

Parma Town Board meeting held on Tuesday, April 17, 2007 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

Joe Lee, Ken Robertson, David McCracken, Dom Faiello, John Kessler, Gene DeMeyer, Rich Maier, Jim Zollweg, Brad Delano, Joe Petricone and other unidentified members of the public.

CALL TO ORDER

Supervisor Lemcke called the meeting to order at 7:00 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by an extended moment of silence for those that died or were injured and their families as a result of the Virginia Tech incident. Supervisor Lemcke noted emergency exit procedures and that the meeting was being digitally recorded.

PUBLIC FORUM

Supervisor Lemcke asked if anyone present would like to address the Town Board on any topic not on the agenda.

REQUEST FOR PUBLIC HEARING - CREATION OF TARA SUBDIVISION SANITARY SEWER DISTRICT FOR 535 AND 543 MANITOU ROAD

Rich Maier requested that a Public Hearing be held for the creation of a sanitary sewer district for the Tara Subdivision (543 Manitou Road) and 535 Manitou Road. A Petition for Establishment of a Sanitary Sewer District signed by both parties, map and legal description of the proposed sewer district and application fee must be submitted. There was discussion as to the timing and it was determined that a public hearing would be held May 15, 2007.

RESOLUTION NO. 119-2007 Motion by Councilman Carmestro, seconded by Councilman Smith, to advertise for a Public Hearing to establish a Sanitary Sewer District for the Tara Subdivision and 535 Manitou Road on May 15, 2007 at 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, NY.

Motion carried: Aye 5 Nay 0

VENDING REQUEST IN TOWN HALL PARK

John Kessler and Dom Faiello submitted information and a request to vend in the Town Hall Park. Supervisor Lemcke explained that the Lion's Club has already requested to provide this service. As a not for profit the Town would prefer allow them to provide this service rather than have to put it out for bid if they were to go to a commercial venture.

MALEK – DRAINAGE ISSUE

Richard Malek asked to speak regarding a drainage issue he is having. Supervisor Lemcke asked that he hold his request until Mr. Barton is present for the discussion.

MINUTES – APRIL 3, 2007

RESOLUTION NO. 120-2007 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to accept the Minutes of the April 3, 2007 meeting.

Motion carried: Aye 5 Nay 0

TOWN CLERK REPORT

The VFW Summary report for March has been submitted.

Notices have been received during the first quarter for application of renewals for liquor licenses from: Twin Hills Golf Course, Inc., Forks Park Softball Complex and Brewskis, LLC.

Sections of windows in the Town Clerks office and any area near the copy machine leaked during the most recent storm. This has been reported to Joe Petricone and he is following up.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported that the Highway Department has started Spring Cleanup. Highway crews have also been working on flushing sewers and repairing lawn damage from plowing.

Supt. Speer stated that he felt attendance at Advocacy Day in Albany in March was beneficial because the Town portion of the Consolidated Highway Improvement Program has been increased to \$26,000 from \$22,000 last year.

There will be a Worker Compensation hearing, May 5, 2007 regarding the foreman's injury. There was discussion on the purpose of the hearing.

Councilman Carmestro questioned the extinguisher service expense which is part of the bills to be paid. He suggested that quotes be sought to verify if what we are paying is reasonable.

Councilman Carmestro also noted that copies of all NIMS certificates have still not been turned in and indicated that this could have an impact on any grant money that might be available to the Town, in particular for the needed bridge work. Supt. Speer stated that he has gotten the certificates.

**** Jack Barton entered the meeting at 7:12 p. m.**

MALEK – DRAINAGE ISSUE - Continued

Richard Malek spoke regarding a drainage issue on his property that is a result of a chain link fence that was installed on his neighbor's property. During high runoff periods debris catches in the fence blocking the flow and causing water to backup into his yard. The fence goes partially down to the bottom of the swale and crosses into the drainage easement. Highway Superintendent Speer will visit the site, assess the flooding hazard and discuss with the property owner.

BUILDING DEPARTMENT REPORT

Mr. Barton has provided Town Board members with a copy of the Annual Stormwater Report.

The Stormwater Coalition in conjunction with the Sierra Club is holding a joint public hearing which will satisfy the state's requirement for a public hearing. Adoption of a resolution for compliance will be put on the agenda for the next meeting. This must be in place by June for DEC submittal.

DUNBAR ROAD EAST SEWER DISTRICT

Mr. Barton is expecting plans from Bill VanAlst for the Dunbar Road East Sewer District this Thursday. Mr. VanAlst is working on specific requirements needed for Rural Opportunities. Supervisor Lemcke reviewed the steps that have been completed and verified by Mark Colopy of Fiscal Advisors & Marketing, Inc.

Mr. Barton updated the Town Board on the status of purchasing software for the Building department. On May 1, 2007, a representative from Business Automation Services (BAS) will be in Rochester for the Town Clerk's Association Annual Conference and has offered to make a presentation at the Town Board meeting. The total package including laptops and licenses for three personal computers is approximately \$25,000. The Town of Hamlin uses the Building Department and Town Clerk modules and Perinton uses the Building module. He plans to view their set up and get feedback on the product. Parma currently uses the Town Clerk module. The Town Board wished to have the BAS representative make a presentation at the next Town Board meeting.

Yesterday, Mr. Barton met with Rich Carlson of Carlson Schmeer to determine the next steps for a court clerk addition/renovation.

Mr. Barton informed the Town Board that he will be at the next meeting but will be away later that week and the following week pending approval of vacation time.

As a follow up to discussion at the last meeting regarding availability of electricity for 670 Ogden Parma Town Line Road, Spencerport Village Electric has declared a moratorium for out of district users. A map of the franchise boundaries has been provided to the Town. It was noted that Rockridge Circle is outside the franchise.

Supervisor Lemcke inquired as to the status of action that has been taken for violations at 213 Webster Road. Mr. Barton indicated that a summons had been issued, the property owner has obtained a permit and the decision will be made by the courts.

Councilman Carmestro stated that the former Kirby Motel would not be used as a burn for fire departments. There was discussion as to what could be done to expedite the demolition.

SUMMERTIME TRAIL – ROAD DEDICATION

Mr. Barton checked with Schultz and Associates and consulted with Dan Bryson, of Lacy Katzen, regarding easements as they pertain to the resolution for the Summertime Trail road dedication. It was noted that easement descriptions were not written but are shown on the filed subdivision map. The attorney felt that the map was sufficient for this dedication since the properties have been sold and the developer is no longer the owner. Going forward as part of the dedication process, or before, the descriptions should be obtained and provided to the attorney before the deed is filed with the County. Based on this recommendation the Town Board was satisfied with the filed subdivision map and the Summertime Trail road dedication can be filed.

RECREATION DEPARTMENT REPORT

Mr. Fowler informed the Town Board of two special events coming up for the Town. The Anniversary Dinner for the Senior Center on April 27, 2007 has 100 individuals signed up so far. Kites in the Park will be held from noon till 2:00 p.m. on April 28, 2007. There will professional kite flyers, free food, and free kites to the first 200 children. Hilton Big M is a co-sponsor and the Lions Club and Carmestros Restaurant will be handling the grills. Mr. Fowler

noted that the intern from SUNY Brockport was integral in the planning and development of this event.

PARKS DEPARTMENT

Bob Crowley inspected the septic system and explained the steps that had been done to assess the situation. There was discussion on the age of the system and what steps should be taken. Restrooms will be closed and portable facilities will be brought in until the issue is resolved. The ends of the lines will be opened to see if still functional. Mr. Barton was asked to notify Larsen Engineers. Calculation of the output were requested to determine the capacity that would be required if the systems were combined. There appears to be no infiltration of surface water from failure. There was discussion regarding new types of treatment options and the remaining three septic systems.

Joe Petricone reported that staff has been working on cemetery cleanup. Park Safety Attendants are in place. General Park cleanup is being done and painting in the far back facility.

Mr. Petricone provided more information for the parking lot expansion at the Lions and Burritt Pavilions and by the Morton Building. There was discussion.

Councilman Carmestro noted that when reviewing the bills for this month, there was no breakout for labor on the bills submitted by Guenther Electric. An itemized bill and the hourly rate should appear on invoices.

Councilman Smith verified that all employees have been trained for emergency situations and on who should be called when situations arise. Mr. Petricone responded that this has been reviewed with staff.

BUSINESS ITEMS

LIONS CLUB PROPOSAL– VENDING IN TOWN HALL PARK

The Hilton Lions Club has submitted a request to sell hot dogs, chips, soft drinks and water at the Town Hall Park on Monday through Thursday from 6:00 to 8:00 p.m. during baseball season. They would setup in the vendor cage area and would need access to the warming hut for storage of surplus inventory. Security was discussed. All proceeds would be used for community projects in the Hilton Parma area.

A Certificate of General Liability has been provided and the Department of Health was contacted and has agreed to issue a Food Service Permit for this project.

RESOLUTION NO. 121-2007 Motion by Councilman Carmestro, seconded by Councilman Smith, to grant permission to allow the Lions Club use of facilities in the Town Park to vend food in the Town Park during the baseball season.

Motion carried: Aye 5 Nay 0

RESOLUTION ESTABLISHING MANDATORY TRAINING FOR PLANNING BOARDS AND ZONING BOARDS OF APPEAL

A sample resolution was provided to Town Board members at the last Town Board meeting. There was discussion resulting in two changes to the wording of the proposed resolution. Paragraph 2. was changed to read “The authority to determine suitable training is *the responsibility of the* Town Board, who shall note annually in Board minutes the selected training.” Also Paragraph 3, notation 4 was removed in its entirety.

RESOLUTION NO. 122-2007 Motion by Councilman Smith, seconded by Councilman
Blackburn,

WHEREAS, the adoption and implementation of Local Land Use decisions have a profound effect on the character of a community and the well being of its citizen; and

WHEREAS, the administration of Land Use Laws is a complex and highly diverse process that requires specialized knowledge and familiarity with the applicable laws and regulations; and

WHEREAS, well considered and timely decisions, consistent with those laws and regulations attract quality community development, result in fewer lawsuits and generally decrease the discord within the community; and

WHEREAS, the Town of Parma desires to provide, for the benefit of its citizens, a well trained and knowledgeable body of officials to administer the Local Land Use process.

NOW THEREFORE BE IT RESOLVED, as follows:

1. Pursuant to the provisions of Town Law Section 267 & 271 all Planning Board and Zoning Board of Appeals members shall be required to complete at least four (4) hours of suitable training per year.

2. The authority to determine suitable training is the responsibility of the Town Board, who shall note annually in Board minutes the selected training.

3. The training requirement may be satisfied by educational activities substantially devoted to planning, zoning or other land use issues, such as 1) attending conferences, seminars or workshops; 2) participating in on-line training or tutorials; 3) attending college courses. Training may be offered by a municipality, regional or county planning office or commission, county, regional or state planning federation, state agency, statewide municipal association, college or university or other similar entity.

4. A record of annual completion of training shall be maintained by the Town clerk or planning director and a copy provided to the Town Board prior to considering a Planning Board or Zoning Board member for reappointment. Eligibility for reappointment to these Boards shall be conditioned upon completion of training prior to the end of each calendar year.

5. Suitable training in excess of four (4) hours per year may be accumulated and carried over into the succeeding year for the purpose of satisfying these training requirements.

Motion carried: Aye 5 Nay 0

WILDER ROAD SIDEWALK CONSTRUCTION PROJECT

Town Board members were provided information on the proposal for sidewalks from Carrie Marie Lane to Manitou Road along Wilder Road. There was discussion regarding the project. It was noted that the Town would have to enter into a project agreement with the Department of Transportation that would require the Town to fund the project completely up front and then be reimbursed as the project work is done. The total cost of the project is \$785,642 of which \$531,182 would be submitted for payment with approved grant money and the balance to be paid by the Town.

RESOLUTION NO. 123-2007 Motion by Councilman Carmestro, seconded by
Councilman Blackburn, to reject the Federal Highway Administration Aid Grant
received for the Parma Wilder Road Sidewalk Construction Project

Motion carried: Aye 4 Nay 1 Supervisor Lemcke voting nay

FIRE PREVENTION CODE

There was discussion regarding possible revision to Chapter 57 of the Town Code. Currently above ground storage tanks for flammable liquids are not allowed. There was discussion regarding containment and size requirements. It was noted that under SEQR this would be a Type I action which would require a Full Environmental Review and a public hearing would need to be held. It was suggested that other Town's codes be looked at and Mr. Barton will research options. The Town Board would like to look into this further and will be a future agenda item.

MISCELLANEOUS

VEHICLE PURCHASES

The deadline for purchase of State contract vehicle purchases is the end of the week. There was discussion regarding the type of vehicle needed, what various departments use them for, what vehicles would be rotated to other departments, the number of miles put on vehicles and the goal of fuel efficiency. There was also discussion on purchasing a smaller truck when the state bid comes out for trucks.

RESOLUTION NO. 124-2007 Motion by Councilman Smith, seconded by Councilman Carmestro, to purchase one car in the amount of \$12,027 plus \$160 for delivery.

Motion carried: Aye 5 Nay 0

WARRANTS

RESOLUTION NO. 125-2007 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the A Fund, General Fund bills, in the amount of \$40,560.74.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 126-2007 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the B Fund, Part Town Bills, in the amount of \$544.96.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 127-2007 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the DA Fund, Highway Town Wide bills, in the amount of \$32,671.18.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 128-2007 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the DB Fund, Highway Outside bills, in the amount of \$23,664.60.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 129-2007 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the SD Fund, West Avenue Sewer bills, in the amount of \$37.60.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 130-2007 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the ST Fund for Wilder Road Sewer, in the amount of \$371.18.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 131-2007 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the T Fund for Trust and Agency bills, in the amount of \$731.76.
Motion carried: Aye 5 Nay 0

LIAISON REPORTS

**Councilman Smith reported that the Dog Control officer has had two complaints in particular and the appropriate forms have been sent.

The upcoming Zoning Board meeting has a full docket and he plans on attending.

The Recreation Commission is holding another joint meeting this Thursday to clarify the process as they move forward with the Community Center.

Councilman Smith provided the Town Board with a list of current projects, their status and identified a lead individual. This has been offered as a tool that will facilitate communication on the status of projects. This will be an agenda item for the next Town Board meeting.

**Councilman Carmestro reported that he attended the Planning Board meeting and that he will be sitting in on some of the scheduled assessment review meetings starting next week.

**In response to the request for the volunteer fireman exemption, Councilman Reinschmidt reported that there are approximately twelve Parma residents that are volunteers with the Spencerport Fire Department.

He will be attending the Library Board meeting Thursday.

**Councilman Blackburn responded to information regarding surplus tables at the VFW Hall. It was felt that if the tables have been determined not to be a safety risk, they should be given to a charitable organization or an entity affiliated with the Town Park. If they are a safety hazard they should be disposed of and not allowed to be used.

INFORMATIONAL ITEM

Steve Fowler introduced and the Town Board welcomed, Jim Zollweg, the newly appointed Recreation Commissioner.

There being no further business brought before the Town Board, Councilman Smith made a motion to adjourn the meeting at 9:20 p.m., seconded by Councilman Carmestro and all were in favor.

Respectively submitted,

Donna K. Curry
Parma Town Clerk