



TOWN OF PARMA

1300 Hilton-Parma Road
P.O. Box 728
Hilton, New York 14468
(585) 392-9461
Fax (585) 392-6659

TOWN BOARD MEETING
June 18, 2013
7:00 P.M. Meeting

CARM CARMESTRO
Supervisor

JAMES SMITH
Councilperson

GARY COMARDO
Councilperson

JAMES ROOSE
Councilperson

TINA BROWN
Councilperson

This Meeting Will Be Recorded By the Town Clerk

Pledge of Allegiance

Moment of Silence

Emergency Exit Instructions

Roll Call

Minutes of May 21, 2013 Town Board Meeting

Town Clerk Report

Highway Superintendent Report

Building Inspector Report

Recreation Director Report

Miscellaneous Report

BUSINESS ITEMS:

1. Set Public Hearing Date for 5064 Ridge Rd. W-Public Hydrant District
2. Delores Hooper-725 Burritt Road
3. HAYLO Refund
4. 3 on 3 Basketball Tournament August 3, 2013
5. I.T. Services
6. Right to Farm Law
7. Umpire Payment Approval
8. Executive Session – Personnel Matter
9. Miscellaneous

INFORMATIONAL ITEMS:

1. Miscellaneous

LIAISON REPORTS:

PUBLIC FORUM:

1. 7:30 p.m.-4658 Ridge Road –Rezone
2. 8:00 p.m.-Residency Requirements for Special Police
3. Any Citizen may Address the Town Board About Their Concerns

WARRANTS: General Funds (AOO) Part Town (BOO) Highway Town Wide (DAO)
Town Bridges (HDO) Salt Shed (HHO)
Highway Part Town (DBO) Town Wide Drainage (SDO) Trust and Agency (TAO)

ADJOURNMENT:

**TOWN OF PARMA
APPLICATION FOR REZONING**

- A. 1) PROJECT COUNTRY MAX STORE
 2) LOCATION 4658 RIDGE RD WEST Tax Acc't. 072.02-2-9
 3) LAND OWNER (FEE TITLE) FARMINGTON LAWN CARE Phone # 924-4850
 4) ADDRESS 6290 STATE ROUTE 96, VICTOR, NY 14564
 5) APPLICANT DON PAYNE, PRES. Phone # _____
 6) ADDRESS FARMINGTON LAWN CARE, INC. (SAME ADDRESS)
 7) PROOF OF TITLE OR INTEREST IN PROPERTY SUBMITTED
 Purchase offer _____ Option _____ Current Owner X Other _____

- B 1) Property dimensions ≈ 272' x 407' Area in Acres 3.037 AC.
 2) Current Zoning of Property LIGHT INDUSTRIAL
 3) Existing Use of Property RES/ COMMERCIAL
 4) Requested Zoning Highway Commercial
 5) Proposed Use of Property RETAIL

- 6) Attach additional information on the history of the use of the property, which you feel is supportive of the application. Additional information attached? YES
 7) Provide a map or maps showing the property proposed for rezoning and also existing zoning within 1,000 feet of the property.

C FEES (See current fee schedule as adopted by the Town Board)

- ✓ 1) APPLICATION FEE \$ 250 00 Date Paid _____
 2) PUBLIC HEARING FEE \$ 100 00 Date Paid _____
 3) PUBLICATION AND ZONING MAP REVISIONS \$ 50.00 plus \$ 10.00 per acre Date Paid _____

D This application completed by MEAGHER ENGINEERING Date 5/17/13

I hereby acknowledge that I have read and completed the above application and accept responsibility for all fees incurred, and understand that the Town of Parma may withhold approvals until all fees are properly paid

X Don Payne
 Signature

*Note If applicant is a Corporate Entity, provide information on the name of the corporation, its officers and their addresses.

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR FORMINGTON LAWN CARE, INC.	2. PROJECT NAME COUNTRY MAX STORE
3. PROJECT LOCATION Municipality: TOWN OF PARMA County: _____	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc.) 4675 KIDDE RD WEST, SPRINGPORT, NY 14559	
5. PROPOSED ACTION IS <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Substantial alteration	
6. DESCRIBE PROJECT BRIEFLY RE-ZONE FROM LIGHT INDUSTRIAL TO HIGHWAY COMMERCIAL FOR NEW BUILDING & PARKING OF THE NEW COUNTRY MAX STORE	
7. AMOUNT OF LAND AFFECTED Initial: 0.2 acres Final: 3.0 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONINGS OR OTHER EXISTING REGULATIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, yes, how? MAY REQUIRE SIDE SETBACK AREA VARIANCE	
9. WHAT IS PRESENT LAND USE IN IMMUNITY OF PROJECT? <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Forest <input type="checkbox"/> Open Space <input type="checkbox"/> Other Describe: COMMERCIAL/RETAIL	
10. DOES ACTION INVOLVE A PERMIT APPROVAL OR FUNDING FROM OR OBLIGATION TO A GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency, state and permit approvals: HEALTH DEPT, NYS DOT & TOWN OF PARMA BUILDING PERMITS	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency, state and permit approvals: _____	
12. AS A RESULT OF PROPOSED ACTION, WILL EXISTING PERMIT APPROVALS BE AFFECTED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED AS ABOVE IS TRUE. Applicant/sponsor name: DON PAYNE OWNER Date: 5/24/2013 Signature: <i>Don Payne</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF
 Yes No

B WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency
 Yes No

C COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING. (Answers may be handwritten, if legible)

C1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly
 No, this commercial site was previously used for a motel. The property is proposed to be renovated and a new retail store will be constructed. The Country Max business is moving from another location approximately three miles west of this site.

C2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly
 No, this property, until very recently was used for a commercial business. The neighborhood character is commercial.

C3 Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly
 No, the project is proposed to be located on an existing developed lot.

C4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly
 No, the properties in the immediate area are currently zoned Light Industrial, General Commercial and Highway Commercial

C5 Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly
 No, the proposed action is limited by the property dimensions.

C6 Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly
 No negative effects have been identified.

C7 Other impacts (including changes in use of either quantity or type of energy)? Explain briefly
 None have been identified.

D WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly

E IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural), (b) probability of occurring, (c) duration, (d) irreversibility, (e) geographic scope, and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

TOWN OF PARMA TOWN BOARD

 Name of Lead Agency

 Date

CARMEY CARMESTRO

SUPERVISOR

 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from responsible officer)

Reset

Town of Parma
Proposed Local Law No. 3 of the year 2013

A local law to establish the residency requirements for positions in the Special Police, Town Court Officer Attendants and Peace Officers in the Town of Parma.

Be it enacted by the Town Board of the Town of Parma as follows:

Section I. Title: A local law to establish the residency requirements for positions in the Special Police, Town Court Officer Attendants and Peace Officer designation in the Town of Parma.

Section II. Authority: This local law is adopted pursuant to Municipal Home Rule Law, § 10(l)(ii)(a)(1) that grants to local governments the authority to enact local laws regarding the qualifications of local officers. This local law recognizes that the State Legislature previously amended Public Officers Law, §3 expanding the residency requirements for any appointed public office, thereby rendering Public Officers Law a special law with respect to any appointed town officer (see of N.Y. Op Atty. Gen. (Inf.) No. 2000 -5)

Section III. Supersession: This local law shall supersede Town Law, §23(1) in its application to the offices of positions in the Parma Special Police, Court Officer Attendant and Peace Officer designation for the Town of Parma.

Section IV. Residency requirements for positions in the Special Police, Court Officer Attendant and Peace Officer designation for the Town of Parma: The person(s) holding office for positions in the Special Police, Town Court Officer Attendants and Peace Officer designation for the Town of Parma need not be a resident nor an elector of the Town of Parma, provided, however, that such person shall reside in Monroe County.

Section V. Inconsistency: All other local laws and ordinances of the Town of Parma that are inconsistent with the provision of this Local Law are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency and in all other respects this Local Law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this Local Law

Section VI. Savings Clause: If any clause, sentence, paragraph, word, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section VII. Effective Date: This Local Law shall take effect upon filing in the office of the New York Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Draft/Sample Resolution

WHEREAS, General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Parma, County of Monroe designates _____ (name of person), in his/her capacity as _____ (name of office / position), to receive notices of claims served upon the Secretary of State by mail at 1300 Hilton Parma Corners Road, P.O. Box 728, Hilton, New York 14468 and email at _____ (if available).

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

Motion made by _____

Seconded by _____

Vote Aye _____ Nay _____