

Parma Town Board meeting held on Wednesday, November 5, 2008 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

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

OTHERS IN ATTENDANCE

Tom Ganley, Gene DeMeyer, Richard DeMeyer, Jim Zollweg, Pam Speer, Nina VanLare, Larry Speer and other unidentified members of the public.

CALL TO ORDER

Supervisor Lemcke 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 Lemcke noted emergency exit procedures. It was noted that the meeting is being digitally recorded.

PUBLIC FORUM

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

2009 PRELIMINARY BUDGET

Supervisor Lemcke summarized where the Town Board was with regard to the budget. There are 2 proposals before the Board – Councilman Smith’s and the Tentative Budget as proposed by Supervisor Lemcke. Town Board members have received updated versions of both and the Fund Balances through October 31, 2008.

Supervisor Lemcke summarized the Tentative Budget. Noted items were a 0% increase in the tax rate for the Town; elimination of what he considers to be one nonessential job in the Highway Department that would cover the deficit in a 2 year period; \$169,500 from the A Fund Balance and \$12,065 from the B Fund Balance.

Supervisor Lemcke noted the Town Board has spent 865,897 for Highway Department purchases between 1999 and 2008 which came out of the B Fund surplus.

Councilman Smith’s budget proposal changes were reviewed. Noted items included \$96,000 additional spending in the Highway Department using \$100,000 from the DB Fund to offset; a change in Park Revenue, the loss of a seasonal park employee, increase to black top and snow and ice removal, leaving the full time highway employee and the associated social security and medical costs associated with that; an additional decrease in Park department expenses of \$5,000; decrease of \$2,917 in gas, decrease to Postage and NYS Retirement for Town and Library and an increase to Tax Penalty revenue.

There was discussion on whether Councilman Carmestro’s proposal for cuts to cell phones and reduction of gas usage had been captured in this proposal for the budget. It appears they were. It was noted that there has been no adjustment to health care costs that is proposed for part time staff. This is estimated to be a savings of \$11,431.

There was discussion on the possibility of hours reduction for the Highway Department. Supervisor Lemcke reported there have been 2 meetings with the Town's attorney and the union. It was noted that the 40 hour work week is a negotiated item and the Town is obligated to provide; however, a skip week option is possible that was estimated as a \$31,000 savings. Employees would have to be notified in advance. Also discussed during these meetings was the reduction of exempt employees' hours in the Highway Department during such times as there is no work on a given day; grievances; negotiations for a contract extension of two years and allowing employees to participate in the Health Savings Account (HSA). A decision must be agreed upon before November 15th for participation in the HSA.

There was discussion on whether the skip week change in hours should be mandated versus having some flexibility. Savings were estimated as \$34,250 plus the savings in withholding taxes, if the Town Board opts to mandate. There was discussion on the impact on employees, use as a last resort, how services can be provided if implemented. Discussion moved to brush pick up, funding for this in 2009 and having brush pick up for the spring and fall only. There was discussion on what savings might be realized from the HSA. It was noted that this year the cost would be maintained at this year's cost.

The change to part time employees' health care would be a stipend of \$3,593 to be used toward health care costs or how the employee would like. The 3 affected employees were grandfathered in a previous change to the benefit where health insurance was eliminated for part time employees. It was noted that affected employees have access to alternate sources for health insurance; this stipend is a different amount than what is currently being paid to employees that opt out, and Town Board members still having health insurance.

Tom Ganley indicated that he would be in of smaller increases over time to keep valued employees and maintain what he felt were needed services.

There was confusion on how the skip week would work if implemented. Using a 50 week budget for pay and two weeks would be

A motion was made by Councilman Blackburn to accept Councilman Smith's budget with no cuts and Seconded by Councilman Smith. There was discussion on what was actually being approved and Councilman Smith withdrew his second. No further action was taken on this motion.

Councilman Smith clarified that key points of the Smith 2009 budget proposal would include total taxes to be raised of \$1,993,166, the use of \$169,500 from A Fund balance, no B Fund transfer, \$12,165.00 out of the DA Fund and \$100,000 to come from B Fund to the DB Fund. This would result in Total Appropriated Fund Balance of \$281,665. Councilman Blackburn wished to review the cuts, it was reiterated that Councilman Carmestro's cuts were included and the additional changes by the Finance Director that were noted earlier. This will result in a tax rate of 2.767% for the Town outside the Village, a 1.721 % rate increase and 2.30% rate for the Village which is a rate decrease of 4.39%. Supervisor Lemcke expressed that he is opposed to using \$100,000 from the Fund balances. He indicated that going forward every year you will have to take out \$100,000 out of B Fund otherwise the tax rate will be affected. In summary this is the budget as proposed with out health care savings and any wage reduction in the Highway Department.

ACCEPT 2009 PRELIMINARY BUDGET

RESOLUTION NO. 270-2008 Motion by Councilman Smith, seconded by Councilman Comardo, to accept the proposed budget which includes total taxes to be raised of \$1,993,166, the use of \$169,500 from A Fund balance, no B Fund transfer, \$12,165.00 out of the DA Fund and \$100,000 to come from B Fund to the DB Fund. This would result in a Total Appropriated Fund Balance of \$281,665 and in a tax rate of 2.767% for the Town outside the Village, a 1.721 % rate increase and 2.30% rate for the Village which is a rate decrease of 4.39%.

Roll Call Vote: Councilman Comardo Aye

Councilman Smith	Aye
Councilman Carmestro	Nay
Councilman Blackburn	Aye
Supervisor Lemcke	Nay

Motion carried: Aye 3 Nay 2

HEALTH CARE SAVINGS

As previously discussed the health care benefit to grandfathered part time employees would be changed to a stipend of \$3,593. Supervisor Lemcke noted that if approved this will reduce the budget to a less than 1% increase. Councilman Carmestro asked how this would affect new hires. It was noted that coverage for full time new hires, working 35 hours or more a week, would be the same as the grandfathered part time employees (coverage is not available to employees working less than 35 hours per week). Clarification was sought on whether the definition of a new employee defined eligibility for health care coverage if an employee left the Town's plan and came back into the plan at a later time. The employment date is the determining factor not the date you come back into the plan.

RESOLUTION NO. 271-2008 Motion by Councilman Smith, seconded by Supervisor Lemcke, to change the health care benefit for grandfathered part time employees to a stipend of \$3,593.

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

Motion carried: Aye 4 Nay 1

REDUCTION OF HIGHWAY WAGES - WORK WEEK HOURS

Supervisor Lemcke summarized the options being discussed with the Highway union as the skip week proposal and the 36 hour work week (4-9 hour days) which would occur during non snow and ice periods (outside DA timeframes). This would have to be approved by the union and the Town Board agrees to proceed. The union has the option to negotiate for the 4-9 hour days or the skip week for a 2 year extension on their contract. If they do not choose one of these the Town Board still has the option of implementing the skip weeks. There was discussion on whether the reductions would take place only if there was no summer work or if it would automatically take place if the changes were made. It was noted that this would be a reduction in the highway wages for the upcoming year. There would be no way to reverse the wage reduction after implemented. If the wages needed to be added back in a transfer from surplus would be needed. The expected savings would be \$34,250 plus the amount of withholding tax. There was discussion on how the savings would be incurred by implementing the skip week and whether the 4-9 hours days would better serve the Town. No action was taken but there will be further consideration with preference to explore the 4-9 hour work day option after more information is received from the union.

HIGHWAY WORKER'S COMPENSATION DEFICIT PAYMENT

An audit of the Worker's Compensation claims has resulted in the necessity of a deficit payment that was negotiated over a 3 year period. It will need to be taken proportionally out of the appropriate A surplus and B surplus balances.

RESOLUTION NO. 272-2008 Motion by Councilman Smith, seconded by Councilman Blackburn, to approve payment of the Highway Worker's Compensation deficit payment by proportionally allocating funds from A surplus and B surplus.

Motion carried: Aye 3 Nay 2 Voting Nay: Councilman Carmestro
Supervisor Lemcke

SET PUBLIC HEARING DATE FOR 2009 BUDGET

RESOLUTION NO. 273 -2008 Motion by Councilman Smith, seconded by Councilman Comardo, to set the date for the public hearing for the 2009 Budget for Tuesday, November 18, 2009 at 6:30 p.m.

Motion carried: Aye 5 Nay 0

MINUTES – OCTOBER 21, 2008

RESOLUTION NO. 274 -2008 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to accept the Minutes of the October 21, 2008 meeting.

Motion carried: Aye 5 Nay 0

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

TOWN CLERK REPORT

The Town Clerk Monthly report and VFW Summary report for the month of October have been submitted. A thank you was received from the Otetiana Council – Lighthouse District Boy Scouts for use of the park facilities for their October event with compliments to the Parks Department. A meeting was held with Recreation Department staff and M&T to discuss implementing card services. Implementation is expected to take place late November or early December with Master Card only. A Pavilion Summary report for the year was distributed. Non-resident rentals were down from last year. The Clerk noted that there may need to have a special check run for Board of Election Inspector payments due to the Friday cut off for bill paying and not being in receipt of the training list from the Board of Elections.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported the resetting of mailboxes on Ogden Parma Town Line Road will complete that project. The binder has been put down at the new Fire Hall. The top coat will be done in the spring as well as any needed repairs. The Spencer Road project will start on November 10th and the Village radar trailer was placed to monitor speed and is providing a traffic count on traffic going south.

BUILDING DEPARTMENT REPORT

Mr. Prince reported, in Mr. Barton's absence, the October Building report has been submitted and that permits are up as well as single family homes over last year. He reported the Hess project is ready to go and permits are ready. There is a proposal for a transmission business for the corner of Hilton Parma Corners Road and Parma Center Road at the old Mobil station. A courtesy inspection has been done.

There was an inquiry about the status of the hydroponic farm on Huffer Road. Mr. Prince reported that construction has started.

RECREATION DEPARTMENT REPORT

REQUEST TO DISPOSE OF DISCARDED SKATE PARK RAMPS

Mr. Fowler requested having the discarded skate park ramps designated as surplus equipment and that they are disposed of as such.

RESOLUTION NO. 275 -2008 Motion by Councilman Comardo, seconded by Councilman Blackburn, to dispose of the discarded skate park ramps as surplus equipment.

Motion carried: Aye 5 Nay 0

Mr. Fowler also noted that Patrick Smith, who donated time on the construction of ramps for the skate park has shown an interest in the ramps. Mr. Fowler wanted to know if the Town Board would have any objection to Mr. Smith being contacted to remove if interested. There was no objection.

Mr. Fowler reported the Senior Citizen Fall Pancake Breakfast will be held on November 12th and November 15th is the Senior Citizen Thanksgiving Dinner. On November 14th several staff members will be attending the annual Genesee Valley Recreation and Park Society Conference and will be presented with a publication award for the new design of the fall program brochure and a special event award for the Senior Murder Mystery Dinner Theater event. Shannon Balbi will be taking the Monroe County Civil Service Test on November 15.

PARKS DEPARTMENT

The Park Foreman had nothing to report.

BICENTENNIAL DEPARTMENT

The consensus by all of those that attended was that the Bicentennial Antique Show was very successful. It was well attended, there were high quality vendors and this may be considered as an annual event. The Antique show committee did an excellent job.

BUSINESS ITEMS

295 BENNET ROAD/ROSSO

Mr. Prince reported that he and Mr. Fritz were out for an inspection on serious property maintenance issues that are considered life safety issues. The owners have asked for an extension and the Judge is agreeable. The Town Board was asked for their approval and indicated the life safety issues must be addressed. Volunteers have agreed to assist the owner with their time in making repairs.

COURTS/SPECIAL POLICE IDS

Notice was received from the Parma Judges on October 28th that the Parma Special Police will be the Deputies and Attendants of the Justice Court. All ingress and egress must be through the security screening area. All weapons, dangerous instruments, hazardous and noxious substances of any kind, illegal contraband of any kind, cellular phones and audio/video equipment are prohibited in the justice court. It has been requested that a Parma ID be issued to employees and all appointed Board members so they can be easily recognized and have access through the metal detectors. It was not clear if the screening would be implemented prior to the next meeting and Councilman Carmestro will work with Mr. Barton on obtaining the ID's through the fire department.

VILLAGE JOINT MEETING

A joint meeting with the Village is planned for November 20th. It was noted this will be the same night of the Zoning Board of Appeals meeting where the soccer complex will be discussed. It is on for the end of that agenda.

RESOLUTION NO. 276-2008 Motion by Councilman Comardo, seconded by Councilman Blackburn, to accept the invitation from the Village of Hilton to have a joint meeting on Thursday, November 20, 2008 at 6:00 p.m. at the Village Community Center.

Motion carried: Aye 5 Nay 0

Village Trustee Speer noted the Special Police have done a thorough job in preparing for the court screening process and gave them kudos for those efforts.

HIGHWAY GRIEVANCE

Supervisor Lemcke reported two grievances had been received and were contested to what is now step 3. He has met with Steve George, the union representative, and has received the response from the Highway Superintendent to those grievances.

Supt. Speer questioned why this was being addressed by the Town Board. Supervisor Lemcke responded that these are his responses to the grievances. Supervisor Lemcke noted the first grievance regarded overtime, the circumstances involving the request allowed very little advance notice and it had been acknowledged by the Highway Superintendent that he does not dispute the duty to provide reasonable advance notice, has apologized and expressed a willingness to work together on this. Supervisor Lemcke denied the grievance. The second grievance dealt with alleged harassment by the Highway Foreman on September 18, 2008. He noted that although he supports the Town's policy on prohibiting harassment, he felt there was a clear difference of opinion on what actually happened that day. He was encouraged that the union's grievance asks for a meeting with the Highway Superintendent, Foreman and that a willingness to work together by both parties was expressed. Supervisor Lemcke would like to see mediation scheduled with an impartial mediator and all Highway personal to address the interpersonal stresses that surface from time to time. If this is not agreeable then he would have to deny the grievance. A mediator is available at no charge to the Town.

MISCELLANEOUS

POTENTIAL SEWER DISTRICT – NORTH AVENUE

Four houses on the west side of North Avenue north of the Village would like to hook up to the Village sewers. A property being sold on North Avenue is being financed through Rural Development and there was controversy over who should hold the money escrow for the sewers. This was resolved today and the Town will hold the money in escrow till completion to the Building Department and Town Engineer's satisfaction.

VFW SECURITY SECURITY DEPOSIT REFUNDS

Supervisor Lemcke expressed that the system for taking deposit checks is antiquated. Currently, the rental fee and the deposit are paid together and that it is a cost to the Town to disburse the refunds to the renters. The Supervisor would like to see separate checks received with the rental fee being processed and the deposit check held and returned after the rental. Concerns were expressed by the Town Clerk. If a change will be implemented it will be addressed formally at the organizational meeting.

INFORMATIONAL ITEMS

TIME WARNER CONTRACT EXPIRATION

Supervisor Lemcke noted that the Town's contract with Time Warner has expired. Ten years ago, when the last contract was negotiated, it went 3-5 months past the expiration before it was renewed. Time Warner has not contacted him yet. There will be a 30 day comment period for the residents. This will not take place until a proposed extension agreement is presented.

FIELD HOUSE PRESENTATION

Steve Fowler presented a proposal for a Field House Project. The history of the project was reviewed in the context of development of Town Hall Park from 1989 to 2008 and included a map and facility review. Many of the items were proposed for location within the Village but at the time it was not befitting to build them in the Village and therefore they were located at the Town Hall. Mr. Fowler noted that development occurred as alternative funding became available as is being accomplished with the current Field Lighting Project. A list of successful grants administered and developed by the Hilton Parma Recreation since 1988 was provided.

Mr. Fowler described the project as conceptualized by the Recreation Commission. Prior to 2006 it was a component of the Community Center idea. In 2006 the Commission decided to phase in the Community Center Plan and downsized the financial commitment by eliminating the Field House portion. A proposal for the Community Center alone was made to the Town Board with the intent that the Field House piece would come at a later time. In February of 2007, the Commission decided to focus going forward on a Community Center Plan that would include a Library component. Mr. Fowler reiterated that they are not looking to borrow funds for this project. In September of 2008, that project was shelved. Information was provided on population trends for Parma, Hilton, the Town excluding the Village and the Village percentage of the total as obtained by the Genesee Finger Lakes Regional Planning Council.

The current proposal for a Field House facility is back as a consideration and would be located at the back of Town Hall Park behind the concession storage building. It was noted that service for electric, water and sanitary hook up is available to this site. Parking is also available and there would be 2 entry access areas. The site is currently graded for drainage, is protected to the east and west by trees, approximately 2,000 feet from Parma Center Road and there is nothing specific to the south. Additional advantages included location within proximity to existing sport facilities including the existing storage facility and security.

Sample renderings were presented for a Morton style building and a fabric style building which would be insulated. It was noted that the fabric style structure would not be like the Sports Dome. Pictures of construction for one in the Town of Ontario were provided.

The facility would be marketed to the Westside population. Mr. Fowler provided revenue numbers based on below market fees to emphasize the potential revenue that could be generated during primetime availability, at 75% capacity and potential additional capacity programming. It is the intent that Town programs would be taken care of first and any use by out of town groups would be at a different rate. He estimates \$92,000 can reasonably be generated and that it could easily generate more revenue because the estimates are low compared to existing revenue streams of current facilities.

The major component to moving forward would be finding the estimated \$500,000 to build and with funding he felt construction would pay for itself. He is asking the Town Board to recognize the facility as something to support and approve researching alternative funding sources including at the state and federal levels. Opportunities exist for communities that address ways to fight obesity, address senior health issues and take care of their own versus depending on the private sector.

There was discussion on it being self-sustaining, a marketing plan, the ability to generate revenue to support and offset costs in the Parks Department, the type of turf, and looking at how other facilities are run. Mr. Fowler reiterated the hierarchy for use: Recreation programs would have first priority followed by other Town organizations, youth organizations, schools

(prorated the same as they do for use of the aquatic center). He also emphasized the project would have to stand alone and pay for itself.

There was further discussion on usage, managing the infrastructure to handle this kind of revenue stream. Mr. Fowler felt that with their current structure, Recreation could handle the infrastructure and it would be staffed by part time individuals and current administrative staff. The Town Board gave its approval for Mr. Fowler to research alternative sources of funding for a field house building.

LIAISON REPORTS

**Councilman Smith reported that the Special Police had run extra patrols due to the increased activity resulting from the haunted house in the Village. The Special Police had received a fax from Livingston County asking them to serve a subpoena.

**Councilman Comardo had nothing to report.

**Councilman Carmestro noted he was unable to attend the Library Board meeting and tonight's meeting conflicted with the fire district meeting.

**Councilman Blackburn complemented Mr. Fowler on a well done presentation regarding the field house and it was representative of the discussion at the Recreation Commission meeting.

MISCELLANEOUS OTHER

FUNDING OF HEALTH SAVINGS ACCOUNTS (HSA)

Councilman Smith noted the Finance Officer requested that the Board agree on the amounts that the Town will be putting into everyone's Health Care Spending account. After some clarification it was determined that \$5,390 would fund the single coverage and \$9,300 for family coverage. The corresponding insurance portion would be subtracted leaving the remainder to fund the HSA account.

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 9:05 p.m., seconded by Councilman Comardo and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk