

Parma Town Board meeting held on Tuesday, September 21, 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, G.I.S. Coordinator Jim Zollweg, Gene DeMeyer, Mark Thomas, Helen Ives, Mary Eichas Gavigan, Pat Buskey, Ken Gavigan, Mike Weldon, Sr., Charlie Lissow, Tod Edenhofer, Jake Wade, Carol Kluth, Devon Danny, Penny Philan, Peter Tassey, Marilyn DeMeyer, Don Green, Tim Card, Anthony Mastrodonato 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.

Mark Thomas inquired about how one goes about getting a building permit. He expressed concern about a neighbor who has started a business. He felt he should have been asked about it and is concerned about traffic and parking. He indicated that the potential is there for this to grow and it should not have been allowed.

Peter Tassey addressed the Town Board regarding their recent approval of an address change to Lighthouse Beach Road. He reviewed correspondence sent to the Board which stated his opposition to the change and cited safety reasons, that the process and procedures are in place for a reason and the Town Board should have said no.

### **MINUTES – SEPTEMBER 7, 2010**

**RESOLUTION NO. 169-2010** Motion by Councilman Carmestro, seconded by  
Councilman Roose, to accept the Minutes of the September 7, 2010 meeting.

Motion carried: Aye 5 Nay 0

### **RECREATION DEPARTMENT REPORT**

Mr. Fowler reported on the Town Hall Park Field Lighting project. Chatfield Engineers will be meeting with Billitier Electric to solidify the timeframes for completion. Mr. Petricone will be informed of the results of this meeting. It was also noted that the scoreboard will be installed for the softball field and the premiere baseball field (fields #2 and #4). He thanked Supt. Speer for his assistance in obtaining the posts and the Parks Department for moving them to the site.

The Recreation Department has been working with Councilman Carmestro on construction of a shuffleboard complex at Unity Health Hilton-Park Apartment facility as one of this year's Make a Difference Day projects. It will consist of two concrete courts and be available for use by anyone in the community. All associated costs have been raised through in-kind donations of labor and materials. A second Make a Difference Day Project will be to "Blanket Parma" by collecting 1,000 used blankets – enough to cover a football field – by mid-October to be distributed to area shelters. The Hilton Central School District, Hilton-Parma Senior Center and the Hilton Raiders football and cheerleading organization will be sponsoring drop off events for the collection of these blankets.

Some upcoming special events are Apple Fest Derby 5-Mile Run, October 2<sup>nd</sup>; Community Wide Halloween Event, October 16th; and Community Make a Difference Day, October 23<sup>rd</sup>.

### **TOWN CLERK REPORT**

The Town Clerk reported that overall Primary Day went smoothly with minimal problems. A reminder was given for the new voting machine demonstration on Monday, September 27, 2010 at the Town Hall and on Saturday, October 2, 2010 for the Apple Festival.

School Tax 1<sup>st</sup> installment collection has been completed. Compilation of the surrender will be completed over the next week. Second and third installments are paid directly to Monroe County while full payments will continue to be collected here.

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported he attended the State Highways Association's fall conference. The department is completing milling and filling back in on Hamlin Parma Town Line Road for Monroe County. There was discussion on whether budgeted revenues would be met. Supt. Speer indicated they are \$60,000 to \$70,000 under budgeted revenues.

Reimbursement for Collamer and Hill Road Bridge Projects - Supt. Speer noted that expenses are being paid by the Town and submitted for reimbursement. It takes approximately three to four weeks to be reimbursed through the federal grant and the State payments are done quarterly with the next payments being in December and March. Federal reimbursement has been held up because the Vice President of Barton and LoGuidice has been working on the project (Hill Road) and billing at his normal rate which is higher than what was approved as part of the grant. An agreement has been reached that this person's time will be billed at a project manager rate going forward. The Town will not be reimbursed for the difference between the higher management rate and the lower project manager rate.

The Case shovel on rubber tracks caught fire this morning and is currently inoperable. The insurance company will be looking at it and it is believed to be repairable.

### **BUILDING DEPARTMENT REPORT**

Mr. Barton reported that he and Supt. Speer met with counterparts from the Towns of Greece and Ogden, the Village of Spencerport, Monroe County Health Department, Monroe County Soil and Water Conservation District to discuss with the DEC phosphorus levels in Long Pond. We are involved due to runoff from Northrup Creek which for Parma is coming from septic systems. In addition to septic systems, the Van Lare Treatment Plant and siphon from the canal into Northrup Creek contribute to the problem. It may be proposed that septic systems be checked every three years. He reviewed some of the causes for the higher levels and indicated the closing of the Village of Spencerport Waste Treatment Plant will help reduce the problem. The Monroe County Stormwater Coalition will take the lead and represent all the municipalities involved. The open comment period is expected to be reopened as the DEC continues gathering information.

## **PARKS DEPARTMENT**

Joe Petricone reported a disc golf tournament was held this past weekend. Approximately one hundred persons attended. New pads have been poured and covers placed on the holding tanks to the sports building. The footbridge at the north end of the pond outlet has been finished

### **TOWN HALL SECURITY SYSTEM UPGRADE**

Per a request at the last Town Board meeting a detailed cost breakout for the security system upgrade was provided by the Park Foreman.

**RESOLUTION NO. 170-2010** Motion by Councilman Carmestro, seconded by Councilman Smith, to authorize upgrades to the Town Hall security system by SG Security Systems, Inc. in the amount of \$2,860.59.

Motion carried: Aye 5 Nay 0

## **BUSINESS ITEMS**

### **COURT ASSISTANCE GRANT**

**RESOLUTION NO. 171-2010** Motion by Councilman Comardo, seconded by Councilman Roose, to authorized the Court Clerk to apply for a grant through the New York State Justice Assistance Program to replace the bench area in the courtroom.

Motion approved: Aye 5 Nay 0

### **SUPERVISORS TENTATIVE BUDGET**

The tentative budget and a schedule of dates have been received by the Town Board. There was discussion on how to handle meeting with department heads. It was felt that any departments that the Board would like to meet with would be done at the October 5<sup>th</sup> meeting and would start at 5:30 p.m.

### **TOWN BOARD MEETING TIME CHANGE**

**RESOLUTION NO. 172-2010** Motion by Councilman Carmestro, seconded by Councilman Smith, to change the starting time for the October 5, 2010 Town Board meeting from 6:30 p.m. to 5:30 p.m. for the purpose of department budget reviews.

Motion approved: Aye 5 Nay 0

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

A letter had been received from Bob Prince regarding the status of items that have been completed and that still need to be done. It was noted that the information provided should not be considered a final punch list. There was continued discussion on what has been received, completed. It was also noted that the agreement between the owners of 5112 and 5114 Ridge Road West has not been received by the Town. It will be confirmed that the Attorney has received and reviewed the agreement. The discussion resulted in the resolution being tabled to the October 19, 2010 Town Board meeting with the expectation that all open items would be completed.

**RESOLUTION NO. 173-2010** Motion by Councilman Carmestro and seconded by Councilman Smith, to table rezoning request for 5112 and 5114 Ridge Road West to the October 19, 2010 Town Board with one hundred percent completion of items based on approval of final inspection by the Building Department and the written agreement between the property owners approved by our attorney.

Motion carried: Aye 5 Nay 0

**SET FEE FOR ADMINISTRATIVE ADJUSTMENT**

A list of fees charged by other municipalities for variances was provided by Mr. Barton for review by the Town Board. It was noted that with the exception of a legal notice which would no longer be needed the same amount of work would be required as when a variance is requested of the Zoning Board. There was discussion on how the administrative adjustment would be used, that the fee would be collected at application, if the applicant does not agree with the decision they would be able to appeal the decision to the Zoning Board.

**RESOLUTION NO. 174-2010** Motion by Councilman Roose and seconded by Councilman Carmestro, to set the fee for area variance administrative adjustments at \$150.00.

Motion carried: Aye 5 Nay 0

**ZONING CODE AMENDMENT REQUEST - REDEMPTION CENTER**

Anthony Mastrodonato, the owner of 4945 Ridge Road West, informed the Town Board that he had a potential tenant who would like to have a bottle/can redemption center at this address. A copy of a letter making the initial inquiry and information on the intended use has been provided. He explained that the tenant would use the location as a drop-off site and distributors would pick up what was collected to be taken away for recycling. He contacted the Code Enforcement Office seeking clarification on if this would be a permitted use. He was informed by that the ordinance does not specifically permit this use and is implied as not being a permitted use. It was felt that the most direct way to request the proposed use would be to have it defined as a permitted use in the General Commercial district. Size of the operation, noise, ingress and egress hours of operation were items mentioned that the Board would like information on. They were not opposed to entertaining this request. Mr. Mastrodonato was asked to work with the Attorney and the Building Department to set parameters, provide any additional information on this type of business. He was asked to share this information with our Attorney and the Building Department before the October 5<sup>th</sup> meeting with the potential to set a public hearing. It was noted that the Board will be reviewing this from a broader town wide use perspective and not just for this specific property.

**NATIONAL INCIDENT MANAGEMENT SYSTEMS - NIMS**

Mr. Barton reported that the report has been completed. Three new positions have been added and he has just got language for a fourth position. The new positions will be reviewed over the next few months and the proper people will be identified. In some cases the County will fill the positions and we will be able to use their resources.

**FOOD SHELF DONATION**

The Supervisor was able to discuss the requested donation to the Village of Hilton to defray costs associated with Village of Hilton providing space to the Food Shelf with the Attorney. The attorney provided wording for a resolution approving the donation.

**RESOLUTION NO. 175-2010** Motion by Councilman Carmestro and seconded by Councilman Comardo,

WHEREAS, the Town of Parma seeks to participate in a community food bank devoted in part to the welfare of the aging, it is hereby

Resolved that the Town shall provide the sum of \$1,000.00 to the Village of Hilton to participate in the community food bank.

Motion carried: Aye 5 Nay 0

**SET BUILDING INSPECTOR PAY FOR SERVICES PROVIDED BY THE  
INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF HILTON FOR  
BUILDING AND FIRE INSPECTION SERVICES**

**RESOLUTION NO. 176-2010** Motion by Councilman Roose and seconded by Councilman Comardo, to pay the inspector, who will be engaged to perform the services required per the Intermunicipal Agreement between the Town of Parma and the Village of Hilton for Inspection Services, at the same rate of compensation as he/she does for the Town of Parma.

Motion carried: Aye 5 Nay 0

**WEST CREEK DRIVE IMPROVEMENTS**

Mr. Barton reported that the title search is still being completed. When completed the original developer will sign the release so that the road can be dedicated.

**MISCELLANEOUS ITEMS**

**COMPUTEL AUDIT**

Computel has identified that Time Warner has been overcharging the Town between \$14,000 and \$15,000. This amount should be paid by the subscribers and Time Warner will charge it back to those that use the service. It is incumbent on the Town Board by law to maximize the Town's revenue. This will be addressed further at the next Town Board meeting.

**SPENCERPORT VOLUNTEER AMBULANCE**

Spencerport Volunteer Ambulance has been pursuing the creation of a taxing district to fund their services. Supervisor McCann indicated he has spoken with the Attorney for the Town of Ogden and it does not appear to be feasible to have this district created for the 2011 tax year. A joint meeting with the Town Boards of the Ogden and Parma, the Village of Spencerport and the Spencerport Volunteer Ambulance to discuss further was in suggested.

**TOWN CODE CHANGE – NOISE ORDINANCE**

Councilman Smith provided a proposal for changes to the Noise Ordinance under Section 89-4 Exceptions of the Town Code. After discussion he proposed the following wording for paragraph I. under that section: *I. Noise generated by usual farm and agricultural operations on properties of five acres or greater. This includes noise generated by traditional agricultural uses, including but not limited to: field cash crops, pasturage, fruit and vegetable farms, nurseries, animal and poultry husbandry and other agricultural activities.* He suggested this change be made in conjunction with the request for the redemption center. There was discussion which included that a SEQR review will be needed, the Type of action it would be and what appropriate parties would need to be notified. The wording will be provided to the attorney and November public hearing date could be held.

**LIAISON REPORTS**

\*\*Councilman Smith had no report.

\*\*Councilman Comardo reported that there is a Recreation Department meeting tomorrow night and there was no meeting of the Special Police.

\*\*Councilman Carmestro had no report as liaison but noted that he had contacted Dan Bryson regarding the status of the closing for the Martin Farm. The Phase I Environmental Study has been done and closing is expected in the November/December timeframe. He noted that the grant funding will be lost unless it closes by the end of the year.

\*\*Councilman Roose had no report.

**WARRANT**

**RESOLUTION NO. 177-2010** Motion by Councilman Carmestro and seconded by Councilman Smith, to approve payment of the warrant as submitted below.

FUND TOTALS			
AOO	General Fund	\$	53,284.26
BOO	Part Town	\$	4,101.91
DAO	Highway, Townwide	\$	839.90
DBO	Highway, Part Town	\$	7,986.09
HCO	Park Lighting Capital PR.	\$	8,677.05
HDO	Town Bridges	\$	54,390.58
SDO	Townwide Drainage	\$	17,257.19
TAO	Trust & Agency	\$	11,662.96
		GRAND TOTAL:	\$ 158,199.94

Motion carried: Aye 5 Nay 0

**ENTER INTO EXECUTIVE SESSION**

**RESOLUTION NO. 178-2010** Motion by Supervisor McCann, seconded by Councilman Carmestro, to enter into Executive Session to discuss the performance of a particular group of employees and pending litigation regarding the soil issue at the Town Hall Park.

Motion carried: Aye 5 Nay 0

The Board entered into executive session at 8:18 p.m. after a short break so that those in attendance could leave.

**CLOSE EXECUTIVE SESSION**

**RESOLUTION NO. 179-2010** Motion by Councilman Carmestro, seconded by Councilman Smith, to close the Executive Session at 8:50 p.m. and return to regular session.

Motion carried: Aye 5 Nay 0

There being no further business brought before the Town Board, Councilman Smith made a motion to adjourn the meeting at 8:50 p.m., seconded by Councilman Carmestro and all were in favor.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk