

Parma Town Board meeting held on Tuesday, December 5, 2006 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

Supervisor	Richard Lemcke
Councilman	Kenneth Blackburn
Councilman	Joseph Reinschmidt
Councilman	Carm Carmestro
Councilman	James Smith
Highway Supt.	Brian Speer
Recreation Director	Steve Fowler
Building Inspector	Jack Barton

OTHERS IN ATTENDANCE

Gene DeMeyer, Michael Weldon, Laurie Matthews, Boris Rasmusson, Jim Christ, Larry Gurslin, James Beehler, James Kesselring, Tod Edenhofer, KC Endenhofer, and others not signed in.

CALL TO ORDER

Supervisor Lemcke called the meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Supervisor Lemcke noted emergency exit procedures.

PUBLIC FORUM

Supervisor Lemcke asked if anyone present would like to address the Town Board on any topic not on the agenda. Councilman Blackburn asked that the 2007 Budget be added to the Agenda.

MINUTES – NOVEMBER 21, 2006

RESOLUTION NO. 310-2006 Motion by Councilman Smith, seconded by
Councilman Carmestro, to accept the Minutes of the November 21, 2006.
Motion carried: Aye 5 Nay 0

TOWN CLERK REPORT

The Town Clerk's monthly report and the VFW Revenue Summary for November 2006 were submitted to the Town Board.

SPECIAL BILL PAYING MEETING

RESOLUTION NO. 311-2006 Motion by Councilman Carmestro, seconded by
Councilman Smith, to hold a Special Bill Paying Meeting at 9:00 a.m. on
Friday, December 29, 2006 at the Parma Town Hall.
Motion carried: Aye 5 Nay 0

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported that there was an accident involving a Town pickup truck. The Highway employee was at fault, no one was seriously injured, the insurance company has been notified and the proper steps were taken for testing.

**MONROE COUNTY AMENDATORY AGREEMENT FOR SNOW AND ICE
REMOVAL**

RESOLUTION NO. 312-2006 Motion by Councilman Blackburn, seconded by Councilman Smith, to accept the Monroe County Amendatory Agreement for Snow and Ice Removal between Monroe County and the Town of Parma for the 2006-2007 season.

Motion carried: Aye 5 Nay 0

ALL SEASONS COUNTY/TOWN WORK AGREEMENT FOR 2007

RESOLUTION NO. 313-2006 Motion by Councilman Reinschmidt, seconded by Councilman Blackburn, to accept the All Seasons County/Town Work Agreement for 2006/2007.

Motion carried: Aye 5 Nay 0

RECREATION DEPARTMENT REPORT

Mr. Fowler reported that he has submitted the Recreation Commission's Comprehensive Plan to Town Board members. It is expected to be refined and approved at the Commission's organizational meeting. Mr. Fowler was in Seneca Falls for a tour of their community center facility earlier today. They were extremely fortunate to have the tipping fees from their landfill to pay for the facility.

PARKS DEPARTMENT

There was no Parks Department Report.

BUSINESS ITEMS

ANNEXATION – 610 BUTTITT ROAD

Village Mayor Larry Gurslin informed the Town Board that the Village Board had passed a resolution to hold a public hearing on December 12, 2006 for the Village portion of the required steps. Their Department of Public Works has done a feasibility study and identified items that they would like addressed if this is approved but for the most part the consensus now is to allow annexation.

There was discussion on whether there would be enough sewer capacity for this project and the 949 Hilton Parma Road Extension of Unionville Station. It was felt that there was not enough capacity but since the developer for 949 Hilton Parma Road indicated in their presentation to both Boards that they were willing to provide the means for additional capacity.

There was discussion regarding the timing of public hearings and whether it should be a joint hearing. The Town Board opted to hold its own public hearing.

RESOLUTION NO. 314-2006 Motion by Councilman Carmestro, seconded by Councilman Smith, to hold a Public Hearing on January 9, 2007 at 7:00 p.m. at the Parma Town Hall for the annexation of 610 Burritt Road, in the Town of Parma and owned by James and Susan Beehler into the Village of Hilton.

Motion carried: Aye 5 Nay 0

ZONING BOARD ALTERNATE POSITION

The Town Board will interview candidates on December 19, 2006 starting at 6:00 p.m. before the regular scheduled Town Board meeting.

YOUTH DEVELOPMENT SERVICES PROVIDER AGREEMENT

A proposed agreement was received from the Center for Youth Services to provide youth services to students of the Spencerport Central School District that reside in the Town of Parma. This service was previously provided by the Youth Outreach Program through Unity Health. The requested amount is not to exceed \$5,000 in a given year. The proposed agreement will be referred to the Town Attorney for review and a decision is expected to be made at the next Town Board meeting.

BUILDING DEPARTMENT REPORT

Jack Barton reported that the review and draft from the Town Attorney for the approval of the NYS Building Code Operating Permits will not be ready for the December 19, 2006 Town Board meeting. Mr. Barton was asked not to schedule it for the first meeting in January.

The November Building Report was received by Town Board members. There was discussion about the number of building permits and the follow up on closing out old C of O's.

The Public Hearing sign for the rezoning of 907 Burritt Road will be posted this week.

The Storm Water Coalition has sent a survey to towns requesting input on illicit discharge. An example of such would be failing septic systems. The Monroe County Health Department is looking at a means to inspect septic systems at regular intervals rather than just when a property goes up for sale or there is a complaint.

ENVIRONMENTAL MANAGEMENT COUNCIL

Mr. Barton contacted Donald Harter, Jr. and alternate is Michael Reinschmidt. Both are interested in continuing to represent the Town of Parma on the Environmental Management Council.

VACATION CARRYOVER - BARTON

Mr. Barton submitted a request to carryover 95 hours of vacation from 2006. It was noted that he will be away from January 4, 2007 through January 15, 2007 which will bring him to below the 70 hour threshold that is allowed.

RESOLUTION NO. 315-2006 Motion by Councilman Reinschmidt, seconded by Councilman Carmestro, to approve the carryover of 95 hours of vacation time for Jack Barton.

Motion carried: Aye 5 Nay 0

BUSINESS ITEMS - CONTINUED

LAKE SIDE BOULEVARD

Mr. Barton reported that the Town Attorney's office had gone back through the deeds of the properties that are adjacent to the pathways. They could find no reference in any of the deeds regarding rights to the pathways. The pathways appear on the maps but not on the deeds, including the legal description of the right of way for Lakeside Boulevard. There also

appears to be no clear intention stated for the pathways. Discussion followed as to who was eligible to own. Mr. Barton was asked to go back to the Attorney for a definitive answer in writing regarding ownership

HEALTH INSURANCE

RESOLUTION NO. 316-2006 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve Health Care coverage in the amount of \$315.00 for Single plans and \$705 for Family Plans (2 or more persons). If anyone wants to upgrade to a different plan, they would be responsible for the difference.

Motion carried: Aye 4 Nay 1 Voting Nay: Supervisor Lemcke

2007 TOWN BUDGET

Councilman Blackburn pointed out that the resolution to approve the 2007 Budget indicated that \$33,740 would come from DA 2300 to bring it to a 0% increase for the Town. When he received his final budget the money had been put back in DA 2300 and taken out of the DB 5130.11A, an expenditure line. He felt that the decision was made without the full consent of the Town Board.

Discussion centered on where the change came from to get to the 0% increase and included a memo from the Finance Director clarifying how she recorded changes for the 2007 Budget to achieve the a 0% increase for the Town and a -0.276% for the Village. Supervisor Lemcke stated that the budget approval resolution he presented reduced a revenue account in error and should have been from an expense to achieve the goal of a 0% rate increase. To correct that error an amendment should be made to correctly state the final budget.

Discussion continued on the manner to be used to arrive at the 0% rate increase. Councilman Blackburn stated his dissatisfaction for the manner in how the final numbers for the 2007 Budget were achieved.

RESOLUTION NO. 317-2006 Motion by Councilman Blackburn, seconded by Councilman Reinschmidt, to amend the 2007 Budget by transferring \$36,075.00 out of B Surplus to DB 5130.11A to maintain a 0% rate increase.

Roll Call Vote:	Councilman Smith	Nay
	Councilman Carmestro	Nay
	Councilman Reinschmidt	Aye
	Councilman Blackburn	Aye
	Supervisor Lemcke	Nay

Motion failed: Aye 2 Nay 3

RESOLUTION NO. 318-2006 Motion by Supervisor Lemcke, seconded by Councilman Smith, to amend the 2007 Preliminary Budget to reduce the Town's tax rate to 0% by restoring \$33,740.00 back into DA 2300, a revenue account, and removing \$36,075.00 from DB 5130.11A, an expenditure line item.

Roll Call Vote:	Councilman Smith	Aye
	Councilman Carmestro	Aye
	Councilman Reinschmidt	Nay
	Councilman Blackburn	Nay
	Supervisor Lemcke	Aye

Motion carried: Aye 3 Nay 2

INFORMATIONAL ITEMS

NYS PURCHASE PROGRAM

Supervisor Lemcke reported that the NYS Office of General Services (OGS) was preparing to solicit bids for 2007-2009 unleaded gasoline, heating fuel oil, diesel engine fuel and liquid petroleum. Participation in this program requires that the Town not enter into a contract with anyone else for these products. Signing and completing this agreement is considered authorization for OGS to make a contract for the Town's requirements as indicated. The Town Highway Department has participated in this program in the past.

CRIMSON WOODS AND WINDING COUNTRY LANE ROAD DEDICATIONS

Attorney is currently working on abstract for Crimson Woods. The developer has been contacted and is willing to sign transfer of ownership. The attorney is looking at deed for Section 1 and checking dates.

TRIMMER ROAD LANDFILL

Remedial work is being done on the site. Plans include a permanent stone road, monitoring wells and tree plantings. When the work is done the land will be considered an Operable Unit 1.

MISCELLANEOUS

The Hilton Snow Flyers provided a new trail brochure and noted trail changes for crossings at Curtis Road and Rt. 259.

A new law goes into effect in January requiring Zoning Board members have required number of training hours each year.

LIAISON REPORTS

**Councilman Smith reported that Planning Board agendas have been relatively slow. The Parks Department has been working on portions of nature trail culverts that were washed out during recent storms. The football and accessory field have been reseeded. Mild weather has brought individuals out on to the field under muddy conditions causing significant damage. This demonstrates the need for a strategy to closing the fields when needed.

**Councilman Carmestro reported that the Fire Department received approvals from the Diocese of Rochester and the Supreme Court and is in the process of having environmental studies done. He also noted that not all of our people have completed the NIMS certification. This will affect our status and the Special Police and Finance Director have been asked to complete the 100 level series

** Supervisor Lemcke reported that he attended another POD meeting yesterday and that the next meeting would be January 22, 2007. He stated that the school district is well beyond the normal planning stage for what they have to do to provide the appropriate facility.

**Councilman Reinschmidt had no report.

**Councilman Blackburn stated that he attended the Library Board meeting this morning and explained why he would no longer be their liaison. He also requested that he not be assigned any future liaison assignments for the next year. He stated that he does not see any benefit to

the taxpayers and felt that the time he has spent has been of no value. Those duties will be divided up between the remaining Town Board members.

Supervisor Lemcke asked if there was any other business to be brought before the Town Board before taking a five minute recess and adjourning into executive session for a personnel legal matter.

A resident asked if there could be follow up for the removal of dead limbs in a tree at the front of the park.

Steve Fowler informed the Town Board that the Senior Transport Vehicle is in the garage for substantial brake work.

EXECUTIVE SESSION

RESOLUTION NO. 319-2006 Motion by Supervisor Lemcke, seconded by Councilman Smith, to close the regular meeting and enter into Executive Session regarding a legal issue at 9:15 p.m.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 320-2006 Motion by Councilman Smith, seconded by Councilman Reinschmidt, to close the Executive Session at 10:25 p.m. and return to the regular meeting.

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 10:25 p.m., seconded by Councilman Reinschmidt and all were in favor.

Respectively submitted,

Donna K. Curry
Parma Town Clerk