

Parma Town Board meeting held on Tuesday, February 17, 2009 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 |
| Councilman | Gary Comardo |
| Building Inspector | Jack Barton |
| Highway Supt. | Brian Speer |
| Recreation Director | Steve Fowler |

OTHERS IN ATTENDANCE

Russell Wood, Bob Prince, Gene DeMeyer, Chuck Cole, Thomas Coyle, John Chart, Donald Stilson, Dan Dickerson, Pam Speer, Nina VanLare, Stan Hoy, Ed Arnold, Kathryn Lemcke, Jim Zollweg, Mike Weldon, Tod Edenhofer, Larry Speer, Patrick Milgate, Brad Whittemore, Jim Whittemore, Sue & Dave Eisenmenger, Doug Resch, Harold Juergens, Rick Holden, Nathan Long, Travis Adams, John Boyce, Mike Long, Michael Adams, Pat Buskey, Walt Horylev, Doug Webster and other members of the public.

CALL TO ORDER

Supervisor Lemcke called the meeting to order at 6:35 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.

CONTINUATION OF PUBLIC HEARING **AGRICULTURAL AND FARMLAND PROTECTION PLAN**

Supervisor Lemcke reported the public hearing would continue at the March 3, 2009 because the final draft has not been completed due to additional information that was provided.

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.

John Chart requested that the Town Clerk read a letter from the Department of Environmental Conservation (DEC) and return it to him after reading. The letter confirmed information on file with the DEC regarding soil identified as being contaminated with arsenic owned by Crowley Development Corp. All Seasons Subdivision. The letter indicated that in July of 2003 the developer stopped all transporting of soil from the site and indicated soil had been picked up by the Town of Parma prior to the stop of transporting.

Stan Hoy questioned the necessity of the Field Lighting Project considering the current economic times. His understanding was that a grant and matching funds from the Town will be paying for the project. He also questioned the additional cost for the monthly electric charge and maintenance. Supervisor Lemcke responded that a grant had been

received and that no matching funds were required but the Town would provide labor for portions of the project. There was discussion on costs associated with the lights. It was noted that information on costs to use the lights would be compiled by the Recreation Director once the lights are installed. The lights will be metered separately and costs could be passed on to those that use the fields.

Ed Arnold asked about the cost of electricity for the lights. Mr. Fowler noted estimates provided by the engineer who designed the project indicate the cost to run all 14 poles at once would be \$14.00 for 1 hour of use and there would be a \$20 monthly meter charge. Mr. Fowler noted that all the lights did not have to be on at the same time and there would be controlled usage depending on which field was being used. Mr. Arnold did not feel this was excessive. Mr. Fowler also noted there could be other costs associated with maintaining the lights such as replacing the bulbs and there could be additional costs for staff should the park hours be extended for public use. He used the example of extending park hours to 9:30 p.m.

There was further discussion on the Recreation Department budget. It was noted they have a \$235,000 operating budget which is 10 % of the Town Budget raised from taxes.

Donald Stilson provided a copy of the Parma Historical Museum and Parma Historical Society 2008 Activity report. The report was reviewed. Currently the museum is open Sundays from 2:00 to 4:00 p.m. and by appointment for tours. Exhibits are being added and displays changed on a regular basis. The goal is to provide a suitable local history center for showing history through everyday living and working items from the Town of Parma's yesteryear. Volunteers are welcome.

Tod Endenhofer, Chief of the Special Police, explained that the Town will be issuing picture ID badges for all Town employees through the Special Police. He explained the purpose and the intended use as he understood it. Times will be set up for employee pictures in the future.

MINUTES – FEBRUARY 3, 2009

RESOLUTION NO. 59-2009 Motion by Councilman Smith, seconded by Councilman Comardo, to accept the Minutes of the February 3, 2009 meeting.

Motion carried: Aye 4 Nay 0 Abstain: Councilman Blackburn

TOWN CLERK REPORT

Notice has been received from Monroe County regarding an information meeting regarding the proposed Monroe County Capital Improvement Projects. The meeting on the west side of the county will be held at the Ogden Town Hall on Wednesday, March 4, 2009 at 7:00 p.m.

The rescheduled information meeting for the Wilder Road Bridge Rehabilitation will be Monday, February 23rd at 7:00 p.m. at the Town Hall.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported he received a letter from the Monroe County Department of Transportation regarding the placement of Stop Ahead signs where Trimmer Road comes to Peck Road. The property owner at that location has asked for a streetlight similar to what is at Peck and Spencer Road. Supt. Speer stated that a County study indicated a

RECREATION DEPARTMENT REPORT

Mr. Fowler reported the department is in the midst of February break activities. The department's spring brochure is at the printer and due out the 23rd of the month.

Mr. Fowler noted there will be a pre-bid conference on February 19, 2009 with Chatfield Engineers for the Town Park Field Lighting Project. A packet was provided to the Town Board that shows the site plan, a design for the light poles and fixtures and the legal notice for the bid on the project. The bid opening will be held on February 24, 2009 at the Town Hall. It is expected that Chatfield Engineers will have a recommendation for the Town Board at the March 3, 2009 meeting.

PARKS DEPARTMENT

Mr. Petricone reported the department has been working on spring cleanup. Brush has been removed and another trail has been added below the fenced area near the soccer fields. It is hoped that this will help alleviate some of the problem with lost balls and reduce exposure to poison ivy.

BUILDING DEPARTMENT REPORT

Mr. Barton has provided a copy of a training program completed by a member of the Planning Board. The Town Board must determine if this class meets the training requirement. The Town Board agreed this was acceptable.

Mr. Barton reported he has received 2 of 3 quotes for asbestos abatement in the court offices. The quotes so far are for \$5,474 and \$8,530. Once he receives the third quote he will provide the information to the Town Board. He conveyed the Court Clerk's concern that the grant money will be spent before the addition is started. The Town Board realizes the Town will have to pick up the balance.

The Building department is in need of a new lateral file. The expected cost will be \$500 and Mr. Barton felt this would come from already budgeted funds.

VERONICA ROBILLARD **RECOGNITION FOR 25 YEARS OF SERVICE ON THE ZONING BOARD OF** **APPEALS**

The Town Board of the Town of Parma wishes to recognize Veronica Robillard for her 25 years of service to the Town of Parma as a member and chairperson to the Zoning Board of Appeals and thank her for this commitment to the community.

BUSINESS ITEMS

HILTON HEAT SOCCER FIELD USE AGREEMENT AND **SOCCER TOURNAMENT**

Councilman Carmestro reported he had met with the involved parties. He indicated all items had been resolved and a key to the gate will be provided for the weekend of the tournament. It was noted the soccer club will share in the cost of a second fertilization of the soccer fields, 3 of the 4 Park pavilions will be reserved for the tournament, the Hess Pavilion will remain available for the public, and 1 gator will be available for use by the soccer club during the tournament. Later in the meeting it was noted that the soccer club will be purchasing new trash receptacles for use on the fields to facilitate litter pickup

throughout the season. The Special Police would like to use a gator that weekend, if possible.

RESOLUTION NO. 63-2009 Motion by Councilman Comardo, seconded by Supervisor Lemcke, to approve the Agreement for Use of Soccer Fields with the Hilton Heat Soccer Club.

Motion carried: Aye 5 Nay 0

HILTON CADETS YOUTH BASEBALL FIELD USE REQUEST

Harold Juergens addressed the Town Board about their request to use Town Park baseball fields for the upcoming season. He described the makeup of the travel league and their needs.

Councilman Smith provided the Town Board with a draft of a contract for baseball field use. He felt there should be a contract in place for 2010. Councilman Carmestro would like to review the actual costs with the Parks Department to determine if there needs to be a charge.

RESOLUTION NO. 64-2009 Motion by Councilman Carmestro, seconded by Councilman Blackburn, to allow the Hilton Cadets Youth Baseball to use Town Park Baseball fields with availability to be coordinated through the Recreation Department.

Motion carried: Aye 5 Nay 0

HILTON AREA YOUTH LACROSSE ORGANIZATION TOURNAMENT

The Hilton Area Youth Lacrosse Organization (HAYLO) has requested use of 3 soccer fields, the football field and possibly the multiuse field. There was discussion on having a general agreement for tournament or weekend use by any group. The group will be allowed use of one or two pavilions if needed and the appropriate paperwork will need to be provided. The question was raised whether other organizations were charged for use. The response was yes and that it is based on the amount of use and any direct impact it has on costs to the Parks Department.

RESOLUTION NO. 65-2009 Motion by Councilman Carmestro, seconded by Councilman Comardo, to allow the Hilton Area Youth Lacrosse Organization to use 3 soccer fields, the football field and the possibility of the multiuse field on June 14, 2009 for their "Westside Round Robin" lacrosse tournament.

Motion carried: Aye 5 Nay 0

Councilman Blackburn excused himself from the meeting.

TIME WARNER CABLE – 2009 TAX PAYMENT

RESOLUTION NO. 66-2009 Motion by Councilman Comardo, seconded by Councilman Smith, to accept \$2,798.16 from Time Warner Cable and pay \$616.45 from the Town of Parma for the full payment of the 2009 Town & County tax bills for Time Warner Cable.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

**APPLICATION OF K & K PROPERTY VENTURES TO REZONE A PORTION
OF 4618 RIDGE ROAD WEST**

An application has been received to rezone the northerly portion of 4618 Ridge Road West which is currently zoned Light Industrial to Highway Commercial. The application fee has been paid. There was discussion on the type of SEQR action this would be. This will be discussed and determined at the next meeting.

RESOLUTION NO. 67-2009 Motion by Councilman Carmestro, seconded by Councilman Comardo, to hold a public hearing for the rezoning of the northerly portion of 4618 Ridge Road West from Light Industrial to General Commercial on April 7, 2009 at 6:30 p.m. at the Parma Town Hall.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

RECLASSIFY CURATOR TITLE

A memo was received from Marian Aprilano requesting that the Town Board reconsider the title for Don Stilson. She explained the Town does not have a Curator position under Civil Service. After discussing options with the Civil Service liaison she is recommending that the existing Clerk PT position be used rather than creating a new position.

RESOLUTION NO. 68-2009 Motion by Councilman Smith, seconded by Councilman Comardo, to assign the title Clerk PT for the Historical department for Don Stilson.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

CELL PHONES

There was discussion on the Sprint bill received for cell phones in the Highway department. The Town has been billed by Sprint and the Highway Superintendent has requested payment for the bill as follows: \$89.84 in the General (A) Fund and \$89.43 in the Highway Townwide (DA) Fund. Supt Speer is expecting a 25% reduction due to state contact pricing that is not reflected on the invoice. Discussion continued on the need for the phones, radios in the trucks, only 2 cell phones were budgeted (one for Highway Superintendent the second for whoever needed it in the department), doing more with less and whether the communication they provide can be measured in the dollars they cost. Supervisor Lemcke indicated the Finance Director is the authorized party to make changes on the Verizon cell phone account. Verizon numbers were transferred to the Sprint phones bypassing the Finance Director. Councilman Smith encouraged the Highway Superintendent to present the cost of additional phones and justification for having them so that a dialogue would be opened for discussion.

RESOLUTION NO. 69-2009 Motion by Supervisor Lemcke, seconded by Councilman Comardo, to not pay the Sprint invoices or any hard costs associated with canceling the Sprint cell phones and return to two cell phones through Verizon in the Highway Department.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

HIGHWAY EQUIPMENT

Discussion continued from the last meeting regarding the purchase of a pickup truck. Funds were transferred in June of 2008 for the pickup and a dump truck. The truck was

not ordered until the end of the year and funds were not encumbered for the payment of the pickup truck. The funds which were transferred reduced the deficit amount in the Fund Balance for the Highway Department. Supervisor Lemcke felt that the truck is now costing the taxpayer twice as much because the money has already been provided once which has now gone to reduce the Highway deficit and is being requested again to pay for the truck. Councilman Carmestro noted that there are additional bills totaling \$3,000 pertaining to this truck which includes a remote start.

A motion was made by Councilman Smith, seconded by Councilman Comardo, to authorize payment of the 2009 Ford Pickup truck with 5/12th to come from DA surplus and 7/12th to come from B surplus. The vote was split with Councilmen Comardo and Smith voting Aye, Councilman Carmestro and Supervisor Lemcke voting Nay and Councilman Blackburn absent. The motion did not carry. This will be addressed again at the next meeting.

MISCELLANEOUS

WILDER ROAD DRAINAGE ISSUE

A letter was received from Richard and Carol Kluth regarding backup of water into their basement which they felt is a result of the drainage ditch needing to be cleaned out. They are requesting the ditch be cleaned out to Marjorie Lane and include the portion going north under the road. There was discussion on prior problems, a dry well that existed before the sewers were installed and whether this most recent problem is a result of snow blockage from thawing and freezing or debris in the ditch. The Highway Superintendent will survey and see what can be done but cannot promise that it will alleviate the problem.

BUDGET TRANSFERS

There was discussion on the request to transfer \$2,599.31 from A Surplus to DA Part Time Highway for part time clerk wages. The transfers were reviewed individually.

RESOLUTION NO. 70-2009 Motion by Councilman Comardo, seconded by Councilman Carmestro, to approve the following Budget Transfers.

TRANSFERS TO BUDGET

Feb-09

| ACCT # | FROM DESCRIPTION | AMT. | ACCT # | TO DESCRIPTION | AMT. | REQUESTED |
|-----------------|-------------------|----------|-----------------|------------------|----------|-----------|
| LOO574.7410.422 | EQUIPMENT REPAIR | 500.00 | LOO574.7410.492 | VISITING ARTISTS | 500 | KIRK |
| LOO574.7410.426 | MECHANICAL REPAIR | 75.03 | LOO574.7410.480 | MISC EXPENSES | 75.03 | KIRK |
| A1670.11A | NEWS EDITOR | 2,500.00 | AOO516.1990.400 | MISC CONTINGENCY | 2,600.00 | GAVIGAN |
| A3660.449 | SCHOOL ATTENDANCE | 100.00 | | | | |
| BOO537.3620.452 | VEHICLE MAINT | 3,000.00 | BOO537.3620.451 | GASOLINE | 3,000.00 | GAVIGAN |

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

There was additional discussion on the clerk part time wages and included where the funding has come from in the past, how it was budgeted for 2009, funds already earmarked for this expenditure and how funds could be transferred now. Councilman Comardo would like clarification on the law that governs what fund this should come from and could this be decided at the next Town Board meeting once more information is obtained.

RESOLUTION NO. 71-2009 Motion by Supervisor Lemcke, seconded by Councilman Carmestro, to deny approval of the Budget Transfer of \$2,599.31 from A Surplus to DA 5142.120 Part Time Highway.

| | FROM | | | TO | | |
|--|-----------|----------|--|------------|---------------|----------------|
| | A SURPLUS | 2,599.31 | | DA5142.120 | PART TIME HWY | 2,599.31 SPEER |

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

Supervisor Lemcke will add this to the agenda for the March 3, 2009 Town Board meeting.

INFORMATION ITEMS

INTERMUNICIPAL AGREEMENT FOR INSTALLATION OF SIDEWALK ON THE WILDER ROAD BRIDGE

The Attorney for the Town has reviewed the Intermunicipal Agreement between the County of Monroe and the Town of Parma for Installation of Sidewalk on the Wilder Road Bridge and made some revisions. Councilman Smith asked if there were any significant changes that have not already been discussed. Supervisor Lemcke noted there were none. The Town would have the right to review the plans and can choose to accept the County bid for the sidewalk work or chose to have it done by the Town according to the County’s design. There was discussion on how this would be plowed; currently the Town does not have provisions for sidewalk plowing.

RESOLUTION NO. 72-2009 Motion by Councilman Smith, seconded by Supervisor Lemcke, to accept the Intermunicipal Agreement for Installation of Sidewalk on the Wilder Road Bridge between the County of Monroe and the Town of Parma.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

MISCELLANEOUS

FEMA FLOOD PLAIN MAPS

Supervisor Lemcke reported he received a letter from FEMA regarding the discrepancies in the flood plain maps and how people affected will have to submit a letter for map revision. Mr. Barton will be given a copy of the letter.

HUMAN RESOURCE HANDBOOK QUOTE

Supervisor Lemcke reported he received a response for pricing to update the employee manual. The cost is estimated to be between \$600 and \$1,500 and most likely will be \$1,200. Services will include items the Town determines and recent legislative changes. Any suggested changes should be given to the Finance Director.

SPECIAL PAYMENT REQUEST– RECREATION DEPARTMENT

RESOLUTION NO. 73-2009 Motion by Councilman Carmestro, seconded by Councilman Comardo, to authorize \$500 to secure the band stage for the “Park It in Parma” celebration to be paid from the Town Celebration line.

Motion carried: Aye 4 Nay 0 Absent – Councilman Blackburn

SPECIAL POLICE USE OF FORCE ADDENDUM

Concerns had been raised about portions of the use of force addendum. It was explained by Tod Endenhofer that this is a procedure to outline the progressive steps to be taken should force become necessary. It is a subject compliant matrix mirrored from what is used by the Monroe County Sheriffs Department. It is intended to protect the Town and give more liability protection. There is also a form to be used to document any action taken. The form was not with the document. It will be provided. It was noted that the Town has not authorized use for all the items listed. The Attorney for the Town has reviewed and recommended some changes. The changes and the form will be incorporated into the document and the Town Board will be given a final draft.

LIAISON REPORTS

**Councilman Smith reported the Code Enforcement Officer has been updating computer records for out of compliance special use permits.

**Councilman Comardo reported he will be unable to attend the next Recreation meeting due to a conflict. Special Police will be meeting next Monday and there was nothing to report for the Assessor's office or the Spencerport Fire Department.

**Councilman Carmestro reported he had met with the Parks Department and the field use contracts were reviewed. The next Village Board meeting will be March 3rd. He noted how important the NIMS program is and referenced the plane crash in Clarence, NY as an example for why the training is so important. April 4th is the scheduled move date for the Fire Department.

**Supervisor Lemcke reported the Library had not met since our last meeting. He cited examples of how the economic climate in Florida has impacted their schools and local government. Supervisor Lemcke indicated he would like to meet with department heads to discuss ways we can save upon his return from Florida.

WARRANTS

Councilman Carmestro questioned an invoice from Tim's Trim regarding a toolbox, liner, finish and a remote start purchase. He did not agree with the purchase of a remote start. Supt. Speer explained his reasoning for each purchase. Supervisor Lemcke felt the remote start was a luxury and felt that consideration should be given to current economic conditions. There was further discussion.

RESOLUTION NO. 74-2009 Motion by Councilman Comardo, seconded by Councilman Smith, to approve payment of the Warrant as submitted excluding all vouchers for Sprint invoices which were previously earmarked as not to be paid.

FUND TOTALS

| | | | |
|-----|---------------------------|----|---------------------|
| AOO | General Fund | \$ | 47,648.25 |
| BOO | Part Town | \$ | 1,630.60 |
| DAO | Highway, Townwide | \$ | 77,624.57 |
| DBO | Highway, Part Town | \$ | 19,818.25 |
| HCO | Park Lighting Capital Pr. | \$ | 540.80 |
| TAO | Trust & Agency | \$ | 1,212,085.30 |
| | | | GRAND TOTAL: |
| | | | \$ 1,359,347.77 |

Motion carried: Aye 3 Nay 1 Voting Nay Councilman Carmestro
Absent Councilman Blackburn

MISCELLANEOUS OTHER

OPERATION LOCAL SOLDIER

Councilman Comardo provided an invitation for the Operation Local Soldier ceremony honoring local service members, their families and their dedication to our country. It will be Friday March 13, 2009 starting at 6:00 p.m. at Merton Williams Middle School.

TOWN BOARD MEETING DATE CHANGE

The second Town Board meeting for March will be March 17, 2009 and the Town Clerk was directed to advertise the change. The Bicentennial dinner originally scheduled has been cancelled so the meeting will be changed back to the normal, third Tuesday date.

There being no further business before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 8:35 p.m., seconded by Councilman Comardo.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk