

Parma Town Board meeting held on Tuesday, September 20, 2011 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
Recreation Director	Steve Fowler
Building Inspector	Jack Barton
Highway Supt.	Brian Speer

**OTHERS IN ATTENDANCE**

Library Director Becky Tantillo, GIS Coordinator Jim Zollweg, Museum Curator Don Stilson, Mike Weldon, Carol Kluth, Helen Ives, Wayne Blather, Robert Sparklin, Al Howe, Dave Tresholavy, Ed Allan, Mike Clark, Charles Nesbitt, Michael Merrill, Tina Brown and other 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 HEARING**

**PROPOSED NORTH AVENUE SANITARY SEWER DISTRICT #2**

Supervisor McCann read the following legal notice that was published in the Suburban Newspaper on September 4, 2011 and posted as required.

**Legal Notice  
Town of Parma  
Public Hearing for Establishment of a Sanitary Sewer District for  
North Avenue Sanitary Sewer District #2**

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE TOWN BOARD OF THE TOWN OF PARMA ON SEPTEMBER 20, 2011 AT 6:30PM AT THE PARMA TOWN HALL, 1300 HILTON PARMA CORNERS ROAD, HILTON, NEW YORK TO CONSIDER THE FOLLOWING:

A Petition has been filed by the various property owners located within the Town of Parma to establish a Sewer District of the Town of Parma to be know as, the North Avenue Sanitary Sewer District #2, described in Schedule A and a map has been prepared by DDS Engineers relating to the facilities, improvements and services in a portion of the Town of Parma, wherein the North Avenue Sanitary Sewer District #2 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 Clerks Office during normal business hours. Interested parties may contact the Town Clerk at 392-9461.

**Schedule A**

**PROPOSED DESCRIPTION FOR SEWER DISTRICT  
PROPERTY LOCATED AT TAX ACCOUNT NUMBERS  
024.01-3-11, 024.01-3-12, and 024.01-3-13**

All that tract or parcel of land situated in Town Lot 61, Township 4, Range 1, North Section Braddocks Bay Township, in the Town of Parma, County of Monroe, State of New York and being more particularly described as follows:

Beginning at a point in the west right-of-way of North Avenue, said point being 452.00 feet more or less south of the south right-of-way of Hilton Drive;

Thence southerly along the west right-of-way of North Avenue a distance of 300.86 feet to a point;

Thence westerly at an interior angle of 89° 45' 11" a distance of 200.00 feet to a point;

Thence northerly at an interior angle of 90° 14' 49" a distance of 300.00 feet to a point;

Thence easterly at an interior angle of 90° 00' 00" a distance of 200.00 feet to a point, said point being in the west right-of-way of North Avenue and the true point and place of beginning

Subject to all covenants, easements and restrictions of record, if any affecting said premises as recorded in the Monroe County Clerk's office

Being and hereby intending to describe to parcels of land located at 601, 605 & 609 North Avenue containing 1.379 acres of land more or less.

Supervisor McCann opened the public hearing at 6:34 pm and asked if there was anyone who would like to speak. There were no comments. The public hearing was closed at 6:35 pm.

Supervisor McCann noted that Monroe County Planning and Development responded with no comments; Monroe County Department of Transportation requested that if a map is required to be filed in the County Clerk's Office that monumentation be checked by the County Survey Office. The New York State Department of Transportation noted that a highway work permit is required in the Route 259 right of way for utility and grading work.

It was clarified that the parcels included in this district are 601, 605 & 609 North Avenue

**SEQR DECLARATION**

**ESTABLISHMENT OF NORTH AVENUE SANITARY SEWER DISTRICT #2**

**RESOLUTION NO. 172-2011** Motion by Councilman Roose and seconded by Councilman Comardo,

In accordance with 6NYCRR Part 617 titled State Environmental Quality Review, the Parma Town Board finds this a Type II action under SEQR, which will require no further review.

Motion carried: Aye 5 Nay 0

**TOWN BOARD RESOLUTION TO ESTABLISH  
NORTH AVENUE SANITARY SEWER DISTRICT #2**

**RESOLUTION NO. 173-2011** Motion by Councilman Smith and seconded by Councilman Carmestro,

**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 North Avenue Sanitary Sewer District #2 prepared by DDS Engineers, LLP 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 August 16, 2011, 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 September 20, 2011 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 September 20, 2011 at 6:30 p.m. on said day, in the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York, 14468; 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 owners of said properties in said Sanitary Sewer District in the construction of said Sanitary

Sewer District is \$3,808.00; and the maximum amount to be expended annually for sewer service is approximately \$200.00 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 North Avenue Sanitary Sewer District #2 and shall be bounded and described as set forth in Exhibit A1 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 A1 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.

Motion carried: Aye 5 Nay 0

**PUBLIC HEARING**  
**PROPOSED NORTH AVENUE SANITARY SEWER DISTRICT #3**

Supervisor McCann opened the public hearing at 6:45 pm. The following legal notice that was published in the Suburban Newspaper on September 4, 2011 and posted as required was read.

**Legal Notice**  
**Town of Parma**  
**Public Hearing for Establishment of a Sanitary Sewer District for**  
**North Avenue Sanitary Sewer District #3**

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE TOWN BOARD OF THE TOWN OF PARMA ON SEPTEMBER 20, 2011 AT 6:30PM AT THE PARMA TOWN HALL, 1300 HILTON PARMA CORNERS ROAD, HILTON, NEW YORK TO CONSIDER THE FOLLOWING:

A Petition has been filed by the various property owners located within the Town of Parma to establish a Sewer District of the Town of Parma to be know as, the North Avenue Sanitary Sewer District #3, described in Schedule A and a map has been prepared by DDS Engineers relating to the facilities, improvements and services in a portion of the Town of Parma, wherein the North Avenue Sanitary Sewer District #3 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 Clerks Office during normal business hours. Interested parties may contact the Town Clerk at 392-9461.

**Schedule A**

**PROPOSED DESCRIPTION FOR SEWER DISTRICT #3**  
**PROPERTY LOCATED 590 NORTH AVENUE TAX ACCOUNT NUMBER 24.01-2-4**

All that tract or parcel of land situated in Town Lot 62, Township 4, Range 1, North Section Braddocks Bay Township, in the Town of Parma, County of Monroe, State of New York and being more particularly described as follows:

Beginning at a point in the east right-of-way of North Avenue, said point being 292.95 feet more or less north of the centerline of Country Meadow Way;

Thence northerly along the east right-of-way of North Avenue on a bearing of N 03° 10' 56" W a distance of 299.91 feet to a point;

Thence easterly on a bearing of N 87° 39' 46" E a distance of 725.00 feet to a point;

Thence southerly on a bearing of S 03° 10' 56" E a distance of 299.91 feet to a point, said point being in the north line of the Country Village Estates Subdivision;

Thence westerly along the north line of the Country Village Estates Subdivision on a bearing of S 87° 39' 46" W a distance of 725.00 feet to a point, said point being in the east right-of-way of North Avenue and the true point and place of beginning

Subject to all covenants, easements and restrictions of record, if any affecting said premises as recorded in the Monroe County Clerk's office

Being and hereby intending to describe to parcels of land located at 590 North Avenue containing 5.00 acres of land more or less.

Supervisor McCann asked if anyone would like to speak. There was no response. The public hearing was closed at 6:47 pm.

Supervisor McCann noted that the response has not been received from Monroe County Planning and Development. Due to this fact the decision on this matter will not be made until the October 4, 2011 Town Board meeting.

### **PUBLIC FORUM**

Supervisor McCann asked if there was anyone who wished to address the Town Board. There was no response

### **MINUTES – SEPTEMBER 6, 2011**

**RESOLUTION NO. 174-2011** Motion by Councilman Comardo, seconded by Councilman Smith, to accept the minutes of September 6, 2011 as submitted.

Motion carried: Aye 5 Nay 0

### **SPECIAL MEETING MINUTES – SEPTEMBER 13, 2011**

**RESOLUTION NO. 175-2011** Motion by Councilman Carmestro, seconded by Councilman Smith, to accept the minutes of September 13, 2011 special Town Board meeting as submitted.

Motion carried: Aye 5 Nay 0

### **TOWN CLERK REPORT**

Notification has been received from the New York State Department of Agriculture and Markets that the Municipal Shelter Inspection Report was completed on September 9, 2011 and a copy has been forwarded to the Dog Control Officer. Collection for the first installment of school taxes ended today. Second and third installments will now go to Monroe County and collection has been brisk.

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported that work continues on the Hill Road Bridge Replacement project. He expects road work to begin on the Hamlin Parma TL Road on Thursday and be

completed a week from this Friday. Staff will also be working on removal of the contaminated soil from the old bus garage and backfilling with gravel and millings.

### **BUILDING DEPARTMENT REPORT**

Mr. Barton reported there will be a meeting regarding the State Code variance application for 4618 Ridge Road West with the owner and their engineer along with various Town representatives. They are applying for a variance with New York State from the State Building Codes. There has been one hearing and more information was requested. The purpose of this meeting is to prepare for the next hearing.

### **RESOLUTION TO ADVERTISE FOR RECORDING SECRETARY ZONING BOARD OF APPEALS**

Mr. Barton shared that Diane Cook the recording secretary for the Zoning Board is looking to retire. Although this will not take place immediately, it will take some time to prepare for this transition. Mr. Barton sought permission to run an ad in the Suburban News for the position.

**RESOLUTION NO. 176-2011** Motion by Councilman Carmestro, seconded by Councilman Comardo, to advertise for Recording Secretary Zoning Board of Appeals position.

Motion carried: Aye 5 Nay 0

Mr. Barton noted that the National Incident Management Systems (NIMS) annual report will be due and there are a couple of positions that will need to be filled.

### **RECREATION DEPARTMENT REPORT**

Mr. Fowler provided the Town Board with a vehicle inventory which summarized the three vehicles used by the department and included information on the repair costs so far this year and what is proposed to be budgeted. So far this year it has cost over \$2,700 to maintain these vehicles and the budget for 2012 has cut this expense to \$1,750.

### **PARKS DEPARTMENT**

Councilman Smith reported that additional quotes are being obtained for the roof and that additional signs are being purchased to address issues regarding dogs and four-wheel vehicles at the east end of the Park.

### **LIBRARY REPORT**

Library Director, Becky Tantillo, provided the Town Board with a written report on the summer reading program and remarked on the good participation. The planter in front of the Library is to be rebuilt, a spot light for the flag will be added and two windows are going to be replaced.

### **HISTORIAN MUSEUM REPORT**

Don Stilson shared that the museum has received District School Papers from 1906 -1949 for School No. 13 which was located at Manitou Road and Ridge Road West just south of the cemetery.

### **BUSINESS ITEMS**

#### **ACCEPTANCE OF HISTORIAN RESIGNATION**

**RESOLUTION NO. 177-2011** Motion by Councilman Smith, seconded by Councilman Comardo, to accept the resignation of Thomas Burger as Parma Town Historian effective October 1, 2011 with regrets.

Motion carried: Aye 5 Nay 0

A letter will be sent to Mr. Burger acknowledging his service as Historian

**APPOINTMENT OF PARMA TOWN HISTORIAN**

**RESOLUTION NO. 178-2011** Motion by Councilman Smith, seconded by Councilman Comardo, to appoint Donald Stilson as the Parma Town Historian effective October 1, 2011.

Motion carried: Aye 5 Nay 0

**ACCEPT RESIGNATION OF MUSEUM CURATOR**

**RESOLUTION NO. 179-2011** Motion by Councilman Smith, seconded by Councilman Comardo, to verbally accept the resignation of Donald Stilson as the Museum Curator effective October 1, 2011.

Motion carried: Aye 5 Nay 0

**APPOINTMENT OF MUSEUM CURATOR**

**RESOLUTION NO. 180-2011** Motion by Councilman Smith, seconded by Councilman Comardo, to appoint James Stilson as the Museum Curator effective October 1, 2011.

Motion carried: Aye 5 Nay 0

**2012 TENTATIVE BUDGET**

Supervisor McCann noted that the Tentative Budget has been filed with the Town Clerk and Town Board members have received their copies. He stated that this is a working budget and is available for anyone to review. Information and clarification is being sought from the Comptroller's office regarding the 2% cap passed by the State Legislature. It appears that all Towns are in the same position and they have worked hard to provide an acceptable budget to the people of Parma.

**APPLICATION FOR PUBLIC ASSEMBLY**

Charles Nesbitt updated the Town Board on the status of the application, what has transpired since the last meeting and has provided the Board with an updated map showing the locations of items noted in the application. Mr. Nesbitt was asked to get letters of commitment from involved parties, to drop off remaining open items in advance of the next meeting so that Code Enforcement can review and form an opinion on the status. Copies should be provided to the Supervisor, Mr. Barton and the Town Clerk for recording.

**INFORMATIONAL ITEMS**

There were none.

**LIAISON REPORTS**

\*\*Councilman Smith reported on the Parks Department earlier in the meeting.

\*\*Councilman Comardo reported that the Planning Board had five actions which included property splits and merges and an extension of a fill permit. The Recreation Commission will meet next week and reported the Assessor's office is gearing up for next month.

\*\*Councilman Roose reported that he attended the Zoning Board meeting and noted the Doan Dealership project and an issue regarding a parcel on Clearview Drive that has been used and purchased as a three family dwelling but is zoned for single family dwellings.

\*\*Councilman Carmestro reported that the Village is gearing up for Apple Fest.

**WARRANT**

**RESOLUTION NO. 181-2011** Motion by Councilman Smith and seconded by Councilman Comardo, to approve payment of the warrant as submitted below.

		FUND TOTALS	
AOO	General Fund	\$	42,170.89
BOO	Part Town	\$	9,297.99
DAO	Highway, Townwide	\$	9,674.33
DBO	Highway, Part Town	\$	25,689.38
HCO	Park Lighting Capital PR.	\$	10,457.50
HDO	Town Bridges	\$	171,649.69
SDO	Townwide Drainage	\$	34,836.28
TAO	Trust & Agency	\$	<u>3,173.93</u>
GRAND TOTAL:		\$	306,949.99

Motion carried: Aye 5 Nay 0

Supervisor McCann asked if there were any other matters to be brought before the Board. There were none.

There being no further business before the Town Board, Councilman Smith made a motion to adjourn the meeting at 7:35 p.m., seconded by Councilman Comardo. All were in favor.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk

**SCHEDULE A1**

**PROPOSED DESCRIPTION FOR SEWER DISTRICT  
PROPERTY LOCATED AT TAX ACCOUNT NUMBERS  
024.01-3-11, 024.01-3-12, and 024.01-3-13**

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Beginning at a point in the west right-of-way of North Avenue, said point being 452.00 feet more or less south of the south right-of-way of Hilton Drive;

Thence southerly along the west right-of-way of North Avenue a distance of 300.86 feet to a point;

Thence westerly at an interior angle of 89° 45' 11" a distance of 200.00 feet to a point;

Thence northerly at an interior angle of 90° 14' 49" a distance of 300.00 feet to a point;

Thence easterly at an interior angle of 90° 00' 00" a distance of 200.00 feet to a point, said point being in the west right-of-way of North Avenue and the true point and place of beginning

Subject to all covenants, easements and restrictions of record, if any affecting said premises as recorded in the Monroe County Clerk's office

Being and hereby intending to describe to parcels of land located at 601, 605 & 609 North Avenue containing 1.379 acres of land more or less.