

Parma Town Board meeting held on Tuesday, November 18, 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
Building Inspector	Jack Barton
Highway Supt.	Brian Speer
Recreation Director	Steve Fowler

OTHERS IN ATTENDANCE

Jon Zielinski, Gene DeMeyer, Art Cosgrove, Art Fritz, Stan Hoy, Pam Speer, Steve Speer, Chris Moore, Jim Zollweg, John Chart 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 HEARING – 2009 PRELIMINARY BUDGET

Supervisor Lemcke opened the public hearing for the 2009 budget at 6:32 p.m. He explained that the tax rate can be lowered but cannot be raised tonight unless it is offset by a reduction in another area. He opened the public hearing to public comments.

Pam Speer expressed her dissatisfaction with comments made at the last Town Board meeting and resulted in the writing of a letter to the Town Board from her and her husband, Steve Speer. She provided the letter and read it aloud. It summarized their perspective that the town is in good shape for now but they are concerned that the Town Board would consider putting up lighting in the Town Hall park or building a \$250,000 structure whether funded with grants or not; especially when the Town Board is considering cutting the hours of highway employees in order to balance the budget. It was their opinion that there should be no additions made that need to be maintained if we cannot maintain what we have now.

Art Fritz addressed the Town Board regarding the cuts being made to medical benefits. Mr. Fritz is one of those employees. Supervisor Lemcke explained that three part time employees would be affected by the decision. The majority of the Town Board voted to discontinue health insurance for these employees and instead offer a monetary equivalent of single coverage that the employee can use as they choose. It was noted that these employees work part time and have received full time benefits. There was discussion on the benefits that were offered at the time they were hired, the changes that were grandfathered in since their hiring, the number of years employed and how this can be justified.

Chris Moore also expressed her opinion that she goes by the handbook and she is entitled to this benefit. She also felt the employees involved should have been notified sooner. Supervisor Lemcke explained that he had spoken to two of the employees and that her supervisor should have discussed this with her. It was noted that she has been on jury duty since early November. There was discussion on the Supervisor and Board members receiving health benefits and the number of hours they put in not reaching 35 hours.

Mr. Fritz questioned whether there was still dental coverage. It was not clear after the discussion whether the dental was affected because of the change to the Health Savings Account (HSA). It is likely that this issued can be clarified at a meeting regarding HSA tentative scheduled for Friday.

Councilman Blackburn noted the health care benefit as part of the budget has been intertwined with a policy change and did not vote for it because he felt it was confusing and not fair to the employees.

Mr. Barton asked if the status of these employees was changing. Supervisor Lemcke responded they are changing their healthcare benefit only; other benefits are not affected.

Ms. Moore reiterated her unhappiness with this decision. She feels singled out and does not understand how the Town Board is getting healthcare benefits and these 3 people are being denied.

There was discussion on the amount of savings that changing over to the HSA plan will generate.

Mr. Chart questioned who has vehicles that are taken home and the use of cell phones. Six employees currently have vehicles. Councilman Carmestro noted two of those will be eliminated in this budget but the Highway Supt., Fire Marshals and Mr. Fritz would remain. The necessities to be on 24 hour call and fire marshal duties were given as the reason. Cell phones for department heads only would remain. An \$11,000 savings is expected from both. Mr. Chart felt the Highway Supt. has a lucrative salary, plus health care and a vehicle and wanted to know why that vehicle was not being cut. Mr. Chart also expressed the he felt tax rates should be going down rather than up because the assessment goes up. Even though the rate holds steady or goes up slightly revenue is still being generated. He felt that the tax rate should be going down.

Steve Fowler raised the question of how the change in health insurance would affect those employees grandfathered in under the handbook's current wording with 20 years of service, not having reached 55 years of age and would that person receive the health benefit. There was discussion on having to reach 55.

Supervisor Lemcke asked if there were any other changes to the budget. There were none. The public hearing was closed at 7:10 p.m.

ADOPTION OF 2009 PRELIMINARY BUDGET

RESOLUTION NO. 277-2008 Motion by Councilman Smith, seconded by Councilman Comardo, to adopt the 2009 Preliminary Budget.

Supervisor Lemcke noted that this budget does not address legal fees for the Highway Department, Workers Compensation surcharge for the Highway Department and the stipend for the Historian and Curator.

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

Motion carried: Aye 3 Nay 2

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.

MINUTES – OCTOBER 21, 2008

RESOLUTION NO. 278 -2008 Motion by Councilman Carmestro, seconded by Councilman Comardo, to accept the Minutes of the November 5, 2008 meeting.

Motion carried: Aye 5 Nay 0

TOWN CLERK REPORT

A Notice of Petition has been filed in the Town Clerk's office. It was submitted by Alan Knauft, Esq. who represents James and Susan Beehler versus the Town of Parma and the Assessor regarding assessments at Unionville Station.

VFW SECURITY DEPOSIT REFUNDS

The Town Clerk provided a response to the request to change how security deposits are handled for the VFW. It was noted that the Clerk spoke with the NYS Comptroller's office and is required by Town law to deposit all funds no later than the third business day after the total exceeds \$250.00 and that deposits are being taken now for rentals next year. Several other examples were provided. The process fulfills the requirement of the law, acts as incentive to leave the hall in proper condition and the volume is not significant over the course of a year therefore it is her recommendation to leave the process as it is.

There has been a request regarding how the Town Board enters into executive session. Each of you has been contacted and received a copy of the booklet "Your Right to Know", a copy of the opinion referenced and another copy of the sheet I provided over a year ago giving you examples of appropriate wording that can be used. Further review of the minutes may be needed in the future. Councilman Comardo felt the summary sheet was useful and a good reminder that this is important and more than just a formality.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported that crews have been out due to the weather and this has taken them away from finishing the Spencer Road project. If weather permits they will get as much as they can finished prior to the blacktop plant closing the Wednesday of Thanksgiving week.

Supervisor Lemcke noted that the last Highway report received was in May and inquired when they would be received. Supt. Speer expressed that this was a duplication of work and a waste of time since the numbers come from the Finance office but indicated he would provide.

BUILDING DEPARTMENT REPORT

INFORMATIONAL MEETING FOR PLANNED DEVELOPMENT - SENIOR RESIDENTIAL (PD-SR)

Mr. Barton reported he had received a note regarding the proposed Planned Development – Senior Residential (PD-SR) overlay zoning district. Upon checking with Stuart Brown Associates, it was determined the next steps lie with the Town. He understood the next steps to be an informational meeting, then once the Town Board is comfortable with the draft it would be sent out for comment. Mr. Barton also indicated that this would probably be a Type 1 action under SEQR and the process could be started. It was noted that the original and revised drafts are available on the website.

RESOLUTION NO. 279-2008 Motion by Supervisor Lemcke, seconded by Councilman Smith, to hold an informational meeting on December 2, 2008 at 6:30 p.m at the Parma Town Hall regarding revisions to the proposed zoning overlay district, Planned Development – Senior Residential (PD-SR).

Motion carried: Aye 5 Nay 0

COURT ROOM ADDITION

Mr. Barton has met with the architect. The Town is responsible for doing an asbestos report. There was discussion on what has already been done in that area of the building. He sought permission to contact the company who did our last asbestos project and have them provide an estimate specifically for asbestos as it relates to the addition. There was no objection from the Town Board.

Mr. Barton noted that he will be out of Town next week.

Mr. Barton also brought to the attention of the Town Board a request by Mr. Sobb who owns property on Ridge Road. He would like to put up a building for auto repairs in a General Commercial District. He would like to know what his options are. He has previously applied for a rezoning on a different parcel which was turned down by the Town Board. Discussion centered on obtaining a use variance or requesting the Town Board to amend the Zoning code to allow auto repair in General Commercial. Mr. Barton will inform Mr. Sobb of his options. There was discussion on storage of vehicles. It is allowed in Highway Commercial but not in General Commercial. A site plan review would address some of the concerns expressed.

RECREATION DEPARTMENT REPORT

Mr. Fowler requested the Town Board approve the 2009 "Park it in Parma" Celebration to be held on August 7th and 8th. The first weekend in August falls on July 31st and August 1st and taking into consideration already predetermined events he is recommending extending this out one week. The Town Board was in agreement.

Mr. Fowler reported the next community event will be the Annual Tree Lighting Ceremony. It will be held at the Community Center on December 6, 2008 at 7:00 p.m. The Department's winter brochure is due out in mid-December. They are anticipating the announcement of online registration and credit card processing with the convenience fee structure that was created.

PARKS DEPARTMENT

The Park Foreman was not in attendance.

BICENTENNIAL DEPARTMENT

There was no report for the Bicentennial Committee.

BUSINESS ITEMS

REQUEST TO ESTABLISH A SEWER DISTRICT **563, 567, 571 and 573 NORTH AVENUE**

Mr. Barton reported a petition and legal description has been received from the property owners requesting the Town create a sanitary sewer district via a connection to the Village sanitary sewer. It is his understanding that the Village has approved the connection by motion at a Village meeting. A line will be run from the Village sewer at Rolling Meadow along the back of properties on Dunbar Road and that line would connect to a new line that will run at the back of the requesting properties on North Avenue. Each property will contribute to the cost with the end parcel picking up fifty percent of the cost and there will be no bonding involved. There will be an established connection fee from the Village and Town and annual fees as part of being a district.

RESOLUTION NO. 280-2008 Motion by Councilman Carmestro, seconded by Councilman Smith, to hold a public hearing in response to the petition requesting the creation of the North Avenue Sewer District for 563, 567, 571 and 573 North Avenue, on December 16, 2008 at 6:30 p.m. at the Parma Town Hall.

Motion carried: Aye 5 Nay 0

See Order Calling for Public Hearing for the North Avenue Sanitary Sewer District #1 and description at end of minutes.

TOWN CLERK / RECEIVER OF TAXES - BONDING

RESOLUTION NO. 281-2008 Motion by Supervisor Lemcke, seconded by Councilman Blackburn, to approve the surety form and the amount of the official undertaking for the faithful performance of the duties of the Town Clerk and Receiver of Taxes and Assessments as follows:

Type of Undertaking: Public Employee Dishonesty
 Insurance Policy: Travelers Insurance Company
 Amount: \$500,000.00

Motion carried: Aye 5 Nay 0

BUDGET TRANSFERS

TRANSFERS TO BUDGET

Nov-08

FROM			TO			REQUESTED
ACCT #	DESCRIPTION	AMT.	ACCT #	DESCRIPTION	AMT.	
A1110.481	BOOKS	946.35	A1110.211	OFFICE SUPPLIES	1,171.89	SPEER
A1110.412	OFFICE/PC SUPPLIES	600.00	A1110.212	OFFICE EQUIPMENT	374.46	SPEER
A1680.211	EQUIPMENT	43.60	A7550.450	TOWN CELEBRATION	43.60	GAVIGAN
	A SURPLUS	11,460.12	DA9040.830	WORKERS COMP	11,460.12	GAVIGAN
	B SURPLUS	15,825.88	DB9040.830	WORKERS COMP	15,825.88	GAVIGAN
	RESOLUTION FROM 11/05/08					
B3620.441	PROPERTY MAINTENANCE	1,000.00	B3620.440	CONTRACTUAL EXPENSE	1,000.00	BARTON
B8020.452	ENGINEERING FEES	5,000.00	B3620.442	LEGAL FEES	5,000.00	BARTON
B3620.482	CONFERENCES	253.04	B3620.425	MILEAGE/PERSONAL CAR	253.04	BARTON
A3640.412	OFFICE SUPPLIES	203.00	A3640.249	FIELD EQUIPMENT	203.00	EDENHOFER
A3640.441	EQUIPMENT REPAIR	85.00	A3640.200	EQUIPMENT	85.00	EDENHOFER
A3640.489	MISC	250.00	A3640.471	UNIFORMS	250.00	EDENHOFER
A3640.415	TRAINING	250.00	A3640.471	UNIFORMS	250.00	EDENHOFER
A3510.451	DOG CENSUS	30.00	A3510.411	JANITORIAL SUPPLIES	30.00	FRITZ
A3510.451	DOG CENSUS	400.00	A3510.481	GAS	400.00	FRITZ
A3510.449	KENNELS	600.00	A3510.212	FIELD EQUIPMENT	600.00	FRITZ
L7410.441	EQUIPMENT REPAIR	1,333.17	L7410.447	BUILDING MAINTENANCE	1,333.17	KIRK
L7410.11A	DIRECTOR	6,000.00	L7410.11C	LIBRARY ASSISTANT	6,000.00	KIRK
DA9055.850	SIDNEY HEALTH	2,151.25	DA5142.450	MISC HIGHWAY	728.00	SPEER
			DA5142.465	TIRES	1,423.25	SPEER
DB5130.467	AUTO PARTS	2,923.15	DB5130.461	DIESEL	2,923.15	SPEER
A7989.469	PROGRAMMING	110.00	A7111.449	SPECIAL EVENTS	110.00	FOWLER
A1440.449	LARSENS	899.00	A1450.448	ELECTION INSPECTORS	399.00	CURRY
			A1450.449	RENT	500.00	CURRY
A7141.410	GOLF	1,000.00	A7141.449	THEATER	1,225.00	FOWLER
A7141.411	GYMNASTICS	225.00				

RESOLUTION NO. 282-2008 Motion by Councilman Smith, seconded by Councilman Blackburn, to approve the Budget Transfers as submitted.

Motion carried: Aye 5 Nay 0

INFORMATIONAL ITEMS

COURTS/SPECIAL POLICE IDS

There was discussion on scheduling pictures. A date is expected to be set and those unable to attend will have pictures taken with the digital camera from the Building Department during regular business hours. Mr. Barton and Councilman Carmestro will finalize getting picture ID's through the fire department. Councilman Smith noted that the Special Police are looking for a list of authorized persons from the Town Board in addition to the proclamation for the judges for who will bypass the screening on court nights. It was noted that this procedure has been set by the state and will be in affect on court nights.

NEGOTIATIONS WITH UNION

Supervisor Lemcke reported he is in negotiations with the union regarding extension of the contract and desire to participate in the Health Savings Account (HSA). There is also discussion/negotiation for the furlough of an employee for a maximum of 4 weeks or a reduced work week of four 9 hour days. He hopes to have more information for the next meeting.

LIAISON REPORTS

**Councilman Smith reported that a wrap up meeting regarding the Apple Fest will be scheduled with the Special Police, representatives from the Apple Fest Committee and the Town and Village liaisons.

**Councilman Comardo had nothing from Parks and reported he attended two Planning Board meetings since we last met. One item included a request for a windmill. More information is to be provided to the Planning Board.

**Councilman Carmestro noted the discussion on ID badges and that an extensive number of open complaints are being followed up on by Code Enforcement. Spencerport Chamber meets tomorrow and he will report at the next meeting. The joint meeting with the Village will be held this Thursday at 6:30 (Village Community Center) and on the agenda for the Zoning Board meeting Thursday is the Cobra Soccer Complex decision.

**Councilman Blackburn had nothing to add to the Recreation report.

WARRANTS

RESOLUTION NO. 283-2008 Motion by Councilman Comardo, seconded by Councilman Carmestro, to approve payment of the A Fund, General Fund bills, in the amount of \$48,364.16.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 284-2008 Motion by Councilman Comardo, seconded by Councilman Blackburn, to approve payment of the B Fund, Part Town Bills, in the amount of \$5,228.63.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 285-2008 Motion by Councilman Comardo, seconded by Councilman Smith, to approve payment of the DA Fund, Highway – Town Wide bills, in the amount of \$18,311.67.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 286-2008 Motion by Councilman Comardo, seconded by Councilman Carmestro, to approve payment of the DB Fund, Highway Outside bills, in the amount of \$26,896.90.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 287-2008 Motion by Councilman Comardo, seconded by Councilman Blackburn, to approve payment of the HC Fund, Park Lighting Capital Project bills, in the amount of \$17,921.83.
Motion carried: Aye 5 Nay 0

RESOLUTION NO. 288-2008 Motion by Councilman Comardo, seconded by Councilman Smith to approve payment of the T Fund for Trust and Agency bills, in the amount of \$4,465.63.
Motion carried: Aye 5 Nay 0

RESOLUTION NO. 289-2008 Motion by Councilman Comardo, seconded by Councilman Carmestro, to approve payment of the SD Fund, Townwide Drainage bills, in the amount of \$264.00.
Motion carried: Aye 5 Nay 0

MISCELLANEOUS OTHER BUSINESS

Gene DeMeyer inquired about the family on Bennett Road. It was noted that repairs are being made, volunteer assistance is being provided and an extension was granted by the court.

Councilman Smith will not be in attendance at the next Town Board meeting.

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 7:50 p.m., seconded by Councilman Blackburn and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk

**ORDER CALLING FOR PUBLIC HEARING
FOR THE NORTH AVENUE SEWER DISTRICT #1**

At a Regular Meeting of the Town Board of the Town of Parma, in the County of Monroe, New York, held at the Parma Town Hall on the 18th day of November, 2008.

PRESENT: Richard Lemcke, Supervisor
Kenneth Blackburn, Board Member
Carmen Carmestro, Board Member
James Smith, Board Member
Gary Comardo, Board Member

In the Matter of the Establishment of the North Avenue Sanitary Sewer District #1, in the Town of Parma, County of Monroe, State of New York,

ORDER CALLING
FOR PUBLIC HEARING

WHEREAS, previously hereto, a Petition having been filed and a map, plan and report have been prepared by Maier Land Surveying relating to the facilities, improvements and services in a portion of said Town, wherein the North Avenue Sanitary Sewer District #1 is proposed to be established, and

WHEREAS, such Petition and map, plan and report have been duly filed in the office of the Town Clerk of the Town of Parma, and

WHEREAS, the boundaries of the proposed sewer district are more particularly set forth in Schedule "A" attached hereto, and

WHEREAS, the improvements proposed consist of a sewer system serving said proposed district at the approximate location set forth and described in a certain map and plan now on file in the said office of the Town Clerk of the said town, and

WHEREAS, the maximum amount to be expended for the construction of proposed North Avenue Sanitary Sewer #1 District is \$30,000.00. The entire amount shall be wholly financed by the owners of the properties to be serviced by the proposed district, and the amount shall be borne by and allocated amongst said property owners as they shall mutually agree, and

WHEREAS, The maximum amount to be expended annually for sewer service is approximately \$ 50.00 per unit assessed value and a fee from the Village of Hilton to be determined annually, and

WHEREAS, a map, plan and report describing such improvement are on file in the office of the Town Clerk of the Town of Parma for public inspection,

NOW, THEREFORE, BE IT ORDERED, that the Town Board of the Town of Parma shall meet at the Parma Town Hall, 1300 Hilton-Parma Corners Road, Hilton, New York on the 16th day of December, 2008 at 6:30 o'clock P.M., for the purpose of conducting a public hearing on the proposal to establish said sewer district with improvements specified above, at which time, all persons interested in the subject thereof may be heard concerning the same, and it is further

ORDERED, that the environmental significance of said proposed North Avenue Sanitary Sewer District #1 will be reviewed by the Town Board of the Town of Parma, incident to and as part of the aforementioned public hearing and all persons interested may be heard concerning this issue, and it is further

ORDERED, that the Town Clerk of the Town of Parma, is hereby authorized and directed to publish a copy of this order in the Suburban News, and post a copy of the same on the sign-board of the Town of Parma, in the time and manner required by law.

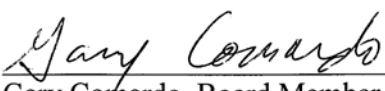
DATED: November 18, 2008
Parma, New York


Richard Lemcke, Supervisor


Kenneth Blackburn, Board Member


Carmey Carmestro, Board Member


James Smith, Board Member


Gary Comardo, Board Member

SCHEDULE A

**PROPOSED DESCRIPTION
SEWER DISTRICT
PROPERTY LOCATED AT
TAX ACCOUNT NUMBERS
24.01-003-002 THRU 24.01-003-005**

All that tract or parcel of land situated in Town Lot 61, 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:

Beginning at a point in the west right-of-way of North Avenue, said point being 157.06 feet more or less south of the south right-of-way of Dunbar Road;

Thence southerly along the west right-of-way of North Avenue on a bearing of S 00° 02' 57" W a distance of 410.00 feet to a point;

Thence westerly on a bearing of N 89° 57' 03" W a distance of 200.00 feet to a point;

Thence northerly on a bearing of N 00° 02' 57" E a distance of 410.00 feet to a point;

Thence easterly on a bearing of S 89° 57' 03" E a distance of 200.00 feet to a point, said point being in the west right-of-way of North Avenue and the true point and place of beginning

Subject to all covenants, easements and restrictions of record, if any affecting said premises as recorded in the Monroe County Clerk's office

Being and hereby intending to describe to parcels of land located at 563, 567, 571 & 573 North Avenue containing 1.882 acres of land more or less.