Parma Town Board meeting held on Tuesday, September 6, 2011 at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

#### **ATTENDANCE**

Supervisor	Peter McCann
Councilman	Carm Carmestro
Councilman	James Smith
Councilman	Gary Comardo
Councilman	James Roose
Recreation Director	Steve Fowler
Building Inspector	Jack Barton
Highway Supt.	Brian Speer

# **OTHERS IN ATTENDANCE**

Helen Ives, Mike Clark, Michael Weldon, Tom Ganley, Christopher Case, and other members of the public.

## **CALL TO ORDER**

Supervisor McCann 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 McCann noted emergency exit procedures.

## PUBLIC FORUM

Supervisor McCann asked if there was anyone who wished to address the Town Board. There was no response. Later in the meeting Mr. Ganley stated that he frequents the Town Hall Park often and he asks people he sees what they think of the Park. Their comments are always positive about our park.

## <u>MINUTES – AUGUST 16, 2011</u>

**<u>RESOLUTION NO. 157-2011</u>** Motion by Councilman Carmestro, seconded by Councilman Roose, to accept the minutes of August 16, 2011 as submitted.

Motion carried: Aye 5 Nay 0

## **TOWN CLERK REPORT**

The Town Clerk Report and VFW Summary Report for July have been submitted. The 2011 School Tax collection cycle has started.

A letter of resignation has been received from Karen Sterlace. She is resigning from the Library Board effective immediately. Ms. Sterlace has taken a chairman position with the Italian American Association which will require considerably more of her time. The Town Board acknowledged receipt of this resignation. It was noted that the Library Board generally makes their recommendation for this appointment and informs the Town Board.

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported work has started on the Hamlin Parma TL Road County project and they will have additional County work to do with other Towns. They will also start the removal of contaminated soil from the site of the old bus garage. Periodic samples will be taken by LaBella Associates during the removal.

Work on the Hill Road Bridge Replacement project over Brockport Creek continues. If the weather is favorable it is on track for completion as scheduled.

Councilman Carmestro inquired if the air-conditioning unit has been installed in the break room yet. Supt. Speer responded that it had not and thought it should be put in before something happens to it.

# **BUILDING DEPARTMENT REPORT**

Mr. Barton reported that the monthly report for August has been completed. He also noted that a scheduled public hearing held by New York State may be postponed. The request is to seek a variance at the Doug Miller Family Sports Park at 4618 Ridge Road West for relief from State Fire and Building Code requirements. The Board asked to be notified if it was to be rescheduled.

# **RECREATION DEPARTMENT REPORT**

Mr. Fowler did not have a report.

# PARKS DEPARTMENT

There was no Parks Department Report.

# **BUSINESS ITEMS**

# **SPECIAL EVENT PERMIT - CASE**

Chris Case has applied for a special event permit to sell Christmas trees from November 24 through December 24, 2011. The request is being made because a Type 4 special event is normally allowed for up to ten days. The request is for thirty days and therefore needs Town Board approval. Mr. Barton noted that he was not aware of any complaints regarding the permit last year.

**<u>RESOLUTION NO. 158-2011</u>** Motion by Councilman Carmestro, seconded by Councilman Roose, to grant a special event permit to Chris Case for 959 Hilton Parma Corners Road to sell Christmas trees November 24<sup>th</sup> through December 24, 2011 from 4:00pm through 8:00 pm Monday through Sunday, subject to all the provisions required for last year's permit.

Motion carried: Aye 5 Nay 0

# ATTENDANCE FOR HISTORIAN SEMINAR

Correspondence was received from Don Stilson regarding attending a seminar at the Chautauqua Institution for Government Appointed Historians of Western New York. It was noted that there were funds in the Historian's budget to cover this and there was no objection from the Town Board to his attending.

### INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF HILTON FOR SIDEWALK SNOWPLOWING

Supervisor McCann noted that this would be a renewal of an existing ten year agreement between the Town of Parma and the Village of Hilton for snowplowing Town of Parma sidewalks on East Avenue, West Avenue and Underwood Avenue. This agreement would be for another ten years and there is no charge to the Town.

**<u>RESOLUTION NO. 159-2011</u>** Motion by Councilman Carmestro, seconded by Councilman Smith,

WHEREAS, the Town is responsible for snow removal on the following sidewalks:1) East Avenue, a distance of 343 feet, beginning at the Village's east corporation line, on the south side of the street.

- 2) West Avenue, a distance of 1,161 feet, beginning at the Village's west corporation line on the north side of the street.
- 3) West Avenue, a distance of 827 feet, beginning at the Village's west

corporation line on the south side of the street.

4) Underwood Avenue, a distance of 570 feet, beginning at the Village's north corporation line on the west side of the street.

5) Underwood Avenue, a distance of 570 feet, beginning at the Village's north corporation line on the east side of the street; and,

WHEREAS, the Village owns a sidewalk plow designed for snow removal; and,

WHEREAS, the Town does not own or otherwise have access to such equipment,

Now, therefore, be it resolved, in furtherance of the provisions of New York State General Municipal Law Section 5-G and in consideration of the premises and the mutual promises and understandings contained herein it is agreed as follows:

- 1) The Village will provide snow removal services to the aforementioned sidewalks.
- 2) Said snow removal services shall be performed on an as needed basis, as determined by the Village Superintendent of Public Works.
- 3) The Village shall be liable for any negligent act resulting from the operation of its machinery or by its own operator. In the event damages are caused as a result of directions given by the Town, then the Village shall be held harmless by the Town. Except as a result of the negligent or intentional actions of a Village operator, the Village shall not in any event whatsoever be liable for any injury or damage to any person or property happening in furtherance of or as a result of the within Agreement. The Town shall indemnify and save harmless the Village from and against any and all such liability and damages, and from and against any and all suits, claims and demands of every kind and nature, including reasonable counsel fees by, or on behalf of, any person, firm association or corporation arising out of or based upon any acts, injury or damage incurring as a result of the acts or omissions of the Town, its agents, contractors or employees; which shall or may happen in furtherance of the within Agreement.

4. The Village shall remain fully responsible for its own employees, including salary, benefits, worker's compensation.

This Agreement shall be for a term of 10 years following execution. However, either party hereto may cancel and terminate this Agreement, upon 60 days prior written notice to the other party.

Motion carried: Aye 5 Nay 0

#### **TOWN HALL ROOF REPAIRS**

A quote was obtained from Leo J. Roth Corporation to make maintenance repairs to the section of roof that was not part of the court office addition but adjacent in the gutter area. This work would be in addition to the leak repair previously done in the court office (*by Upstate Roofing & Painting*). Leo J. Roth was the contractor when this area was replaced previously and this work will maintain the warranty of the roof in that area because they are certified in this roofing system. It is expected to alleviate any further leaking in that roof area. A second proposal was also received from Roth for a new snow fence system which will enhance safety for snow that slides off the roof onto sidewalk areas. The total cost of the two proposals exceeds the limits of the procurement policy, necessitating that additional quotes be obtained. The additional quotes should be from contractors certified in this roofing system so the warranty can be maintained.

#### **UPDATE FEE SCHEDULE**

A final proposal for fee revisions has been submitted. It was noted that fees have been reviewed for several months; other Town's fees were researched; and input was obtained from the building and code departments and the Town Board before arriving at these numbers. It was noted that the Town's fees are very low compared to other municipalities; fees have not been changed in many years; these changes will be more realistic; and they will offset costs but will not generate additional revenue over costs.

The effective date will be January 1, 2012 to allow time to notify builders and others that may be affected by this change.

**<u>RESOLUTION NO. 160-2011</u>** Motion by Councilman Carmestro, seconded by Councilman Roose, to approve the new fee schedule as submitted which will be effective January 1, 2012.

Motion carried: Aye 5 Nay 0

See end of minutes for Fee Schedule

#### RESOLUTION AUTHORIZING ACQUISITION OF INTEREST IN REAL PROPERTY FOR THE COLLAMER ROAD BRIDGE REPLACEMENT PROJECT AT WEST CREEK IN THE TOWN OF PARMA

It was noted that six easements will be needed for the Collamer Road Bridge Replacement Project and the same formula for costs to the Town will apply to this expense.

**<u>RESOLUTION NO. 161-2011</u>** Motion by Councilman Comardo, seconded by Councilman Carmestro,

WHEREAS, it has been previously determined by the Town of Parma Highway Superintendent and the New York State Department of Transportation (the"DOT") that the Collamer Bridge located in the Town of Parma is in need of replacement; and

WHEREAS, Fisher Associates has prepared certain plans and specifications on behalf of the Town in connection with the work to be completed, which are available for review at the Parma Town Hall (the "Project"); and

WHEREAS, a public information meeting regarding the Project was held at the Parma Town Hall on June 30, 2010.

WHEREAS, in order to complete the Project, it is necessary for the Town of Parma to acquire a permanent easement from certain property owners described as follows and for the stated amount(s):

Parcel	Owner	Easement Area	Amount
023.02-2-43	Kenneth L. Cracas	.029 acre	\$ 300.00
023.02-2-2.003	Rudy M. Zingler	.020 acre	\$ 100.00
023.02-1-13.11	Paul Loomis	.027 acre	\$ 100.00
023.02-1-13.11	Paul Loomis	.051 acre	\$ 100.00
023.02-1-15	Karen D. Sterlace	.006 acre	\$ 100.00
023.02-2-25	Matthew & Laura Bronson	.004 acre	\$1,100.00
;and			

WHEREAS, the foregoing amounts represent 100% of the highest valuation in the real property to be acquired as evidenced by a certified appraisal of each of the subject parcels; and

WHEREAS, the project is a Type II Action pursuant to the State Environmental Quality Review Act (SEQR) and as such not subject to further environmental review;

NOW, THEREFORE, the Town Board of the Town of Parma, in a regular session duly convened, does hereby authorize the Supervisor and/or his assigns, on behalf of the Town of Parma, to acquire the above referenced property interests for the amounts as stated and to execute all documents necessary for the Collamer Road Bridge Replacement Project at West Creek in the Town of Parma, by contract and/or Eminent Domain Procedure Law.

Motion carried: Aye 5 Nay 0

#### **BUDGET TRANSFERS**

TRANSFERS TO BU	DGET			Sep	o-11	
	FROM			ТО		
ACCT #	DESCRIPTION	AMT.	ACCT #	DESCRIPTION	AMT.	REQUESTED
AOO576752048000	MISC EXPENSE	130.00	AOO576752044400	WATER, VFW	130.00	GAVIGAN
AOO575752043100	BOOKS/SUBSCRIPTIONS	500.00	AOO575751046000	CONTRACTED SERVICES	500.00	GAVIGAN
AOO575752048000	MISC EXPENSE	749.00	AOO575751046000	CONTRACTED SERVICES	749.00	GAVIGAN
AOO516199040000	MISC CONTINGENCY	4,000.00	AOO516168046000	CONTRACTED SERVICES	4,000.00	GAVIGAN
AOO570711149000	SPECIAL EVENTS	550.00	AOO516755049000	SUMMER CELEBRATION	550.00	FOWLER
AOO570714049101	PLAYGROUND YOUTH	70.00	AOO570714049201	PLAYGROUND BEAR	70.00	FOWLER
AOO570714049101	PLAYGROUND YOUTH	1,125.00	AOO571714011001	SUMMER STAFF	1,125.00	FOWLER

**<u>RESOLUTION NO. 162-2011</u>** Motion by Councilman Smith, seconded by Councilman Carmestro, to approve the Budget Transfers as submitted.

Motion carried: Aye 5 Nay 0

### BARTON AND LOGUIDICE SUPPLEMENT No. 1 CONSULTANT AGREEMENT FOR CONSTRUCTION PORTION OF HILL ROAD BRIDGE OVER BROCKPORT CREEK (BIN 2211170) HILL ROAD BRIDGE OVER SALMON CREEK (BIN 2211160) REPLACEMENT PROJECTS

**<u>RESOLUTION NO. 163-2011</u>** Motion by Councilman Roose, seconded by Councilman Comardo,

WHEREAS, on the 15<sup>th</sup> day of December 2009, an agreement was entered into by and between the Town of Parma, 1300 Hilton Parma Corners Rd. Hilton, New York 14468, hereinafter referred to as the "OWNER" and Barton and Loguidice, P.C. with office at 1 South Avenue, Suite 520, Rochester, New York 14614 hereinafter referred to as the "CONSULTANT".

### WITNESSETH

WHEREAS, the OWNER requires professional services in connection with the Hill Road Bridges over Brockport and Salmon Creeks hereinafter referred to as the "PROJECT", and;

WHEREAS, the CONSULTANT has submitted a Supplemental Scope and fee proposal for Construction Inspection/Administrative, attached hereto as Appendix "A" dated February 23, 2011 to perform the required services, and;

WHEREAS, attached hereto is Appendix "B", Additional Service-Resident Project Representation, and;

WHEREAS, attached hereto is Appendix "C", Additional Service-Coordination and Scheduling, and;

WHEREAS, Monroe County has reviewed and accepted this agreement so;

BE IT RESOLVED THAT, the OWNER accepted the CONSULTANTS proposal on September 6, 2011 for the amount of \$198,021.03.

Motion carried: Aye 5 Nay 0

#### HILL ROAD BRIDGE REPLACEMENT OVER BROCKPORT CREEK AND SALMON CREEK BARTON & LOGUIDICE, PAYMENT APPROVAL

**RESOLUTION NO. 164-2011**Motion by Councilman Carmestro, seconded by<br/>Councilman Smith, to approve payment to Barton & Loguidice, P.C. in<br/>the amount \$14,357.67.<br/>Hill Road over Salmon Creek\$ 7,999.49<br/>\$ 6,358.18

Motion carried: Aye 5 Nay 0

## HILL ROAD BRIDGE REPLACEMENT OVER \*BROCKPORT SALMON <u>CREEK</u> <u>WIND-SUN PAYMENT APPROVAL</u>

**<u>RESOLUTION NO. 165-2011</u>** Motion by Councilman Carmestro, seconded by Councilman Roose, to approve payment to Wind-Sun Construction, Inc. for work completed through August 5, 2011 on the Hill Road Bridge Replacement over \*Brockport Salmon Creek in the amount of \$50,008.90.

Motion carried: Aye 5 Nay 0

\*As corrected per Town Board Resolution 200-2011 on November 1, 2011

# **INFORMATIONAL ITEMS**

## PUBLIC ASSEMBLY APPLICATION – CHARITY FUNDRAISER FORKS PARK

Charlie Nesbitt presented his proposal for a charity fundraiser to benefit the Wilmot Cancer Center, the Sally Edelman & Harry Gardner Cancer Research Foundation and Billy Statt a local resident. The event is proposed for October 8, 2011 at Forks Park.

Rich Maier provided the Town Board with an initial map showing the layout of the property and all the areas that will be utilized during the event. Mr. Maier will update the map to show the items required as part of the application.

Mr. Nesbitt has paid the \$500 application fee and supplied the Town with a packet responding to the application form. The initial application form was received and reviewed by the Town Board. Several items were discussed including the position of overflow parking in the back area will be shown on the map; There is available parking for 288 vehicles; two physicians have been contacted and Monroe Ambulance; applicant will get input from the Fire Department; applicant will have private security, has contacted the Special Police and the Town Board requested that they contact the Monroe County Sheriffs and to touch base with the Greece Police as a courtesy.

Mr. Nesbitt noted that he received a response from the Monroe County Public Health Department indicating that they have no problem with the event going forward. The letter addresses water supply, sewage disposal and food safety (Items C 1 through 5 of the application). Their insurance company has been contacted. They would prefer not to incur the expense of this rider until the application has been approved.

There was no objection from the Town Board in having Mr. Nesbitt move forward with completion of his application. The Boards main concern was safety and specifically noted the ability of emergency vehicles to enter and leave. It was suggested that a building have all equipment removed and be available as a safety facility should there be a weather emergency like at the fireman's carnival two years ago. The Board would like the more detailed maps for where facilities will be located as soon as possible so that they can be reviewed and any necessary adjustments can be made prior to the next Town Board meeting.

# LIAISON REPORTS

\*\*Councilman Smith noted that the Historical Society will be meeting at the Town Hall on the second Monday of the month due to increased attendance and not being able to accommodate those numbers at the museum. He also reported that outside schools have been using the Park for cross country practices. There was discussion on whether they are just showing up or have they made arrangements. Liability concerns and extending the courtesy of letting the Parks Department know when other groups will be using the park were discussed. Councilman Smith will follow up with Mr. Fowler. Councilman

Roose noted that must teams go to a site prior to a meet so runners can familiarize themselves with the course.

\*\*Councilman Comardo reported he was unable to attend the Planning Board meeting and there has not been a Recreation Commission meeting since our last meeting.

\*\*Councilman Roose reported that he has been unable to attend recent Zoning Board of Appeal meetings due to family health concerns.

\*\*Councilman Carmestro reported he has a conflict with the next Hilton Fire District meeting and North Greece does not meet until later in the month. During tonight's Village Board meeting it was noted there have been several water main breaks, complaints about four wheelers on Doud Circle and on Cambridge Road, the sidewalk snowplowing intermunicipal agreement was passed and the change over for Furnals to Tops will take place on September 27, 2011.

Supervisor McCann asked if there were any other matters to be brought before the Board. There were none.

There being no further business before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 8:14 p.m., seconded by Councilman Roose. The next meeting will be held September 20, 2011.

Respectfully submitted,

Donna K. Curry Parma Town Clerk

### FEE SCHEDULE-EFFECTIVE JANUARY 1, 2012

#### **BUILDING PERMIT FEES**

#### RESIDENTIAL STRUCTURES

NEW BUILDINGS

- 1. \$0.20 per sq. ft. of all floor area except crawl space or cellar
- 2. Recreation Fee \$450.00
- 3. Certificate of Occupancy \$ 100.00
- 4. Building Permit renewal \$ 40.00 6 mos extensions
- 5. Foundation only half the total cost of permit

#### GARAGE, CARPORT, PORCHES, COVERED PATIOS, DECKS

- 1. \$ 0.10 per sq. ft. if built under same permit as a residential structure; <u>otherwise</u>
- 2. \$30.00 plus 0.10 per sq. ft. (Residential)

RESIDENTIAL STORAGE BUILDINGS, SHEDS, AGRICULTURAL BUILDINGS, BARNS, GREEN HOUSES, ETC.

- 1. 25 to 100 SQ. FT. \$30.00
- 2. Over 100 sq. ft \$30.00 plus \$0.10 per sq. ft.
- 3. Zoning Permit fee for AG Buildings \$75.00

RESIDENTIAL ADDITIONS (Vertical or Horizontal) STRUCTURAL CHANGES \$30.00 plus \$0.12 per sq. ft.

<u>CHIMNEYS, FIREPLACES, SOLID FUEL OR GAS HEATING DEVICES</u> - \$50.00 ea. (excluding conventional furnaces or boilers)

#### CERTIFICATE OF OCCUPANCY

\$50.00 if issued in connection with and as a conclusion to a current building permit

BUSINESS, COMMERCIAL, INDUSTRIAL STRUCTURES

- **1.** Consolidated Review Complete structural plans including all utilities submitted with permit application.
  - a. \$0.20 per sq. ft. of all floor area up to 10,000 sq. ft
  - b. \$0.10 per sq. ft. for all floor area over 10,000 sq. ft.
  - c. Minimum permit \$150.00
- 2. Segmented Review An additional fee of \$0.05 per sq. ft. will be charged for review of each additional plan required that is not part of the original application, including but not limited to electrical, heating, plumbing, sprinkler system, interior build out, etc.
- 3. Certificate of Occupancy \$150.00
- 4. Permit renewal \$100.00
- 5. Foundation only half the total cost of permit

## OTHER STRUCTURES

SWIMMING POOL

- 1. Residential Above-ground \$ 50.00
- 2. Residential In-ground \$ 75.00
- 3. Commercial project \$100.00
- 4. Hot tub \$ 50.00

### FENCES

1. \$30.00 plus \$0.03 per lineal foot of fencing

#### MISCELLANEOUS

- 1. Wind energy systems, silos, grain dryers, sun or rain roof, shelters, satellite antennas, radio antennas, private towers, permanent stand-by generators, commercial fuel storage tanks \$50.00
- 2. Commercial towers \$50.00 plus \$2.00 per vertical foot

### PARTIAL STRUCTURAL and INFRA-STRUCTURE RENOVATIONS

- 1. Roof structure repair or replacement \$30.00 plus \$0.03 per sq. ft.
- 2. Interior partition removal or installation \$30.00 <u>plus</u> \$0.05 per sq. ft. of space involved
- 3. Interior wall finish, removal and replacement (gutting) \$20.00 plus \$0.03 per sq. ft. of space involved
- 4. Door & Window replacements which call for structural changes or header alterations \$30.00 per opening

#### DEMOLITION/REMOVAL OF A STRUCTURE

- 1. Under 1,000 sq. ft. \$50.00; Over 1,000 sq. ft \$100.00
- 2. Commercial fuel tank removal \$50.00

### ADDITIONAL FEES

- Follow-up inspections to check for compliance with comments on original inspection:
- 1. First follow-up \$20.00
- 2. Subsequent follow-up \$30.00 per inspection

<u>Certificate of Conformity or Compliance for existing structures</u> \$30.00 plus \$20.00 per hour

Surcharge for permit obtained after construction has started - \$75.00

Removal of stop work order - \$300.00

Excavation or Filling Permits (Reference Parma Code Section 33-22 & 33-12)

- 1. Application Fee\$50.00
- 2. Review Fee (entire area proposed for filling or excavating) \$40.00 per acre
- 3. Annual Inspection Fee \$25.00 per acre (Each acre under active excavation or filling where final site restoration has not been completed)
- 4. Administrative permit for minor fill not exceeding 25 cubic yards per parcel per year \$25.00

Sewer tap-in for new homes or new connections

- 1. \$100.00 per dwelling unit
- 2. \$250.00 commercial

#### Sign Permit

\$30.00 plus \$1.00 per sq. ft. of sign area

Temporary Signs

\$35.00 per seven day period (may be issued ten times a year)

<u>Subdivision or Tract Identification Signs</u> \$20.00 plus \$1.00 per sq. ft. of face area (one side)

Temporary Special Events

**1.** Type **1.** Fund-raising for nonprofit religious, educational or community service

organizations	No fee
2. Type 2. Temporary banners	\$50.00
3. Type 3. Promotional activities or devices (signs, searchlights, balloons)	\$50.00
4. Type 4. Commercial activities (tent sale, trade show, farmers market)	
\$75.00	
5. Type 5. Public events for entertainment or amusement	\$500.00

Temporary Certificate of Occupancy and Escrows

- 1. \$20.00 in addition to regular Certificate of Occupancy fee
- 2. ESCROW amount shall be 1.5 times the documented and approved estimates for completion of grading, painting or miscellaneous finish items that have no structural, health or safety significance. (Note: Temporary Certificates of Occupancy will only be issued when

natural forces such as inclement weather prevent proper completion)

Special District Start-up Fee - \$100.00

### BOARD REVIEW AND HEARING FEES

Planning Board Application	
1. One Lot Subdivision and/or site pl	an
a. Application	\$100.00
b. Public Hearing	\$ 75.00
c. Site plan review	\$100.00
Plus Engineering Fees in Excess o	f \$100.00
2. Multi-Lot or Multi-Residential De	velopment
a. Application fee	\$50.00 per lot or dwelling unit
b. Public Hearing	\$75.00
c. Site Plan Review:	
1) Conceptual	\$40.00 per lot or dwelling
2) Preliminary	\$75.00 per lot or dwelling unit
<b>3</b> ) Final	\$75.00 '' '' '' ''
	ed the above amounts will be billed to the
applicant, plus a 5% j	processing fee.

a. Application Fee	\$300.00
b. Public Hearing	\$ 75.00
c. Review	\$100.00
Review fees that exceed the a	bove amounts will be billed to the applicant,
plus a 5% processing fee.	
4. Property split/merge	\$100.00
5. EPOD permit fee	\$100.00
Zoning Board of Appeals Application	
1. Variance Application	
a. Public Hearing	\$ 75.00
b. Review & Processing	\$125.00
2 Special Permits	
a. Public Hearing	\$ 75.00
b. Review & Processing	\$125.00
0	Iearing - \$50.00 (Special Permit Renewal)

Rezoning Applications (Town Board)1. Application Fee\$250.002. Public Hearing Fee\$100.00

3. Publication and Zoning Map Revisions - \$50 <u>plus</u> \$10.00 per acre