

Parma Town Board meeting held on Tuesday, July 20, 2010 at the  
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

### **ATTENDANCE**

Supervisor	Peter McCann
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**

Park Foreman Joe Petricone; Barbara Johnson from Stuart Brown Associates; Rick Lemcke, Carol Kluth, Gene DeMeyer, Helen Ives, Mike Weldon, Charles Lissow, Linda Judd, Don Stilson, Mike Wyant, Tim Carr, Mark Thomas and other unidentified members of the public.

### **CALL TO ORDER**

Supervisor McCann 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 McCann noted emergency exit procedures.

### **PUBLIC FORUM**

Supervisor McCann asked if there was any citizen present who would like to address the Town Board on any topic not on the agenda.

Barking Dog - David Brodie expressed his dissatisfaction regarding a barking dog issue that has been ongoing. The owner has been taken to court but the court result has not been complied with and repeated calls to 911 have not remedied the situation. Supervisor McCann indicated that he would contact the Dog Control Officer for further follow up on this complaint.

396 Burrirt Road - Richard Lemcke asked if the closing has taken place on the "open space" property. Supervisor McCann noted that he had spoke with the Town Attorney earlier today and expects paperwork within a few days.

Soil Testing Field Remediation - Richard Lemcke inquired as to the status of a decision on what will be done to the field. Supervisor McCann noted that no decision has been made, options have been received from Chatfield Engineers and that there would likely be discussion under the Miscellaneous portion of the agenda.

Audit of Highway Department Payroll - Richard Lemcke asked what the status was of a resolution passed by the Town Board in March of 2009 to have an audit done of Highway Department Payroll records. It was noted that this has not been done to date and that the Town Board will be discussing a forensic audit later in the meeting that this could fall under.

### **PUBLIC HEARING – PARMA TOWN CODE CHANGES**

Supervisor McCann opened the public hearing at 6:35 p.m. The following legal notice was read and it was noted that it had been published in the Suburban News and posted as required by law.

**Legal Notice  
Town of Parma  
Public Hearing  
2010 Town Code Revision**

PLEASE TAKE NOTICE that the Town Board of the Town of Parma shall hold and conduct a public hearing on a local law to adopt revisions to the Parma Town Code, including provisions relating to zoning (agricultural uses, accessory uses, setbacks), animal control, property maintenance, peddling and soliciting, and subdivision. The public hearing will be held at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton New York on July 20, 2010 at 6:30 p.m. at which time persons in favor of or opposed to said local laws may be heard.

Copies of the proposed local law are on file at the Parma Town Clerk's Office for public inspection.

Supervisor McCann noted that this was sent to Monroe County Planning and Development and that required notifications were sent to adjacent municipalities. He also explained that comments would be taken tonight but that the Town Board would not take action on this until the August 17<sup>th</sup> Town Board meeting to allow review of any comments and final wording for the resolution.

Linda Judd expressed that she is looking at purchasing property on Moul Road that would be used for boarding horses and for a handicap horse riding program. She has applied for a variance due to the size of the stable and riding arena she would like to have. In order to purchase the property she needs to be assured that she can have this type of use. Mr. Barton noted that the proposed changes will come more in line with Agricultural and Markets parameters and eliminate the need for a special permit to board horses and an area variance for the size of the structure. There was further discussion on the number of horses she proposes to have.

There were no other comments. Supervisor McCann reiterated that this would be acted on at the next Town Board meeting and that people can continue to review the proposed changes at the Town Hall. The public hearing was closed at 6:50 pm.

**MINUTES – JUNE 8, 2010 AND JUNE 15, 2010**

**RESOLUTION NO. 135-2010** Motion by Councilman Roose, seconded by Councilman Comardo, to accept the Minutes of the June 8, 2010 meeting with a change to the draft reflecting the addition of "...a child weighing 70 lbs..." and to accept the minutes of the June 15, 2010 meeting as submitted.

Motion carried: Aye 5 Nay 0

**TOWN CLERK REPORT**

The Town Clerk and VFW Summary Reports for June have been submitted. Financial Statements have been received and filed for the Hilton Parma Fire District and the Spencerport Fire District.

A request was received for a partial refund of a pavilion rental from this past Saturday. The renter thought she was getting the Burritt Pavilion next to the pond when in actuality her paperwork requested the Lloyd Pavilion. The confusion stemmed from the name on the pavilion - Lloyd H. Burritt when actually it is referred to as the Burritt Pavilion. There was further discussion on the circumstances. It was noted that the event was held and park staff was very helpful in getting them moved to the correct pavilion. The Parks Department will look into identifying the pavilion locations at the park entrances.

**RESOLUTION NO. 136-2010** Motion by Councilman Carmestro, seconded by Councilman Comardo, to deny the request of Sandy Bierworth for a partial refund of her pavilion rental on June 17, 2010.

Motion carried: Aye 5 Nay 0

A thank you was received from the Boy Scouts for use of the Town Hall Park for their Summer Carnival event in June.

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported work has been completed on Valley Park Drive, Valley Park Circle and Davidson Beach. He will be reviewing specs for what can be used to replace the bridge guardrails on Valley Park Drive which are also in need of repair. Davidson Beach will be chip sealed next year. Two of four projects have been completed for the school district. There will be four County road projects this year – Hinkleyville Road, West Avenue, the east end of Burritt Road and Hamlin Parma Town Line Road from Curtis Road to the lake. The Department will also overhaul the catch basin and repair the apron of the parking lot of the Spencerport Fire District Building at Routes 259 and 104. There was discussion on the potential for this to expand to more of the parking lot.

Supt. Speer is looking at renting equipment with hydraulics in order to mow the more difficult Townwide drainage areas. He noted that he has already purchased a mower and would like to purchase a rubber track excavator with the hydraulics in the future.

### **BUILDING DEPARTMENT REPORT**

The Building Department report for May has been submitted.

4 West Creek Drive – The structure has been razed rather than selectively taken down. There was discussion on what mechanisms are in place to speed up the process should a building in a similar situation or one that poses a serious risk occurs in the future. Specific circumstances would determine what would be done, but it was felt this would be an action by the Town Board and the Code Enforcement Office does not have that authority. Mr. Barton indicated he could research.

Hazard Mitigation Plan – Mr. Barton informed the Town Board that he has spoken with the County Office of Emergency Management. It was originally expected that a public hearing could be scheduled for the August meeting; however, they are still waiting to hear from the State and Federal agencies. Therefore there will be no action taken this evening.

### **RECREATION DEPARTMENT REPORT**

Mr. Fowler reported plans are being finalized for the “Park It in Parma” celebration and reviewed the schedule of events for August 6<sup>th</sup> and 7<sup>th</sup>. The outdoor movie presentation will be “Diary of a Wimpy Kid” on Friday night and fireworks will be held on Saturday at 9:30 pm. Zuberbounce, the company which supplies the outdoor movie screen, was recognized in a nationwide contest for an open air movie photo contest. The photo of our movie presentation two years ago was a third place winner. The Fall Brochure will be available to the public August 25<sup>th</sup> and the next Commission meeting will be July 28<sup>th</sup>.

### **PARKS DEPARTMENT**

Mr. Petricone reported the skate park signs have been installed. An issue with the Town Hall septic system alarm has been addressed and a new system has been installed and tested. Mr. Petricone hopes to have a proposal from S&G Security Systems that will address a problem with the smoke detection system and provide better identification of the location of the alarm that is going off. The current system is maxed out and during a recent alarm situation there was a problem identifying which zone triggered the alarm. A proposal is expected for the August Town Board meeting. The Hilton Heat Soccer Club and the Hilton Raiders Football Organization have donated a tree to replace one that blew down in a wind storm. Park staff has been aerating grass areas of the park in preparation for the Town Celebration.

## **HISTORIAN**

Don Stilson, Assistant Historian and Curator for the museum, reported that the curators have provided 90 volunteer hours on museum projects this month. Over 240 children from the Hilton Central School District have toured the museum on field trips. Regular hours continue from 2:00 to 4:00 pm on Sundays at the museum and there is usually some one at the museum on Monday and Tuesday mornings. Work is almost complete on cataloging acquisitions. What belongs to the Town and what belongs to the Historical Society must be kept separate. An Eagle Scout project has been completed which included site preparation and repainting of the 1890's grader. Security issues with artifacts have been a concern and are being addressed. Membership and interest is growing for the museum.

## **BUSINESS ITEMS**

### **INTERNAL CONTROLS REVIEW FORENSIC AUDIT**

There was discussion on having a forensic audit performed by Hungerford Vinton, LLC to perform an internal controls review. This type of audit has not been done in a number of years. The cost is estimated between \$8,200 and \$11,000 and is expected to take a month to complete. The Town Board would like Mr. Hungerford to come to the next Town Board meeting to explain what this type of audit would cover.

### **INTERMUNICIPAL AGREEMENT REGARDING COOPERATION TO REDUCE STORMWATER POLLUTION AND PROTECT WATER QUALITY IN MONROE COUNTY**

All of the MS-4 towns, most villages and Monroe County are part of the agreement. It provides access to grant funding and education while agreeing to a five year term for reducing stormwater pollution and improving water quality. The agreement is a means to meet all the state requirements. The \$5,000 fee will be paid at a later time.

**RESOLUTION NO. 137-2010** Motion by Councilman Comardo, seconded by Councilman Carmestro, to enter into an Intermunicipal Agreement Regarding Cooperation to Reduce Stormwater Pollution and Protect Water Quality in Monroe County.

Motion carried: Aye 5 Nay 0

### **PECK ROAD BRIDGE OVER SALMON CREEK REPLACEMENT PROJECT – EASEMENT AGREEMENT**

**RESOLUTION NO. 138-2010** Motion by Councilman Comardo, seconded by Councilman Carmestro, to authorize the purchase of an easement by Monroe County for highway purposes over land owned by the Town of Parma located at 1181 Peck Road, Tax Account No. 056.01-2-10 for the amount of \$1.00

Motion carried: Aye 5 Nay 0

### **BENCH FENCES AND BACKSTOP RENOVATIONS AT TOWN HALL PARK**

Mr. Fowler provided a summary of this renovation project and is recommending that the Town enter into a contract with Regency Fence Company in the amount of \$7,860 and to approve financing of this project up to \$9,860 to be funded from the Recreation Fund (TAO.2.604). The additional \$2,000 is to cover the cost of materials to finish the project with work being provided by the Parks Department. Mr. Fowler reviewed the evolution of this project noting that several different solutions were provided by vendors. This information was reviewed and used to redefine the project. New quotes were solicited. The project is necessary as this could become a liability issue. *See Schedule A at end of minutes for copies of quotes.*

**RESOLUTION NO. 139-2010** Motion by Councilman Comardo and seconded by Councilman Smith, to accept the quote from Regency Fence Company of \$7,860 and authorize an additional \$2,000 for materials for a total of up to \$9,860 for the bench fences and backstop renovations at Town Hall Park.

Motion carried: Aye 5 Nay 0

**WORKERS COMPENSATION REFUND CHECK**

The Town of Parma received a refund check for \$ 40,420 from our worker’s compensation group. The increase in this year’s refund is due to the closing of prior year claims under the reserve amounts set aside for these claims.

**RESOLUTION NO. 140-2010** Motion by Councilman Carmestro and seconded by Councilman Roose,

WHEREAS, the Town of Parma pays Worker’s Compensation insurance costs as required; and

WHEREAS, from time to tome the Town receives sums of money (“funds”) representing a rebate of the costs paid for Worker’s Compensation; and

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1 The Town Board hereby directs the surplus of contribution check of \$40,420 be deposit in the Workers’ Compensation Reserve Fund.

Sec. 2 That this resolution shall take effect immediately.

Motion carried: Aye 5 Nay 0

**ELECTED AND APPOINTED OFFICIALS  
 STANDARD WORKDAY AND REPORTING**

**RESOLUTION NO. 141-2010** Motion by Councilman Comardo and seconded by Councilman Roose,

BE IT RESOLVED, that the Town of Parma hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer’s Time Keeping System (Y/N)	Days/Month (based on Record of Activities)- maximum days reported is20)
<b>Elected Officials</b>					
Town Clerk	Donna K. Curry	7	01/01/2010 – 12/31/2013	N	25.51 **
Board Member	Carmey Carmestro	7	01/01/2010 – 12/31/2013	N	6.95
Board Member	James Smith	7	01/01/2008 – 12/31/2011	N	2.38
Board Member	Gary Comardo	7	01/01/2008 – 12/31/2011	N	2.29
Board Member	James Roose	7	01/01/2010 – 12/31/2013	N	2.86
Town Justice	Michael Sciortino	7	01/01/2008 – 12/31/2011	N	7.56
Highway Superintendent	Brian Speer	8	01/01/2010 – 12/31/2011	N	23.02 **
<b>Appointed Officials</b>					
Receiver of Taxes	Donna K. Curry	7	See Town Clerk Above		
Conservation Board Member	Michael Ingham	7	01/01/2010 – 12/31/2011	N	.67
Conservation Board Member	Michael White	7	01/01/2009 – 12/31/2010	N	.36
Conservation Board Member	Michael Reinschmidt	7	01/01/2009 – 12/31/2010	N	.71
Zoning Board Member	Timothy Thomas	7	01/01/2009 – 12/31/2013	N	.79

Planning Board					
Member	Robert Pelkey	7	01/01/2008 – 12/31/2012	N	.51
Assessor	Donald Wells	7	01/01/2010 – 12/31/2013	Y	N/A
Finance Director	Mary Gavigan	7	01/01/2010 – 12/31/2010	Y	N/A
Assistant Finance				Y	N/A
Director	Marian Aprilano	7	01/01/2010 – 12/31/2010		
Deputy Town Clerk and				Y	N/A
Receiver of Taxes	Carrie Webster	7	01/01/2010 – 12/31/2010		
Deputy Town Clerk	Kerri Scoccia	7	01/01/2010 – 12/31/2010	Y	N/A
Conservation Secretary	Elaine Begy	7	01/01/2010 – 12/31/2010	Y	.88

Motion carried: Aye 5 Nay 0 \*\*As amended per Resolution 150-2010

### **5112 & 5114 RIDGE ROAD WEST REZONING REQUEST**

Supervisor McCann noted that this item had been tabled from February to May of 2010 and extended again to tonight's meeting due to issues with Mr. Carr's engineer. Mr. Carr, owner of 5112 Ridge Road West was present to convey what has been accomplished since the last meeting. Mr. Carr was asked if all the required paperwork has been submitted. It was noted the engineer's report/plan was received just before the Town Board meeting and there has been no review of the plan. There was discussion on whether the violations have been addressed. It was noted that Mr. Carr has made several corrections but due to the lack of plans stamped by the engineer being available the Town cannot inspect with out the proper plans to go by. There was discussion on whether corrections have been made to prior plans.

Supervisor McCann consulted with the Town Attorney and shared the alternatives she suggested for moving forward:

Alternative 1 – postponing again - to get plans approved and work on the violations.

Alternative 2 – vote for rezoning subject to compliance within a certain number of days; monitoring would be onerous and request would be deemed denied without full compliance by a defined date.

Alternative 3 – deny the request, have the Building Department notify the Carr's of all the violations and the time clock starts for completion of the violations or it becomes a court action. If compliance is met by the required time the applicants can come back and reapply for another rezoning request.

Mr. Carr summarized the issues he has had with his engineers and the steps he has gone through. He expects that this set of plans will give the Town what it needs. Mr. Carr indicated he has been working on issues while the plans have been developed. He reviewed various items that he has worked on and noted that an attorney has been hired to write up the agreement between himself and his mother for use of her property. There was discussion on the Town's attorney reviewing the agreement and changes that would be needed.

A motion was made by Councilman Roose to extend the time period for compliance for another sixty days to allow time to review the drawing and complete remaining list to be done. There was no second. The motion died for lack of a second.

There was further discussion on how long it would take to review the plans that were submitted tonight and how long it might take Mr. Carr to get into compliance. It was felt 2-3 weeks was needed to review the plans submitted this afternoon. Mr. Carr felt that if the plans are acceptable to the Town a month would be needed to complete everything on the plans.

Councilman Carmestro proposed a motion to deny the rezoning for 5112 and 5114 Ridge Road West. There was further discussion on the timing that would occur if the rezoning was denied and the need of the Planning Board to have a set of plans to review and their need to have the proper zoning before making their decision. The Building Department needs to complete their inspections and give approval. Mr. Carr requested that we pass the rezoning contingent upon meeting the criteria of the Building Department and the Attorney's approval. He felt they are close to resolving. If Town Board denies the rezoning, the violation will have to deal with the use of the property that is now zoned residential necessitating that the commercial uses be moved from the residential areas to the commercial part of the property. There was further discussion on having to move everything and then put it back after approval; and that this is a

compliance issue not a complaint issue. Mr. Carr noted this would be a huge task to complete this time of year. There was more discussion on what would be accomplished by forcing the removal of materials that would be put back if approval of rezoning was granted, that there were no complaints, the burden on the business owner and a conditioned solution.

**RESOLUTION NO. 142-2010** Motion by Councilman Carmestro and seconded by Councilman Smith, to deny the rezoning request of 5112 and 5114 Ridge Road West from to Highway Commercial.

Motion failed: Aye 2 Nay 3 Voting Nay Supervisor McCann  
 Councilman Comardo  
 Councilman Roose

A motion was made by Councilman Comardo to approve rezoning contingent upon completion of the code violation with a completion date. The motion failed due to lack of a second.

There was discussion on extending the request and emphasis focused on if this was to be done the timeframe must be met and no extensions would be granted.

**RESOLUTION NO. 143-2010** Motion by Councilman Roose and seconded by Councilman Comardo, to postpone of the rezoning hearing until the September 21, 2010 Town Board meeting at which time all conditions and compliance issues must be completed and certificates of occupancy have been issued.

Motion carried: Aye 3 Nay 2 Voting Nay Councilman Carmestro  
 Councilman Smith

**BUDGET TRANSFERS**

There was discussion on the transfer of \$22,000 for spring brush pickup, clarification on the request for the Theatre Camp transfer and \$34,235 transfer for non highway related projects.

TRANSFERS TO BUDGET

Jul-10

ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
AOO515135521000	OFFICE EQUIPMENT	90.00	AOO515135546000	CONTRACTED SERVICES	90.00	MULLER
AOO570731049702	CERAMICS	550.00	AOO570731049532	GYMNASTICS	550.00	FOWLER
AOO570731049032	SWIM CAMP	3,800.00	AOO570731049542	THEATER CAMP	3,800.00	FOWLER
AOO513132047100	AUDITOR	1,000.00	AOO51312046000	CONTRACTED SERVICES	1,000.00	GAVIGAN
AOO516199040000	MISC CONTINGENCY	5,000.00	AOO516144047500	ENGINEERING	5,000.00	GAVIGAN
	B UNAPPROPRIATED					
	FUND BALANCE	20,000.00	DBO550513012000	PART TIME HIGHWAY	20,000.00	SPEER
AOO514141048000	MISC EXPENSE	200.00	AOO514141045000	PERSONAL CAR USE	200.00	CURRY
S01599990190000	INTERFUND EXPENSE	4,052.00	DBO499503104	SEWER REVENUE	4,052.00	SPEER
S02599990190000	INTERFUND EXPENSE	1,581.52	DBO499503104	SEWER REVENUE	1,581.52	SPEER
S03599990190000	INTERFUND EXPENSE	735.88	DBO499503104	SEWER REVENUE	735.88	SPEER
S04599990190000	INTERFUND EXPENSE	509.32	DBO499503104	SEWER REVENUE	509.32	SPEER
S08599990190000	INTERFUND EXPENSE	735.88	DBO499503104	SEWER REVENUE	735.88	SPEER
S10599990190000	INTERFUND EXPENSE	1,014.88	DBO499503104	SEWER REVENUE	1,014.88	SPEER
S11599990190000	INTERFUND EXPENSE	3,679.56	DBO499503104	SEWER REVENUE	3,679.56	SPEER
S14599990190000	INTERFUND EXPENSE	1,014.88	DBO499503104	SEWER REVENUE	1,014.88	SPEER
S15599990190000	INTERFUND EXPENSE	509.32	DBO499503104	SEWER REVENUE	509.32	SPEER
S17599990190000	INTERFUND EXPENSE	101.46	DBO499503104	SEWER REVENUE	101.46	SPEER
BOO599990191100	BRUSH PICK UP	22,000.00	DBO499503101	BRUSH REVENUE	22,000.00	SPEER
SDO599990190000	INTERFUND EXPENSE	15,576.00	DBO499503102	DRAINAGE REVENUE	15,576.00	SPEER
BOO599990191300	PART-TOWN-EXPENSE	34,235.00	DBO499503103	PART-TOWN-REVENUE	34,235.00	SPEER
	B UNAPPROPRIATED					
	FUND BALANCE	32,000.00	DBO550511041000	BLACK TOP REPAIRS	32,000.00	SPEER
DB550901081000	NYS RETIREMENT	873.00	DBO550904081000	WORKERS COMP	873.00	SPEER

**RESOLUTION NO. 144-2010** Motion by Councilman Smith and seconded by Councilman Comardo, to approve the budget transfers less the transfer between Part Town Expense B Unappropriated and Part Town Revenue for \$34,235.00.

Motion carried: Aye 5 Nay 0

**AMEND AGREEMENT FOR EXPENDITURE OF HIGHWAY MONEYS - 2010**

The cost of work on Valley Park Drive and Valley Park Circle was greater than expected. Supt. Speer requested that the 2010 Agreement for Expenditure for Highway Moneys be

amended to reflect the increases. General Repairs would change from \$28,000 to \$46,938; work on Valley Park Circle would change from \$30,000 to \$42,690; and work on Valley Park Drive would remain the same. The General Repairs portion would include approximately \$12,000 for any additional repairs needed before the end of the year.

**RESOLUTION NO. 145-2010** Motion by Councilman Comardo, seconded by Councilman Roose, to amend the Agreement for Expenditure of Highway Moneys – 2010 by changing the General Repairs from \$28,000 to \$46,938 and Permanent Improvements for Valley Park Circle from \$30,000 to \$42,690 and Valley Park Drive from \$60,000 to \$60,372.

Motion carried: Aye 5 Nay 0

### **MISCELLANEOUS**

Soil Testing Town Hall Park – Supervisor McCann reported that a response had been received from Chatfield Engineers indicating a number of options for the Town to consider. He also stressed that should discussion involve the current litigation strategy the Town Board would enter into executive session to discuss. Chatfield Engineers was asked to provide cost estimates to the suggestions made by the Department of Health and offered additional options. It was noted that the prices do not include any contingency, legal and engineering costs which would likely be a percentage of the cost. The options were presented:

Option 1 – Remove and dispose of the existing soils and recap. Cost - \$156,210

Option 2 – Remove and stock pile the soil onsite. Cost - \$50,174

Option 3 – Overlay with demarcation layer and topsoil. Cost - \$42,323 Discussion included opinions of what a demarcation layer entailed.

Option 4 – Sand overlay with seasonal seeding and fertilizing over the next four years. Cost - \$27,669. Discussion regarding this option included continued use of the fields, a more reasonable price, whether it is a permanent solution and if it ultimately would be the best solution for our circumstances, the possibility of less cost for materials.

Option 5 – Overlay of artificial turf. Cost - \$794,000. Cost prohibited.

Additional opinions and concerns were expressed and it was noted that legal and engineering consultants remain in the loop because of the lawsuit. There was continued discussion and debate on whether the Town Board was responding to the lawsuit or the letter that received from the Health Department, seeking the advice of the Town Attorney on the various options, costs to date and potential future cost as this is a significant lawsuit in federal court. Town Board members were encouraged to contact the Town Attorney and the Town Engineer for their perspective. The Attorney could be invited to attend a meeting to explain our options as they pertain to our strategy for the pending litigation. There was continued debate, suggestions and opinions expressed. The attorney will be asked to attend the next Town Board meeting. It was noted that discussion may be moved to executive session based on the advice of the Attorney and the discussion.

### **INFORMATIONAL ITEMS**

#### **INTERMUNICIPAL COOPERATION AGREEMENT** **HILTON FIREMAN CARNIVAL**

The Greece Special Police have been asked to provide traffic control during this year's carnival. All costs will be covered by the Fire Department. The Fire Department asked that the Town be included. The Sheriff's Department will also have a big presence.

**RESOLUTION NO. 146-2010** Motion by Councilman Carmestro, seconded by Councilman Roose, to agree to an Intermunicipal Cooperation Agreement between the Town of Greece, Village of Hilton, and the Hilton Fire Department

providing traffic control for the Hilton Fireman's Carnival July 28, 2010 through July 31, 2010.

Motion carried: Aye 5 Nay 0

### **LIAISON REPORTS**

\*\*Councilman Smith reported the Code Enforcement Officer has provided the Town Attorney with a recent list and update on code violations pertaining to the Dyminski property on West Ridge Road. The Town Attorney is in Supreme Court with this case. The Code Enforcement Officer has had 93 compliance issues with thirty one still open.

\*\*Councilman Carmestro noted that the Parks Department has already been covered. The Fire Department is looking forward to a successful carnival and invited all to come out for it. Two pressing issues in the Village are that the Furniture Alert and Food Shelf will need to relocate by the first of the year. There have been discussions for temporary housing for the organizations in the interim so they can continue services with the hope that the grant will come through.

\*\*Councilman Comardo reported the Special Police are preparing for the Parma Fest and will be asking the Parks Department for use of a gator. They have a member that has completed his probation period. He attended a Civil Preparedness meeting. Logistics and financial concerns have been expressed for transportation. He was unable to attend the Recreation Commission meeting.

\*\*Councilman Roose reported he attended the Zoning Board meeting. Variances for Mico Transmission were approved for the building and fence requests but not for the increase number of cars parked and the setback for those vehicles. The meeting included lengthy discussion of violations at this property.

### **WARRANT**

Councilman Carmestro requested that the payment for \$600 to be paid from Trust and Agency 2003 be withheld. There was discussion if this was a legal payment and the code of ethics was referenced. He would like to research further before paying. Mr. Fowler explained the purpose of the gift certificates was for volunteers who participated in the Western New York Baseball Showcase and that an analysis of the funds for this venue was done. There was further discussion.

A motion was made by Councilman Carmestro to approve payment of the warrant without the voucher to the Brook house Trust and Agency Voucher for \$600. The motion failed for a lack of a second.

**RESOLUTION NO. 147-2010** Motion by Councilman Comardo and seconded by Councilman Roose, to approve payment of the warrant as submitted below.

#### FUND TOTALS

AOO	General Fund	\$81,038.77
BOO	Part Town	\$5,383.50
DAO	Highway, Townwide	\$569.01
DBO	Highway, Part Town	\$140,485.01
HCO	Park Lighting Capital PR.	\$13,446.65
HDO	Town Bridges	\$59,894.39
SDO	Townwide Drainage	\$167.38
TAO	Trust & Agency	\$8,909.75
	GRAND TOTAL:	\$309,894.46

Motion carried: Aye 4 Nay 1

Voting Nay Councilman Carmestro

It was felt that it was appropriate to research the concerns expressed earlier.

There were various comments from members of the audience regarding brush removal, burn permits, well contamination and not doing an audit.

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 9:50 p.m., seconded by Councilman Smith and all were in favor.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk

SCHEDULE A

05-28-10:12:51PM: # 1 / 1

<b>BUTLER</b> FENCE CO., INC. 538 State Fair Blvd. SYRACUSE, NEW YORK 13204-1142 (315) 422-8410 1-800-992-8919 FAX: 315-476-0126	<b>JOB ESTIMATE</b> Fax-585-392-4750 PHONE 585-392-9030 DATE 5/28/2010 JOB NAME/LOCATION Town of Parma Attn: Steven Fowler
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TO Hilton-Parma Recreation Dept.  
59 Henry Street  
Hilton, NY 14468

**JOB DESCRIPTION:** Repair Ballfield fencing as follows:

At Fields #1, 2, 3, 5, 6, 7 & 8:  
4' Baseline fence - Jackhammer all exposed footings to below grade and re-straighten all fence lines. Price includes only new parts.

At Fields #1, 2, 3, 5 & 6:  
Backstops - Cut & knuckle all barbs on lower side of fence. Lower all necessary fence and jackhammer footings below grade.

At Field #7:  
Backstop - Replace (2) posts/chisel (2) footings. Change fabric side and add (2) 10' pieces of rail.

At Field #8:  
Backstop - Change fabric side and add (1) 10' piece of rail.

Add to change fabric sides on Backstops #1, 2, 3, 5 & 6 - \$2,325.00

<small>THIS ESTIMATE IS FOR COMPLETING THE JOB AS DESCRIBED ABOVE. IT IS BASED ON OUR EVALUATION AND DOES NOT INCLUDE MATERIAL PRICE INCREASES OR ADDITIONAL LABOR AND MATERIALS WHICH MAY BE REQUIRED SHOULD UNFORESEEN PROBLEMS OR ADVERSE WEATHER CONDITIONS ARISE AFTER THE WORK HAS STARTED.</small>	<b>ESTIMATED JOB COST</b> \$12,900.00
	<b>ESTIMATED BY</b> Michael D. Austin

Customer Signature \_\_\_\_\_ Date: \_\_\_\_\_  
Job Estimate accepted by: \_\_\_\_\_  
Purchase Order No# \_\_\_\_\_



D.

**Field #5**

Knock down concrete footings below grade of bench fences, lower fencing to grade and level.  
backstop- knock down concrete footings and lower fencing to meet grade.

**Total Amount: \$580.00**

E.

**Field #6**

Dismantle both fences, re-install centered approximately one (1) foot from existing bench pads.  
Concrete end posts approximately 3' below grade. Dismantle fencing, canopy to stay, replace  
fence with six (6) gauge wire run on inside of framework, eight (8) feet in height. Knock down  
Concrete footings below grade and run backstop fence at or below grade. Backstop fence and  
Canopy to be weaved together.

**Total Amount: \$1,180.00**

F.

**Field #7**

Dismantle both fences, re-install centered approximately (1) foot from existing bench pads.  
concrete end posts approximately 3' below grade. Take down/dismantle backstop and  
re-install posts. Replace 7' of lower backstop fence with six (6) gauge wire, go below grade.  
backstop fence and canopy to be weaved together.

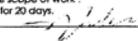
**Total Amount: \$1,180.00**

G.

**Field #8**

Dismantle both fences, re-install centered approximately one (1) foot from existing bench pads.  
concrete end posts approximately 3' below grade. Dismantle fencing, canopy to stay, replace  
fence with six (6) gauge wire run on inside of framework eight (8) feet in height. Knock down  
concrete footings below grade and run backstop fence at or below grade. Also, re-install fence  
post on first base side of infield. Backstop fence and canopy to be weaved together.

**Total Amount: \$1,480.00**

- Tax or Exempt & Capital Improvement or Sales Tax @ 8% = NA
- Total for above scope of work :
- Quote is valid for 20 days.
- Approved by:   
Mike Papp

\$7,860