

Town Board meeting held on Tuesday, April 18, 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
Building Inspector	Jack Barton
Recreation Director	Steve Fowler

OTHERS IN ATTENDANCE

Edward Arnold, Bill Kruspe, Chris Foote, Stan Hoy, Gene DeMeyer, Marilyn DeMeyer, Shannon Conrad, David Conrad, Michael Wright, Jeanna Markese Byrd, Les Carr, John Brazas and other unidentified persons.

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. He noted emergency exit procedures.

Supervisor Lemcke asked if anyone present would like to address the Town Board on any topic not on the agenda. Ed Arnold asked to speak regarding the property on Parma Center Road that is owned by the Greece Cobra soccer group.

**CONCERNS REGARDING POSSIBLE SOCCER COMPLEX
ON PARMA CENTER ROAD**

Edward Arnold, 85 Burritt Road, wanted to discuss Councilman Smith's liaison report from the March 21, 2006 Town Board meeting regarding the soccer complex.

Supervisor Lemcke explained that Councilman Smith informed the Town Board of a proposal that might be brought before the Town Board. A liaison report is not acted on.

Mr. Arnold read a letter from Jack Barton, Building Inspector, regarding property located at 134 and 140 Parma Center Road, dated March 20, 2006.

****** See end of Minutes***

Mr. Arnold commented that if the applicant has to go before the Zoning Board of Appeals for a Use Variance the Town Code states the applicant must prove hardship in order for the Zoning Board of Appeals to approve the project. He noted that the land was donated to the organization and did not feel they could prove hardship.

Mr. Arnold referred to the meeting which took place at the VFW on April 11, 2006. He said very few people were invited and he estimated that approximately 90 people were in attendance. He said only 5 people were in favor of the project, the presenter, his engineer, an attorney and 2 other people from Greece. He feels this is a commercial endeavor and does not belong in rural residential. He noted that the people, whose property borders the properties at 134 and 140 Parma Center Road, did not receive a letter.

Supervisor Lemcke explained that a proposal has not come before the Town Board as yet. As long as they file the proposal and all the paper work is in order, the Town Board can not refuse to hear the proposal.

Mr. Arnold asked what the Town's feelings are on Spot Zoning.

Supervisor Lemcke replied that there can not be Spot Zoning.

If a proposal comes before the Town it will then have to be determined whether it falls under Special Permitted Uses or requires rezoning. If the proposal is just for fields, with no commercial venture, it does not require Highway Commercial Zoning. If the Proposal is presented with something that has a commercial venture, then it may not fall under Special Permitted Uses for Rural Residential. A commercial use is when someone profits from that establishment on a regular basis, such as a car wash or an ice cream shop.

Bill Kruspe, 91 Parma Center Road, is concerned about the number of cars that would be coming to the site on a daily basis. He mentioned this would be taking away open space for this project.

Stan Hoy, 99 Burritt Road, asked if their proposal for this complex is about one and a half million dollars in development, are they exempt from paying taxes? He does not feel that the zoning should be changed on this property and that the Master Plan should be followed.

Supervisor Lemcke explained that they can file for Not-For-Profit status and if approved they would not pay taxes. They are paying taxes now on the property.

Councilman Reinschmidt explained that he belongs to the German American Federation of Societies and they own a building in Gates and 10 acres and they have a 50% reduction in taxes. He also referred to the Italian American Community Center in Gates that is Not for Profit and has a 50% reduction in taxes and pays approximately \$70,000.00 in taxes.

If an official request proposal is brought before the Zoning Board, there would be a neighborhood notification mailed to residents within 500 feet of the property. If the Town Board holds a Public Hearing on the proposal, there would be a Legal Notice in the Suburban News and a large sign would be put up on the property stating the time and date of the Public Hearing. There would also be a neighborhood notification sent to the residents within 500 feet of the property.

Kathryn Ranieri, 67 Parma Center Road, asked if a formal presentation has been made to the Town Board or outside the Town Board.

Supervisor Lemcke noted that an informal presentation has been made to Councilman Smith, the Chairperson of the Planning Board, the Chairperson of the Zoning Board, Jack Barton and the Supervisor. There has not been a formal presentation to the Town Board or other Boards.

Eugene DeMeyer, 182 Butcher Road, asked when the property was rezoned from Rural Residential Agriculture to Rural Residential. He asked what the lot sizes are for that area.

Supervisor Lemcke responded that the Master Plan of 1998 stated agriculture can be in all districts.

The lot sizes in Rural Residential are between 2 ½ to 3 acres, depending on the perk.

Les Carr, 221 Dean Road, asked if the Town has done any purchasing of any development rights, other Towns have for open space purposes. He commented on the size of the complex for a rural community.

Supervisor Lemcke stated that the Town has not purchased any property for development rights. The Town now has approximately 70% open space.

John Brazas, 112 Bailey Road, feels that the Greece Cobra organization has outgrown Greece and wants to move to Parma. The rural nature of the Town will be lost and he would encourage the Board to look at how this will affect the Town historically.

Christopher Foote, 130 Parma Center Road, asked if there would be any more discussion in the liaison reports regarding the soccer complex.

Supervisor Lemcke said that there would not be any further discussion on the soccer complex.

MINUTES – APRIL 4, 2006

Councilman Reinschmidt noted in his Liaison report, on page 4 of the April 4, 2006 Minutes, the number of students in the Town of Clarkson should be 115 and not 150, as listed.

RESOLUTION NO.127-2006 Motion by Councilman Smith, seconded by Councilman Reinschmidt, to approve the Minutes of the April 4, 2006 meeting, with the correction changing the Town of Clarkson students from 150 to 115.

Motion carried: Aye 5 Nay 0

TOWN CLERK REPORT

Donna Curry, Town Clerk's office, will be out of work for four (4) to six (6) weeks to recover from surgery.

Assembly Hawley has requested to use a room in the Parma Town Hall one day each month to meet with residents to discuss concerns. The Town Clerk will contact his office to schedule a day and time.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported that the bridge on Manitou Road by the Willow Inn and the bridge on North Avenue by Burch's farm will be closed this summer for repairs.

The highway department is doing work in the Town Park and will be paving the Town Hall parking lot.

BUILDING DEPARTMENT REPORT

Mr. Barton is completing the Storm Water Management Program Annual Report. New York State is looking for the Towns to adopt a Storm Water Management Illicit Discharge Detection and Elimination and Post Construction Ordinance. The annual report is due to Monroe County Storm Water Coalition by April 19, 2006 and then is sent on to New York State DEC.

Mr. Barton receives a weekly Storm Water Pollution Prevention Plan on the subdivision projects from each developer.

There was a comment card sent to the Town of Parma Building Department stating what a pleasure it was for this resident to work with Mr. Prince.

RECREATION DEPARTMENT REPORT

APPENDIX X – MODIFICATION AGREEMENT FORM

On February 6, 2006, the State approved the Appendix X Agreement of the Town's Environmental Protection Fund. The Town has received the final payment from the State of \$62,824.36.

GUIDELINES FOR VOLUNTEERS MANUAL

Mr. Fowler submitted the "Guidelines for Volunteers Manual" to the Town Board for review.

PORTABLE STAGE REPAIRS AND INFORMATION BOARD REPAIRS

The roof on the portable stage has been damaged and repairs would cost approximately \$1,525.00.

The information sign has 2 sections of Plexiglas as a protective covering and it would be better to have one sheet with a wide ¼" steel channel as a covering. This would cost \$475.00.

RESOLUTION NO.128-2006 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to expend, not to exceed, \$2,000.00 from the T0033 Fund for repairs to the portable stage roof and the information sign.
Motion carried: Aye 5 Nay 0

ANNUAL COSTS EXPECTED FOR USE OF HILTON SCHOOL FACILITIES

Mr. Fowler submitted a report on the community use of Hilton School facilities and the estimated custodial charges to the Recreation Department for the 2005-2006 school year.

PARMA TOWN PARK FIELD USE REQUEST

Mr. Fowler submitted a request for field usage at the Parma Town Park. The list includes the teams / organizations that will be using the fields and the dates and times the fields will be used.

RESOLUTION NO.129-2006 Motion by Supervisor Lemcke, seconded by Councilman Blackburn, to approve the field usage list as presented.
Motion carried: Aye 5 Nay 0

TOWN NEWSLETTER

The publication date of the Parma Newsletter will be in mid-May and the newsletter will be mailed to residents.

HILTON – PARMA SENIOR CENTER CELEBRATION

The Hilton – Parma Senior Center will be holding their 22nd Anniversary Celebration on Saturday, April 29, 2006, at the Hilton Exempt Club. Tickets are available at the Hilton – Parma Recreation office. Ticket price is \$11.00 per person.

AARP TAXES – 2006

The Hilton – Parma Recreation Department offered tax preparation assistance to senior residents. There were 229 people who were assisted by 6 AARP volunteer tax preparers.

HOME OF THE CHAMPIONS SIGN

Village Trustee, Joe Lee, asked Mr. Fowler to inform the Town Board of a sign project recognizing spectacular achievements from the youth scholastic teams within the Hilton-Parma community. The Village is planning on installing 4 signs costing \$1,200.00 each and is looking for the Town and others to consider collaborating on this project.

PARKS DEPARTMENT REPORT

CHAIRS FOR VFW

Mr. Petricone submitted a list of quotes from 4 suppliers for chairs for the VFW building. Mr. Petricone recommended purchasing the chairs from Office Max.

The following quotes: Meadows of Rochester – NYS Contract
\$64.35 per chair
Office Max \$27.99 per chair
Village Office Supply \$54.75 per chair
Sentry Office Supply \$42.00 per chair

RESOLUTION NO.130-2006 Motion by Supervisor Lemcke, seconded by Councilman Smith, to expend \$3,638.00, from Surplus B Fund, for the purchase of chairs from Office Max for the VFW Building.
Motion carried: Aye 4 Nay 1 Councilman Carmestro voting Nay

DISC GOLF UPDATE

The next nine (9) baskets will be set next week on the Disc Golf course.

REQUEST FOR REDUCTION FOR BUILDING PERMIT
STEVEN BAUMAN

Steven Bauman, 412 Peck Road, is planning on building a 120' X 60' pole barn. The building permit fee is \$.08 per square foot and he is requesting a reduction of the fee of \$588.00.

RESOLUTION NO.131-2006 Motion by Supervisor Lemcke, seconded by Councilman Blackburn, to allow the building department to charge half of the normal \$.08 per square foot fee for the construction permit for Steve Bauman's agricultural building.
Motion carried: Aye 5 Nay 0

Councilman Reinschmidt suggested that this should be addressed in the fee structure for building permits.

GATOR POLICY

A draft copy of the Gator Policy was submitted to the Town Board.

DUNBAR ROAD SEWER PROJECT
LOAN RESOLUTION

RESOLUTION NO.132-2006 Motion by Supervisor Lemcke, seconded by Councilman Blackburn, that the Parma Town Board allow the Supervisor to sign and authorize the incurrence of indebtedness for the Dunbar Road Sewer Project to raise a portion of the cost of such undertaking by issuance of bonds in the principal amount of \$80,000.00.
Motion carried: Aye 5 Nay 0

TRANSFERS TO BUDGET

RESOLUTION NO.133-2006 Motion by Supervisor Lemcke, seconded by Councilman Smith, to approve the transfers to the budget as presented.
Motion carried: Aye 5 Nay 0

SKATE PARK RAMP REPAIRS

Mr. Petricone reported that the ramps in the Skate Park are in need of repairs. The approximate cost of special plywood sheets would be \$130.00 per sheet and he may need 30 sheets to make repairs.

The Town Board asked Mr. Petricone to get actual costs and submit the information to the Board at the next meeting.

LIAISON REPORTS

*** Councilman Smith spoke with the Hilton Soccer Club regarding their expectations for the use of the fields at the Park. The Hilton Soccer Club would like to put up a sign to announce that this is the home of the Hilton Soccer Program.

Supervisor Lemcke mentioned that the Hilton Raiders were also interested in a sign. He also discussed putting up a sign noting that this is the Home of the Hilton Cross Country Team.

Supervisor Lemcke suggested that the Hilton Soccer submit their proposal for a sign to the Town Board.

*** Councilman Carmestro presented a request from the Hilton Fire Department Volunteer Ambulance Corp to use the Town of Parma Gators during the Hilton Carnival week, which is July 24 through July 31, 2006.

REQUEST TO USE TOWN GATORS

RESOLUTION NO.134-2006 Motion by Councilman Carmestro, seconded by Councilman Smith, to allow the Hilton Fire Department Volunteer Ambulance Corp use the 2 Town of Parma Gators during the Hilton Carnival, July 24 through July 31, 2006.

Motion carried: Aye 5 Nay 0

Councilman Carmestro met with Hilton Central School Superintendent, Mr. Dimpleby, and Village Trustee, Joe Lee. They discussed the placement of the Home of Champions signs. There will be four (4) signs placed in the Village, next to the Welcome to the Village signs.

*** Councilman Reinschmidt passed out a letter he had sent to Hilton Central School Superintendent Dimpleby regarding origin of the student population by townships.

*** Councilman Blackburn reported that the Assessor has sent letters to 3100 residents regarding changes to their assessment. The staff in the Assessor's office and the people who work here in the Town Hall should be commended because they pitched in together to fold the letters and stuff the envelopes. Some of the employees stayed after hours and helped on their own time to get the job done.

WARRANTS

RESOLUTION NO.135-2006 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the A Fund, General Fund bills, in the amount of \$84,040.85.

Motion carried: Aye 5 Nay 0

RESOLUTION NO.136-2006 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the B Fund, Part Town Bills, in the amount of \$3,889.26.

Motion carried: Aye 5 Nay 0

RESOLUTION NO.137-2006 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the DA Fund, Highway Town Wide bills, in the amount of \$22,023.49.

Motion carried: Aye 5 Nay 0

RESOLUTION NO.138-2006 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the DB Fund, Highway Outside bills, in the amount of \$13,012.85.

Motion carried: Aye 5 Nay 0

RESOLUTION NO.139-2006 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the SD Town Wide Drainage Fund bills, in the amount of \$4,455.79.

Motion carried: Aye 5 Nay 0

RESOLUTION NO.140-2006 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve payment of the SS3 Dunbar Road East Sewer District bills, in the amount of \$573.75.

Motion carried: Aye 5 Nay 0

RESOLUTION NO.141-2006 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the Trust & Agency bills, in the amount of \$6,255.97.

Motion carried: Aye 5 Nay 0

REQUEST FOR PAY INCREASE FOR CAROL ANN ZURICK

Carol Ann Zurick has been appointed by the Town Clerk to the position of Deputy Town Clerk. She has been in the Town Clerk's Office for over three years and is knowledgeable in her job, dependable and a pleasure to have working in the office. The Town Clerk requested that Carol Ann Zurick's hourly rate of pay be increased to \$10.00 per hour.

RESOLUTION NO.142-2006 Motion by Supervisor Lemcke, seconded by Councilman Carmestro, to approve the request for an increase in hourly pay for Carol Ann Zurick to \$10.00, starting April 17, 2006.

Motion carried: Aye 5 Nay 0

There being no further business brought before the Town Board, Supervisor Lemcke made a motion to adjourn the meeting at 9:04 p.m., seconded by Councilman Carmestro.

Respectively submitted,

Carol A. Kluth
Parma Town Clerk

See next page

MARCH 20, 2006

TO: JIM SMITH

FROM: JACK D. BARTON
BUILDING INSPECTOR

RE: PROPERTY LOCATED AT 134 AND 140 PARMA CENTER ROAD

COPY

I have completed a preliminary review of a sketch plan for the above referenced properties. The proposal is to create 25 soccer fields on land totaling just over 125 acres. The property is currently zoned Agricultural Conservation (AC) which does not allow this use. Our initial conversation was about allowed uses in the AC district. We then discussed that the argument for the applicant might be to relate the proposed use with one of the Special Permitted uses in that district. This idea was based on my first thought that Town Zoning did not address this type of use.

After further review, I believe that Town Zoning does address this use. Article 6, subsection 165-40.B which addresses permitted principle uses in the Highway Commercial District, specifically #8, allows Commercial Recreation facilities. The fact that the use is not described in the AC district and is an allowed use in another district within the town leads me to the conclusion that the applicant will need to apply to the Zoning Board of Appeals for a use variance.

The applicant will need to take a very close look at the requirements to meet for a use variance. They must prove hardship for all 4 areas listed in Article 4, subsection 165-20.C.1.b in order for the Zoning Board of Appeals to consider approving their request. If the applicant receives Zoning Board of Appeals approval, they can then proceed to the Planning Board for site plan approval.

The sketch plan addresses parking which exceeds the minimum required spaces of 326 spaces. Several spaces will be lost when converting some of the parking spaces to required larger handicap accessible parking. Road width is not shown. Applicant should plan on a minimum width of 20 feet to address two-way traffic and emergency vehicle access. This may be increased when an Engineering review has been completed.

Other issues that will need to be addressed include, but are not limited to: times that fields will be used, site lighting, public address system, phasing of project, NYSDOT review, SEQR, impact of fertilizers and pesticides, justification for the size of the project, noise, screening.

This again is only a preliminary review and hopefully a start for you to provide a conceptual plan that other agencies will be able to review and provide more detailed comments.

Sorry that I am unable to attend this meeting as I am gaining knowledge to better serve you all!

JDB/eb

Cc: Town Board

Veronica Robillard, Zoning Board of Appeals Chairwoman
Ed Fuierer, Planning Board Chariman
Bob Prince, Building Inspector
Art Fritz, Zoning Enforcement Officer