

Parma Town Board meeting held on Tuesday, August 15, 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

Jeff Forberg, Dave Keech, Gary Smith, Pattie Smith, Scott Copey, Gene DeMeyer, Richard DeMeyer, Jim Mann, S. M. D'Angelo, Steve Confer, R. Hooker, C. Munzer, Marilyn DeMeyer, Elizabeth DeMeyer, John Brazas, Dave Palmer, Rick Reyes, Joseph Rittler and others.

CALL TO ORDER

Supervisor Lemcke called the meeting to order at 7:03 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.

Supervisor Lemcke asked if anyone present would like to address the Town Board on any topic not on the agenda. There was no response.

MINUTES – JULY 21, 2006

RESOLUTION NO. 227-2006 Motion by Councilman Reinschmidt, seconded by Councilman Carmestro, to approve the Minutes of the July 21, 2006 meeting.

Motion carried: Aye 3 Nay 0 Abstained: 2 - Supervisor Lemcke and Councilman Blackburn were absent for that meeting

MINUTES – AUGUST 1, 2006

RESOLUTION NO. 228-2006 Motion by Councilman Blackburn, seconded by Councilman Reinschmidt, to approve the Minutes of the August 1, 2006 meeting.

Motion carried: Aye 4 Nay 0 Abstained: Councilman Smith was absent for most of the meeting.

TOWN CLERK REPORT

Hunting and Fishing Licenses for the 2006-07 seasons went on sale August 14, 2006 and a new DECALS printer is being sent from Department of Environmental Conservation to replace our existing one. We continue to work toward the transition for the new tax collection software being implemented with the upcoming school cycle.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported that the highway crew has been working on Town projects and County projects in Ogden and Greece. A dip in Parma Center Road was discovered. It appears to be a cross culvert pipe which is starting to collapse. Supt. Speer will contact NYS DOT regarding possible scenarios for how this will be fixed.

There was discussion regarding follow up to the grievance filed and to the individual who reported an alleged road rage complaint.

Robert Hooker, 75 Bailey Road – informed the board of drainage and sewage problems with the ditch in front of his house. Supt. Speer will follow up.

RECREATION DEPARTMENT REPORT

MULTI-PURPOSE FIELD HOUSE

Mr. Fowler requested permission to search out alternative funding sources for a multi-purpose field house so that this project might go forward. Discussion followed as to the viability of doing so at this time, ongoing costs and whether sufficient funding could be obtained. Mr. Fowler was asked to provide more details and report to the Board at the next meeting, September 5, 2006.

Summer programs have been very successful this year and there has been an increase in Sport Camps and Senior Citizen program participation as well as increased participation within the Summer Playground opportunities.

The Fall Recreation Brochure will be going to the printer later this week and will be out at the end of the month.

AUTHORIZATION FOR PAYMENT – 2006 NATIONAL CONGRESS

Mr. Fowler will be attending the 2006 National Congress, October 10, 2006 through October 14, 2006 and requested payment of the registration fee before August 18, 2006 to avoid a \$180.00 additional charge for late registrations.

RESOLUTION NO. 229-2006 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve request for payment of \$315.00 for Steve Fowler to attend the 2006 National Congress versus the \$495.00 if paid after August 18, 2006.

Motion carried: Aye 5 Nay 0

Mr. Fowler requested permission to contact the Town Attorney to discuss the Town's responsibility to supply accessibility vehicles for Senior Day Trips offered approximately eight times throughout the year. Mr. Fowler was authorized to contact the Town Attorney for an explanation of ADA as it pertains to senior program accessibility issues.

BUILDING DEPARTMENT REPORT

Mr. Barton was called out to property north of Crimson Woods regarding drainage ponds. Ponds on this homeowner's property are in the drainage pattern for runoff from Crimson Woods and are filling in with silt. Mr. Barton would like to contact Larsen Engineers regarding this and based on input from the Town Board will determine if other offsite improvements being done to property in this development will help or hinder the situation. If it does not help the situation, then Mr. Barton will seek additional professional input.

Mr. Barton wanted to make the Town Board aware that the phone system was recently struck by lightning and as a result there currently is no back up. Due to the age of the system, parts are difficult to come by and only refurbished are available. The Finance Director has met with Matrix and is working with Frontier regarding Centrix lines to provide the building with a new system. This would offer the option of voice mail as well. Price quotes should be presented to the Town Board.

Supervisor Lemcke asked the status of Buttonwood Farms. Discussion determined that it is up to the Building Department to decide what type of action Buttonwood Farms will have to follow. Mr. Barton is waiting to hear from Mr. King of the Cornell Cooperative Extension and the results of a request made by Mr. Palumbo, Buttonwood Farms, to Albany to shed guidance in determining what if any violations exist. Supervisor Lemcke requested that the Town Board be given copies of what is received from Cornell and Albany.

PARKS DEPARTMENT REPORT

There was no Parks Department Report due to the absence of the Park's Foreman.

BUSINESS ITEMS

SIDEWALKS DUNBAR ROAD

Supervisor Lemcke reviewed the information requested from Mr. Fowler, Mr. Barton and Supt. Speer as well as additional input from the Assessor's office and the Town Attorney. Copies can be obtained from the Supervisor's office. Some key points noted included:

- 3,616 lineal footage of sidewalk would be required
- Estimated cost associated with construction of a 5 foot wide concrete sidewalk is \$90,400.
- Sidewalk construction is figured at \$25 per square foot and was confirmed with Paul R. Chatfield, P. E. of Chatfield Engineers as a proper new construction cost estimate.
- There are 32 properties on the north side of Dunbar Road from Carter Street to Collamer Road.
- Currently the Village has no immediate plans to install sidewalks from North Avenue to Carter Street.
- There is no contingent money available from New York State for sidewalks as a result of the bridge construction.
- Steps outlined for establishing a Sidewalk District
- Concrete versus asphalt
- Cut the driveways versus going to and starting from each driveway
- Snow removal would be the responsibility of the homeowner. The Town is not responsible for maintenance.
- Sidewalk District would pay for repairs. Town would perform or contract out and pass cost back to the district.

David Keech, 42 Dunbar Road had submitted a detailed summation of his comments at the last Town Board meeting regarding the installation of sidewalks. A copy is on file in the Town Clerk's office. He expressed concern that residents might not be aware of liability issues. As the Sidewalk District is proposed, Mr. Keech's property would not be part of the district.

Matt D'Angelo, 216 Dunbar Road, wanted to know if he would be required to maintain the sidewalk. Supervisor Lemcke responded that there is nothing mandatory that you have to maintain it. It is still to be determined whether this will be in a Town right of way or would be on private property if the sidewalk district were to be approved.

Jim Mann, 226 Dunbar Road, inquired as to whether there would be grant money available. Supervisor Lemcke noted that Community Development Grants are available for projects that provide a particular service, need or for economic development. This neighborhood might not

meet the requirements. Supervisor Lemcke noted that some residents may be interested in paying cash versus bonding.

Rick Reyes, 204 Dunbar Road, expressed his frustration with the process as it has occurred with the sewer district. Sidewalks would be nice but he would like to know yes or no if there is going to be grant money and or if it will be bonded. He has been through this before and if money is not available or it is not going to go through members of the proposed district need to know up front.

Steve Confer, 201 Dunbar Rd., resides on the south side of the road stated he would be in favor of the sidewalks.

Jack Barton has been asked to contact the Town Engineer to get prices for all concrete construction, all concrete except driveways areas or all asphalt construction. He will also obtain information on how long asphalt would be expected to last.

OPEN SPACE COMMITTEE

Supervisor Lemcke met with Clark Wallace of The Trust for Public Land. The organization's purpose is to act as a facilitator to seek funding for the purchase of development rights of land that will preserve open space. Scott Copey, 99 Dunbar Road, has been asked to act as an interim chairman for the Open Space Committee. He has prior experience on this type of committee and GIS background. He will prepare a process model to be used by the committee and action steps for the Town Board, community and committee. A pool of names will be compiled so that members of the committee can be selected. Discussion followed regarding the process, why the town should be involved, effects on property and tax impact.

RESOLUTION NO. 230-2006 Motion by Supervisor Lemcke, seconded by Councilman Smith, that we the Town Board of Parma support acquisition of any open space and development rights within our community that would benefit our community and not have a negative impact on its future development with the overall goal to assist agriculture as a viable industry in the Town of Parma.

Motion carried: Aye 5 Nay 0

PARKING LOT EXPANSION

Since the Park Foreman is not in attendance, the parking lot expansion will be addressed at the next meeting.

GENESEE STAR AGENCY – REQUEST TO PERFORM ELECTRICAL INSPECTIONS

The Genesee Star Agency now meets the insurance requirements to be an electrical inspector within the Town of Parma. Approval provides more coverage to residents for this type of service.

RESOLUTION NO. 231-2006 Motion by Councilman Reinschmidt, seconded by Councilman Blackburn, that Genesee Star Agency be recognized as an authorized electrical inspector for the Town of Parma.

Motion carried: Aye 5 Nay 0

SAFETY FIRST PROGRAM

The draft submitted at the last Town Board meeting was discussed. Concern was expressed that minimum guidelines for use of equipment in the work environment based on job descriptions be established so that employees have a clear understanding of what is expected. Acceptance of this policy provides the steps to be taken for enforcing the policy.

RESOLUTION NO. 232-2006 Motion by Supervisor Lemcke, seconded by Councilman Smith, to accept the Safety First Program as a first step in implementing the criteria to enforce this policy.

Motion carried: Aye 5 Nay 0

Before the policy goes into effect the Safety Coordinator and insurance company will have established job specific minimum guidelines.

CLEARVIEW AVENUE PROPERTY

Todd and Patti Smith spoke on behalf of their son, Todd Smith, regarding changes that were made to Town property that is adjacent to his property. This property is considered to be a local park for use by the residents in the neighborhood. When the property was acquired from the federal government it was stipulated that a fence be added and that the property be left in the state that it was given. Also at that time the neighbors agreed to mow the lawn. Discussion centered on the removal of portions of the split rail fence and stone gabion without permission from the town, roles the parties involved had in prompting resolution of the situation and how it would be resolved.

RESOLUTION NO. 233-2006 Motion by Councilman Smith, seconded by Councilman Reinschmidt, to authorize the Parks Department to replace the fence and make whatever repairs they can to fix the gabions on Town Park property located on Clearview Avenue.

Motion carried: Aye 5 Nay 0

21 DEAN ROAD

Town Board was given a copy of the engineering report and copy of Chapter 27 of the Town Code for reference in making a decision regarding this property. Mr. Barton reviewed the engineering report summarizing the condition of the two unattached garages and the front porch to be unsafe.

RESOLUTION NO. 234-2006 Motion by Supervisor Lemcke, seconded by Councilman Carmestro, that based on the engineering report that the two garages and front porch are structurally unsound and unsafe to the public and may collapse in the very near future and the potential danger that is now known to the public and the surrounding property owners; that we the Parma Town Board require Don Crosby, 21 Dean Road, to demolish the two garages and the front porch within ninety days of this notification and that the building owner's intent should be declared within thirty days to the Town Board. If this does not occur, the Town Board will use whatever legal means necessary to seek the removal of these unsafe structures.

Motion carried: Aye 5 Nay 0

HILTON RAIDERS –REQUEST TO USE GATOR

Hilton Raiders have requested the use of the Gator for football and cheerleading practices. Practices are run Monday through Friday 6:00 p.m. to 8:30 p.m. during August and change to Tuesday through Thursday, for 2 hours, during September. The organization is willing to pay

for gas and any expenses incurred as a result to their use of the Gator. There was discussion about who will be driving and whether a release form will be signed.

RESOLUTION NO. 235-2006 Motion by Councilman Smith, seconded by Supervisor Lemcke, to authorize use of the Gator by the Hilton Raiders for practices held Monday through Friday 6:00 p.m. to 8:30 p.m. during August and on Tuesday through Thursday, for 2 hours, during September. Hilton Raiders will sign a release form and be responsible for any expenses incurred as a result of using the Gator.

Motion carried: Aye 5 Nay 0

BUDGET TRANSFERS

| TRANSFERS TO BUDGET | | | Aug-06 | | | |
|---------------------|---------------------|-----------|------------|------------------------------|-----------|-----------|
| ACCT # | FROM DESCRIPTION | AMT. | ACCT # | TO DESCRIPTION | AMT. | REQUESTED |
| A1010.211 | OFFICE EQUIPMENT | 200.00 | A1010.420 | OFFICE SUPPLIES | 200.00 | GAVIGAN |
| | A SURPLUS | 3,500.00 | A1430.448 | GRANTS | 3,500.00 | GAVIGAN |
| | A SURPLUS | 20,000.00 | A1420.449 | P RODGERS | 20,000.00 | GAVIGAN |
| B8510.449 | SPRING PICK UP | 827.20 | B8510.450 | RECYCLING | 923.93 | GAVIGAN |
| B9040.830 | WORKERS COMP | 96.76 | | | | |
| A1680.413 | COMPUTER SUPPLIES | 500.00 | A1680.445 | MAINT CONTRACTS | 500.00 | GAVIGAN |
| A3510.451 | DOG CENSUS | 600.00 | A3510.465 | VEHICLE MAINT | 600.00 | FRITZ |
| A7141.487 | SR FITNESS | 350.00 | A7141.434 | START SMART | 350.00 | FOWLER |
| A7141.496 | T SHIRTS | 1,000.00 | A7141.427 | BASEBALL CAMP | 1,000.00 | FOWLER |
| A7141.431 | CHEERLEADING CAMP | 400.00 | A7141.427 | BASEBALL CAMP | 400.00 | FOWLER |
| A7141.414 | OTHER | 260.00 | A7141.494 | T BALL CAMP | 260.00 | FOWLER |
| A7141.448 | BABYSITTING | 525.00 | A7141.494 | T BALL CAMP | 525.00 | FOWLER |
| B9901.911 | INTERFUND TRANSFER | 63,700.00 | DB5031 | TOWN HALL | 10,700.00 | SPEER |
| | | | | CHIPPING | 53,000.00 | SPEER |
| SD9901.910 | INTERFUND TRANSFER | 10,000.00 | DB5031 | TOWN WIDE DRAINAGE | 10,000.00 | SPEER |
| A5132.300 | ANNEX BUILDING | 1,300.00 | A5132.200 | HIGHWAY BUILDING | 1,380.05 | SPEER |
| A5010.412 | OFFICE SUPPLIES | 80.05 | | | | |
| DB5130.468 | OUTSIDE REPAIR | 284.66 | DB5130.463 | GAS | 284.66 | SPEER |
| A1620.441 | EQUIPMENT RENTAL | 1,700.00 | A1620.472 | MECHANICAL REPAIRS | 700.00 | DOOL |
| A7110.429 | EQUIPMENT | 3,800.00 | A1620.489 | TOWN HALL WATER TURF PROGRAM | 1,000.00 | DOOL |
| A7110.429 | EQUIPMENT | 1,000.00 | A7110.430 | PROGRAM | 3,800.00 | DOOL |
| A7141.499 | FIELD HOCKEY SENIOR | 705.00 | A7110.430 | PARK IMPROVEMENTS | 1,000.00 | DOOL |
| A7141.487 | FITNESS | 1350.00 | A7141.494 | T BALL CAMP TREE | 705.00 | FOWLER |
| | A SURPLUS | 3,100.00 | A7141.443 | PROGRAM | 1,350.00 | FOWLER |
| | | | A7550.450 | TOWN CELEBRATION | 3,100.00 | GAVIGAN |

RESOLUTION NO. 236-2006 Motion by Councilman Blackburn, seconded by Councilman Smith, to approve the budget transfers as submitted.

Motion carried: Aye 4 Nay 1

Supervisor Lemcke voting Nay

WILDER ROAD WATER MAIN IMPROVEMENTS

A letter was received from the Monroe County Water Authority informing the Town of the Wilder Road Water Main Improvements main project. The water main will consist of 1,830 feet of 12 inch water main installed east along East Avenue, cross under Salmon Creek, and continue east along Wilder Road where it will connect to the existing water main at the Carrie Marie Lane.

Monroe County Water Authority is requesting Lead Agency Status for the Wilder Road Water Main Improvements Project and in accordance with 6 NYCRR 617, all agencies involved must agree upon lead agency designation within thirty days.

RESOLUTION NO. 237-2006 Motion by Councilman Reinschmidt, seconded by Councilman Smith, to approve Monroe County Water Authority as the lead agency for the Wilder Road Water Main Improvements project.

Motion carried: Aye 5 Nay 0

The Town Board reviewed a copy of Part 1 of the Short Environmental Assessment Form as submitted by Monroe County Water Authority.

JUDGE MICHAEL SCIORTINO RECOGNIZED

Judge Michael Sciortino was recognized as an Up and Coming Attorney in Monroe County at an award ceremony sponsored by the *Daily Record*. Supervisor Lemcke, Judge James Maley and members of the Sciortino family attended. The Town Board would like to recognize Judge Sciortino for demonstrating his commitment to the legal profession.

WILDER ROAD SIDEWALKS

A response was received from Monroe County Water Authority to a memo sent by Jack Barton, letting the Town know that it is the Authority's plan and preference to cross Salmon Creek using directional drilling with high density polyethylene pipe rather than installing the water main on a pipe bridge. Steve Fowler will be asked to contact the NYS Department of Transportation regarding alternative options for pedestrians should a sidewalk be installed.

LIAISON REPORTS

**Councilman Smith reported that he has completed and will distribute a CD for the Town Clerk, Recreation and Parks Department that will be used for field scheduling. As stated previously this is intended to allow each department to see the grand scheme and is dependent on sharing the file electronically. He reported that the Parks staff, in particular Joe Perticone and Cheryl Dool, did a good job getting the park ready for the Town Celebration especially with all the rain prior to the event. When he met with Park staff, they discussed the addition of sidewalk/driveway improvement around the front of the building and the Park Foreman will have budgetary numbers to report for the next meeting. Councilman Smith also complimented the Special Police for the fine jobs they did for the Town Celebration and the Fireman's Carnival.

**Councilman Carmestro reported that Recreation Commission meets next week and the fire department is in final negotiations to acquire property for a new fire hall.

**Councilman Reinschmidt reported that the loss of the Spencerport Fire Hall due to fire should make the referendum that was planned for the replacement of that fire hall much easier to pass.

**Councilman Blackburn had no report.

INFORMATIONAL ITEMS

UNITED WAY

Supervisor Lemcke thanked Marian Aprilano and Kathy Muller for their hard work on this year's United Way Campaign.

INSURANCE CLAIM

An insurance claim was received for broken water service on Manitou Road. Supervisor Lemcke asked Supt. Speer if the bill would be paid by the town or through the insurance company. It was determined that the bill should be sent to the Town and we may opt to pay in full rather than have our insurance pay if the amount is not significant.

NYS CODE ENFORCEMENT

This was covered at the last meeting under coverage for building and code departments during emergencies and was not removed from the agenda.

MISCELLANEOUS

Supervisor Lemcke has sent letters requesting meetings with Soccer and Football organizations to talk about field usage and shared responsibilities.

Prepaid checks were for the Town Celebration. This should have been addressed at the last Town Board meeting. Payment has been made.

WARRANTS

RESOLUTION NO. 238-2006 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the A Fund, General Fund bills, in the amount of \$84,686.90.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 239-2006 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the B Fund, Part Town Bills, in the amount of \$3,308.36.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 240-2006 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the DA Fund, Highway Town Wide bills, in the amount of \$486.82.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 241-2006 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the DB Fund, Highway Outside bills, in the amount of \$60,103.44.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 242-2006 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the SD Town Wide Drainage Fund bills, in the amount of \$109.36.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 243-2006 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the Trust & Agency bills, in the amount of \$3,351.24.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 244-2006 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the SH Fund bills, in the amount of \$632.07.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 245-2006 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the SN Fund bills, in the amount of \$467.92.

Motion carried: Aye 5 Nay 0

OTHER BUSINESS

Joseph Rittler, 656 Ogden Parma TL Road, asked what contingency plan the Town has if the Sales Tax Intercept does not go through. Supervisor Lemcke responded that he expected it would be addressed as part of the budget process and at this time there is nothing officially on record as to what we will do. It was noted that sales tax money goes to the B Fund and there has not been a Town tax charged to that Fund since we started receiving the sales tax money.

Mr. Rittler also inquired if the FOIL requests could be made via email. Since the Town has email capability requests can be made via this method and should be directed to the Town Clerk.

EXECUTIVE SESSION

RESOLUTION NO. 246-2006 Motion by Councilman Smith, seconded by Councilman Carmestro, to enter into Executive Session at 9:30 p.m. to discuss a financial highway issue.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 247-2006 Motion by Councilman Carmestro, seconded by Councilman Smith, to close the Executive Session at 9:38 p.m. and return to regular session.

Motion carried: Aye 5 Nay 0

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 9:38 p.m., seconded by Councilman Smith and all were in favor.

Respectively submitted,

Donna K. Curry
Parma Town Clerk