

Parma Town Board meeting held on Tuesday, October 19, 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	James Roose
Highway Superintendent	Brian Speer
Building Inspector	Jack Barton
Recreation Director	Steve Fowler
Absent Councilman	Gary Comardo

OTHERS IN ATTENDANCE

Park Foreman Joe Petricone, Building Inspector Bob Prince, Farmland and Open Space Committee Chairman Scott Copey, Helen Ives, Gene DeMeyer, Charlie Lissow, Mike Weldon, Mary Gavigan, Carol Kluth, Barb Schwan, Ray Lairmore, Tim Carr, Dick Vance, Samuel Triassi, Rob Riggio, Larry Speer, Enrico Iraci 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. It was noted that the meeting is being digitally recorded.

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.

Fall Brush Pickup – Gene DeMeyer expressed that he did not agree with ads being placed for chipping (fall and spring pick up) because the time periods are not adhered to since chipping continues through out the year. He questioned if the Town pays for the ad; if residents were billed for pickups made after the advertised pick ups and felt it was wasteful that staff drives throughout the Town at other times of the year when there is very little to be picked up. He indicated that he had followed employees that were chipping and observed them go seven miles without picking up any brush. It was clarified that ads are paid for; that it was never proposed that residents be invoiced; and that funds are budgeted for a spring and fall pick up. The Highway Department cannot bill more than that amount back to the Town for this work and it is the Highway Superintendent's prerogative to determine staff scheduling for his portion of the budget.

MINUTES – OCTOBER 5, 2010

RESOLUTION NO. 190-2010 Motion by Councilman Carmestro, seconded by Councilman Roose, to accept the Minutes of the October 5, 2010 meeting.

Motion carried: Aye 4 Nay 0 Absent Councilman Comardo

TOWN CLERK REPORT

The Town Clerk and VFW Summary Reports for September have been submitted. A copy of the legal notice and proposed budget for the Hilton Fire District has been received and posted as required. Their public hearing is tonight. A NYS Liquor Authority Alteration Application

Notice for Braemar Country Club has been received. Town Board members and the Building Department have received copies.

The Town Clerk has met with Councilman Roose and the Dog Control Officer to review the draft new dog licensing law. It is expected to go to the attorney this week.

The Town Clerk expects to provide information before the end of November regarding records management software.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported that Monroe County will be posting a weight limit of 21 ton on the bridge over Salmon Creek on Peck Road at Armand Drive. Monroe County will notify the appropriate entities of this change.

He has met with Barton and LoGudice and Tom Fry from Monroe County Department of Transportation for the two bridge replacements on Hill Road. He expects advertisement for bids will be in February of 2011.

He also attended a meeting with the Town of Greece and people from Lakeshore Drive to address a drainage problem. The plan to address the problem includes an open cut on Payne Beach Road; replacing existing piping with arch pipe and to run larger pipe down the west side of Payne Beach to the lake.

The fall pickup is underway and staff is working on drainage issues with the rented small excavator with our mower to get at areas that cannot be reached with the tractor. The cost to rent the excavator is \$3,000 per month and is expected to be used for two months.

RECREATION DEPARTMENT REPORT

Mr. Fowler reported that there was a tremendous turn out for our annual Halloween Celebration held at the Village Community Center. Saturday, October 23rd is Make A Difference Day in our community. The two projects coordinated by Hilton-Parma Recreation are a community shuffleboard complex being built at the Unity Health Hilton-Park Apartments and "A Blanket Our Community" event where we are working with the school district and community groups to collect used blankets which will be distributed prior to winter.

The shuffleboard court has been poured and it is expected that all finishing touches will occur next spring to have the facility open for play prior to May 1, 2011. A celebratory dinner was catered, donated and served by Carmestro's allowing the investors of this project to introduce this new recreational amenity to the residents. The town has coordinated a dozen local businesses and organizations whose involvement will pay for the cost of the complex.

The used blanket collection has been very successful with approximately 300 blankets being collected to date. This Saturday will be a folding get together with Hilton High School youth to assist in getting the blankets ready for delivery.

Other upcoming special events include a Community Thanksgiving Dinner for seniors on November 19th, Holiday Tree Lighting event with the Village of Hilton on December 4th, and NYS Cyclocross Championships at the Parma Town Hall Park on October 31st. The Department will be participating in a career workshop with SUNY Brockport and the Winter Brochure is due out in mid-December.

BUILDING DEPARTMENT REPORT

West Creek Drive - Mr. Barton reported on the status of the road at West Creek Drive. He has spoken with the attorney and the title search is still being completed. The original developer will then have to sign off. There was discussion on asking for fencing around the demolished structure at 4 West Creek Drive. There has not been a response to the last letter which was sent.

PARKS DEPARTMENT

Joe Petricone reported the fertilizer spreader was received last week. He has contacted the sports organizations to get their third of the payment. Mr. Petricone has assisted the DEC in the release of 56 pheasants on state land. Questions have been asked about why the new lights are on some much. Mr. Petricone explained that the bulbs have to be burned in and once this is completed they will only be on when needed. Installation of the security system has been delayed a week.

BUSINESS ITEMS

5112 AND 5114 RIDGE ROAD WEST REZONING

Open items have been completed and a Certificate of Occupancy has been issued by the Building Department. The letter of agreement has been approved by our attorney and returned to the property owner's attorney to file with Monroe County. It was suggested that the filing of this agreement be a contingency of the resolution to approve the rezoning.

REZONING REQUEST - 5112 RIDGE ROAD WEST

RESOLUTION NO. 191-2010 Motion by Councilman Carmestro, seconded by Councilman Smith;

WHEREAS, the Town Board of the Town of Parma duly called a public hearing by legal notice published on the 3rd day of January 2010 and posted on the Town Hall Bulletin Board, to consider the rezoning of the northerly portion of 5112 Ridge Road West, consisting of .16 acres, Tax Parcel No. 072.01-1-46.12, from Rural Residential to General Commercial; and

WHEREAS, the Parma Town Board finds this an Unlisted action under SEQR, accepts the Full Environmental Assessment Form; and determines a negative declaration; and

WHEREAS, the proposed rezoning was reviewed by the Parma Planning Board and Monroe County Planning and Development;

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. ALL THAT TRACT OR PARCEL OF LAND SITUATE IN PART OF TOWN LOT 11, SECTION 19, TOWNSHIP 4, RANGE 1 LOCATED IN THE TOWN OF PARMA, COUNTY OF MONROE, STATE OF NEW YORK AND MORE IN PARTICULARLY DESCRIBED AS COMMENCING AT A POINT IN THE NORTH STREET LINE OF RIDGE ROAD, SAID POINT BEING AN IRON PIN SITUATED 470.00 FEET EASTERLY OF TOWN LOT 11. THENCE, GOING NORTHERLY WITH AN INTERIOR ANGLE OF 87° - 14' - 41" AND BEING IN THE NORTHEAST QUADRANT A DISTANCE OF 451.08 FEET TO THE PLACE OR POINT OF BEGINNING (POB); THENCE

- 1.) CONTINUING ON THE ABOVE MENTIONED LINE A DISTANCE OF 49.50 FEET TO A POINT; THENCE
- 2.) CONTINUING EASTERLY WITH AN INTERIOR ANGLE OF 92° - 45' - 19" A DISTANCE OF 144.59 FEET TO A POINT; THENCE
- 3.) CONTINUING SOUTHERLY WITH AN INTERIOR ANGLE OF 87° - 14' - 41" A DISTANCE OF 49.50 FEET TO A POINT; THENCE
- 4.) CONTINUING WESTERLY WITH AN INTERIOR ANGLE OF 92° - 45' - 19" A DISTANCE OF 144.59 FEET TO A POINT OR PLACE OF BEGINNING

ALL AS SHOWN ON A SUBDIVISION MAP ENTITLED CARDINAL LANDSCAPING PREPARED BY ARNOLD E. CARMICHAEL, P.E. & ASSOCIATES DATED DECEMBER - 6, 1991.

Sec. 2. That the Town Clerk is hereby directed and authorized to publish a notice of adoption of this Resolution as required by law, and

Sec. 3. That this resolution is contingent upon the filing of the license agreement between the owners of 5112 and 5114 Ridge Road West, which has been approved by the Attorney for the Town, and a time-stamped copy will be provided to the Attorney for the Town; and

Sec. 4. That said amendment, change shall take effect immediately upon completion of the above noted contingency.

Motion carried: Aye 4 Nay 0 Absent Councilman Comardo

REZONING REQUEST - 5114 RIDGE ROAD WEST

RESOLUTION NO. 192-2010 Motion by Councilman Carmestro, seconded by Councilman Smith;

WHEREAS, the Town Board of the Town of Parma duly called a public hearing by legal notice published on the 3rd day of January 2010 and posted on the Town Hall Bulletin Board, to consider the rezoning of the southerly portion of 5114 Ridge Road West, Tax Parcel No. 072.01-1-46.11, from Rural Residential to General Commercial; and

WHEREAS, the Parma Town Board finds this an Unlisted action under SEQR, accepts the Full Environmental Assessment Form; and determines a negative declaration; and

WHEREAS, the proposed rezoning was reviewed by the Parma Planning Board and Monroe County Planning and Development;

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. ALL THAT TRACT OR PARCEL OF LAND SITUATE IN PART OF TOWN LOT

11, SECTION 19, TOWNSHIP 4, RANGE 1 LOCATED IN THE TOWN OF PARMA, COUNTY OF MONROE, STATE OF NEW YORK AND MORE IN PARTICULARLY DESCRIBED AS COMMENCING AT A POINT IN THE NORTH STREET LINE OF RIDGE ROAD, SAID POINT BEING AN IRON PIN SITUATED 470.00 FEET EASTERLY OF TOWN LOT 11. THENCE, GOING NORTHERLY WITH AN INTERIOR ANGLE OF 87° - 14' - 41" AND BEING IN THE NORTHEAST QUADRANT A DISTANCE OF 500.58 FEET TO THE PLACE OR POINT OF BEGINNING (POB); THENCE

1.) CONTINUING ON THE ABOVE MENTIONED LINE A DISTANCE OF 369.42 FEET TO A POINT; THENCE

2.) CONTINUING WESTERLY WITH AN INTERIOR ANGLE OF 272° - 45' - 19" A DISTANCE OF 100.00 FEET TO A POINT; THENCE

3.) CONTINUING NORTHERLY WITH AN INTERIOR ANGLE OF 87° - 14' - 41" A DISTANCE OF 130.00 FEET TO A POINT; THENCE

4.) CONTINUING EASTERLY WITH AN INTERIOR ANGLE OF 92° - 45' - 19" A DISTANCE OF 233.50 FEET TO A POINT; THENCE

5.) CONTINUING SOUTHERLY WITH AN INTERIOR ANGLE OF 90° - 17' - 11" A DISTANCE OF 498.85 FEET TO A POINT; THENCE

6.) CONTINUING WESTERLY HAVING AN INTERIOR ANGLE OF 89° - 42' - 47" A DISTANCE OF 160.00 FEET TO A POINT OR PLACE OF BEGINNING

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Sec. 4. That said amendment and change shall take effect immediately upon completion of the above noted contingency.

Motion carried: Aye 4 Nay 0 Absent Councilman Comardo

FARMLAND AND OPEN SPACE PRESERVATION UPDATE

Scott Copey reported they would like to visit quarterly to update the Town Board on what the committee is doing. Mr. Copey reviewed the following items:

Martin Farm Conservation Easement – The contract has been signed; the updated Phase I Environmental Assessment has been completed; the title search is done; they are waiting for the survey to be finalized; and a Memorandum of Understanding (MOU) between the Town and Genesee Land Trust for the stewardship of the conservation easement over the long run. Part of the grant received included \$10,000 for the administrative burden of maintaining the easement in perpetuity and would include annual inspections. The Town agreed Genesee Land Trust would perform these duties. Supervisor McCann noted the MOU was received from the attorney and would hopefully be acted on later in the meeting. Mr. Copey reported that the attorney expects a closing in late October or early November. After the closing the Town will provide the needed documentation to Monroe County so that the Town is reimbursed for the grant. The turn around for the grant is fast and checks are usually authorized at the next legislative meeting. There was discussion on the verbiage in the MOU and it was determined that the word authority was being used interchangeably with responsibility. Mr. Copy noted that wording could still be changed.

Funding for Conservation Projects – This will be the second year for no state funding for conservation land projects. At the federal level there is continued funding with another round coming up in the spring. These grants are funded at 50% versus the 75% given by the state. There is an opportunity for the land owner to donate 25% of the value. If the Town was to take advantage of this spring opportunity, preparations would need to begin soon to make it a fair process and give landowners an opportunity to participate. Criteria would need to be established and the committee would likely want to see that the landowner would be willing to donate the 25% value. Grant funding is cyclical and the committee would like to make sure that we do not miss out on the opportunity for funding.

Term Easements – Are temporary conservation easements with tax relief benefits associated to it and offer an option for relief while waiting for funding programs to come back. The committee would like to learn more about them and come back to the Board with a presentation on this topic.

Right to Farm Law – Many rural communities have but currently the Town does not. It is an affirmation to the farming community that farmers have the right to farm their property; gives the Town the opportunity to say what agriculture is in our community; gives the town extra ability to enforce the exceptions and benefits farmers receive for participating in the state agricultural district program and establish roles for the Farmland and Open Space Committee. Current and suggested roles included implementation of the Town's Agricultural and Farmland Protection Plan; administration of easements, acting as point of contact for landowners, advisory role for municipal boards for issues related to development as they would pertain to agriculture.

Future Projects and Agenda Items for the Committee – A workshop for landowners this winter on a series of grants offered through New York State Energy Research and Development for energy conservation programs and a presentation to the Town Board demonstrating the benefits of preserving farmland. He noted a Farmland Cost of Services Study done by Genesee Finger Lakes Regional Planning Council which looks at municipal tax revenues sorted by land

use; the cost of services based on land use; and indentifying agriculture as a leveler for the tax base.

Mr. Copey was asked to provide the Town Board with copies of the committee's meeting minutes

2011 BUDGET – SET DATE FOR PUBLIC HEARING

There was discussion on whether to accept the Tentative budget as the 2011 Preliminary Budget and set the public hearing for the November 3rd meeting or to hold off and accept the Tentative budget at the November 3 meeting with the public hearing to be held at the November 16th Town Board meeting. It was noted that the Tentative Budget has changed. Funding has been restored to the Library and with the addition of other changes it will now be a 0% increase. It was determined it would be best to wait until the next meeting to adopt the Preliminary Budget and set the public hearing date for November 16, 2010 at which time the final budget would also be adopted. The revised Tentative Budget is available for the public to review.

SET PUBLIC HEARING DATE - REDEMPTION CENTER

Supervisor McCann noted a proposal has come before the Town Board to add redemption centers as a permitted principal use in General Commercial zoning. It was noted that this is a Type I action and the Town of Parma will be the lead agency for SEQR. There are no permitted agencies and notifications will be sent to interested parties.

RESOLUTION NO. 193-2010 Motion by Councilman Carmestro, seconded by Councilman Roose, to set a public hearing date on November 3, 2010 to hear public opinion on a change to the Parma Town Code allowing redemption centers as a permitted principal use in General Commercial zoning.

Motion carried: Aye 4 Nay 0 Absent Councilman Comardo

SET PUBLIC HEARING DATE - FOR NOISE ORDINANCE

Wording has been received from the Attorney to change wording in the Noise Ordinance. This will be a Type I action; the Town of Parma will act as the Lead Agency; and notification letters will be sent to interested parties.

RESOLUTION NO. 194-2010 Motion by Councilman Smith, seconded by Councilman Comardo, to set a public hearing date on November 3, 2010 to hear public opinion on changes to the Parma Town Code Noise Ordinance.

Motion carried: Aye 4 Nay 0 Absent Councilman Comardo

MEMORANDUM OF UNDERSTANDING – GENESSEE LAND TRUST

Information and wording was received this afternoon regarding the Memorandum of Understanding (MOU) between the Town of Parma and Genesee Land Trust. The MOU addressed the proposed role and responsibilities of the Land Trust regarding the conservation easement for the Martin Farm. There was discussion on changing wording on the first page, fourth paragraph, from authority to responsibility for better clarity regarding the role of the Genesee Land Trust.

RESOLUTION NO. 195-2010 Motion by Councilman Carmestro, seconded by Councilman Smith, to authorized the Supervisor to enter into a memorandum of understanding with Genesee Land Trust on behalf of the Town of Parma for administrative services pertaining to the conservation easement of 396 Burritt Road, referred to as the Martin Farm.

Motion carried: Aye 4 Nay 0 Absent Councilman Comardo

LIAISON REPORTS

**Councilman Smith reported that he attended the Historical Society meeting last night. Their Antique and Art Show will be held this weekend at the Exempt Hall. He also reported that an ongoing property safety issue on Parma Center Road has resulted in the property being tagged Do Not Occupy. It is hoped this will stop further inappropriate activity.

**Councilman Roose reported the owner of Collichio School of Music has presented drawings to the Planning Board for a four foot high berm with thirty five trees to address the controversy over clear cutting at the corner of Dean and Ridge Road West. Mico Transmission has presented plans to the Planning Board to build an addition to the current structure and are requesting additional parking spaces. Parma Christian Church is looking to build a 10,000 square foot building to house their church and school on North Avenue. They have been referred to the Zoning Board for a special permit.

WARRANT

RESOLUTION NO. 196-2010 Motion by Councilman Roose and seconded by Councilman Carmestro, to approve payment of the warrant as submitted below.

FUND TOTALS			
AOO	General Fund	\$	44,033.90
BOO	Part Town	\$	6,678.00
DAO	Highway, Townwide	\$	1,108.46
DBO	Highway, Part Town	\$	14,790.03
HCO	Park Lighting Capital PR.	\$	102,949.40
HDO	Town Bridges	\$	16,456.35
SDO	Townwide Drainage	\$	4,623.00
TAO	Trust & Agency	\$	<u>5,307.03</u>
GRAND TOTAL:		\$	195,946.17

Motion carried: Aye 4 Nay 0 Absent Councilman Comardo

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 7:30 p.m., seconded by Councilman Smith and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk