

Parma Town Board meeting held on Wednesday, May 6, 2015 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York

ATTENDANCE

Supervisor	James Smith
Councilperson	Gary Comardo
Councilperson	James Roose
Councilperson	Tina Brown
Councilperson	Kyle Mullen
Highway Supt.	Brian Speer
Town Clerk	Donna K. Curry
Director of Parks and Recreation	Tom Venniro
Building and Development Coordinator	Dennis Scibetta

OTHERS IN ATTENDANCE

None.

CALL TO ORDER

Supervisor Smith 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. Emergency exit procedures were noted.

MINUTES – APRIL 21, 2015

RESOLUTION NO. 147-2015 Motion by Councilperson Comardo, seconded by Councilperson Mullen, to accept the Minutes of the April 21, 2015 meeting.

Motion carried: Aye 5 (Smith, Comardo, Roose, Brown, Mullen) Nay 0

TOWN CLERK REPORT

The monthly reports and VFW Summary for April have been completed and filed. Copies have been sent to Town Board members. The Slavic Pentecostal Church has decided to put the 5K race on hold until further notice. A verbal summary on the 2015 NYSTC Association Conference was provided. There was good information and between the three of us we were able to attend meetings on Ethics, What to Expect from an Audit, Policies and Procedures by the Comptroller's Office, Workplace Violence Segment that also has an online training class, which would fulfill the annual training that is required of our employees; Moratoria, this was more geared to land use; ABC Board regarding Liquor Licenses applications and included information on wine and beer tastings; and the Department of Health provided information on Food and Street Vendor Carts and Mobile Units that come onto town property. Robert Freeman, Committee on Open Government, also spoke concerning the Freedom of Information Act and the Open Meetings Law. Councilperson Comardo felt that these types of seminars are really good and informative.

HIGHWAY DEPARTMENT REPORT

There was discussion about overhauling West Creek Woods roadway. Supervisor Smith felt that this should be put on the schedule and there are some funds available to use towards that. Supt. Speer reported that this was never paved and therefore if it is not topped it will cause issues so the Highway Department will recycle it and lay it back down with oil and chip seal it. There was discussion surrounding why you would use the bigger stone instead of smaller stone. Supt. Speer explained you get a better road and more oil. Staff reseeded the lawn in front of the Highway Garage and is building the berm on the south side of the salt shed. Staff has completed one townwide pass to pick up brush and will probably make one more complete run. Included in County work this year will be to chip seal Ogden Parma Town Line Road, the west end between Trimmer and 259 needs some work; and Lighthouse Road between Moul and the Parkway will be recycled and then chip seal the entire road. Supervisor Smith inquired whether the couple of vacation requests are being processed. He confirmed they were being done.

BUILDING DEPARTMENT REPORT

Mr. Scibetta reported the permits for the month of April were up over last year by three. There is a lot of residential work coming in and some accessory (in-law) apartments that are coming up. He is anticipating a very busy May. The winery had a soft opening over the weekend and he will be checking with them to see if they will be doing an official opening. There are some unique possibilities coming up commercially with a possible day care and golf course.

RECREATION DEPARTMENT REPORT

Mr. Venniro reported summer program registration is up and running. As of April 20th through May 6th last year the total revenue was \$33,000 this year it is \$52,700. There was discussion about if this is because of increased fees or more volume. Mr. Venniro felt it was volume related; but, the summer playground fees have been hiked a little bit to cover the fees and staffing so it is a combination of both. Last year, 78% of the total revenue was credit card, this year it is 84%. Mr. Venniro feels this trend will continue to go up. 93% of these transactions were done from people's homes. He highlighted the following events:

- The upcoming kickoff summer event and the end of summer event
- The Barks and Brews which will get dogs in the park and partner together with the winery and the brewery to do a tasting and have some dog friendly vendors. This should be low cost but a good way to get people out in the park. The only issue is that this is the same Saturday as the carnival and he is hoping that the carnival will not draw people away from this event.

The Annual Senior Dinner went well and attendance was maxed out. The community center went through some renovations which included painting and some ceiling tiles fixed. The one change that the department made to the room was a big screen TV purchase and will be used for Bingo and other things.

The 5K race in the park to raise money for Fanconi Anemia and ended up raising over \$11,000 with more than 160 runners. The organizers were really happy with this event, which everyone seemed to come together and put together a good event. The park is in very good shape and the weather has been cooperating. Cemetery mowing is set to begin and they are waiting for a list of properties with maintenance issues to begin. On May 16th there will be a group of teachers coming to the park to work as a community service volunteer project. The flowering pear tree to be paid for by the American Legion will be going in the week of May 16th.

PUBLIC FORUM

Supervisor Smith asked if there was any other citizen who would like to address the Town Board with any concerns. There was no response.

Councilperson Mullen asked about the inquiry from a resident who resides on Carrie Marie Lane received by the Board regarding running sidewalks and a possible grant that was available in 2006. She would like to see sidewalks run from Carrie Marie Lane to Bennett Road. The grant would have covered a sidewalk to Manitou Road. At that time, the Board could not come up with justification to run it to Manitou Road. Public sentiment at the time was not in favor as there were several residents just east of Bennett Road where the sidewalk would have gone who were very much opposed to having a sidewalk. In addition, the Town does not have sidewalk plowing equipment to maintain the sidewalks. As a result the Town turned down the grant. Supervisor Smith explained he emailed her back recapping all of the information and the objections at that time. In order to do this in the future, we would need to get another grant. There was discussion that this may become needed more down the road as this development builds out.

BUSINESS ITEMS

ROCHESTER LADY LIONS PERMIER SOFTBALL TOURNAMENT FIELD USAGE AGREEMENT CONTRACT

Tom Venniro explained that this tournament would take place September 26, and 27, 2015. This is the first of its kind for a softball fast pitch tournament. They would like to use our fields. The fee charged would include any maintenance fees. There was discussion about some changes that need to be made to the contract. *See Schedule A for Agreement.*

RESOLUTION NO. 148-2015 Motion by Councilperson Brown, seconded by Councilperson Roose, to authorize the Supervisor to enter into the field use agreement with the Rochester Lady Lions for a fast pitch softball tournament on September 26th and 27th.

Motion carried: Aye 5 (Smith, Comardo, Roose, Brown, Mullen) Nay 0

EAGLE SCOUT GAZEBO PROJECT APPROVAL

Tom Venniro explained that Cole Towers, an Eagle Scout, approached him in the fall

about doing this project. He did his research on cost and found a sale on a gazebo kit from Amish Country Gazebo's. It would be an 8 sided gazebo with a base and the only other materials will be 2x4's and loose gravel for the perimeter so that mowing can be done efficiently. The estimated cost of materials is \$3,090. There would be a lifetime guarantee. This would be in a very visible location by the red playground so it is unlikely that this would be vandalized, though it cannot be guaranteed. This would offer some shade where some trees have to be removed because of damage and would be a good amenity. There would be no benches and it would be handicapped accessible as currently proposed.

RESOLUTION NO. 149-2015 Motion by Supervisor Smith, seconded by Councilperson Comardo, to authorize the project with the maximum cost of \$3,090 to be taken out of the Town Hall Improvement Budget line with hopes that some of the cost might be defrayed by sponsorships from other Town groups.

There was discussion about where the money would come from and out of what budget line; on the worthiness of such projects; the free labor the Town receives; opportunities for selecting projects which coincide with work that needs to be done in the park; prioritizing projects based on park needs; finding alternative ways to defray the cost through fundraising and requesting discounts on materials; and these steps also being part of the learning experience gained through an Eagle Scout project. It was felt attempts should be made to seek alternative funding and postpone a decision to the next meeting to allow time to research other funding. It was reiterated that Eagle Scout projects are very important and a good thing for kids.

Motion carried: Aye 0 Nay 5 (Smith, Comardo, Roose, Brown, Mullen)

Mr. Venniro will convey this to Mr. Tower and report back.

NYSRPS ANNUAL CONFERENCE REPORTS – TOM VENNIRO & KELLY BARTELL

There was discussion among the Board about the reports provided and about resurfacing of the tennis courts. Mr. Venniro stated he spoke to vendors at the conference about this and Super Seal, who has done some work on the courts in the past, will be willing to come out for a site visit.

MINI EXCAVATOR PURCHASE

Supt. Speer stated we are looking at the same size excavator as we have now. Costs of repairs already made to the current excavator are approximately \$9,000. He recommended keeping this machine for another year before actually disposing of it and that the new one be purchased as there is no guarantee that something else will not break on the old one. There was discussion surrounding the payments over three years vs. five years. Also, discussed was renting attachments for this or borrowing attachments from surrounding towns. Councilperson Comardo asked if it is normal that they are charging for the manual

and not part of the purchase. Supt. Speer stated it is now. Councilperson Brown asked if this could be purchased used. Supt. Speer said that it could be but then you are buying someone else's problem. There was also discussion about the future truck purchase after the first of the year.

RESOLUTION NO. 150-2015 Motion by Councilperson Mullen, seconded by Councilperson Brown, to authorize the purchase of a Volvo ECR88 through the HGAC contract at a cost of \$107,868.

Motion carried: Aye 5 (Smith, Comardo, Roose, Brown, Mullen) Nay 0

LEASE AGREEMENT FOR THE PURCHASE OF MINI EXCAVATOR

RESOLUTION NO. 151-2015 Motion by Supervisor Smith, seconded by Councilperson Mullen, to enter into a lease agreement with First Niagara for a five year period at an interest rate of 2.48% for the purchase of the Volvo ECR88 Mini Excavator.

Motion carried: Aye 5 (Smith, Comardo, Roose, Brown, Mullen) Nay 0

There was discussion surrounding whether the Supervisor should be signing all contracts or if a department head can sign them if they are nominal amounts and in the department's budget. It was decided that the Supervisor would sign them but there will be further research done to see if this is necessary.

INFORMATIONAL ITEMS

SEWER DISTRICT EQUIPMENT

There was a lengthy discussion on the purchase of capital equipment for sewer district and potentially other uses. There was discussion about why the sewer districts are all separate and the fees in different districts. The whole idea is to make sure that there is money to fix the sewers if needed. Councilperson Mullen felt that it might not be worth it to combine the sewer districts now but this could be looked at later. Supt. Speer explained you cannot use general funds if the equipment is not being used for Townwide purposes. It should be researched whether some money could come from the Townwide Drainage Fund if the truck and vacuum were used for drainage purposes. Everyone agreed with it fundamentally and now it is getting the legal side of things lined up so this can be done.

Councilperson Mullen summarized the discussion it as outlined below:

1. Mary Gavigan (Finance), Dan Bryson (Attorney) and Supt. Speer will try and set up a conference call with Albany to make sure all things are lined up.
2. The general plan is to set up a public hearing to inform the districts of the plan to set up an inter-district agreement towards the purchase of Vac equipment (Vactor-vacuum/flusher equipment) and camera equipment. In which case we would take the truck purchase for the Vactor where the majority of the payment

would come out of the sewer district funds (approx. 75%) and the rest would come out of Highway B fund.

3. We have to make sure this works for the auditors and how does the Town legally move this forward using the proper resolutions.
4. A repayment plan needs to be figured out.

MISCELLANOUS ITEMS

Board/Court Room Divider Wall - Supervisor Smith explained an engineer was in to measure the I-Beam. It was determined that the I-Beam is structurally supportive and runs the whole track. The next step will be to determine if the beam will flex if there is too much weight on it.

Town Hall Lighting Efficiency - A representative from RGE did a survey of the lighting inside and outside of our building to assess if we have the most updated and efficient lighting. It was noted the Town Clerk's office florescent fixtures are the old lighting and this will be looked at how to make those more efficient and the outside lighting also needs to be upgraded. The tennis court and basketball lights will also be looking at. It was noted if RGE does the project, prevailing wage will need to be paid.

Braddock's Bay Inlet Water Quality - Next Monday there will be a presentation at the Greece Town Hall on what is being done to correct the Braddock's Bay Inlet and to increase water quality. Supervisor Smith would like there to be a couple people from Parma there.

Solar Power - The Board should have the RFP for the Solar project and would like the Board members to read it and ask questions, if there are any concerns. He would like to send this out to get proposals. There are two options. One is a solar farm which would provide all the power through net metering for the whole town whether it is for street lights, highway lights, together with this building as opposed to selecting specific buildings and putting individual solar panels on the buildings. A developer installs all of the equipment and then we pay them a flat fee. The final decision will be based on what that cost is and what we currently pay RGE. Supervisor Smith is looking at going out to the Town of Williamson to see how their solar farm is working. If any other Board members would like to go; let him know so he can RSVP.

Joint Meeting - The joint meeting is scheduled for next week here. Items on the Agenda at this point are: Special Police, there is a temporary fix to get them through the carnival; update the Intermunicipal Agreement between the Village and Town for Fire Marshal and Building Department services; Recreation Building Lease; Community Center Capital Improvements; Village/Town Tax Rate; Intermunicipal Agreement for Dog Control Services, the Town ordinance is different from the Village's and this poses an enforcement problem because they are not the same; potential for shared equipment and projects; sidewalk from Frazer Drive to Bennett Road.

LIAISON REPORTS

**Councilperson Brown reported that Planning Board will be meeting tomorrow. Conservation Board met and talked about the Safety Reaction Team Training Shooting Range. During their meeting there was discussion about the hours of the business, questions as to the sound decibel, and three tree stands at the back of the property that need to be removed. Some of the information was in the Planning Board minutes which are provided to Conservation Board. There was conversation that the Conservation has not been getting agenda's but after speaking to Elaine agenda's will be provided. There is also a concern with Conservation members that do not attend meetings. Supervisor Smith felt that the policy and employee handbook should be looked at for possible removal from the Board. The informal grievances have begun in the Assessor's Office, they will continue until May 21, 2015 and then the Grievance Board will meet. There have been approximately 160 people.

**Councilperson Comardo noted the Farmland and Open Space Committee met. They have narrowed down to one property owner for the grant and are in talks with them. Tim Thomas is resigning from this group and will need to be replaced, a person has been identified to possibly replace him and she has an environmental science degree and seems rather qualified and interested. In addition to the items already mentioned by Mr. Venniro, it was noted during the Recreation Commission that there were approximately 450 people who took part in the AARP tax preparation program this year. The Drug Coalition met and they will be coming to the Town and Village with some modest proposals to change some of the code surrounding alcohol to keep up with technology.

**Councilperson Roose reported the Building Department has been very busy with Stop Work Orders and property maintenance issues.

**Councilperson Mullen reported that there was not a Zoning Board meeting because there was nothing on the agenda. On the GIS front, there are still some things that we are unable to access, he will contact the county.

**Supervisor Smith reported he covered everything earlier in the meeting.

There was no further business before the Town Board, Councilperson Mullen made a motion to adjourn the meeting at 9:00 p.m., seconded by Councilperson Brown and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk

SCHEDULE A

**AGREEMENT FOR USE OF FIELDS FOR
ROCHESTER LADY LIONS SOFTBALL**

This agreement, entered into on March 17, 2015 by and between the TOWN OF PARMA, 1300 Hilton Parma Road, Hilton, New York, hereinafter referred to as the “TOWN” and the Rochester Lady Lions Softball, hereinafter referred to as the “Lady Lions Softball”:

WHEREAS, the TOWN and the Lady Lions Softball desire to promote the positive emotional and physical development and enrichment of Youth Baseball in the Parma community by supporting and providing quality facilities for baseball within the Town of Parma;

NOW, THEREFORE, it is mutually agreed by and between the parties as follows:

1. The term of this agreement shall be one year commencing on June 1, 2015 and terminating on August 31, 2015.
2. The TOWN hereby permits the use of select fields (Field #3, #4, #5 & #8) at the Parma Town Park by the Lady Lions Softball during the Premier Girl’s Fast-pitch Tournament on the specified dates of September 26th and 27th (and potential rain dates as approved by the Director of Parks and Recreation) . The Lady Lions Softball may have to provide the personnel and supplies to line specific fields if they are not able to be lined for Hilton-Parma Recreation Baseball and Softball. The Lady Lions Softball will be responsible for traffic management during games.
3. The TOWN shall determine the suitability of the fields for seasonal use with a target date of the TOWN preparing the fields by the first of May. If weather and or field conditions result in a modification to such dates, the TOWN shall notify the Lady Lions Softball as soon as possible in writing via e-mail. If the TOWN determines that any field(s) is (are) unsuitable for play for the games or practices, the TOWN shall notify the Lady Lions Softball as soon as possible via e-mail.
4. The TOWN shall be responsible for and assume the costs for routine maintenance of the fields, including but not limited to mowing the grass on all fields, routine fertilization, and watering, over-seeding, and other field work as needed to make

the fields ready for play. The Lady Lions Softball shall pay to the TOWN \$200.00 per specified date (two dates) for a grand total of \$400.00 as a contribution toward routine field maintenance in addition to Lions and Lloyd Pavilion reservations, to be paid by July 17 of 2015. Representatives from the Lady Lions Softball and from the TOWN shall jointly inspect the fields before and after the games for wear and tear or damage, and the Lady Lions Softball shall pay the TOWN for repair of such extraordinary wear and tear or damage. The amount to be paid shall be approved by both the TOWN and the Lady Lions Softball; if the parties cannot agree on the amount to be paid, and then it shall be determined by a neutral third party mediator.

5. The Lady Lions Softball shall assist with litter pickup of the area during and after the tournament. Lady Lions Softball will provide their own trash removal or pay a \$100 fee to cover the cost of additional trash hauling.
6. The Lady Lions Softball agrees to reimburse the TOWN for the cost of any park septic system pumping needed during the tournament that is deemed excessive to usual pumping, and the TOWN shall submit to the Lady Lions Softball an invoice for said pumping. The Town may have septic tanks pumped in advance of the tournament and based on levels have them pumped shortly after the tournament. Based on the past, the septic pumping could cost anywhere between \$0-\$1,500.
7. The Lady Lions Softball shall submit written requests for use of TOWN equipment or other services for the tournament at least 60 days prior to the date of said tournament, and the Lady Lions Softball shall ensure that all necessary forms or paperwork is completed, signed, and filed with the TOWN prior to the commencement of said tournament.

* On site food preparation during the Lady Lions Softball Tournament. If Lady Lions Softball sells food to be cooked on site they will need an individual with a County Level 2 Food Worker certificate. A copy of this certificate should be presented to the Town Clerk prior to the Tournament. If Lady Lions Softball intends to have a contract vendor provide prepared foods, this vendor should provide the Town Clerk with proof of insurance and a copy of a Level 2 Food Worker certificate and insurance that lists the Town of Parma as additionally

insured. It is the Lady Lions Softball's responsibility that all vendors they may bring on site are properly insured and will agree to hold the Town harmless.

Special Events- events on Town property where food will be provided or sold

The following paperwork is requested to be on file 30 days before the event:

- **Temporary food vendor Permit**-issued by the Monroe County Dept. of Public Health
- A **Level 2 Food Worker** is being provided. A copy of this individual's certificate and a statement signed by this person that they will be present during all operating times for food concessions.

8. The Lady Lions Softball shall submit any proposals for field improvements to the TOWN by October 15th of each year, which will address safety issues, short and long term needs, priorities and necessary resources to be provided by the TOWN and/or Lady Lions Softball. These projects are to be submitted to the Town Board and are subject to review and approval by the Town Supervisor, Director of Recreation and Parks, and Town Board; and they are to be within the funding level as approved by the Town Board. The Lady Lions Softball shall assist in funding within its means at a dollar amount that is mutually agreed upon in writing by both the TOWN and Lady Lions Softball.
9. The Lady Lions Softball shall agree to carry at all times liability insurance, naming the TOWN as an additional insured and applying to all uses of the sports fields by the Lady Lions Softball under this agreement, in an amount at least equal to the town's minimum standards of insurance for each occurrence of bodily injury and property damage. The TOWN shall notify the Lady Lions Softball in writing what such standards are, and the Lady Lions Softball shall file a copy of its insurance certificate with the TOWN each year, as soon as it becomes available and no later than 30 days prior to the event. Requirements are as follows, the certificate must:
 - Indicate the date of the event or a date range which includes the date of the event.
 - Indicate a General Liability amount of \$1,000,000 for each occurrence.
 - Certificate Holder must state Town of Parma.

- Town of Parma must be listed as additionally insured or indicate that the certificate holder is additionally insured.
10. The Lady Lions Softball agrees to abide by all regulations set forth in the Town Park ordinances and any other reasonable rules or regulations which the TOWN may prescribe from time to time. The Lady Lions Softball shall provide written reports of all incidents and/or accidents associated with the fields to the Parks and Recreation Director within 48 hours of such incidents and/or accidents.
 11. To the fullest extent permitted by law, the Lady Lions Softball and any contract vendors Lady Lions Softball uses shall indemnify and hold harmless, and defend the TOWN and its agents, employees, volunteers, and elected officials from and against all claims, or actions based upon property damage, personal injury resulting from any acts, omissions, or any other matter whatsoever of the Lady Lions Softball, its members, guests, and invitees, and anyone directly or indirectly employed by the Lady Lions Softball while on the premises of the Parma Town Park. This agreement shall include indemnity to the TOWN for all costs, counsel fees, expenses, or any other liability whatsoever, which may be incurred by the TOWN as the result of the use of the Parma Town Park.
 12. The Lady Lions Softball is required to rent certain Park Pavilions as stated above in order to insure sufficient parking and avoid conflicts with other parties.

SCHEDULE B

HGACBuy		CONTRACT PRICING WORKSHEET For Catalog & Price Sheet Type Purchases		Contract No.:	EM06-13	Date Prepared:	10/28/2014
<p>This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.</p>							
Buying Agency:	TOWN OF PARMA HWY	Contractor:	VANTAGE EQUIPMENT				
Contact Person:		Prepared By:	ANNE JACKSON				
Phone:		Phone:	315-437-2611				
Fax:		Fax:	315-437-2026				
Email:		Email 1:	ANNE.JACKSON@VANQUIP.COM				
		Email 2:	Please also send order confirmations to kathy.tedone@consultant.volvo.com				
Catalog / Price Sheet Name:	49A						
General Description of Product:	VOLVO COMPACT EXCAVATORS						
A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary							
Quan	Description	Unit Pr	Total				
1	VOLVO ECR88D	\$96,957	\$96,957				
			Subtotal A:	\$96,957			
B. Unpublished Options, Accessory or Service items - Itemize Below - Attach Additional Sheet If Necessary (Note: Unpublished Items are any which were not submitted and priced in contractor's bid.)							
Quan	Description	Unit Pr	Total				
1	WOODS 60 INCH TILT DITCH BUCKET	\$5,600	\$5,600				
1	THUMB AND TILT DITCH INSTALLED	\$1,250	\$1,250				
1	SERVICE MANUAL	\$579	\$579				
			Total From Other Sheets, If Any:				
			Subtotal B:	\$7,429			
Check: Total cost of Unpublished Options (B) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).			For this transaction the percentage is:			8%	
C. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges							
Freight			\$2,800				
PDI			\$500				
			Subtotal C:	\$3,300			
Delivery Date:			D. Total Purchase Price (A+B+C):			\$107,686	