroll items which were inadvertently entered into Trust & Agency. The actual amount to be paid from the Trust & Agency should be \$6,454.01.

RESOLUTION NO. 193-2009 Motion by Councilman Smith and seconded by Councilman Comardo, to rescind Resolution No.189-2009.

Motion carried: Aye 5 Nay 0

APPROVE CORRECTED WARRANT

RESOLUTION NO. 194-2009 Motion by Councilman Smith and seconded by Councilman Carmestro, to approve payment of the warrant including the changes to the General Fund and Trust and Agency as submitted below.

		FUND TOTALS	
AOO	General Fund	\$	109,772.01
BOO	Part Town	\$	4,179.33
DAO	Highway, Townwide	\$	1,746.26
DBO	Highway, Part Town	\$	71,137.51
SDO	Townwide Drainage	\$	10,388.53
TAO	Trust & Agency	\$	6,454.01
		GRAND TOTAL:	\$ 203,677.65

Motion carried: Aye 5 Nay 0

BUDGET TRANSFERS

TRANSFERS TO BUDGET

Sep-09

ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
AOO514141048000	MISC EXPENSE	700.00	AOO514141041000	OFFICE SUPPLIES	700.00	CURRY
AOO514133048000	MISC EXPENSE	300.00	AOO514133041000	OFFICE SUPPLIES	300.00	CURRY
AOO575751046000	CONTRACTED SERVICES	1,100.00	AOO576752044400	WATER	100.00	GAVIGAN
			AOO576752048000	MISC EXPENSES	1,000.00	GAVIGAN
BOO537362045100	GASOLINE	750.00	BOO537362045200	VEHICLE MAINTENANCE	750.00	BARTON
BOO589809041000	OFFICE SUPPLIES	2,000.00	BOO589809046000	CONTRACTED SERVICES	2,000.00	GAVIGAN
AOO516144047500	ENGINEERING	400.00	AOO516167046800	CREDIT CARD FEES	400.00	GAVIGAN
	B SURPLUS	35,015.00	AOO571711049000	PARK IMPROVEMENTS	35,015.00	GAVIGAN
AOO575752048000	MISC EXPENSES	14,000.00	AOO575752046000	CONTRACTED SERVICES	14,000.00	GAVIGAN
AOO575751046000	CONTRACTED SERVICES	1,600.00	AOO575752043100	BOOKS/SUBSCRIPTIONS	500.00	GAVIGAN
			AOO575752046000	CONTRACTED SERVICES	1,000.00	GAVIGAN
			AOO575752044400	WATER	100.00	GAVIGAN
AOO510101043000	EDUCATIONAL	50.00	AOO510101041000	OFFICE SUPPLIES	50.00	GAVIGAN
AOO516168046000	CONTRACTED SERVICES	2,560.00	AOO513131046000	CONTRACTED SERVICES	2,560.00	GAVIGAN
AOO516144047500	ENGINEERING	7,000.00	AOO516142047400	LEGAL/TOWN	7,000.00	GAVIGAN
AOO516144047500	ENGINEERING	600.00	AOO516143046300	EMPLOYEE HANDBOOK	600.00	GAVIGAN
AOO536364021100	FIELD EQUIPMENT	1,500.00	AOO536364021000	EQUIPMENT	1,500.00	EDENHOFER
LOO574741042200	EQUIPMENT REPAIR	2,000.00	LOO574741041000	OFFICE SUPPLIES	1,000.00	KIRK
			LOO574741041500	JANITORIAL SUPPLIES	400.00	KIRK
			LOO574741049200	VISITING ARTIST	600.00	KIRK
AOO570762040005	OTHER ADULTS	50.00	AOO570714049201	PLAYGROUND BEAR	50.00	FOWLER
AOO570762040005	OTHER ADULTS	125.00	AOO570714049001	PLAYGROUND TOTS	125.00	FOWLER
AOO570762040005	OTHER ADULTS	50.00	AOO570714041601	SUPPLIES	50.00	FOWLER
AOO570762049705	ADULT GOLF	750.00	AOO570714011001	SUMMER HELP STAFF	7,850.00	FOWLER
AOO570731549003	BASEBALL TEAM	1,000.00				
AOO570731049932	FIELD HOCKEY	1,000.00				
AOO570731049902	KARATE	1,000.00				
AOO570731049702	CERAMICS	1,000.00				
AOO570731049402	KIDS KALEIDOSCOPE	1,000.00				
AOO570731046022	HCS BLDG	2,100.00				
AOO570761049304	SR TOURNAMENTS	350.00	AOO570714049101	PLAYGROUND YOUTH	350.00	FOWLER
AOO570762040005	OTHER PROGRAMS	460.00	AOO570731049742	GOLF LEAGUE	460.00	FOWLER
AOO570731049102	BATON EXPENSE	700.00	AOO570731011002	BATON STAFF	700.00	FOWLER
AOO570731049832	TENNIS	10.00	AOO570731049242	INST SOCCER	10.00	FOWLER
AOO570761049704	SR FITNESS	2,150.00	AOO570731049132	SOCCER CAMPS	2,150.00	FOWLER
AOO570731049832	TENNIS	450.00	AOO570731049732	BASKETBALL CAMP	450.00	FOWLER
AOO570731049642	TEEN TRIPS	1,650.00	AOO570714013001	BEAR STAFF	1,650.00	FOWLER
AOO570731049032	SWIM CAMP	3,500.00	AOO570714012001	TOT PLAYGROUND	4,600.00	FOWLER
AOO570731549503	FLOOR HOCKEY	1,100.00				
AOO570731049142	SKI CLUB	2,500.00	AOO570714049101	PLAYGROUND YOUTH	5,550.00	FOWLER
AOO570762049905	SWIMMING ADULT	1,500.00				
AOO570731549103	SOFTBALL TEAM	1,000.00				
AOO570762049005	AEROBIC FEE	550.00				
AOO570731049542	THEATRE EXP	3,115.00	AOO570731049842	OTHER PROGRAMS	3,115.00	FOWLER
AOO570731049332	SOFTBALL CAMP	380.00	AOO570762049605	T SHIRTS	380.00	FOWLER
AOO570731049002	VOLLEYBALL YOUTH	705.00	AOO570762049105	APPLE DERBY	705.00	FOWLER

RESOLUTION NO. 195-2009 Motion by Councilman Comardo, seconded by Councilman Smith, to approve the Budget Transfers as submitted.

Motion carried: Aye 5 Nay 0

2010 BUDGET

Supervisor Lemcke provided a copy of his proposed budget for 2010 to the Town Board noting a zero percent increase in the tax rate, highlighted items which would impact the budget process and made recommendations. A copy of the Fund Balance sheet and a chart indicating the revenues and expenses by department was also provided. A budget schedule as provided will be followed.

INFORMATION ITEMS

OPEN SPACE UPDATE

A meeting was held at the Town of Perinton for the Supervisor's Association regarding term easements for the preservation of farmland and open space. Marilyn DeMeyer of our Farmland and Open Space Committee attended. The Town of Perinton has used this and provided a template for other Towns to use.

Term easements were explained as an opportunity where a landowner agrees to a 5 to 10 year easement for the land to remain undeveloped. Development rights were explained as the exchange of money for the control of all future development even when the property is sold. In a term easement, the property would be devalued allowing the

property owner to pay less tax, similar to an agricultural exemption. There would be a penalty formula to get out early. It was noted that should a property owner opt out early, the penalty paid could go to a fund designated to purchase development rights and easements. A term easement would be more feasible for properties which are not currently used for agricultural and development could be deterred.

On the plus side it would prevent development for the 5 to 10 year period without needing to have the cash flow to purchase development rights. The downside would be that it could cost the Town more to purchase the property rights if the land value appreciates.

APPELLATE COURT – BEEHLER vs. TOWN OF PARMA

Arguments will be heard for the Beehler annexation appeal on September 8, 2009 at 10:00 am. A decision could be expected October 1st.

VILLAGE OF HILTON – SANITARY SEWER SIDEWALK REQUESTS

As a result of two new property owners within the area of a request for access to sanitary sewers between Hilton Drive and Tallwood Drive, Mayor Gurslin sent a memo regarding access to sewers and sidewalks. A copy was provided to the Town Board and included a questionnaire.

MISCELLANEOUS

Public Information and Communications Team – Hamlin Supervisor Denny Roach represented the Supervisor Association at a meeting held by Monroe County to address the H1N1 flu. There was discussion on dividing the County into four quadrants to administer vaccine.

Correspondence was received from the United Church of Christ thanking the Special Police for their assistance with their 175 Anniversary Celebration.

Supervisor Lemcke has been called out of town for periods over the next few weeks. Councilman Carmestro will act as Deputy Supervisor. Supervisor Lemcke will be available via phone and email and will keep the Town Board apprised of his situation.

LIAISON REPORTS

**Councilman Smith reported the Code Enforcement Officer has provided a year to date report on complaints. Out of 143 complaints 63 have been closed.

**Councilman Carmestro reported he visited the Hilton Raider games this past weekend. He received no negative feedback on the soil testing issue and comments received indicated people were very pleased with fields and use of the park. Park staff felt it was the best organized function held at the Park.

Councilman Carmestro attended the Village Board meeting prior to coming to this meeting. There was discussion on the haunted house venue held by a private resident each year. A petition has been received against having the venue and it has been referred to the Village Zoning Board. A synopsis was provided to the Village on Make A Difference Day and consideration is being given to providing monetary support as the Town has done.

ENTER INTO EXECUTIVE SESSION

RESOLUTION NO. 196 -2009 Motion by Councilman Carmestro, seconded by Councilman Comardo, to enter into Executive Session to discuss the employment history of a particular employee.

Motion carried: Aye 5 Nay 0

The Board entered into executive session at 7:52 p.m.

CLOSE EXECUTIVE SESSION

RESOLUTION NO. 197 -2009 Motion by Councilman Carmestro, seconded by Councilman Smith, to close the Executive Session at 8:12 p.m. and return to regular session.

Motion carried: Aye 5 Nay 0

There being no further business before the Town Board, Councilman Smith made a motion to adjourn the meeting at 8:12 p.m., seconded by Councilman Comardo and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk