

Parma Town Board meeting held on Tuesday, April 15, 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 | James Smith |
| | Building Inspector | Jack Barton |
| | Recreation Director | Steve Fowler |
| Absent | Councilman | Gary Comardo |
| | Highway Supt. | Brian Speer |

OTHERS IN ATTENDANCE

Mike Ingham, Steve Fowler, Gene DeMeyer, Julie Bolton, Jeanne Ledtke, Ann Steinmetz, and other 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 anyone present would like to address the Town Board on any topic not on the agenda.

CULVERT PIPE INSTALLATION AT 1249 WEST AVENUE

Jeanne Ledtke spoke regarding an e-mail she had sent requesting that the Town assume responsibility for the culvert in front of her property. She would like to have a pipe installed to eliminate the ditch and hopefully lessen the severity of accidents. It was noted that there was an accident there this morning and that she had spoken with the Highway Superintendent previously regarding this. After discussion it was determined that the Highway Superintendent would file an application with the NYS Department of Transportation. Once approved the matter would come back to the Town Board for approval. It was also noted that the property owner was responsible for the purchase of the pipe and the Town would install the pipe, back fill and grade the area. Supervisor Lemcke noted that Supt. Speer would be instructed of Ms. Ledtke's request, provided a copy of her correspondence and that this item would be added to agenda for the May 6th Town Board meeting.

COBRA SOCCER CLUB 2 - FIELD USAGE

Julie Bolton requested permission for the Cobra Soccer Club 2 Team to use a Town Park soccer field for one game on Wednesday evening, June 25th and explained their inability to use their normal location at Grace and Truth Park. Supervisor Lemcke had spoken with the Hilton Heat and Parma Blaze and there would be no conflict on that date.

RESOLUTION NO. 106-2008 Motion by Supervisor Lemcke, seconded by Councilman Carmestro, for the Cobra Soccer Club 2 Team to use the soccer field as designated by the Hilton Heat and Parma Blaze on the evening of Wednesday, June 25, 2008 providing they give the Town proof of General Liability Insurance.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

It was also noted that there were no known conflicts for the Parks Department or the Recreation Department. There was discussion on what actual field was to be used.

ANTONUCCI PROPERTY CODE VIOLATIONS - 5433 RIDGE ROAD WEST

Lara Badain, Town Attorney, recapped the contents of a memo she had provided regarding the Town's lawsuit for code violations at the Antonucci property at 5433 Ridge Road. The defendant will be before the court next week for sentencing relating to the re-roofing of the property. There was discussion on how to proceed with the sentencing and what further steps if any would be pursued regarding the use of the properties as a motel versus apartments. The Board was in agreement with the Town Attorney's recommendations.

INFORMATIONAL ITEMS

MANNATECH GOLF PROGRAM

Bob Hill provided an overview of his new golf concept. He would like to use the open space across from the soccer fields off the Parma Center Road entrance to Town Hall Park. He discussed his purpose, pricing, space requirements, season length, staff, insurance, storage and reasons for selecting the Town of Parma. Supervisor Lemcke thanked him and indicated the Board would get back to him with a decision.

PUBLIC FORUM - CONTINUED

PROPERTY MAINTENANCE CODE ENFORCEMENT PROCEDURES

Art Fritz addressed the board regarding a change to the Property Maintenance Code Enforcement Procedures, as presented at a Public Hearing on August 20, 2002. Specifically section C wording "...the CEO shall prepare a work order to direct the appropriate *Town personnel* to correct the violation" should be changed to read "...the CEO shall prepare a work order to direct the appropriate *vendor* to correct the violation." Mr. Fritz will check with the Town Attorney to see if a public hearing is required to change the wording and this item will remain on the agenda for the May 6th meeting.

MINUTES – APRIL 1, 2008

RESOLUTION NO. 107-2008 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve the Minutes of the April 1, 2008 meeting.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

TOWN CLERK'S REPORT

The Town Clerk Monthly report and the VFW Summary report for March have been submitted. Collection has started for Cell Phones for Soldiers and several have been donated already. Town Board members received an update on sound system proposals. The Clerk met with AV Solutions on Monday and they will be providing a proposal before the next meeting. The Clerk will be on vacation starting May 17 through Memorial Day.

HIGHWAY DEPARTMENT REPORT

Supt. Speer was away on vacation. Supervisor Lemcke brought up items that he felt needed to be noted in the Superintendent's absence. The Town is in receipt of another incident report for a slip and fall accident. The employee will be out for one week. The resident at 469 Curtis Road reported he waited most of the winter for the Highway Department to replace his mailbox, ended up doing so himself, and wondered if there was a reimbursement process for that. This item will be on the agenda for the May 6th meeting. Copies of ads from neighboring towns were provided by a property owner. There was discussion about the difference in Spring Cleanup ads between the various Towns. No closing date was indicated and since the budget had been reduced for this service how was this going to be paid for. Since Supt. Speer was not in attendance, this will be added to the agenda for the May 6th meeting for further discussion. It was also noted that the monthly Highway report had not been submitted.

RECREATION DEPARTMENT REPORT

Mr. Fowler indicated that Jim Whittemore, Assistant Scout Master with Boy Scout Troop 99, is expected before the end of the meeting. His troop has been asked to host the Boy Scout 2009 Klondike Derby starting January 23, 2009 through January 25, 2009. This event was held in the Parma Town Park in 2006 and the Boy Scouts feel it is an ideal place to hold this event.

Mr. Fowler noted three special events are coming up. On April 26th the Hilton Parma Senior Center 24th Anniversary Celebration will be held at the Exempt Club, on May 3rd a Kids' Toy Sale will be held at the Community Center, and on May 16th the Senior Center Murder Mystery Dinner will be held at the Community Center.

Summer Program brochures will be going to print around May 13th with distribution around May 21st and registration beginning June 2. Mr. Fowler also introduced Anne Steinmetz as a new member of the Recreation Commission.

PRE-PAYMENT REQUEST - MURDER MYSTERY DINNER

Mr. Fowler requested the approval of the Town Board for the payment of \$300.00 to Kathleen Mullaly for the upcoming Murder Mystery Dinner Show.

RESOLUTION NO. 108-2008 Motion by Councilman Carmestro seconded by Councilman Blackburn to approve payment of \$300.00 to Kathleen Mullaly for the upcoming Murder Mystery Dinner Show as part of the April 15th bill paying session.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

ADDITIONAL BILL PAYMENT – 2004 CHEVY SILVERADO TRUCK REPAIR

Mr. Fowler noted that the Recreation Department 2004 Chevy Silverado Truck had required extensive repair work, not covered by warranty or recall, costing \$1,584.62. The entire budget for this line item is \$1,450.00 and there is a current balance of \$814.00. Mr. Fowler indicated that he has additional repairs and maintenance scheduled for department vehicles. He asked for the Town Board's consideration in covering the cost for the repairs done at Z's Automotive.

RESOLUTION NO. 109-2008 Motion by Councilman Smith seconded by Councilman Carmestro to approve transfer of \$1,584.62 from Surplus A to cover the cost of repairs done by Z's Automotive to the 2004 Chevy Silverado Truck.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

PARKS DEPARTMENT

Mr. Petricone reported that work on the Historical Building is moving along and all work required should be completed by the next Board meeting so that C of O's can be closed out. He will be reporting on the Fire Marshall's inspections at the next meeting after everyone has received a copy of the report.

TRACTOR PURCHASE – PARKS DEPARTMENT

Mr. Petricone presented a proposal from John Deere/OnTrac to trade in the existing Parks Department tractor. The trade-in is very favorable because the current number of hours is low (2800 hours) and there is a demand for used equipment making this a very good time to trade. Supervisor Lemcke indicated that this tractor is listed on municipal contract. There was discussion. The price would be \$38,265.20 less a trade-in of \$23,500.00 for a net total of \$14,765.20.

RESOLUTION NO. 110-2008 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve the purchase of a new John Deere 5425 Tractor from OnTrac with a net purchase price of \$14,765.20 from the Recreation Fund.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

Mr. Petricone also noted that the ball fields should be ready by the end of the week and he would notify Mr. Fowler when they were done

CEMETERY MOWING CONTRACT

Mr. Petricone received two quotes for Cemetery Mowing contracts. Ty Kelly was the lowest. There was discussion on cost compared to last year.

RESOLUTION NO. 111-2008 Motion by Councilman Smith, seconded by Councilman Blackburn, to accept the Ty Kelly 2008 Cemetery mowing contract in the amount of \$2,980.00.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

Later in the meeting, Mr. Petricone noted that the GeoCaching device in the Park woods has been exposed and he is pursuing locating someone to take care of it.

MARJORIE LANE/WILDER ROAD DRAINAGE

Supervisor Lemcke reported that he had been contacted by Tim O'Neill regarding drainage issues. It was noted that Mr. O'Neill's sewer connection at Marjorie Lane was a condition of sale of the property for that housing development and that cleanouts were placed as required for access. Supervisor Lemcke provided pictures of the drainage area and a neighbor's shed. They show erosion, a sinkhole that has developed and where the original swale has been filled in over the years. It was noted that shed was built on top of one of the cleanouts and that the head is broken. There was discussion on the placement of the shed, its interference with the swale and the excess runoff from Wilder Road running into the sanitary sewer because of the damaged cleanout. There was additional discussion on the lack of easements for the Town to be able to address the drainage issue and how the issue has been addressed in the past. Mr. Barton was asked to address the building issue and then the sewer situation. The ongoing easement issue will then have to be addressed again.

BUILDING DEPARTMENT REPORT

Jack Barton reported that the recently passed Fire Protection Standards have been submitted to the Code Council at the Department of State and confirmed it had been received by them today. Mr. Barton noted that they will be looking, in particular, at the sprinkler requirement added to the Design Criteria because it is more restrictive than the NYS Residential Building Code. It was unknown how long it would be until we receive a response.

The annual Stormwater Report is due by Thursday at noon and will be presented at a Monroe County Public hearing Thursday evening after which it will come back to the Town Board for consideration of any public comments received. A resolution will also be before the Board at that time to adopt the report which is then forwarded onto the DEC for review.

Mr. Barton also reminded the Town Board of the federal required Local Law regarding Flood Damage Prevention and the optional additional language that should be considered before adoption.

Later in the meeting, Mr. Barton stated that he would be distributing copies of the Stormwater Coalition Executive Summary to the Board members for their review. He also noted that Jim Zollweg would be doing another presentation on GIS/GPS at the Town Hall on Thursday evening at 6:30. The presentation is open to the public.

BUSINESS ITEMS

BUDGET TRANSFERS

TRANSFERS TO BUDGET

Apr-08

| ACCT # | FROM DESCRIPTION | AMT. | ACCT # | TO DESCRIPTION | AMT. | REQUESTED |
|-----------|------------------|-----------|------------|--------------------------|-----------|-----------|
| A1110.212 | OFFICE EQUIPMENT | 150.00 | A1110.451 | MAINT PC CONTRACT | 150.00 | SPEER |
| A1110.212 | OFFICE EQUIPMENT | 374.02 | A1110.482 | EDUCATIONAL & PROFESSION | 374.02 | SPEER |
| A1010.211 | OFFICE EQUIPMENT | 500.00 | A1010.412 | OFFICE SUPPLIES | 500.00 | GAVIGAN |
| A1310.212 | OFFICE EQUIPMENT | 500.00 | A1310.427 | PERSONAL CAR USE | 500.00 | GAVIGAN |
| | DA SURPLUS | 14,359.29 | DA5142.461 | DIESEL FUEL | 14,359.29 | SPEER |
| | A SURPLUS | 27,266.94 | DA5110.450 | SALT | 27,266.94 | SPEER |

RESOLUTION NO. 112-2008 Motion by Councilman Blackburn, seconded by Councilman Smith to approve the Budget Transfers as submitted.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

MISCELLANEOUS

LAWSUIT – ANNEXATION OF 610 BURRITT ROAD

Supervisor Lemcke stated he had been notified that the Town’s lawsuit against the Village of Hilton and the owners of 610 Burritt Road was successful with the Judge ruling on three of five points with no ruling required on the remaining two because of the first three. The Village has until May 2nd to appeal. The decision is expected to be published.

AUTOMATED EXTERNAL DEFIBRILLATORS

Don Wells obtained three quotes for ZOLL AED PLUS units.

| | |
|---|-------------|
| ZEE America's First Aid and Safety Choice | \$11,516.00 |
| Braveheart AED | \$13,524.00 |
| Innovative Medical Technologies | \$13,925.00 |

RESOLUTION NO. 113-2008 Motion by Supervisor Lemcke, seconded by Councilman Blackburn to accept the proposal from Zee Medical, Inc. for the purchase of six (6) ZOLL AED PLUS brand defibrillators for \$11,516.00 out of A Surplus.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

VILLAGE OF HILTON LIAISON APPOINTMENTS TO TOWN

Supervisor Lemcke has been notified by the Village that effective April 1st Trustee Walter Horylev will be the Town of Parma liaison and Trustee Joe Lee will be the Parma Recreation liaison.

APPLIED RESEARCH SURVEY - LIBRARY/COMMUNITY CENTER

Supervisor Lemcke has received a bill for the survey totaling \$604.21. \$565.21 was for the inserts, invitations, printing and postage. \$39.00 was for a one year license for the internet survey software. It is expected that Ms. Warmbrodt will do a presentation to the Town Board at the May 6, 2008 Town Board meeting.

RESOLUTION NO. 114-2008 Motion by Supervisor Lemcke, seconded by Councilman Carmestro to approve payment of \$604.21 to Sarah Warmbrodt for reimbursement of expenses for the Library/Community Center applied research survey.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

BMA CONSULTANTS

Supervisor Lemcke noted that the Broker was unable to attend this meeting and will most likely be at the May 6th meeting.

JOINT MEETING - VILLAGE OF HILTON AND TOWN OF PARMA

Supervisor Lemcke reminded Town Board members of the upcoming joint meeting with the Village on Thursday, April 24th, at 6:30 at the Village Offices.

WARRANTS

RESOLUTION NO. 115-2008 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the A Fund, General Fund bills, in the amount of \$53,087.32.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

RESOLUTION NO. 116-2008 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the B Fund, Part Town Bills, in the amount of \$9,271.96.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

RESOLUTION NO. 117-2008 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the DA Fund, Highway Town Wide bills, in the amount of \$49,953.74.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

RESOLUTION NO. 118-2008 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the DB Fund, Highway Outside bills, in the amount of \$3,816.53.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

RESOLUTION NO. 119-2008 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the SD Fund, Townwide Drainage bills, in the amount of \$345.00.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

RESOLUTION NO. 120-2008 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve payment of the T Fund for Trust and Agency bills, in the amount of \$13,920.79.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

RESOLUTION NO. 121-2008 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to approve payment of the SS3 Fund for Dunbar Road East Sewer in the amount of \$956.25.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

Councilman Carmestro expressed concern about the lack of detail in bills that were being presented and recurring bills for the boiler. General descriptions such as “labor for services” or “parts” should not be used. Instead there should be specific descriptions and the number of hours and the labor rate should be indicated. Councilman Smith noted that in a review of a two or three year history of boiler expense there have been additional charges each month. It might be prudent to look at replacement of the boiler as a future capital project. There was discussion that most of those charges were to fix installation problems and not with the boiler itself. It was noted by Mr. Barton that the boiler was evaluated when the system was redone and there were no issues with the boiler.

Later in the meeting, Councilman Blackburn inquired about the VanHook contract and it was stated that the Finance Director will locate it.

LIAISON REPORTS

**Councilman Smith reported that he will be attending the Thursday evening Emergency Preparedness meeting being held at the Spencerport Fire District. He has not heard back from the Mayor and Assistant Mayor regarding the Village’s research on site locations for the Library in the Village. The Assessor reports that there has been a steady but reasonable flow of people for grievances. There was discussion on the Safety Coordinator position. It was agreed that the Town’s Workman Compensation Carrier would be contacted to obtain the name of an independent provider who would run safety programs. This information needs to be provided to employees

**Councilman Comardo was not in attendance, therefore there was no report.

**Councilman Carmestro reported that he would be attending the Spencerport Chamber of Commerce meeting on Wednesday. The Fire Department ground breaking ceremony will be on April 19 at 10:00 a.m.

**Councilman Blackburn had nothing to report.

OTHER BUSINESS

2009 BOY SCOUT KLONDIKE DERBY

Mr. Fowler noted that although Mr. Whittemore had been unable to make the meeting his letter was quite clear about the Boy Scout needs for the 2009 Klondike Derby. It was noted that there had been no previous problems when the event was held.

RESOLUTION NO. 122-2008 Motion by Supervisor Lemcke, seconded by Councilman Carmestro, to proudly host the Boy Scout 2009 Klondike Derby at the Parma Town Park on January 23 – 25, 2009.

Motion carried: Aye 4 Nay 0 Absent: Councilman Comardo

BICENTENNIAL

Councilman Smith noted that the Bicentennial Committee is planning events and hopes to be revenue neutral; however, they will be in need of funds to make purchases starting out. He asked Town Board members to be thinking about establishing a budget.

Councilman Carmestro noted that he has spent some time with Don Stilson at the Historical Building and that the work completed is impressive. Mr. Petricone has repainted the Historical Marker sign that had been in front of the flag pole prior to construction of the Town Hall entranceway. Mr. Stilson would like the Town Board to consider placement of the sign. There was discussion about locating the sign back in front of the flagpole or in front of the Historical Building.

There being no further business before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 8:22 p.m., seconded by Councilman Smith and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk