

Parma Town Board meeting held on Tuesday, March 6, 2007 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

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

OTHERS IN ATTENDANCE

Joe Petricone, Keith Ryan, Richard Stowe, Esq., Anthony Costanzo, Gene DeMeyer, Brad Delano, Jan Fitzgerald, Frank Trinca, Scott Copey, Kris Schultz, Joseph Sciortino, Bob Wagner, Tom Abbott, Jim Zabawski and other unidentified members of the public.

CALL TO ORDER

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

Supervisor Lemcke thanked Councilman Reinschmidt for overseeing the last Town Board Meeting and all staff and department heads who kept him informed and up to date during his absence.

**PUBLIC HEARING – REZONE NORTHERLY PORTION OF 1776 HILTON PARMA
CORNERS ROAD**

Supervisor Lemcke read the Legal Notice which was published in the Suburban News and posted on the Town Hall Bulletin Board and at the Post Office. The process for how the Public Hearing would be held was explained.

Supervisor Lemcke opened the Public Hearing at 7:05 p.m. Richard Stowe, Esq., presented the request for rezoning. He represented Keith Ryan, who wishes to purchase the property. Mr. Stowe stated that Mr. Ryan's purchase of the property is contingent upon the approval of the Planning Board and the Town Board approving any rezoning required. Approximately one third of the property is currently zoned General Commercial. This is the southern portion of the parcel and is determined by the current boundary line which runs 500 feet north from Ridge Road. This places the boundary line through the garage. The northern portion is zoned Rural Residential. The application seeks to have the remaining two thirds portion of the parcel rezoned from Rural Residential to General Commercial. The Town's Comprehensive Plan was reviewed by Mr. Stowe and it was noted that this is one of three areas indicated for General Commercial growth. It was also noted that the existing zoning indicates that there are parcels zoned General Commercial outside the 500 foot dimensional requirement. The possibility of subdividing the parcel so that the northerly portion would become a separate lot was considered but all the requirements could not be met.

Supervisor Lemcke sought clarification as to what could be done to the northern section of the lot should the zoning be changed. Mr. Barton indicated that the current building could be expanded, an additional building could be built and parking could be added to the north. It was noted that changes would be subject to conditions established by the Planning Board. It was noted that the Planning Board stipulated that only a stone parking lot had been approved and

that no drainage calculations were provided for a paved parking area. Any changes requested in the future would have address how to handle drainage.

Supervisor Lemcke asked if there was anyone who wished to speak.

Jim Zabawsky, 1769 Hilton Parma Corners Road, stated that he had no problem with what is proposed but was concerned for the future if the property was sold and a less appropriate type of business should come in.

Mr. Barton responded that the scope of General Commercial is a retail and office environment. There was discussion by Town Board members on what could or could not be there and what would take place if changes were requested. It was also noted that if rezoned the parcel could be subdivided into two separate parcels and would require a public hearing to do so.

Supervisor Lemcke asked if there were any other questions from the public. Hearing none he asked each Town Board member if they had any questions. There were none. The Public Hearing was closed at 7:20 p.m.

It was noted that Monroe County Planning and Development Department reviewed and responded with a no comment. The Planning Board has reviewed and approved based on what was submitted to them. There was nothing required from the Conservation Board. The Town Board reviewed the SEQR Modified Short Form and determined a negative declaration.

RESOLUTION NO. 83-2007 Motion by Councilman Smith, seconded by Councilman Blackburn, to rezone the northerly portion of 1776 Hilton Parma Corners Road from Rural Residential to General Commercial, accepts the Modified Short Environmental Assessment Form and the Parma Town Board determines a negative declaration.

Motion carried: Aye 5 Nay 0

PUBLIC FORUM

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

MINUTES – FEBRUARY 20, 2007

RESOLUTION NO. 84-2007 Motion by Councilman Smith, seconded by Councilman Blackburn, to accept the Minutes of the February 20, 2007 meeting.

Motion carried: Aye 4 Nay 0 Abstained Supervisor Lemcke

TOWN CLERK REPORT

The Town Clerk Report and VFW Summary for February 2007 have been submitted. Park Pavilion Rental forms are now available online. Tax receipts totaling \$2,911,603.73 have been turned over to the Supervisor and receipts totaling \$5,235,357.63 have been deposited to Monroe County to date. \$1,489,417.04 is the remaining balance for collection.

HIGHWAY DEPARTMENT REPORT

There was no report because Supt. Speer is out of town.

RECREATION DEPARTMENT REPORT

Mr. Fowler reported that the Hilton-Parma Recreation Department 2007 Goals and Objectives have been provided to the Town Board.

The department is completing the process of installing data into the new registration program, which will be up and running for Spring 2007 registrations.

The reimbursement packet for the NYS Department of State \$5,000.00 member item grant has been completed and will be mailed Wednesday after the Supervisor has signed.

Invitations were sent from the Recreation Commission to the Town and Village Boards for a workshop session to focus on moving forward on a Community Center Project at 7:00 p. m. on March 27, 2007 at the Village Community Center.

A request has been made by the Rochester National Adult Baseball Association to use baseball fields in the Town Park this season. This is an adult wood bat league of which one team is from Hilton. The request is for the organization's use of the fields. There was discussion on the field to be used, size of field needed, and conflicts with events already scheduled. Not all Board members had received or reviewed a copy of the letter. This was tabled to the March 20, 2007 meeting.

TOWN CELEBRATION

The Town's summer celebration "Park It in Parma" will be held Friday August 3rd and Saturday, August 4th. This will be a somewhat scaled down event due to cuts in the budget for the event. Questions were raised regarding the length of time for the Town Celebration. There was discussion regarding the number of days, whether fireworks would be held both nights and whether it was worthwhile for food vendors.

RESOLUTION NO. 85-2007 Motion by Councilman Blackburn, seconded by Councilman Smith, to hold the Town celebration for two nights, with one night of fireworks.

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

BUILDING DEPARTMENT REPORT

Jack Barton stated that the Building Department Report has been provided to the Town Board. Information was provided to him on a seminar to be held March 15, 2007, that deals with purchases of development rights. Financing of these projects is quite detailed and it might be beneficial for the Finance Director to attend. Supervisor Lemcke stated that Mary Gavigan is aware and is looking into attending.

The new Deputy Fire Marshal is working out well. He is finishing up his second week of full time and will start the normal work hours next week.

Mr. Barton reported that he has discussed with Lara Badain action that will be needed as a result of the passing of Local Law #3 – Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code (Part 1203). Chapter 24 of the Town Code will have to be repealed and he expects to have a resolution for the Town Board at the next meeting.

Mr. Barton is still reviewing software packages for the Building Department and expects to participate in some hands on use at an upcoming conference.

Mr. Barton noted that he will not be at the March 20th Town Board meeting.

DUNBAR ROAD EAST SEWER DISTRICT – LARSEN ENGINEERS

Mr. Barton has been in touch with Larsen Engineers regarding construction drawings for the design and bids on the Dunbar Road East Sewer District. He provided a copy of a memo which explains charges and work that has been done, additional work done beyond the original proposal for presentation to Rural Development and what still needs to be done. They also reaffirmed their commitment to the agreed upon fee. Larsen requested authorization to proceed and if there were funds available at the end of the project for the Town to consider reimbursement for the actual design and inspection costs over and above the budget dollars.

RESOLUTION NO. 86-2007 Motion by Councilman Reinschmidt, seconded by Councilman Smith, to authorize Larsen Engineers to proceed with the completion of construction documents for the Dunbar Road East Sewer District.

Motion carried: Aye 5 Nay 0

PREPAY CHECKS - VACATION CLUB PAYMENT AUTHORIZATIONS

A Vacation Club activity week was held during the school winter break in February. Mr. Fowler requested that the following three bills be authorized for payment:

| | |
|-----------------------|----------|
| Inside Track Speedway | \$610.20 |
| Horizon Fun F/X | \$ 67.50 |
| Strong Museum | \$216.00 |

RESOLUTION NO. 87-2007 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to authorize payment to Inside Track Speedway for \$610.20, to Horizon Fun F/X for \$67.50, and to Strong Museum for \$216.00 for winter break activities held by the Hilton-Parma Recreation Department.

Motion carried: Aye 5 Nay 0

PARKS DEPARTMENT

Mr. Petricone informed the Town Board that they have started work to remove water from low areas in the area around the storage/concession building and the area between there and the woods. Staff will be painting inside the Town Hall and electrical repairs are in the process of being done. The newly purchased heater is working well.

Mr. Petricone will be looking at an aluminum pole for lighting requested at the Historical Building and will follow up on the condition of the flag at the front of the Town Hall.

BUSINESS ITEMS

PLAQUE PRESENTATION

BY HILTON CADETS TRAVEL BASEBALL – BABE RUTH TO TOWN OF PARMA

Bob Wagner, presented Supervisor Lemcke and the Town Board with a plaque as a token of appreciation for the support given to the Hilton Cadet Babe Ruth Organization. The organization wanted to thank the Town of Parma and in particular, Jim Volkmar, of the Recreation Department and Joe Petricone of the Parks Department for the work that they and staff have done to facilitate Babe Ruth Baseball within the Town of Parma and the great job that is done in scheduling, coordinating and maintaining the fields. It was noted that the teams are made up of 100% Hilton Central School District kids. Mr. Wagner stated that they are starting to put together their schedule and wanted a contact person. Mr. Volkmar handles the master schedule and would be their contact for scheduling.

**PROPOSED PLANNED DEVELOPMENT–SENIOR RESIDENTIAL (PD-SR) ZONING
 SCHULTZ ASSOCIATES – NORTH PARMA STATION**

Kris Schultz, of Schultz Associates, presented a concept plan for a senior housing project to be called North Parma Station and proposed zoning district language for this type of housing, Planned Development – Senior Residential (PD-SR). The proposed North Parma Station project would be south and adjacent to Unionville Station.

There was discussion on sewer capacity and how it would be provided, the type of buildings that would be built including professional office space, drainage and retention ponds. It was noted that single patio and duplex style homes are proposed, along with senior apartments that would allow for independent living. Unity Health System has expressed interest in having space here not only for apartments but also for professional office space.

The Town Board would like to review the current townhouse code side by side with the new proposed senior for the next meeting.

NAME CHANGE – ALDER BEACH SERVICE ROAD TO DAVISON BEACH ROAD

On behalf of Robert King, Schultz Associates requested that the Town Board change the name of Alder Beach Service Road to Davison Beach Road. The proposed name was sent to the Office of Emergency Communication and was accepted per the Right of Way Naming Act. Councilman Blackburn provided a historical perspective and indicated that Alder Beach Access Road was never dedicated. Mr. Barton stated that the fire department was consulted and the request was made to eliminate numbering confusion with Alder Beach Road addresses and Alder Beach Service Road as the King Subdivision is developed.

RESOLUTION NO. 88-2007 Motion by Supervisor Lemcke, seconded by Councilman Smith, to change the name of Alder Beach Service Road to Davison Beach Road.

Motion carried: Aye 4 Nay 1 Councilman Blackburn voting Nay

BUDGET TRANSFERS

TRANSFERS TO BUDGET

Jan-07

| FROM | | | TO | | | REQUESTED |
|-----------|------------------------|-----------|------------|--------------------------|-----------|-----------|
| ACCT # | DESCRIPTION | AMT. | ACCT # | DESCRIPTION | AMT. | |
| A1355.446 | FLOWER/ RECOGNITION | 250.00 | A1355.449 | MISCELLANEOUS | 250.00 | GAVIGAN |
| A1680.422 | MODEM LINES | 1,786.00 | A1620.422 | TOWN HALL PHONE LINES | 1,786.00 | GAVIGAN |
| | B SURPLUS | 23,074.76 | DB5130.200 | EQUIPMENT | 23,074.76 | SPEER |

RESOLUTION NO. 89-2007 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve the Budget Transfers as submitted.

Motion carried: Aye 5 Nay 0

MISCELLANEOUS

OPEN SPACE COMMITTEE REPORT

Scott Copey reported that the committee has held one meeting. Not all members were in attendance and the next meeting is March 13th. A final meeting schedule is yet to be determined. The committee discussed writing a plan for an open space plan to include looking

at the State, County and other Town's plans; incorporating a survey of town residents and opportunities for funding. Grant opportunities are significantly increased when a plan is in place. It was the consensus of the committee to compile information and create an outline with recommendations that could be presented to the Town Board to seek agreement as a planned approach. The final list of members is Scott Copey, Marilyn DeMeyer, Patrick Buskey, Richard Holden, Tim Harner, Tim Thomas, and Don Harter.

Supervisor Lemcke has received a notification of intent to acquire land on Bennett Road from the Department of Environmental Conservation (DEC). It was noted by Supervisor Lemcke that this was not public information at the time. A response has been requested and extension granted due to the Supervisor being out of town. The Town's comments are a requirement as to the purchase of the property. The DEC's focus is to preserve wildlife habitat not agriculture and in particular an endangered species. Grasslands in this area are nesting grounds for the short eared owls. It was noted that the land in question is currently farmed and has been for a long time. It was noted that the loss of tax revenue would be minimal based on the current agricultural status. It was the consensus of the Town Board that they are genuinely concerned about the loss of productive farmland and would like to see anything that could be done to integrate farming into the preservation plan.

INFORMATIONAL ITEMS

MISCELLANEOUS

Supervisor Lemcke received a response from the Town Attorney regarding the correspondence received from the Association of Towns with regard to the Highway Superintendent and payment of the Highway Laborer position. Supervisor Lemcke stated that the attorney's response was the same as that of the Association of Towns.

Supervisor Lemcke reported that Attorney James Holahan has reported that an arbitrator has been assigned to the Eichas arbitration hearing to be held with the Highway Superintendent.

VEHICLE USAGE POLICIES

Councilman Carmestro brought to the attention of the Town Board that he was witness to several incidences where Town vehicles were being used to transport children and for personal business on weekends. It was determined that the Town Board would meet to discuss this matter in executive session later in the meeting.

LIAISON REPORTS

**Councilman Smith reported that the Dog Control Officer had to remove a dog from a home where the owner had died. Interest has been expressed regarding the opening of kennels where large numbers of dogs for sale would be involved. The Recreation Commission has completed the interviews with all three architectural firms and their recommendation will be forthcoming.

**Councilman Carmestro reported that the Planning Board has been addressing cell tower issues. Requests from a new cell tower provider sparked controversy with neighbors. The carrier will be meeting with the neighbor. The Fire Department will have an open house/informational meeting March 15, 2007 for the proposed new fire hall. The bond vote is scheduled to be held March 20, 2007 at the Fire Hall. He also reported that 25 exemptions were not filed with the Assessor's office. Two different reminder notices were sent. The status of the Dyminski proceeding has been put on hold due to an accident involving the judge. The attorney is attempting to have the issues where a decision was made be moved back to the Town Judge.

**Councilman Reinschmidt had nothing specific to report.

**Councilman Blackburn reported that he has met with the Park Foreman and that he had nothing to add to what was already reported. Mr. Fritz is following up on building violations. In particular, code violations for an apartment house on Collamer Road.

Supervisor Lemcke reported that Brad Delano, a student at Aquinas Institute, will be working on a community service project for his Participation in Government project. He will be seeking volunteers to participate in PODEX 2007. Between 500 and 700 volunteers are needed for an Emergency Preparedness Drill to be held on Tuesday, March 27, 2007. Councilman Carmestro noted that Mr. Lemon will have a van available for representatives from our POD to attend as overseers.

ENTER INTO EXECUTIVE SESSION

RESOLUTION NO. 90-2007 Motion by Councilman Smith, seconded by Councilman Carmestro, to enter into Executive Session to discuss a discipline issue regarding Town vehicle usage.

Motion carried: Aye 5 Nay 0

The Board entered into executive session at 9:10 p.m.

CLOSE EXECUTIVE SESSION

RESOLUTION NO. 91-2007 Motion by Councilman Smith, seconded by Councilman Reinschmidt, to close the Executive Session at 9:18 p.m. and return to regular session.

Motion carried: Aye 5 Nay 0

Councilman Blackburn inquired as to the status of the audit request to the State. It was noted that the Supervisor had contacted the State. They responded that they are not doing regular audits but that a specific request would be considered. The Supervisor has not been in contact with the State since he has been away. Councilman Blackburn indicated that as long as the letter had been sent, and whether the request was honored or not, was fine with him.

There being no further business brought before the Town Board, Councilman Reinschmidt made a motion to adjourn the meeting at 9:20 p.m., seconded by Councilman Blackburn and all were in favor.

Respectively submitted,

Donna K. Curry
Parma Town Clerk