

Parma Town Board meeting held on Tuesday, October 6, 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
Highway Superintendent	Brian Speer
Building Inspector	Jack Barton
Recreation Director	Steve Fowler

OTHERS IN ATTENDANCE

Gene DeMeyer, Bob Prince, Helen Ives, Scott Nasca, John Chart, Mike Weldon, Jim Zollweg, Carol Kluth, Tom Bertrand, Art Cosgrove, Dave Keech, Joseph Reinschmidt, Dick Vance, Sharon Smith, Vlad Toplancy, Donald Lodge, Kris Olks 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 HEARING
KING HAMLIN-PARMA SANITARY SEWER

Supervisor Lemcke opened the public hearing for the creation of the King Hamlin-Parma Sanitary Sewer District at 6:31p.m. The following legal notice was read and posted as required.

Legal Notice
Town of Parma

**Public Hearing for Establishment of a Sanitary Sewer District for
King Hamlin-Parma Subdivision Sanitary Sewer District**

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE TOWN BOARD OF THE TOWN OF PARMA ON OCTOBER 6, 2009 AT 6:30 PM IN THE PARMA TOWN HALL, 1300 HILTON PARMA CORNERS ROAD, HILTON, NEW YORK TO CONSIDER THE FOLLOWING:

A Petition has been filed by Marshall King to establish a Sewer District of the Town of Parma to be know as, the King Hamlin-Parma Subdivision Sanitary Sewer District, described in Schedule A and a map has been prepared by Avery Engineering and Land Surveying Associates, PC relating to the facilities, improvements and services in a portion of the Town of Parma, wherein the King Hamlin-Parma Subdivision Sanitary Sewer District is proposed to be established, and such Petition, description and map has been duly filed in the office of the Town Clerk of the Town of Parma. The full text of said Petition and map shall be available for inspection at the Parma Town Hall during normal business hours. Interested parties may contact the Town Clerk at 392-9461.

See Schedule A at end of minutes for legal description

There was no one present on behalf of the applicant. This request was identified as an Unlisted Action; the Town Board proceeded with SEQR and reviewed the Short Environmental Assessment Form. There were no questions from the Board.

ENVIRONMENTAL ASSESSMENT REVIEW
KING HAMLIN-PARMA SANITARY SEWER

RESOLUTION NO. 206-2009 Motion by Councilman Carmestro, seconded by Councilman Comardo,

WHEREAS, the application for creation of the King Hamlin-Parma Sanitary Sewer District was identified as an Unlisted Action under SEQR, and

WHEREAS, the Short Environmental Assessment Form pertaining to the creation of the King Hamlin-Parma Sanitary Sewer District was reviewed, and

NOW THEREFORE BE IT RESOLVED, that the proposed action would not result in any significant adverse effects, and a negative declaration was made for the King Hamlin-Parma Sanitary Sewer District.

Motion carried: Aye 5 Nay 0

Supervisor Lemcke asked if there was any public input. John Chart asked if there would be any impact from arsenic because this was an old apple orchard. Mr. Barton responded that the topsoil has been excavated from the area where the homes will be built and a plan was put together with the DEC to stockpile and cap the soil in a different area.

Supervisor Lemcke closed the public hearing at 6:38 p.m.

ORDER TO ESTABLISH DISTRICT
KING HAMLIN-PARMA SANITARY SEWER

RESOLUTION NO. 207-2009 Motion by Councilman Carmestro, seconded by Councilman Roose,

At a Regular Meeting of the Town Board of the Town of Parma, in the County of Monroe, New York, held at the Parma Town Hall on the 6th day of October 2009.

PRESENT: Richard Lemcke, Supervisor
Carmey Carmestro, Board Member
James Smith, Board Member
Gary Comardo, Board Member
James Roose, Board Member

In the Matter of the Establishment of the King Hamlin-Parma Sanitary Sewer District, in the Town of Parma, County of Monroe, State of New York,

**ORDER
ESTABLISHING
DISTRICT**

WHEREAS, a Petition by the affected property owners (hereinafter "Petitioner-property owners") and a map, plan and report relating to the establishment of a proposed King Hamlin-Parma Sanitary Sewer District prepared by Avery Engineering and Land Surveying Associates, P. C., in a manner and in such detail as has been determined by this Town Board, have been duly filed with the Town Clerk in accordance with the requirements of article 12 of the Town Law, and

WHEREAS, An Order Calling for a Public Hearing was duly adopted by this Town Board on September 1, 2009, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the proposed method of financing, the fact that the map, plan and report describing the same were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying October 6, 2009 as the date, at 6:30 p.m., on said day as the time, at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York 14468 as the place where this Town Board would meet and consider said map, plan and report, and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required or authorized by law; and

WHEREAS, such Order was duly published and posted as required by law; and

WHEREAS, a hearing on said matter was duly held by said Town Board on October 6, 2009 at 6:30 p.m. on said day, in the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York, 14468, and no person appearing in opposition to and the Petitioners-property owners, appearing in support thereof; and

WHEREAS, pursuant to said petition, it is the intention of the Petitioner-property owners, as the owners of said properties in said Sanitary Sewer District, to construct said sewer improvements solely at their own expense now, and the maximum amount to be expended by the Town in the construction of said Sanitary Sewer District is \$25,000.00, and the maximum amount to be expended annually for sewer service is approximately \$50.00 per unit; and

NOW, after due deliberation, it is

RESOLVED AND DETERMINED

- A. That the Notice of Hearing was published and posted as required by law, and is otherwise sufficient;
- B. That all property and property owners within the proposed district are benefited thereby;
- C. That all property and property owners benefited are included within the limits of the proposed district;
- D. That it is in the public interest to establish said district; and be it further

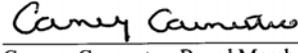
RESOLVED AND DETERMINED, That the establishment of the proposed district as set forth in said map, plan and report be approved; that the improvements herein mentioned be constructed by the Petitioner-property owners; and such district shall be known and designated as King Hamlin-Parma Sanitary Sewer District and shall be bounded and described as set forth in Exhibit A attached hereto and made part hereof; and be it further

RESOLVED AND DETERMINED, That the sewer improvements for said district are to be constructed by Petitioner-property owners, owners of the Exhibit A premises, wholly at their own expense, said expense being allocated amongst said property owners as they shall mutually agree, and said Petitioner-property owners have offered to convey the same without cost to the Town of Parma, free and clear of any encumbrances, except right of access to said improvement by adjoining landowners; that the cost of connecting the same with the Town of Parma sewer system shall be borne by the properties benefited thereby; and be it further

RESOLVED AND DETERMINED, That the Town Clerk be, and hereby is, authorized and directed to file a certified copy of this Order in the Office of the Clerk of Monroe, which is the County in which said Town of Parma is located, and in the Office of the State Department of Audit & Control, Albany, New York State, within ten days after adoption of this Order, pursuant to the provisions of section 195 of the Town Law.

DATED: October 6, 2009
Parma, New York


Richard Lemcke, Supervisor


Carmey Carmestro, Board Member


James Smith, Board Member


Gary Comardo, Board Member


James Roose, Board Member

See Schedule A at end of minutes for legal description.

SEWER DISTRICT AGREEMENT
KING HAMLIN-PARMA SANITARY SEWER

RESOLUTION NO. 208-2009 Motion by Councilman Roose, seconded by Councilman Comardo, approve a Sewer District Agreement between the Town of Parma, acting on behalf of the King Hamlin-Parma Sewer District and the Town of Hamlin; conditional upon the approval by both Town's attorneys.

Motion carried: Aye 5 Nay 0

Mr. Barton noted this will now be passed on to the Town of Hamlin for their approval.

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.

Robert Prince addressed the Town Board regarding an ongoing drainage issue on Manitou Road and James Moore Circle. He provided pictures of the property owners concerns. The property owners would like the developer to create a swale on the developer's property. There was discussion resulting in having Mr. Prince taking these concerns to the Planning Board with the hope of bringing the Town's Engineer and the developer together for a solution.

Joseph Reinschmidt expressed his dissatisfaction that DW (Deutsche Welle) was no longer available on our cable access channels. He felt this was a good news and human interest program and provided a worldwide perspective not available on American channels. He inquired why the change was made and why there was no notice to residents. Supervisor Lemcke explained the decision was a cost savings to the Town and will provide upgraded technology. Time Warner is obligated to provide cable access under their agreement and will replay any feed or tape they are provided. These services had previously been provided by Educable. An executive committee consisting of supervisors from the westside communities was tasked to research community/government access. Councilman Roose noted there had been information in

the Democrat and Chronicle. Supervisor Lemcke noted this has been discussed with the Town Board.

Mr. Chart asked about the status of information provided to the DEC, and the Monroe County Department of Health. Supervisor Lemcke indicated this will be discussed under Miscellaneous items on the agenda.

MINUTES – SEPTEMBER 22, 2009

RESOLUTION NO. 209-2009 Motion by Councilman Smith, seconded by Councilman Carmestro, to accept the Minutes of the September 22, 2009 meeting and reflect the change on page two, second paragraph. Second to the last sentence to be changed from “change” to “chain”.

Motion carried: Aye 5 Nay 0

TOWN CLERK REPORT

The Town Clerk Monthly Report and VFW Summary for September have been submitted. Notice was received on the public hearing for the 2010 Spencerport Fire District Budget. This has been posted as required. Town Board members were reminded of the joint meeting on October 13, 2009 and asked to provide agenda topics by Thursday to the Town Clerk. It was also noted the first meeting in November will be held on November 4, 2009.

Legislation has been passed at the county and state level which will allow for the option of partial payments and the addition of a fourth installment for the upcoming January Town and County tax collection. The Town Clerk informed the Town Board that the legislation included the option to charge a \$5.00 fee for partial payments and noted that most towns are not opting to enact the charge at this time but will wait to see how much impact the additional payments will have. The Town Board was in agreement not to charge the \$5.00 service fee for partial payments.

The Town Clerk reported that the Town’s Attorney was contacted regarding the request made by the attorney for the estate of Rachael Girard and will follow up with our insurance carrier.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported staff is finishing County work. There are two roads he would like to chip seal if weather permits.

INSTALLATION OF STREET LIGHT AT TRIMMER AND PECK ROADS

Supt. Speer provided the following information on RG&E charges to have a streetlight at the intersection of Trimmer and Peck Roads as previously requested:

100W High Pressure Sodium Lamp	\$1.98/month
9c fixture – arm supporting a high pressure sodium luminaire	\$5.02/month

RESOLUTION NO. 210-2009 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve installation of a streetlight at the intersection of Trimmer and Peck Roads with payment to come out of the Townwide Lighting District at a current monthly cost of \$7.00 from Rochester Gas and Electric.

Motion carried: Aye 5 Nay 0

Supt. Speer suggested future consideration be given to having a streetlight at Old Wilder Road and Wilder Road should the sidewalks be extended to Carrie Marie Lane. This stretch of road is very dark and there is no other lighting in the area.

Supt. Speer reported there has been further discussion for a shared salt storage shed and building for use by the Hilton School District, the Village of Hilton, the Town of Parma and local service agencies. This will be added as an agenda item for the joint meeting with the Village.

The department rented a truck shovel with a mower for ditches which are not easily accessible. Crews have been working in creek areas and in particular behind Wilder Estates which should help with drainage issues. He hopes to use it in Country Village Estates as well.

Supt. Speer indicated they are done with Spencer Road but may have to go back and adjust driveways and shoulder stone.

In response to the low water level in West Creek, Supt. Speer followed the creek and could not identify an obstruction that would be causing the problem. It did come to his attention that Moorman Creek which runs into West Creek is fed from the canal. There was discussion on there being a shutoff valve at the canal for irrigation use via the creeks and that perhaps it has not been opened. This information has been shared with Mr. Conklin and he will talk to the State.

Councilman Smith asked about the second trip for work on Huffer Road. Supt. Speer shared that when the recycling process is done they usually go through two times. Originally the county intended to do one but two where needed. There was discussion on the section of North Avenue between Curtis and Moul Roads. Supt. Speer noted the State has taken core samples on that section of road.

BUILDING DEPARTMENT REPORT

Mr. Barton informed the Town Board that he has reviewed the property folder for 1031 Hilton Parma Corners Road. He noted that there are notifications and letters starting with the previous owner concerning the placement of the deck. The property owner had requested relief from the variance fee for the pre existing deck. These are available for Town Board members to review.

The Supreme Court decision has been received for 202 Hinkleyville Road. The court found in favor of the property owner and felt the property owner had to meet only one of the conditions pertaining to having an accessory structure as our code is written. The building permit will have to be issued for the property owner's request. Supervisor Lemcke spoke with the attorney who indicated she is recommended not to appeal. Mr. Barton noted she feels the Town should review the wording of the Town Code and make revisions to reflect how the Town would like to proceed. A public hearing will have to be held in order to make the changes and could include other changes to bring it up to date.

Councilman Carmestro sought a status update on 4618 Ridge Road West. Mr. Barton reported they met last week for a progress report and for what is planned. They are still waiting for fire detection and plans for the masonry building. There was extensive discussion on the occupancy of both venues and signs. They are currently operating under a state variance for occupancy of ninety nine people in the dome area. They will have to go back to the State Review Board to have that number increased. The masonry portion of the building has not been issued any permits. There was discussion on the information still needed so permits can be issued and concerns were expressed on liability to the Town should work continue. Areas of concern are occupancy, plumbing, the pizza café and fire detection.

The owner has requested a fill permit. There was discussion on the plans for the fill permit requested and concerns raised by the Planning Board regarding the correlation of that permit to the other permits needed. The fill permit has been approved by the Planning Board with the stipulation that the applications for building permits are in order and issued. There was further discussion on the lack of compliance; the liability exposure to the Town; how much flexibility could be allowed so that the business could start, recoup some of its cost and move forward with being compliant. Sharon Smith indicated it was unfair that this project has been underway for six weeks without permits and has been allowed to open; when others would have to abide by the rules. Supervisor Lemcke stated that the Town has been trying to work with the owner who has made an investment in our community. There was discussion on the benefits.

It was noted that a date to have this completed had not been established at this time. Updated plans are expected. There was discussion on setting a timeframe and if it is not met, a stop work order will be issued. The majority of the Town Board felt that a deadline should be given to be compliant with our Code. Supervisor Lemcke asked for a list of prioritized issues from Mr. Prince. Mr. Prince will visit the site tomorrow and it was agreed that Mr. Prince will keep the Town Board informed of what happens.

Supervisor Lemcke read a note from Mr. Baxendell indicating that he had a complaint regarding two of the Town's inspectors. He indicated he would address in more detail at a future time.

RECREATION DEPARTMENT REPORT

Mr. Fowler distributed his latest correspondence with the Dormitory Authority concerning the Town Hall Field Lighting Project and the reinstatement of our \$250,000 grant allocation. He noted that the department will hold their Community Halloween Celebration on October 17th from 10:00 to 12 noon and in the afternoon work will be done on the Community Raised Garden Project at the Unity Apartment Complex. On October 24th they will be working on Make a Difference Day projects.

Shannon Balbi has completed the 2009 matrix of program offerings to date. A copy was provided to the Town Board. He noted that in 2009 the department will run 389 programs, while utilizing 403 volunteers who give 7,778 volunteer hours. Only 18 programs did not run because of lack of participant registration. There was a 6% increase in program offerings compared to 2008 and a full analysis will be available with the annual report.

Mr. Fowler reported the October 4th Parma Cyclocross event was very successful. There were just fewer than 100 participants. Mr. Fowler complimented Full Moon Vista Bike & Sport for the spectacular job they did in coordinating the event and followed up on the condition of the course after the event. Mr. Petricone noted the repairs that were needed after the event and that the group participated in those repairs.

PARKS DEPARTMENT

Mr. Petricone reported he has spoken with Supt. Speer and they are ready to bring the skate park ramps to the park and will bring the smaller pieces first.

Mr. Petricone has received a phone call from the DEC regarding the Ventimiglia property. We do not have a signed agreement with the State. They are working on a less complex agreement than the one the State has with the Town of Greece. The DEC has asked if we could help with the parking area off Bennett Road. The DEC would like to have millings from Russell Station moved to this spot by the Town. The question was raised as to who would spread the millings. Mr. Petricone was asked to have the DEC contact the Highway Superintendent and determine who will do the spreading.

Councilman Carmestro asked for verification that Mr. Hand of the disc golf club was aware that work on the tees was to be overseen by the Parks Department. Mr. Petricone indicated that Mr. Hand had spoken with Ms. Dool and that the Town Boards wishes had been conveyed.

BUSINESS ITEMS

INTERMUNICIPAL AGREEMENT WORKERS COMPENSATION

The Town Board was given a draft of an Intermunicipal Agreement for Workers Compensation resolution for consideration. This will be addressed at the next Town Board meeting. Questions should be directed to Mary Gavigan.

AUTHORIZATION FOR PREPAID CHECKS

RESOLUTION NO. 211-2009 Motion by Councilman Comardo and seconded by Councilman Smith, to authorize payment of the following prepaid checks:

Lowes Business Account	Supplies	\$ 50.76
National Fire Codes	NFPA Subscription	\$1,417.50
Home Depot	Hardware Supplies	\$ 169.02
Secru & Secru	Legal Fees-Building	\$1,775.00

Motion carried: Aye 5 Nay 0

BUDGET TRANSFERS

TRANSFERS TO BUDGET

Oct-09

ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
AOO570702041100	BROCHURES	660.00	AOO570702021000	EQUIPMENT	660.00	FOWLER
AOO570702021000	EQUIPMENT	600.00	AOO570702041000	OFFICE SUPPLIES	600.00	FOWLER
BOO599990191000	TRANSFER TO FUNDS	15,000.00	BOO599990191200	DRAINAGE EXPENSE	15,000.00	GAVIGAN
BOO599990191000	TRANSFER TO FUNDS	48,000.00	BOO599990191300	PART TOWN PROJECTS EXP	48,000.00	GAVIGAN
AOO516167041000	OFFICE SUPPLIES	800.00	AOO516167046800	CREDIT CARD FEES	800.00	GAVIGAN
AOO575751044600	CONTRACTED SERVICE	100.00	AOO575751044200	TELEPHONE	100.00	GAVIGAN
AOO576752044200	TELEPHONE	225.00	AOO576752044400	WATER	225.00	GAVIGAN
BOO530341021000	OFFICE EQUIPMENT	1,417.50	BOO530341043100	BOOKS & SUBSCRIPTIONS	1,417.50	PRINCE

RESOLUTION NO. 212-2009 Motion by Councilman Carmestro, seconded by Councilman Comardo, to approve the Budget Transfers as submitted.

Motion carried: Aye 5 Nay 0

STOP WORK ORDERS

Supervisor Lemcke reported it has come to his attention that when houses are posted for no occupancy they are often vandalized. There was discussion on alternatives to the current practice of posting properties that are not to be occupied. It was noted that the postings generate calls from neighbors who then keep a watchful eye on properties.

2010 BUDGET MEETINGS

There was discussion on potential dates for budget discussion. No date was set but Town Board members will respond to the Town Clerk so that proper notice can be made.

MISCELLANEOUS

Arsenic Town Hall Park – Supervisor Lemcke indicated that it is the voluntary option of the Town to have any further testing done. The Town will need to provide a work plan

which would be submitted to the Monroe County Health Department, the NYS Department of Health and the Department of Environmental Conservation. All three agencies would have to give their approval of the plan. Supervisor Lemcke reviewed the steps that would need to be taken if the Town was to proceed with the testing. Councilman Comardo stated that he wanted a government official to be present for the testing so that there will be no question on the steps taken and the validity of the process. He specifically did not want there to be any doubt about the process. Councilman Carmestro agreed. Councilman Roose suggested that an outside company be used who specializes in environmental testing (perhaps Passero Associates) rather than the Town Engineer. He also indicated that a representative from Monroe County Health Department would be willing to be present for the testing. There was discussion on if there would be additional cost and Supervisor Lemcke said he would get prices from outside agencies. Mr. Chart felt that Mr. Foti from the DEC would also be present.

Supervisor Lemcke provided an open letter to the residents of Parma that he would like the Town Board to approve. He read the draft and requested input from the Town Board. There was extensive discussion and debate on the next steps to be taken, why there has been nothing in writing from the DEC, existing test results being null and void and what could be agreed upon at this point.

Councilman Comardo felt we should communicate to the public what we know to be true, what our intentions are, that we are not ignoring the problem and getting reliable test results and that we will act upon those results. He felt we could all agree upon these points. Councilman Comardo suggested that the Town Board submit a shorter version which contains all the facts we know and makes people aware that there will be additional testing to set the public's mind at ease.

Councilman Roose felt he could only sign a basic letter as most of this happened before he came on board. He did not feel he could sign a detailed letter of things that happened before he came on the Town Board.

There was discussion on what areas would be covered by the testing. It was suggested that this be part of the work plan which will address where the testing needs to be done.

Councilman Comardo read a draft letter he prepared. He felt these are all items that are known to be the facts and will assure the public we are addressing the issue. Supervisor Lemcke asked Town Board members to call Mr. Foti directly for his perspective on this and make any changes to Mr. Comardo's letter they want to suggest. This will then be addressed at the next Town Board meeting.

There was further discussion on this being run by legal counsel, whether this was really necessary, the need for definitive testing to bring this to conclusion, that all areas of concern be tested. There was discussion and disagreement between Mr. Chart and Supervisor Lemcke on the areas to be tested. There was further discussion on Chatfield Engineers acting as witness to the chain of custody. Supervisor Lemcke indicated he would get three quotes (Passero, Paradigm and a third entity) for the testing. There was debate on the validity of the prior samples taken. Given the differences, the tests should be done again.

An inquiry was made as to the timeframe for moving forward. Supervisor Lemcke indicated he would ask Chatfield Engineers to start immediately on preparing the work plan to submit to the DEC, which will also be approved by the Monroe County Health Department and the NYS Department of Health. Once approved by the three agencies, testing will proceed. There was further discussion between Mr. Nasca and Mr. Chart on there being no more accusations made until the results are received and then addressing any unproven information. There was no agreement.

Appellate Court Beehler vs. Town of Parma - Supervisor Lemcke reported that a decision on the annexation of the Beehler property has not been received.

Health Savings Account (HSA) and Retirees Health Insurance Plans – In order to make the conversion for the Town employees a decision must be made no later than the next meeting. In addition, there will be a change in the retirees the current plan. The current MBC Optimum Group plan is no longer being offered. The choices will be the previously offered Blue Choice Senior plan and the new MBC Plan 3. The prescription benefit was particularly noted and should be reviewed so that a decision can be made at the next meeting to meet the conversion time frame.

The following correction was made at the October 20, 2009 Town Board meeting although what was noted in the minutes reflects what was stated during the meeting, the information was not factually correct. It should read: The current Blue Choice Senior plan is no longer being offered. The choices will be the previously offered MBC Optimum Group plan and the new MBC Plan 3.

INFORMATION ITEMS

MAKE A DIFFERENCE DAY

Supervisor Lemcke and Councilman Carmestro have been attending meetings. More information will be available after the next meeting on the tenth.

HILTON CENTRAL SCHOOL – BALL FIELDS

Supervisor Lemcke reported an intermunicipal agreement is being looked at to put the school's baseball fields "to bed". This would entail ball field work using our staff to work with the school district to dress off the fields at this time of the year.

WEST CREEK

This was covered during the Highway Superintendent's report

MISCELLANEOUS

MARTIN FARM CONSERVATION EASEMENT

Supervisor Lemcke requested that \$258,000 be transferred from Surplus B to the Open Space account to close on the Martin property. The Town will have to carry all the expenses associated with the purchase until reimbursed with the grant portion. It was not clear if this would be the final amount.

RESOLUTION NO. 213-2009 Motion by Supervisor Lemcke, seconded by Councilman Comardo, to authorize the Director of Finance to create a Farmland Protection Open Space Fund, to be funded from B Fund in the amount of \$258,000 and is instructed to make disbursements associated with the acquisition of the Martin property. If funding is not to come from the B fund, everyone will be notified.

Motion carried: Aye 5 Nay 0

Supervisor Lemcke noted that when the Town gets the conservation easement for the development rights for the Martin Farm, an entity must be named to hold that in custody. The rights will belong to the Town of Parma, but someone has to be designated to do the administration. The Farmland and Open Space Committee has suggested using a draft prepared by the Genesee Land Trust as a model for this process and to have Gay Mills prepare a sample and send it to the Town. It is expected that once the easement is closed the existing Martin family owners will sell to the farming Martin family.

ABOVE GROUND FUEL STORAGE TANKS

Discussion was moved to the next meeting. It was suggested that this be included with the other proposed Town Code changes.

Interfund Transfer for Prior Year Highway –Councilman Smith asked about needing a transfer to payoff a prior year budget line from DA or the A Fund. He will follow up with the Finance Director before the October 20th meeting.

LIAISON REPORTS

**Councilman Smith reported the Code Enforcement Officer has dealt with 157 complaints of which 56 remain open.

**Councilman Comardo noted he was unable to attend the last Recreation Department meeting due to a conflict. He did attend the last Special Police meeting. It was noted that 180 hours were volunteered during Apple Fest and an additional 20 hours were provided administratively for the event. Homecoming coverage will be provided next and at the end of October they will have patrols for Halloween.

**Councilman Roose asked that the Town Board move quickly with wording changes to the zoning code with regard to the court decision on Hinkleyville Road detached private garage ruling.

**Councilman Carmestro reported Ms. Dool will be doing reviews of park staff and Councilman Carmestro will do reviews for Mr. Petricone and Ms. Dool. During the Village meeting there was agreement to extend sewers on Route 259 south of Unionville Station. There was also discussion on the sidewalks from Carrie Marie Lane to in front of the High School. The Fire Department meets tomorrow night. They will be finalizing their budget and are expecting a 1.8% decrease.

There being no further business before the Town Board, Councilman Smith made a motion to adjourn the meeting at 8:54 p.m., seconded by Councilman Carmestro and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk

Schedule A

**Proposed Description
King Hamlin-Parma Subdivision Sanitary Sewer District
Property Located at 566 Hamlin Parma Town Line Road
Tax Account Number 023.02-1-61.21**

All that tract or parcel of land situate in the Town of Parma, County of Monroe, State of New York, being part of Town Lot 45 in Township 4, Range 1 in the North Section of Braddock's Bay Township, Mill Seat Tract of the Phelps and Gorham Purchase and more particularly described as follows:

Beginning at a point in the centerline of Hamlin-Parma Town Line Road (County Route #228, 66.00' feet wide right of way), said point being 610.00' feet northerly from the centerline of Dunbar Road (66.00' feet wide right of way), thence;

1. North 17°-08'-04" East, and along the centerline of said Hamlin-Parma Town Line Road, a distance of 599.04' feet, thence;
2. South 88°-18'-16" East, and along the southerly boundary line of lands of now or formerly Havey and Matthew J. Bower, a distance of 186.86' feet, thence;
3. North 83°-27'-23" East, and continuing along the southerly boundary line of said lands of now or formerly Havey and Matthew J. Bower, a distance of 114.88' feet, thence;
4. North 01°-12'-56" West, and along the easterly boundary line of said lands of now or formerly Havey and Matthew J. Bower, a distance of 103.23' feet, thence;
5. North 88°-47'-04" East, and along the southerly boundary line of lands of now or formerly Richard LaDue, Jr. and the southerly boundary line of lands of now or formerly Rolaine Homes, Inc., a distance of 1090.85' feet, thence;
6. South 03°-56'-00" East, and along the westerly boundary line of lands of now or formerly Louis J. Polizzi, a distance of 899.60' feet, thence;
7. South 85°-50'-10" West, and along the northerly boundary line of lands of now or formerly Ronald E. and Joyce L. Willard, a distance of 51.25, thence;
8. North 17°-31'-49" West, and along the easterly boundary line of said lands of now or formerly Ronald E. and Joyce L. Willard, a distance of 197.75' feet, thence;
9. South 85°-50'-10" West, and along the northerly boundary line of said lands of now or formerly Ronald E. and Joyce L. Willard, a distance of 102.00', thence;
10. South 69°-50'-32" West, and along the northerly boundary line of lands of now or formerly Robert J. and Julieann Pappert, a distance of 208.03', thence;
11. North 04°-09'-50" West, and along the easterly boundary line of Lot 1 of the West Creek Estates Subdivision, as shown on a map recorded in the Monroe County Clerk's Office at Liber 207 of Maps, Page 38, a distance of 126.30' feet, thence;
12. North 86°-19'-21" West, and along the northerly boundary line of Lots 1 through 4, inclusive, of said West Creek Estates Subdivision, a distance of 495.79' feet, thence;
13. South 86°-00'-12" West, and along the northerly boundary line of Lots 5 through 9, inclusive, of said West Creek Estates Subdivision, a distance of 455.03' feet, thence;
14. South 77°-39'-38" West, and along the northerly boundary line of Lot 1 of the James Moon Subdivision, as shown on a map recorded in the Monroe County Clerk's Office at Liber 284 of Maps, Page 65, a distance of 235.87' feet to the easterly right of way line of said Hamlin-Parma Town Line Road, thence;
15. North 72°-51'-56" West, a distance of 33.00' feet to the Point of Beginning.

Parcel contains 964,338± square feet or 22.138± acres.