

Parma Town Board meeting held on Tuesday, October 16, 2007 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
Recreation Director	Steve Fowler
Building Inspector	Jack Barton

### **OTHERS IN ATTENDANCE**

Bob Prince, Gary Comardo, Janice Linn, Gene De Meyer, Larry Heininger, Jim Zollweg, Larry Wenzel, Larry Cross, Amy Cross, Laura Baum, Jay Baum, Michael Weldon, Steve Fowler, Engels Guldani, Al Lopa, Frank Santonastaso, Raymond Helfrich, Dan O'Brien, Patty DiMarco, Ron Rhyal, Tod Edenhofer, Larry Justice and other unidentified members of the public.

### **CALL TO ORDER**

Supervisor Lemcke called the meeting to order at 7:00 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. It was noted that the meeting is being digitally recorded.

### **PUBLIC HEARING – REQUEST TO REZONE 5057, 5063, 5067, 5071, 5083, 5087, 5091, 5095**

Supervisor Lemcke opened the public hearing at 7:01p.m., read the following legal notice which was published in the Suburban News on September 30, 2007 and posted on the Town Hall Bulletin Board and notification signs were posted on each property.

#### **Legal Notice Town of Parma**

#### **Public Hearing Request to Rezone 5057, 5063, 5067, 5071, 5083, 5087, 5091 and 5095 West Ridge Road**

Please take notice that the Town of Parma will hold a Public Hearing on October 16, 2007 at 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York for the Parma Town Board to consider the request to rezone the following parcels from General Commercial to Highway Commercial: 072.01-1-29, 072.01-1-28, 072.01-1-27, 072.01-1-26, 072.01-1-25, 072.01-1-24, 072.01-1-23, 072.01-1-22.2,

#### **DESCRIPTION OF ABOVE LISTED TAX PARCELS TO BE REZONED**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Parma, County of Monroe and State of New York, known and described as part of Town Lots 30 and 31 of the Gore Tract, and more particularly described as follows:

Beginning at a point in the center line of Ridge Road (NYS Route 104), 360 feet east of the west line of Town Lot 31, at the center line of said Ridge Road; thence

- 1- Southerly forming an interior angle of 85°05' a distance of 250 feet to a point; thence
- 2- Westerly parallel to the center line of Ridge Road a distance of 360 feet to a point on the west line of Town Lot 31; thence

- 3- Southerly along the west line of Town Lot 31 a distance of 147.3 feet to a point on the Town Lot 31, said point being 300.8 feet more or less from the southeast corner of Tax Id 072.01-026; thence
- 4- Westerly, 300 feet north and parallel to the south line of Tax Id. 072.01-1-026 a distance of 443 feet more or less to a point on the west line of Tax Id 072.01-1-026; thence
- 5- Northerly along the west line of Tax Id 072.01-1-026 a distance of 127.2 feet, more or less to a point on the southeast corner of Tax Id 072.01-1-024; thence
- 6- Westerly along the south line of Tax Id 072.01-1-024 a distance of 99 feet to a point on the southwest corner of said Tax Id 072.01-1-024; thence
- 7- Northerly along the west line of Tax Id 072.01-1-024 a distance of 49.44 feet to a point on the southeast corner of Tax Id 072.01-1-22.2; thence
- 8- Westerly along the south line of Tax Id 072.01-1-22.2 a distance of 213.50 feet to the southwest corner of said Tax Id 072.01-1-22.2; thence
- 9- Northerly along the west line of Tax Id 072.01-1-22.2 and along the west line of Tax Id 072.01-1-023 a distance of 220.00 feet to a point on the center line of Ridge Road (99 feet wide); thence
- 10- Easterly along the center line of Ridge Road a distance of 415 feet more or less to an angle point; thence
- 11- Easterly continuing along the center line of Ridge Road a distance of 339.1 feet more or less to a point on the west line of Town Lot 31; thence
- 12- Easterly continuing along the center line of Ridge Road a distance of 360 feet to the point of beginning.

Parcel to contain 8.767 acres more or less including road right of way. All as shown in the attached map prepared by Marques & Associates, P.C., dated August 20, 2007.

Dated: September 24, 2007  
Donna K. Curry  
Parma Town Clerk

Supervisor Lemcke outlined how the Public Hearing would proceed.

Larry Heining, L. E. Heining Engineering presented for GLC of Monroe County. He reviewed a concept site plan map which described the 4 parcels owned by GLC of Monroe County and described Great Lakes Classic Cars the current business owned by GLC. The remaining 4 parcels, the timeline involved and the steps leading to the Public Hearing were also discussed.

Engels Galdani, of GLC of Monroe County, discussed how the GLC parcels would be affected and described phases of development that are currently planned for their parcels.

There was discussion on the size of the parcels and the possibility of merging 5095 Ridge Road West with the 5093 Ridge Road West at some future time.

Supervisor Lemcke explained that the applicant would need to be adjacent to Highway Commercial property for there not to be spot zoning. This was what prompted the inclusion of the 4 parcels that would lie between the GLC properties and existing Highway Commercial. It was noted by Mr. Heining that rezoning of the Cross property alone would have put made the Cross

Councilman Reinschmidt asked if a map indicating the parcels involved and the adjacent zoning was submitted. It was submitted with the original applications.

Discussion was opened for the public.

Matt Verhulst, 5161 Ridge Road West, requested clarification on whether the large center parcel was to be part of the plans discussed. Mr. Heining explained that this property is owned by the Crosses and their parcel is not part of concept plan described.

Raymond Helfrich, owner of Dannic Holdings which owns 5057 Ridge Road West expressed his concern that he was not notified of the rezoning. He noted that after looking at the applications none of the current property owners (GLC excluded) intend to change how they are currently using their property. He did not understand why all the parcels needed to be

rezoned to accommodate this one request. He also expressed surprise that all the fees were paid by one applicant and questioned Valley Cadillac's participation in this venture.

Dan O'Brien, Mr. Helfrich's attorney, stated his concerns regarding the application for 5057 Ridge Road to be rezoned, expressed concern over the lack of notification in lieu of the fact that this originally came to the Town Board in September of 2006, the need for more time to review the rezoning application and his feeling that the Short Environmental Assessment Form did not appropriately address the impact of the change.

Supervisor Lemcke noted that the opportunity exists for property owners in the Town of Parma to pursue application for rezoning. No one is denied the right to apply. He emphasized that the application was conceptual at all points to date. The applicant goes before the Planning Board to see if the concept plan would require any changes and in this case the applicants were referred to the Town Board for rezoning to Highway Commercial. During the process, consideration was given to rezoning all the parcels. It was also noted that the Dannic property, 5057 Ridge Road West, was included as part of the resolution to hold the public hearing for the rezoning of these parcels and that the Town Attorney had been consulted. The majority of the Town Board approved a resolution to hold a public hearing which allowed the applicant to proceed, not blessing the project. With regard to notification and Short Environmental Assessment Form, they will be addressed as part of the decision making process tonight.

Mr. Heininger explained SEQR, outlined his personal experiences with SEQR and expressed a significantly different opinion of the SEQR process than those expressed by Mr. O'Brien. He noted that if the rezoning is approved, the applicants will then go back to the Planning Board and the specifics of their concept plan and requirements of the Planning Board would be addressed then. This would include SEQR.

Mr. Heininger also summarized his recollection of the steps taken on whether to include 5057 Ridge Road West. It was noted that the GLC properties would be adjacent to Highway Commercial through the Cross parcel if rezoned and that two of the remaining three parcels also wanted rezoning. This left 5057 Ridge Road West as General Commercial. The Town Board deliberated and decided to include 5057 Ridge Road West.

Matt Thomas questioned how another used car dealership would affect the number of cars on Ridge Road and expressed his concerns about safety. Supervisor Lemcke stated that should the project get approved, the impact on traffic would be assessed in the Planning Board stage. Mr. Heininger shared information from the Institute of Traffic Engineers that new car businesses would generate 9 cars per hour at peak time on a Saturday.

Frank Santonastaso, owner of 5070 Ridge Road, questioned how the rezoning would benefit the town and indicated that if the rezoning occurred the value of existing Highway Commercial might go down because there would be more of it. He felt that less Highway Commercial would make what already exists more valuable. Supervisor Lemcke indicated that in general the Town benefits more from General Commercial than from Highway Commercial properties. He stated that property values could be influenced either way depending on trends of the neighborhood and that one conflict he saw was residential use being surrounded by Highway Commercial.

John Tears, owner of 5067 Ridge Road, stated he was in favor of the rezoning and that the traffic is already there and that this increase would not impact that much. He felt that the argument not to rezone because the properties are used residentially is not valid. He felt that because it is the last residential section in that area should not be considered a reason not to change the zoning. The rezoning gives the residential owners another option for their investment.

Supervisor Lemcke pointed out that the Town Board's responsibility was to set the appropriate trends for Ridge Road and that there were investment risks either way for developers and homeowners alike, rezoning or not. He also noted that there is potential for other types of businesses, which locate in higher traffic volume areas, to locate along Ridge Road as traffic increases.

Patty DiMarco, did not agree with the number of 9 cars for traffic for traffic impact. She gave her opinion that more commercial development usually encourages other commercial development and that recent changes in the Kodak area of Ridge Road could influence development at our end of Ridge Road.

Jack Coco, 5063 Ridge Road, asked if a restaurant could be supported because it's all septic systems. Supervisor Lemcke responded that the current sewer situation would not support a restaurant but with advanced treatment systems and enough land, engineers could design something that could work.

Anthony Capuano asked for clarification on the zoning of the rest of the properties included in the request. Supervisor Lemcke noted that they are zoned general commercial and used residentially. Mr. Capuano also wanted to know what else could go on the remaining 4 properties and were the lots large enough.

Supervisor Lemcke stated that the biggest difference with Highway Commercial was the allowance of outside sales of merchandise, equipment and vehicles. General Commercial is sales inside the building and Highway Commercial allows outside sales and displays. There was discussion on whether the smaller lots would meet requirements if used this way and consideration for spot zoning if the parcels were not changed.

Councilman Reinschmidt question how solid the commitment was with Valley Cadillac. Mr. Gualdani responded that he is employed by Valley Cadillac Hummer as a general sales manager. He described how this venture came to be, the individuals involved at Valley Cadillac, the internet sales that are currently taking place, the investment that he and his partners have made in the Parma Plaza property.

Mr. Capuano asked if there were another property zoned Highway Commercial that could be used. Supervisor Lemcke noted he had driven down Ridge Road and there were several rather empty lots but he did not know if they were available.

Mr. Coco inquired if there were benefits to the Town from sales taxes. Supervisor Lemcke stated that the Town does get a portion of sales tax receipts but it is not a driving factor.

There was additional discussion between Mr. Tears, Supervisor Lemcke and Mr. Barton regarding lot size and other characteristics of Highway Commercial zoning and whether a business such as On Trac or a motorcycle dealership would fit those descriptions. Mr. Tears is interested in obtaining Highway Commercial zoning because of the potential for other commercial uses besides a car dealership. There was discussion on options for other businesses.

Mr. Heininger provided information based on his experience regarding how sewer requirements are identified for restaurants. He also responded to the concerns of traffic and indicated that numbers for a beauty salon or pet grooming business which previously occupied this plaza could be compared to those of the used car dealership. He also noted that there are other examples of outdoor display businesses which could go on the smaller parcels; such as Adirondack furniture or garden accessories.

Mr. Capuano inquired if the properties were approved for a Tim Hortons or Eastern General Insurance type of business already. Supervisor Lemcke stated that they are zoned General Commercial and with meeting the requirements of the Planning Board process, they could go on that type of parcel.

Mr. Arthur Carafos, owner of 5040 Ridge Road, questioned if there was a lack of existing highway commercial property and if the applicants had explored other Highway Commercial sites. Supervisor Lemcke noted that this option was invalid because they already owned this property.

There was discussion on if car sales could take place if they were not outside, such as internet sales. Use variances, special permits and what could be allowed were discussed.

Supervisor Lemcke state the Town Board would now go into discussions and that questions from the public would be taken again later in the meeting.

Supervisor Lemcke noted that responses had been received from the Monroe County Planning and Development Department for each parcel. The response, the same for all parcels, falls under Section 239 of General Municipal Law. The Monroe County Planning and Development comments stated that "The rezoning of parcels needs to be consistent with the Town of Parma Comprehensive Plan. In the case of rezoning, the Town Board should develop a clear, written record describing how the rezoning will support the goals and objectives of the comprehensive plan." Supervisor Lemcke summarized that all property owners within 500 feet had been notified, receipts have been received that the mailings were sent, comments have been received from Monroe County, and paperwork and fees have been received for all applications. He opened discussion to the Board members.

Councilman Reinschmidt requested that the Monroe County response be read again, which Supervisor Lemcke did. Supervisor Lemcke then stated that his interpretation of these comments would be that in 1998 when they did the rezoning map the Town Board, through various public meetings, decided that we believe that the comprehensive plan, or master plan, for Ridge Road is how it is shown today. At that time there were a few changes. But everything on the south side of the road with the exception of Durfees/Doan is General Commercial.

The Supervisor noted that a modified short environmental assessment form listing the properties, acreage, some descriptions along with a brief project description had been prepared and submitted by the applicant. He then asked the Board members if they had any comments.

Councilman Smith stated that he was under the impression that all parties would be brought to the table and the fact that it appeared not everybody was notified or requested to be involved upset him. He was under the impression that it was all or nothing and the fact that a party had not been notified by the applicant was a concern to him. In addition, he felt that regardless of whether you like used car dealers or not the rezoning request sort of fits what's happening on Ridge Road and whether or not we can deny it because we don't like it. He indicated he had mixed feelings and that he did not like the way the process unfolded, but it may be what we are looking at in the future.

The Town Clerk noted that the mailings to property owners within 500 feet were done as required and included all the parcels that are a part of the rezoning request. In addition, a letter was sent to Dannic Holdings as discussed with the Town Attorney at a previous Town Board meeting. That letter was returned to the Town Clerk by the U.S. Postal Service as undeliverable.

Councilman Smith clarified that he was not challenging the official notification but rather discussions that went further back, six, eight, ten months ago. When the rezoning was originally brought up, he was under the impression that the applicants were going to get everyone together, on their own and outside of the formal process, so they could sit down and discuss how the parcels would move forward as one rezoning.

Supervisor Lemcke noted that without the Dannic property the other two parcels border on Highway Commercial in the rear so that would make it contiguous.

Councilman Blackburn concurred with Councilman Smith in being under the impression that those people were in favor of the rezoning.

Albert Lopa, GLC of Monroe County, stated that letters were sent to each property owner as discussed with the Town Board; they heard nothing back from Dannic and proceeded without them. Councilman Carmestro questioned if the letters had been sent registered mail or certified mail. No one could recall.

Supervisor Lemcke noted Councilman Smith's comments about the trend of this area to go Highway Commercial/used car lots. He reminded those present that less than a year ago an application for Highway Commercial had been denied for Mr. Sobb's property.

Supervisor Lemcke asked if there was any additional public comment. There was discussion about residential versus highway and general commercial, the upkeep of various businesses and property along Ridge Road West and the changes that were made to the 3 parcels in front of Doan during the approval of the Master Plan.

Supervisor Lemcke stated that it has been the trend of this Town Board to oppose the expansion of Highway Commercial for a long period of time and even through periods of change in board membership. He inquired if there were any other comments from the public. Hearing none, he closed the Public Hearing portion of the meeting at 8:22 p.m.

Supervisor Lemcke noted the need to take into consideration if notification for Dannie regarding this rezoning was problematic and subject to possible legal action. The Town Clerk noted that the notice was not required per our attorney and was sent as a courtesy, unfortunately it was not received. It was restated that the notifications to property owners within 500 feet had been done as required.

Supervisor Lemcke stated that the issue before the Board was to consider the application for rezoning of 5057, 5063, 5067, 5071, 5083, 5087, 5091 and 5095 Ridge Road West from General Commercial to Highway Commercial. He stated that he was in opposition to extending Highway Commercial but that it was no reflection on the applicants. He indicated that he was troubled by parcel 4 where the house is close to the road and there is storage at the rear. He appreciated the fact that they had a good tenant but it sticks out like a sore thumb. He stated that the Town Board is on record denying many requests for Highway Commercial that have previously come before them. It was his opinion that that portion of Ridge Road is destined to explode with other commercial development noting various other existing or proposed commercial businesses. He would encourage those types of development as compared to Highway Commercial.

There was discussion between Councilman Reinschmidt and Supervisor Lemcke regarding the Supervisor meeting with the applicants. He indicated that the rest of the Town Board was not aware of this. Supervisor Lemcke noted that the applicants had come in to see him during his Thursday evening hours. Options for the property when they did and did not have tenants and when the white house was up for foreclosure were discussed.

Councilman Blackburn commented on the 1998 Comprehensive Plan and noted that he felt there were enough car lots in Parma and that he was in favor of General Commercial zoning.

Councilman Carmestro had no comments.

Councilman Smith noted he had already stated he comments.

Councilman Reinschmidt noted he was unsure how he could provide the County with a clear, written record of how we could support this rezoning. He also had reservations as to how the entire thing transpired.

Supervisor Lemcke asked if anyone else had questions. Hearing none, Supervisor Lemcke closed the Public Hearing at 8:20 p.m.

### **REQUEST TO REZONE 5057, 5063, 5067, 5071, 5083, 5087, 5091, and 5095**

**RESOLUTION NO. 266-2007** Motion by Supervisor Lemcke, seconded by Councilman Carmestro, to deny the request to rezone 5057, 5063, 5067, 5071, 5083, 5087, 5091, 5095 from General Commercial to Highway Commercial.

Motion carried by Roll Call Vote:	Councilman Smith	Aye
	Councilman Carmestro	Aye
	Councilman Reinschmidt	Aye
	Councilman Blackburn	Aye
	Supervisor Lemcke	Aye

*There was a 10 minute break and the regular meeting resumed at 8:35 p.m.*

### **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.

Mr. Larry Wenzel addressed the board with a request to move ahead on an addition to his home prior to receiving Zoning Board approval. The addition will make the home handicap accessible for his son. There was discussion on the addition. Bob Prince stated that Mr. Wenzel's application was in order and preliminary plans have been approved.

Supervisor Lemcke indicate that because Mr. Wenzel's preliminary plans were approved; and if Mr. Wenzel was willing to live with the risk of possible denial by the Zoning board; and if Mr. Wenzel's architect was willing to do inspections and certify the work up to the point of the issuance of the building permit, then he felt that the Board should grant hardship approval for work to be done on the basement only.

Patty DiMarco addressed the Town Board regarding the drainage area at the back of her property. She stated that Supt. Speer had sent a crew to clean out the area but that the job could not be completed because of the steepness of the sides of the drainage trench. She indicated that a very good job was done on the areas that could be reached but that the current condition of the remaining area is not satisfactory. Supt. Speer will pursue possible alternatives.

### **ASSESSOR'S OFFICE REPORT**

Mr. Wells and Larry Justice, of Scan and Store, made a brief presentation on the status of the Scan and Store image/archive implementation in the Assessor's Office. The Assessor's Office will be doing dual processing for approximately one month before making a final change over. In addition it was noted that access can be provided to other departments for viewing rights only; accountability, ownership and changes will be made only by Assessor's Office staff; and there is a computer for public use to view records. Changes are expected to be made on a daily basis and are set up to use the existing scanner in house.

Mr. Wells summarized the key points of his budget for 2008. There was discussion on the State requirement that a site visit be done from the road or sidewalk once every 6 years to maintain the equalization rate so that state aid is received. Pictures will be updated and an inventory check will be done. This is an opportunity to catch changes that do not require a building permit. There was discussion on pros and cons of continuing the contract with the State and the burden of work that is placed on the department. Mr. Wells asked for consideration of a 40 hour week for that department to handle the additional work required or the addition of contractual service to meet the 6 year requirement.

### **SPECIAL POLICE REPORT**

Tod Edenhofer reported that there were minimal changes to his budget and that the Special Police would like to have a vehicle. He requested that if a vehicle was available within the Town they would like to be considered for having it. Supervisor Lemcke noted that the mileage reimbursement was available. Mr. Edenhofer stated that the volunteers were in agreement that the funds could be put to better use in training or equipment and have elected to write mileage off on their taxes instead. He noted they have twelve officers and two applicants and a target goal of 15 members.

Mr. Edenhofer noted that Roger Jestel, Donna Jestel and Dan Coco have met all the training and service requirements and requested that the Town Board accept them as full members in the Town of Parma Special Police.

**ACCEPTANCE OF SPECIAL POLICE MEMBERS TO FULL STATUS**

**RESOLUTION NO. 267-2007** Motion by Supervisor Lemcke, seconded by Councilman Smith, to accept Roger Jestel, Donna Jestel and Dan Coco as full members in the Town of Parma Special Police.

Motion carried: Aye 5 Nay 0

**MINUTES – OCTOBER 2, 2007**

**RESOLUTION NO. 268-2007** Motion by Councilman Carmestro, seconded by Councilman Blackburn, to accept the Minutes of the October 2, 2007 Town Board meeting.

Motion carried: Aye 5 Nay 0

**TOWN CLERK REPORT**

The Town Clerk reported Official Order #2499 from the NYS Department of Transportation has been filed in the Clerk's Office. Copies of Preliminary Budgets for each of the fire districts have been received and posted on the Town Hall Bulletin Board and website as required by new legislation which was passed this year. Public hearings for those budgets are being held tonight.

**HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported that Dunbar Road East Sewer District work was almost completed. Mr. Fowler reported that the Certificate of Substantial Completion had been submitted within the required time period and that he has not heard anything back from them.

Supt. Speer submitted a contract from the New York State Department of Transportation for snow and ice removal and requested that Supervisor Lemcke be authorized to extend the current agreement to 2010. He noted that the lane miles will increase due to the State's acquisition of North Avenue between Curtis Road and the Parkway. This stretch of road previously belonged to Monroe County and would reduce the Town's County lane miles but the State pays more per lane mile. The State contract will go from \$203,000 to \$219,000

**AGREEMENT TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT BETWEEN THE STATE OF NEW YORK AND THE TOWN OF PARMA**

**RESOLUTION NO. 269-2007** Motion by Councilman Blackburn, seconded by Councilman Reinschmidt, authorizing Supervisor Lemcke to enter into the Agreement to Extend Indexed Lump Sum Municipal Snow and Ice Agreement between the State of New York and the Town of Parma to the year 2010.

Motion carried: Aye 5 Nay 0

Supt. Speer reported that he has continued to explore options for replacement of drainage pipe at the Toal property and under Collamer Road. Supt. Speer recommended replacement with arch metal pipes at a cost of approximately \$12,000. Supt. Speer did not think that there were enough funds in the Townwide Drainage Fund. Supervisor Lemcke indicated the repairs should proceed with funds from Surplus B, if necessary.

**BUILDING DEPARTMENT REPORT**

Mr. Barton noted that the September Building Report has been given to Town Board members.



The concept plan for Fairfield Place will be before the Planning Board November 1, 2007. A copy of the plan is available for those who wish to review it. There was discussion at last night's Planning board meeting of having the Town and Planning Boards meet to discuss the general development of this project.

Mr. Barton has provided Town Board members with copies of the Model Ordinances for Construction and Post Construction Stormwater Pollution Prevention Measures which the State would like to see in place by January 1, 2008. The Town Board has already received the Illicit Discharge Model Ordinance which must also be approved.

### **RECREATION DEPARTMENT REPORT**

Mr. Fowler reported that he spoke with the Village Planning Board regarding the status of reviewing future locations within the Village for a building site for the Parma Town Library. It was reported that they are close to wrapping up their research and expect to make their findings available at the November Village Board meeting. Their process involved looking for locations in which a 24,000 square foot stand alone building could be constructed.

An article as provided from the October 2007, Parks and Recreation magazine, titled "Law Review = Not Accountable for Hidden Defibrillator." In light of discussion at a previous Town Board meeting, Mr. Fowler thought this article might be of interest.

The annual Halloween celebration is Saturday, October 20<sup>th</sup>. He expects 300-400 participants.

### **CONTRACT WITH NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES – FREE YOUTH SERVICES**

Mr. Fowler requested that the Town Board accept by resolution to enter into contract with the New York State Office of Children and Family Services to offer free youth programming.

**RESOLUTION NO. 270-2007** Motion by Councilman Smith, seconded by Councilman Carmestro, to enter into contract with the New York State Office of Children and Family Services for the Town of Parma to offer free youth programming opportunities for their upcoming fiscal year and agree to follow all processes required for financial reimbursement of the contractual agree amount.

Motion carried: Aye 5 Nay 0

### **PARKS DEPARTMENT REPORT**

Parks Foreman Joe Petricone requested that the repairs and replacement of needed parts for the divider between the Court and Board rooms be put on the agenda for the next Town Board meeting. He noted that the inspection performed recommended that the door should not be used, if at all possible, until the repairs are completed. There was discussion of the impact of the room not being available during repairs.

### **BUSINESS ITEMS**

#### **FIRE PROTECTION STANDARDS, ABOVE GROUND FUELSTORAGE AND TOEN HALL SEPTIC SYSTEM**

Supervisor Lemcke requested that Fire Protection Standards, Above Ground Fuel Storage and Town Hall Septic System be moved to the next meeting due to the length of this meeting and remaining work to be done. There was no objection.

**BUDGET TRANSFERS**

TRANSFERS TO BUDGET					Oct-07		
ACCT #	DESCRIPTION	AMT.		ACCT #	DESCRIPTION	AMT.	REQUESTED
A7020.418	BROCHURES	500.00		A7020.212	EQUIPMENT	500.00	FOWLER
A7141.500	ICE SKATING	225.00	DA5110.450	A7141.443	TREE PROGRAM	225.00	FOWLER
A7020.489	MISC EXPENSES	45.00		A7020.480	DUES & MEMBERSHIP	45.00	FOWLER
A7141.487	SENIOR FITNESS	1,275.00		A7141.12C	SWIMMING	1,275.00	FOWLER
A7141.488	SOFTBALL CAMP	330.00		A7140.12B	TOT PLAYGROUND	1,330.00	FOWLER
A7141.449	THEATER	1,000.00					
A7141.448	BABYSITTING	360.00		A7140.12A	SUMMER HELP	1,060.00	FOWLER
A7141.447	BOWLING	700.00					
A1990.449	MISC CONTINGENT	5,000.00		A1420.447	LEGAL LABOR	5,000.00	GAVIGAN
A1670.410	PRINTING	2,000.00		A1620.489	WATER	2,000.00	GAVIGAN
A7520.449	OTHER SERVICE	130.00		A7520.422	TELEPHONE	130.00	GAVIGAN
B9055.810	DISABILITY INSURANCE	400.00		B9020.815	MISC REIMBURSEMENT	400.00	GAVIGAN

**RESOLUTION NO. 271-2007** Motion by Supervisor Lemcke, seconded by Councilman Blackburn, to approve the Budget Transfers as requested.

Motion carried: Aye 5 Nay 0

**MISCELLANEOUS**

A letter has been received the NYS Unified Court System that they are in receipt of our grant application for the Justice Court Assistance Program. Grants are not expected to be awarded until after January 1<sup>st</sup> and it will be 3-4 weeks after that before funding will be provided.

Supervisor Lemcke gave the Town Clerk a copy of the memo received from the Planning Board with their recommendations regarding the application for rezoning of the properties on Ridge Road West which were discussed tonight. The Clerk was asked to put this memo with the rezoning documents.

Supervisor Lemcke recommended that the Townwide Drainage charge remain at \$5.00 per parcel. There was discussion on whether this would fulfill the upcoming needs.

**RECREATION DEPARTMENT REQUEST FOR ADDITIONAL BILL PAYMENT**

Mr. Fowler requested the approval of the Town Board for the payment of two additional bills to be paid as part of the October bill paying session.

**RESOLUTION NO. 272-2007** Motion by Councilman Reinschmidt seconded by Councilman Blackburn to approve payment of the following two items as part of the October Bill paying session.

ACCT #	PAYABLE TO	DESCRIPTION	AMOUNT
7020.212	Steven Fowler	Office Equipment	\$184.60
7141.406	Hilton Basketball	Payment for two programs, LLB & All Star Basketball	\$660.00

Motion carried: Aye 5 Nay 0

**WARRANTS**

**RESOLUTION NO. 273-2007** Motion by Councilman Blackburn, seconded by Councilman Smith, to approve payment of the A Fund, General Fund bills, in the amount of \$81,937.46.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 274-2007** Motion by Councilman Blackburn, seconded by Councilman Carmestro, to approve payment of the B Fund, Part Town Bills, in the amount of \$9,201.03.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 275-2007** Motion by Councilman Blackburn, seconded by Councilman Reinschmidt, to approve payment of the DB Fund, Highway Outside bills, in the amount of \$5,509.26.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 276-2007** Motion by Councilman Blackburn, seconded by Councilman Smith, to approve payment of the SD Fund, Townwide Drainage bills, in the amount of \$1,346.07.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 277-2007** Motion by Councilman Blackburn, seconded by Councilman Carmestro, to approve payment of the SS3 Fund for Dunbar Road East Sewer, in the amount of \$15,682.48.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 278-2007** Motion by Councilman Blackburn, seconded by Councilman Reinschmidt, to approve payment of the T Fund for Trust and Agency bills, in the amount of \$4,116.54.

Motion carried: Aye 5 Nay 0

### **LIAISON REPORTS**

\*\*Councilman Smith noted the Planning Board is reviewing a subdivision off of Bailey Road with a road going through the middle of a parcel. The developer's engineer is proposing a separate tax ID # for each side of the road but to have it considered as one parcel. It could never be sold as 2 separate lots. There was more discussion surrounding the circumstances.

The Dog Control Officer researched our ability to add a surcharge for second offenders of unlicensed dogs. It was determined that this was not possible.

\*\*Councilman Carmestro had nothing to report.

\*\*Councilman Reinschmidt reported that the Library Director will be sending a letter to the Suburban News explaining the policy on who has access to materials at the library.

\*\*Councilman Blackburn had nothing to report.

### **CLOSE REGULAR MEETING FOR BUDGET WORKSHOP**

**RESOLUTION NO. 279-2007** Motion by Councilman Carmestro, seconded by Councilman Smith, to close the regular meeting to enter into a budget workshop.

Motion carried: Aye 5 Nay 0

*There was a 5 minute recess before the start of the budget workshop.*

### **CLOSE BUDGET WORKSHOP AND REOPEN THE REGULAR MEETING**

**RESOLUTION NO. 280-2007** Motion by Supervisor Lemcke, seconded by Councilman Smith, to close the budget workshop and re-enter the regular meeting.

Motion carried: Aye 5 Nay 0

**SET DATE FOR PUBLIC HEARING FOR THE PRELIMINARY BUDGET**

**RESOLUTION NO. 281-2007** Motion by Supervisor Lemcke, seconded by Councilman Carmestro, to advertise to hold a Public Hearing on Wednesday, November 7, 2007 at 7:00 p.m. at the Parma Town Hall for the 2008 Preliminary Town of Parma Budget.

There was discussion on what changes could be made to the budget. It was noted that changes could be made to and from items but the overall total tax cannot be changed.

Motion carried: Aye 5 Nay 0

There being no further business brought before the Town Board, Councilman Smith made a motion to adjourn the meeting at 10:40 p.m., seconded by Councilman Blackburn and all were in favor.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk