

Parma Town Board meeting held on Tuesday, October 4, 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**

GIS Coordinator Jim Zollweg, Mike Clark, Mike Weldon, Helen Ives, Ed Allen, Judy Allen, Art Cosgrove 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 FORUM**

Supervisor McCann asked if there was anyone who wished to address the Town Board.

Rick Lemcke asked why the proposed budget is raising more than the 2% new tax cap and if the cap was on the rate. Supervisor McCann responded that the 2.1% budget increase as presented is tentative. The cap is 2% of the levy. The budget is not in a final form because there are still many unanswered questions regarding the cap and how it should be calculated. As recent as yesterday the Finance Director attended a session offered by the Comptroller's Office to obtain more information on this. A lot of unanswered questions remain. Mr. Lemcke noted that money was being taken from fund balances and asked if these funds were coming from the Library. Supervisor McCann responded that money is coming from different sources and the funds are unappropriated balances. He indicated that what is in the budget is what is planned at this time. He expects that there will be more in depth discussion at the next two meetings.

### **MINUTES – SEPTEMBER 20, 2011**

**RESOLUTION NO. 182-2011** Motion by Councilman Carmestro, seconded by Councilman Roose, to accept the minutes of September 20, 2011 as submitted.

Motion carried: Aye 5 Nay 0

### **TOWN CLERK REPORT**

The Town Clerk and VFW reports for September have been submitted. A request has been received from Galaxy Enterprises to exclusively lease the VFW Hall kitchen for their food management operation. Some of their catered functions could use the VFW Hall and others might require only the use of the kitchen. It was decided that this would be addressed later in the meeting.

The school tax first installment surrender has been completed and sent to the Monroe County Treasury. Correspondence has been received from Dorothy Swingle on behalf of the Hilton Lioness Club requesting that the Town Board continue to have vendors/fundraising opportunities during Parma Fest Days. A copy of correspondence was also received from Assemblyman Steve Hawley's Office requesting the Governor to

call the Legislature back into session to address mandate relief which is affecting municipalities even more because of the current property tax cap.

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported that work on the Hamlin Parma TL Road has not been completed. He expects the contractor back next Wednesday or Thursday. One large area of contaminated soil from the old bus garage on Grove Street has been dug out and backfilled. A problem with landfill permits has delayed work on the other area at that site. Work continues on the Hill Road Bridge Replacement project.

Supt. Speer provided the Town Board with a list of items recently sold at the Tietsworth auction. The value less commission was \$6,502.50.

### **BUILDING DEPARTMENT REPORT**

Mr. Barton noted that earlier this year he informed the Town Board that Parma had been selected as one of ten communities in the area that would be eligible for stormwater green project grant funding. Stormwater runoff at the highway garage and discharge into the creek at Town Hall Park were identified as potential high priority projects dealing with stormwater that would be eligible. The grant application is now available and he would like to apply. These grants would require a 10% match from the Town which can be in-kind services and New York State will cover the remaining 90%. The Town Board was in agreement to proceed with the application.

### **RECREATION DEPARTMENT REPORT**

Mr. Fowler reported the 32<sup>nd</sup> Apple Derby 5 Mile Run was held last Saturday with 67 participants. Upcoming events include a brief ceremony on Saturday October 15<sup>th</sup> to celebrate the completion of the Town Hall Park Field Lighting Project and on the same day the annual Halloween event at the Village Community Center.

Mr. Fowler reported that all grant applications will be applied for and processed through the Consolidated Funding Application's (CFA) on-line application for grant funding. He described the ranking process, the purpose of the changes and noted that the next set of applications must be submitted by October 31<sup>st</sup>. He requested that the Town officially register with New York State.

### **AUTHORIZATION TO REGISTER WITH NEW YORK STATE FOR CONSOLIDATED FUNDING APPLICATION (CFA) ACCOUNT**

**RESOLUTION NO. 183-2011** Motion by Councilman Carmestro, seconded by Councilman Roose, to officially register for a Consolidated Funding Application (CFA) Account.

Motion carried: Aye 5 Nay 0

### **PARKS DEPARTMENT**

Councilman Smith reported that additional quotes have been received regarding the roof repairs in the court area. It was not clear from what was submitted, if the contractor with the low quote meets all the specifications. He will follow up and have a recommendation for the next meeting.

### **BUSINESS ITEMS**

#### **ESTABLISHMENT OF NORTH AVENUE SANITARY SEWER DISTRICT #3**

Supervisor McCann noted that the public hearing for the creation of this sewer district was held on September 20, 2011 and the location was for 590 North Avenue. Since that

meeting the response has been received from Monroe County Planning and Development and there were 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.

The Environmental Assessment Form has been received from the applicant and Part 1 was reviewed. The Town Board proceeded to review and answer the questions in Part 2.

**SEQR DETERMINATION**  
**ESTABLISHMENT OF NORTH AVENUE SANITARY SEWER DISTRICT #3**

**RESOLUTION NO. 184-2011** Motion by Councilman Smith and seconded by Councilman Carmestro,

The Parma Town Board has classified this proposal as an Unlisted action under SEQR. The Parma Town Board has reviewed parts 1 and 2 of the Environmental Assessment Form (EAF) submitted by the applicant and any other relevant areas of environmental concern submitted for this proposal. Compared with the criteria listed in section 617.11 of SEQR regulations, all indications are that the proposed action will not cause substantial adverse change in community character, aesthetics, design and natural features. Based on its review, the Parma Town Board has determined that the action will not have a significant adverse impact on the environment of the Town and hereby issues a Negative Declaration.

Motion carried: Aye 5 Nay 0

**TOWN BOARD RESOLUTION TO ESTABLISH**  
**NORTH AVENUE SANITARY SEWER DISTRICT #3**

**RESOLUTION NO. 185-2011** Motion by Councilman Carmestro and seconded by Councilman Roose,

**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 #3 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 \$19,000.00; and the maximum amount to be expended annually for sewer service is approximately \$50.00 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 #3 and shall be bounded and described as set forth in Exhibit A2 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 A2 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

**APPLICATION FOR PUBLIC ASSEMBLY**

The Town Board reviewed the application of Forks Park for the Battle on the Bay cancer fundraiser to be held on October 8, 2011. The application was in order and there were no additional concerns expressed by the Town Board. The approved permit will be issued by Code Enforcement after a final inspection the day before the event.

**APPROVE APPLICATION FOR PUBLIC ASSEMBLY PERMIT - FORKS PARK**

**RESOLUTION NO. 186-2011** Motion by Councilman Carmestro, seconded by Councilman Roose, to approve the application of Forks Park for a public assembly permit for the Battle on the Bay Cancer Fund Raiser on October 8, 2011 based on the application submitted and reviewed by the Parma Town Board and will be subject to final inspection by Code Enforcement who will then issue the permit.

Motion carried: Aye 5 Nay 0

**BUDGET TRANSFERS**

TRANSFERS TO BUDGET

Oct-11

FROM			TO			REQUESTED
ACCT #	DESCRIPTION	AMT.	ACCT #	DESCRIPTION	AMT.	
LOO574741012000	LIBRARIAN 1	16,000.00	LOO57474105000	PAGES	16,000.00	KIRK
AOO570702041100	CONTRACUAL BROCHURE	475.00	AOO570702045200	VEHICLE MAINT	475.00	FOWLER
	B UNAPPROPRIATED FUND BALANCE	63,919.10	DBO499503100	INTERFUND REVENUE	63,919.10	GAVIGAN
	***FUND 2010 AUDIT REPORT****					
	B UNAPPROPRIATED FUND BALANCE	69,719.00	DBO499503100	INTERFUND REVENUE	69,719.00	GAVIGAN
	***FUND 2011 BUDGET*****					

The purpose of the interfund revenue transfers is to balance the DB Fund as a result of the Hungerford audit. Councilman Carmestro noted that it is likely that there will be something that can be addressed during the budget process.

**RESOLUTION NO. 187-2011** Motion by Councilman Smith, seconded by Councilman Comardo, to approve the Budget Transfers as submitted.

Motion carried: Aye 4 Nay 1 Nay Councilman Carmestro

### **MISCELLANEOUS**

Galaxy Enterprises – There was discussion on whether the Town Board wished to approve the Galaxy Enterprises request for use of the VFW Hall for their catering business. Discussion included potential conflicts with entities already using the Hall, the building is not set up for this, rentals interrupted by use of kitchen for their functions, lack of sewers and concerns due to prior problems. The Town Board was in agreement that they were not interested at this time and that a letter would be sent.

Annual Training – each year members of the Planning and Zoning Boards are required to take four hours of training. A member of the Zoning Board has requested the Town Board accept participation in a full day session which included zoning as well as building related information. Half the class pertained to zoning. Mr. Barton noted that he reviewed the syllabus for the class and felt that it was appropriate for the four hours of credit, however it is at the discretion of the Town Board to approve.

**RESOLUTION NO. 188-2011** Motion by Councilman Smith, seconded by Councilman Comardo, to accept the training hours taken by Zoning Board member Dean Snyder for 2011.

Motion carried: Aye 5 Nay 0

National Incident Management System (NIMS) – Correspondence was received by Mr. Barton on September 28<sup>th</sup> that a NIMS report was due on the thirtieth. It has come to the Monroe County Office of Emergency Management's attention that no one received notification of the deadline and the County will make New York State aware that the report will be late. New for this year's reporting is adoption of twenty forms pertaining to communication and status reports that will be used during an emergency and provide a uniform reporting method. There are three positions that will need to be filled and there will be required training for each. Appointment of a Public Information Officer who will have authority to speak as the primary point person for communications is one position. A Resource Officer and a coordinating position will also need to be appointed. It was noted that most of the resources the Town would have to offer would be coming from the Highway Department and that a Highway employee would be the likely choice for this. Councilman Smith said he would consider the Public Information Officer position. Jack Barton will send job descriptions to each of the Town Board members and the training requirements.

### **INFORMATIONAL ITEMS**

There were none. Supervisor McCann informed those at the meeting that the Town Board would adjourn into executive session after the Liaison Reports and when they come out there would be no further business taken up by the Town Board.

### **LIAISON REPORTS**

\*\*Councilman Smith reported it had come to his attention that the freshman football team would like to hold an evening game at the Town Hall Park field. Due to wet conditions over the weekend, the desire not to tear up the field and the need to schedule makeup

games for the Raiders it was determined that the school game would not be held here. Along this same line, there was also discussion on removing the Recreation Department from being in middle for the scheduling of make up games for Babe Ruth. Consideration should be given to having the Parks Department coordinate the scheduling of make-up games and the impact that this might have on the scheduling of pavilion rentals. This will be discussed more in the future.

\*\*Councilman Comardo reported the Recreation Commission reviewed a report on Revenue and Expense for all programs and a summary of net costs for the department over the last ten to twelve years and discussion on plans for vehicle replacement He noted that the Planning Board will be meeting later this week and that he has met with Jim Zollweg regarding what is available to us and future options for use of GIS.

\*\*Councilman Carmestro reported that the Hilton Parma Fire District meets tomorrow and North Greece meets later this month. The opening of the new TOPS Highlights of the Village meeting included the opening of TOPS, Apple Fest and acquisition of a new steam table for the Senior Program.

\*\*Councilman Roose reported that the Zoning Board Special Police meetings are coming up and that training requirements for the Special Police are changing from 20 hours to 99 hours. In the past this training has been free and they will be checking with Greece.

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

#### **ENTER INTO EXECUTIVE SESSION**

**RESOLUTION NO. 189-2011** Motion by Councilman Smith and seconded by Councilman Comardo, to enter into Executive Session to discuss ongoing litigation.

Motion carried: Aye 5 Nay 0

There was a brief recess while those in attendance left the meeting. The board entered into Executive Session at 8:01 p.m.

#### **CLOSE EXECUTIVE SESSION**

**RESOLUTION NO. 190-2011** Motion by Councilman Smith and seconded by Councilman Comardo, to close the Executive Session at 8:26 p.m. and return to regular session.

Motion carried: Aye 5 Nay 0

There being no further business before the Town Board, Councilman Smith made a motion to adjourn the meeting at 8:26 p.m., seconded by Councilman Comardo. All were in favor.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk

#### **SCHEDULE A2**

##### **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:



**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, the project will have a temporary impact on noise levels in the area during construction, however, this has been identified as a small to moderate impact.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly:  
 No, the property is surrounded by active farming and residential subdivisions. There are no existing structures on this property.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  
 No, this parcel is a fairly flat open area with no waterways or wooded areas on the site.

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 zoning of this parcel is High Density Residential (HD) and the proposed church is an allowed Special Permitted Use in accordance with current Zoning Regulations.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  
 No, the proposed church and church related activities will use the entire parcel. Development of the surrounding area is expected in the future as noted in the Town's Master Plan.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:  
 No, In reviewing the proposed project for this parcel, no other adverse impacts have been identified.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:  
 No, the use of utilities for this project can be accommodated by the existing services in the area and no upgrades or expansion of service providers is expected.

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.

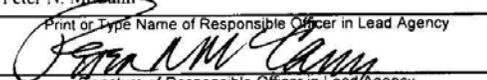
Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Town of Parma Town Board 10/4/11  
Date

Name of Lead Agency Supervisor

Peter N. McCann Title of Responsible Officer

Print or Type Name of Responsible Officer in Lead Agency Jack Barton

 Signature of Preparer (if different from responsible officer)

Signature of Responsible Officer in Lead Agency