

Parma Town Board meeting held on Tuesday, February 7, 2012 at the  
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

### **ATTENDANCE**

Supervisor	Carm Carmestro
Councilperson	James Smith
Councilperson	Gary Comardo
Councilperson	James Roose
Councilperson	Tina Brown
Highway Supt.	Brian Speer
Recreation Director	Steve Fowler
Building Inspector	Jack Barton

### **OTHERS IN ATTENDANCE**

GIS Coordinator and Zoning Board member James Zollweg; Recreation Commissioners Al Howe, Dave Tresholavy and Tom Ganley; Edward Arnold, Helen Ives, Kenneth Gavigan, Mike Weldon, Carol Kluth, Mike Clark, R. Vance, and other members of the public.

### **CALL TO ORDER**

Supervisor Carmestro 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. Emergency exit procedures were noted.

### **PUBLIC FORUM**

Supervisor Carmestro asked if there was any citizen present who would like to address the Town Board on any topic not on the agenda.

Richard Bechtold addressed the Town Board regarding the Town Code requirement that there be a garage for every residential dwelling. Mr. Bechtold resides at 1608 Hilton Parma Corners Road and is trying to start a farm on his property. He explained the financial hardship he has been under due to the closure of his business and stated that he has had to make a lot of hard choices. He further explained his situation and what has brought him to the Town Board tonight. He acknowledged that he knew the requirement when he built the home and has not built the garage. He also stated that the Building department and the Supervisor have been working with him. He came to the Town Board to request a six or seven month extension and stated he would be compliant within that time.

In response, Supervisor Carmestro noted that this issue has been on going for five years, that extensions have been given and the Town Board cannot override the decision of the Zoning Board of Appeals. There was further discussion, input from other members of the audience and deliberation by the Town Board.

Discussion turned to where this is in the process. Mr. Barton indicated that the return court date is this Thursday.

The Town Board was in agreement that this has to the judge's decision. It was felt that the Zoning Board has made their decision and it was felt that this should be addressed with the Zoning Board of Appeals again.

The majority of the Town Board would like a letter written to Judge Maley indicating that the Town Board feels that an extension of no more than six months could be granted but there must be a very firm ending date that the garage must be built by and enforcement should be through the court.

Mr. Barton was thanked for doing his job in this matter. There was concern expressed about setting a precedent. The majority of the Board was in agreement to ask the Judge

for the extension and that the risk was worth taking. Mr. Bechtold thanked the Town Board and stated again that the garage would be done.

Supervisor Carmestro asked if there was anyone else who wished to address the Town Board. There was no response.

### **MINUTES – JANUARY 17, 2012**

**RESOLUTION NO. 63-2012** Motion by Councilperson Comardo, seconded by Councilperson Brown, to accept the Minutes of the January 17, 2012 meeting.

Motion carried: Aye 5 Nay 0

### **TOWN CLERK REPORT**

The Town Clerk Report and the VFW Summary for January have been submitted.

Ryan Hand, Rochester Disc Golf Club, has submitted a request to use the VFW for a Disc Golf tournament August 11<sup>th</sup> and 12<sup>th</sup>. There was discussion on what the current fee is for non-profits and those groups that have been given the reduced fee in the past. The Board would like to see a \$100 cleaning fee charged in addition to the existing \$100 reduced rental fee and the required security deposit. They also would like proof that there will be some type of service to the community which would give the Board substantiation that the non-profit fee should be applicable. Otherwise they will have to be charged the full rental fee.

The Clerk reported there have been recent changes to the Open Meetings Law. The new legislation requires that any document subject to the Freedom of Information Law (FOIL) as well as any proposed resolution, law, rule, regulation, policy or amendment thereto, that is scheduled to be discussed by a public body during an open meeting be made available upon request either before or at the meeting that it will be discussed. Also, if the government entity has a website and access to high speed internet, these records must be made available on that website. The law also allows the governmental agency to determine the extent practicable to meet the law. The new law provides for access following the same rules as FOIL and we have flexibility in determining what requests can be met for each meeting. We will be working toward a goal of posting on the website prior to the weekend before a meeting. Guidelines will be drafted and presented back to the Board. There was further discussion on potential changes that might be made to the website and how items might be posted.

### **TIME WARNER CABLE – 2012** **TAX PAYMENT**

**RESOLUTION NO. 64-2012** Motion by Councilperson Smith, seconded by Councilperson Roose, to accept \$3020.45 from Time Warner Cable and pay \$760.70 as a credit from franchise fees paid to the Town of Parma for the full payment of the 2012 Town & County tax bills for Time Warner Cable tax account numbers:

264001	500.00-0-258./HILT	\$175.31
264089	500.00-2-580./BKPT	\$ 35.12
264089	500.00-2-580./HILT	\$398.07
264089	500.00-2-580./SPEN	\$152.20
	Total	\$760.70

Motion carried: Aye 5 Nay 0

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported that crews are continuing ditch work and addressing jobs that normally they would not have the time to get to.

**AUTHORIZATION FOR PAYMENT**  
**HILL ROAD BRIDGE OVER SALMON CREEK**

Supt. Speer requested payment to Wind-Sun Construction for work completed through the winter shutdown period on the Hill Road Bridge over Salmon Creek Bridge Replacement Project.

**RESOLUTION NO. 65-2012** Motion by Councilperson Comardo, seconded by Councilperson Brown, to authorize payment in the amount of \$143,568.92 to Wind-Sun Construction for work completed through the implementation of winter shutdown for the Hill Road over Salmon Creek Bridge Replacement, PIN 4754.89, D032297.

Motion carried: Aye 5 Nay 0

A comparison of salt, overtime, miles and diesel fuel usage between the 2010/2011 and 2011/2012 winters as of January 31<sup>st</sup> was presented. Numbers are down due to the light winter. The Town will be required to purchase 3,150 tons of salt according to the agreement. He noted that we may have to pay the mine to store it. Most Towns are in the same situation.

**BUILDING DEPARTMENT REPORT**

Mr. Barton reported that he is working with the County for Planning Board training. He has spoken with the Village and they would be interested because of the recent changes to their Board.

Mr. Barton noted that the Building Department report for January has been submitted. Mr. Prince is working on closing out old permits. Letters have been sent to four applicants for the Zoning Board of Appeals Alternate opening to schedule an interview for the end of the month and asking them to attend a meeting to see what is involved. The interviewing will be done by the Tim Thomas, Town Board Liaison Gary Comardo, Mr. Prince and Mr. Barton.

Mr. Barton reported that he has spoke with Bill Van Alst from Larsen Engineers who apologized that he had not gotten the information regarding updating the associated cost for the Town Hall/Park septic system. Mr. Van Alst has been out sick and will provide by Friday of this week. It was expressed that the Board is not happy with the timeframe and that Friday would be the last day.

Public Water Townwide - Mr. Barton has also heard from Chatfield Engineers regarding a quote for supplying water through the Town of Parma. Larsen Engineers was not approached about this project. It was indicated that this would fall under professional services that would be provided through our Town Engineer. Councilperson Smith had the opportunity to speak with someone from Monroe County Water Authority. They are not interested in putting in new water lines at this time. The only involvement they would consider would be to pay for the cost difference if they felt a larger line was justified. It appears that the cost is going to be prohibitive to have the property owners pay for it. Grants could be an option and any financing through the Town would require a charge to all taxpayers with a larger portion of the cost going to the parcels that receive the new water access. There was discussion the cost and what was offered back in 2002. Mr. Barton and Chatfield have also been in touch with the Water Authority for other information that will be needed. Supervisor Carmestro thanked Mr. Barton for the follow up and expressed that this is not something that will have a decision immediately but will be looked into.

Mr. Barton is seeking direction from the Board on portable types of storage units (Averdi type units) that are intended for temporary use but in some cases staying for much longer use. Approximately, six years ago, this was brought up and it was the feeling of that Board that they did not want to see that type of storage. Our zoning code does not specifically cover this type of storage. He indicated that based on the current structure of the code they would likely be viewed as an accessory structure and would have to be in

the rear of the property or behind the front building line depending on how the property is zoned. Truck boxes are not allowed. There was discussion on whether a timeline could be initiated and anything over that would require a permit. There was further discussion on being more specific or leaving room for interpretation.

Ads have been placed for the openings on the Zoning Board of Appeals and the Conservation Board. It was agreed that an ad will also be placed for the opening on the Board of Assessment Review upcoming opening.

Later in the meeting, Mr. Barton noted he will be on vacation for the next meeting. He also noted that a lawsuit pending against the DEC for not meeting federal requirements for oversight on municipalities for storm water regulations. A judge has agreed. Right now it works as a self inspection process and we are not inspected by the DEC. The court decision has determined that the DEC is responsible for oversight. It is likely that there will be more oversight of reports and inspections.

### **DOG CONTROL CODE ENFORCEMENT REPORT**

Mr. Fritz reported he is following up on dog issues and the annual Agriculture and Markets Inspection has been completed. Feedback from that inspection noted that he kept dogs longer than the waiting period while trying to find the owner rather than taking them to Lollipop in the required amount of time. There was discussion on alternatives to using Lollipop Farm. He is attempting to find a location closer to Parma. He hopes to have something definitive in March.

He expressed the need for a policy regarding the Town's portable sign and will present proposals in the near future.

### **RECREATION DEPARTMENT REPORT**

Mr. Fowler introduced Michelle Aman who will be the SUNY Brockport intern with the department through April. She is a 2008 Hilton High School Graduate. He also reported that the spring brochure will be coming out the week after February break. The annual Sweetheart Dance will be held February 11<sup>th</sup>. There have over 100 pre-registrations so far. He will be attending three meetings later this week. At the Hilton Central School District meeting, he expects that upcoming capital projects will be discussed. There is also a meeting with the Village and Monroe Tech about the possibility of making the community center a WiFi facility. He will also be meeting with Pastor Green from the Hilton United Methodist Church on building a collaboration which would produce nutritious lunches for those in need who are attending the summer playground program. Kites in the Park is expected to be held mid May.

### **GIS REPORT**

Jim Zollweg reported that he has finished the box book project for the Hilton Fire Department. This project generated a set of updated maps that are carried in each emergency vehicle. He is also working on updates to the zoning map and a strategy for better delivery and access for the public.

### **BUSINESS ITEMS**

#### **COUGAR BASEBALL**

Mr. Fowler reported that Cougar Baseball, a travel baseball team out of the Greece area, has requested to use our fields this season. They did request use of our fields as a backup for a tournament last year and this year are requesting for specific dates. Mr. Fowler reviewed the dates and fields that were being requested. There was discussion among the Town Board members that a fee would have to be charged; if the rosters are made up of Hilton players, noting this has been requested in the past; concern for staff time to prepare and repair fields; potential for Park Department overtime; the idea that it is one thing to have taxpayer dollars going for residents but not for outside; demand for our

fields is great because they are in such good condition; do we really want to move to being a “professional” type of sports park; wanting to make sure our teams have use at a reasonable rate and not to set a precedent for outside team usage. It was the consensus of the Town Board not to grant any more permission for field use for non local teams.

### **HEALTH INSURANCE REQUEST**

A former employee of the Town has inquired if she could come back under the Town’s health insurance program. This former employee was offered the option to stay in the program but opted out at the time she retired. There was discussion on being out of the program for several years and adding would change the Town’s rate and group. The Town Board was in agreement that a precedent should not be set and that the option to come back into the plan would not be allowed.

### **AUTHORIZATION FOR BID RECORDS MANAGEMENT CONVERSION GRANT**

The Town Clerk explained that after speaking with the auditor the joint records management document conversion and access grant funding would have to meet the more stringent procurement policy in effect. In this case the Town’s policy is more stringent than the Village or the grant’s policy. Therefore, the Clerk is seeking authorization to advertise for sealed bids from vendors for the project.

**RESOLUTION NO. 66-2012** Motion by Councilperson Smith, seconded by Councilperson Roose, to authorize the Town Clerk to advertise for sealed bids for the Records Management Document Conversion and Access project, with sealed bids to be accepted until noon on Tuesday, February 21, 2012; at which time they will be opened and read out loud.

Motion carried: Aye 5 Nay 0

### **INFORMATIONAL ITEMS**

None

### **LIAISON REPORTS**

\*\*Councilperson Brown reported she attended the Recreation Commission meeting which included introduction of the new intern and discussion on concerns about vacation time particularly during school vacations when there are programs scheduled. It was noted that department heads will have discretion in that area under the proposed union agreement. The Special Police will be meeting next week and she is continuing to work with Mr. Fritz on where we will put dogs.

\*\*Councilperson Comardo reported the Zoning Board of Appeals met to address two modified special permits to display vehicles and three area variances.

\*\*Councilman Smith reported he attended a financial training seminar for elected officials put on by the Government Finance Officers Association. He found it very interesting and in some respects eye opening. In particular it provided information on post employment benefits; changes to how fund balances can be classified and they want us to plan for long range needs. Overall, he felt it was a very good seminar and when he is through with the material he will be sharing it with the other Board members.

Regarding rental of the VFW Hall, he has developed a form that will be used as an inspection list at the beginning and end of the rental. It is hoped it will make the user and the key keeper more responsible for the condition of the hall. The Parks Department will be taking over responsibility for managing all the functions at the VFW. It is hoped that it will give us more flexibility and save money in the long run.

\*\*Councilman Roose reported that the Planning Board continued review of the development regulations

\*\*Supervisor Carmestro reported he will attend the Hilton Central School District Community Awareness meeting, and the regularly scheduled department head meeting. A tentative union agreement has been reached. He asked that the Board members review the contract and get back to him with comments. The Comptroller's Office has completed their audit. He noted there are protocols which will need to be tightened; that they were pleased with the recordkeeping and financial status. He will be representing the Town at the Blue and Gold Dinner on Sunday.

### **MISCELLANEOUS**

Court Office Roof – Mr. Weldon asked what the status was regarding the roof and noted he observed debris at the bottom of the downspouts. He suggested that general maintenance might alleviate the problem. Mr. Barton reported that Parks and Grounds have asked not to cut a hole and just patch the existing portion of the ceiling affected. They are more optimistic because there have been no leaks and believe that the problem is better. It was noted the Court Clerk was agreeable with this. They would like to wait till spring before any additional steps are taken.

There being no further business before the Town Board, Councilperson Smith made a motion to adjourn the meeting at 8:26 p.m., seconded by Councilperson Roose.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk