

Parma Town Board meeting held on Tuesday, October 17, 2017 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York

ATTENDANCE

Supervisor	Jim Smith
Councilperson	Gary Comardo
Councilperson	James Roose
Councilperson	Daniel Barlow
Councilperson	Richard Wilt
Town Clerk	Donna K. Curry
Building and Development Coordinator	Dennis Scibetta
Dir. of Parks and Recreation	Tom Venniro
Absent	Highway Supt. Brian Speer

OTHERS IN ATTENDANCE

Mary Gavigan, Finance Director, Shelly Budinski, Justin Budinski, Lon Jacobs, Jack Barton and other members of the public.

CALL TO ORDER

Supervisor Smith called the meeting to order at 6:34 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 – OCTOBER 3, 2017

RESOLUTION NO. 443-2017 Motion by Councilperson Comardo, seconded by Councilperson Roose, to accept the minutes of the October 3, 2017 Town Board meeting.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

TOWN CLERK REPORT

The VFW Report for September was completed and provided to the Town Board along with the September Town Clerk Report.

The Town has been notified that the Town of Ogden will hold a public hearing for a solar project with Delaware Solar, LLC on October 25, 2017 at 7:30 p.m. The property is located at 760 Washington St. and Colby St. A letter was received from the Kanaley and Gronell families regarding the North Avenue Drainage project and how pleased they are with the completion. The Department of Financial Services also contacted the Town Clerk regarding informational sessions they will be holding regarding information on new legislation on vacant and abandoned properties. The new legislation helps identify these

properties and holds banks and mortgage servicers accountable for their inaction. This information was also sent to the Supervisor and Mr. Scibetta.

The Town Clerk also made the Town Board aware that a new employee has electronic access to a shared folder for the Town Clerk and Tax Receiver Office that should not be allowed. The Town Clerk requested the access be removed and if there is something that is needed in that folder it can be requested of Ms. Webster or the Town Clerk. The Clerk noted that she could think of only one file that might be needed by this person and that this not only applies to the current new employee but also to any new hire(s) that is not working in the Town Clerk or Tax Receiver's office.

A copy of the Preliminary Budget was filed in the Town Clerk office this afternoon from the Finance Director. The Town Clerk asked for detailed budget for her records because only a rolled up (consolidated) one was provided. In the past we have published and posted it on the website. The Town Clerk noted that the detailed budget was received last year. The Finance Director indicated the rolled up one was provided last year. Supervisor Smith stated that the rolled up version was sent but she can send the whole one too. The Clerk noted the detailed budget has been provided in the past which prompted the Clerk to ask the Town Board if they have a reason why they do not want the Town Clerk to receive a detailed budget and if so what that reason would be. There was no response given.

An email has been sent to each of the Town Board members regarding an error in the Town Clerk's payroll. She requested that if they did not have the opportunity to read it before the meeting that they take the time when they get home and that their time in reviewing it would be appreciated.

HIGHWAY DEPARTMENT REPORT

Supt. Speer was not in attendance. Supervisor Smith noted there has been correspondence received about how pleased affected residents were with the results of the North Avenue drainage improvements. He noted this was quite a change in opinion from a couple of weeks ago

BUILDING DEPARTMENT REPORT

Mr. Scibetta reported that the Department has surpassed the total number of permits issued last year. New housing continues to be strong. Two new sections for Country Village and All Seasons Subdivisions will be opening up later in the fall or early spring which he expects will keep the department busy through the end of the year. He made a recommendation with the Highway Superintendent that they top the road in West Creek. This will make it easier to plow and not damage the road any further.

RECREATION DEPARTMENT REPORT

Mr. Venniro reported they are in the thick of the Fall programming and working on gearing up for the next set of events. Make a Difference Day and Halloween Celebration will take

place on October 28, 2017. The Monroe County Cross Country Meet will be at the Town Hall Park the same day.

MISCELLANEOUS REPORTS

There were no miscellaneous reports.

PUBLIC FORUM

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

BUSINESS ITEMS

INTRODUCTORY LOCAL LAW 4-2017 **COLD WAR VETERANS EXEMPTION**

RESOLUTION NO. 444-2017 Motion by Supervisor Smith, seconded by Councilperson Comardo,

WHEREAS, the Town of Parma did heretofore enact Local Law # 2-2008, adopted on October 21, 2008 providing for a Cold War Veterans Exemption, as provided for by §485-b of the Real Property Tax Law; and

WHEREAS, a recent amendment to such Real Property Tax Law removes the ten year exemption period and allows for the adoption of a Local Law to provide for the Cold War Veterans Exemption to apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to such ten year limitations; and

WHEREAS, the Town Board of the Town of Parma is desirous of adopting a Local Law to extend such Cold War Veterans Exemption indefinitely;

NOW, THEREFORE, be it resolved by the Town Board of the Town of Parma, Monroe County, New York, as follows:

Section 1. That the Town Board of the Town of Parma shall hold and conduct a Public Hearing to consider the enactment of Introductory Local Law # 4-2017, which Public Hearing will be held and conducted by the Parma Town Board at the Town Hall of the Town of Parma, 1300 Hilton-Parma Road, Hilton, New York on the 8th day of November, 2017 at 7:15 p.m., and at which hearing all interested persons shall be heard concerning the subject matter thereof.

Section 2. That the proposed Local Law removes the ten year exemption period for qualifying Cold War Veterans for tax exemption upon qualifying real property and allows for such exemption to continue indefinitely. A complete copy of the proposed Local Law is presently on file in the Town Clerk's Office where it may be examined by all interested persons during normal business hours.

Section 3. That the Town Clerk shall give due notice of such Public Hearing, as required by law.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

BUDGET TRANSFERS

RESOLUTION NO. 445-2017 Motion by Supervisor Smith, seconded by Councilperson Barlow, to approve the Budget Transfers as presented.

BUDGET TRANSFER			OCT			
ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
BOO.537.3620.460.00	CONTRACTED SERVICES	\$3,000.00	BOO.537.3620.473.00	LEGAL FEES	\$3,000.00	SCIBETTA
BOO.537.3620.480.00	MISC EXPENSES	\$2,500.00	BOO.537.3620.490.00	LEGAL NOTICES	\$2,500.00	SCIBETTA
BOO.537.8989.480.00	MISC REIMBURSEMENTS	\$200.00	BOO.537.8389.480.00	OTHER WATER	\$200.00	SCIBETTA
		5,700.00			5,700.00	

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

APPROVE 2018 PRELIMINARY BUDGET

RESOLUTION NO. 446-2017 Motion by Supervisor Smith, seconded by Councilperson Comardo, to approve the Preliminary Budget.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

SET PUBLIC HEARING DATE FOR 2018 PRLIMINARY BUDGET

RESOLUTION NO. 447-2017 Motion by Supervisor Smith, seconded by Councilperson Comardo, to set the public hearing for the 2018 Preliminary Budget for Wednesday, November 8, 2017 at 7:15 p.m. at the Parma Town Hall.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

RECREATION BEFORE AND AFTER SCHOOL PROGRAM - NEW HIRE

RESOLUTION NO. 448-2017 Motion by Councilperson Barlow, seconded by Councilperson Comardo, to authorize the hiring of Morgan Murray for the part time seasonal Before and After School Program at a rate of \$10.25 per hour with a start date October 18, 2018; provided that all background and testing comes back satisfactory.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

NEW HIRE – KIMBERLY LEDTKE

Supervisor Smith reported they have interviewed a candidate to work as an assistant to the Finance Director with time to be split at the Highway Department.

RESOLUTION NO. 449-2017 Motion by Supervisor Smith, seconded by Councilperson Comardo, to hire Kimberly Ledtke with a tentative start date

of no earlier than October 31, 2017 at rate of \$14.50 per hour; with a performance review within six months with a potential raise of \$.50 per hour at that time.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

PAY INCREASE – TERESA CUMMINGS

Supervisor Smith reported that Teresa Cummings was hired just under eight months ago and by all accounts has done a very, very good job. This would normally have been done at six months.

RESOLUTION NO. 450-2017 Motion by Supervisor Smith, seconded by Councilperson Barlow, to authorize a pay increase for Teresa Cummings from \$14.50 to \$15.00 per hour.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

INFORMATIONAL ITEMS

Judd Lane Gate - Supervisor Smith reported the civilian lock has been removed and the Town issued padlock has been properly placed and the chain returned. Master keys are in the vault in the Town Clerk's office. A key has been signed for and issued to the Highway Superintendent. Pure Waters was contacted; however, they have declined to take a key and will contact the Town Hall or the Highway Superintendent if they need to have access. Two keys were issued to the joint owners of the landlocked parcel behind the Town's property. According to their deed, they have access to cross the Town land to get to their property. There was discussion on whether there would be any additional keys issued to other members of the property owners family; the more keys out there the more likely the keys will be shared with others and control of knowing who is accessing not only our property but theirs would be lost; we risk the neighbors getting upset again if there are large numbers of hunters coming and going. The consensus of the Board was to not issue any further keys at this time. Should the property owners decide they want additional keys, they will have to come before the Town Board for a decision.

Vendor Peddler Permit Fee – There was discussion on possible scenarios for food truck vendor which might include a seasonal permit for a business establishment that does not serve food but would like to have food on their premises for a particular event or series of events; would like to see the least amount of work for our businesses but still protect the public health and safety; and that we should always have the Health Department permits and insurance information. Supervisor Smith also noted that one of our goals to get a simple contract which our insurance company has requested. He stated he will try to work on this. The Clerk noted another fundraising event was scheduled last weekend at two local businesses on Ridge Road. Her office was notified Tuesday before the Saturday event and had no means to bring it before the Town Board (similar situation occurred in September). The vendor was charged the minimum fee for a stationary location - \$60.00. The Clerk is expecting a third request for a similar situation and asked if the Town Board

would consider a one-time event stationary location fee. It was felt a \$25.00 fee with submission of the required paperwork as indicated in our Town Code would be appropriate.

VENDOR PEDDLER PERMIT FEE UPDATE

RESOLUTION NO. 451-2017 Motion by Councilperson Comardo, seconded by Councilperson Roose, to establish a \$25.00 Stationary Location standalone Event fee for vendors and peddlers including food truck vendors.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

In addition, the Clerk requested a refund of the difference - \$35.00 - be paid to the vendor who had to be charged the lowest fee option available last week. The gentleman was very cooperative and understood that the options were limited. Discussion reverted back to prior discussion on who the onus would be put on for obtaining a permit; how do we may both sides accountable and how to track which vendors are where and when and if their information is current. Placing the responsibility on the local property owner where the events would occur was suggested. Currently, the park use agreements follow a format that makes the group using the Park facilities, hosting the event, responsible for obtaining the proper insurance paperwork and Health Department information and providing to us. It was felt that it is important that the negligence by the property owner or the vendor could not come back on the Town. The question arose as to whether we would be able to have a contract with the property/business owner the same we do with sport organizations and other entities; and who and how it would be enforced.

REFUND OVERPAYMENT OF PERMIT FEE

RESOLUTION NO. 452-2017 Motion by Supervisor Smith, seconded by Councilperson Roose, to authorize a refund of \$35.00 to Barton's Parkside Hots for the difference in the October 14, 2017 permit fee paid.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

Zarpentine Farm Conservation Easement – Supervisor Smith reported a round of documents was received back from Genesee Land Trust which he reviewed and sent to the Farmland and Open Space Committee. Late last week they were sent to NYS Department of Agriculture and Markets for their final review.

2017 Wind Storm - Supervisor Smith also reported there has been no more information on grant money from the State for reimbursement of expenses from the windstorm earlier this year. When he has inquired the response has been that they have not finalized the paperwork.

SPECIAL POLICE APPOINTMENT

RESOLUTION NO. 453-2017 Motion by Supervisor Smith Councilperson Roose, seconded by Councilperson Wilt, to nominate Peter Columbo to serve on the Special Police as a Peace Officer for the Town of Parma.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

LIAISON REPORTS

**Councilperson Barlow reported the Zoning Board had not met since our last meeting so there was nothing to report. It was noted the application for having chickens on Moul Road has been withdrawn and will not be part of the next meeting.

**Councilperson Comardo reported HPDICE and the Farmland and Open Space Committee had also not met since our last meeting.

**Councilperson Roose asked if there was anything more regarding insurance for the Special Police Agreement. He thought that was the only sticking point. It was noted that another member of the committee had asked that we contact his insurance representative to make comparisons and offer other insight. According to Councilperson Roose, there were changes made that they all agreed upon but our insurance company wanted some of it added back in. According to Ms. Gavigan, our people are covered for Town events but the issue is when it is one of the other members event. Then there is a liability issue. She noted that they should already have that kind of coverage already. What we are asking for is that each of these members gives the Town a proper Certificate of Insurance the same way we ask any other group.

**Councilperson Wilt reported the Planning Board approved a conceptual site plan approval for a single family home at 56 Parma Center Road with the possibility of others in the future.

WARRANT

RESOLUTION NO. 454-2017 Motion by Councilperson Barlow, seconded by Councilperson Comardo, to approve payment of AOO General Fund bills, in the amount of \$50,169.50.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

RESOLUTION NO. 455-2017 Motion by Councilperson Comardo, seconded by Councilperson Roose, to approve payment of BOO Part Town Fund bills, in the amount of \$880.72.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

RESOLUTION NO. 456-2017 Motion by Councilperson Roose, seconded by Councilperson Wilt, to approve payment of DAO Highway, Townwide Fund bills, in the amount of \$315.20.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

RESOLUTION NO. 457-2017 Motion by Councilperson Wilt, seconded by Councilperson Barlow, to approve payment of DBO Highway, Part Town Fund bills, in the amount of \$8,064.58.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

RESOLUTION NO. 458-2017 Motion by Councilperson Barlow, seconded by Councilperson Comardo, to approve payment of SDO Townwide Drainage Fund bills, in the amount of \$11,222.55.

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

RESOLUTION NO. 459-2017 Motion by Councilperson Comardo, seconded by Councilperson Roose, to approve payment of TAO Trust & Agency Fund bills, in the amount of \$861.47 .

Motion carried: Aye 5 (Smith, Comardo, Roose, Barlow and Wilt) Nay 0

The total to be paid is \$71,514.02

There was no further business before the Town Board. Supervisor Smith made a motion to adjourn the meeting at 7:35 p.m., seconded by Councilperson Comardo and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk