

Parma Town Board meeting held on Tuesday, August 20, 2019 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, NY

ATTENDANCE

	Supervisor	Jack Barton
	Councilperson	Gary Comardo
	Councilperson	James Roose
	Councilperson	Blake Keller
	Councilperson	Linda Judd
	Town Clerk	Carrie Fracassi
Absent	Building & Development Coordinator	Dennis Scibetta
	Dir. of Parks and Recreation	Tom Venniro
Absent	Highway Superintendent	Brian Speer

OTHERS IN ATTENDANCE

Stan Johnston, Peter Tasse, Jack Wade, Jim Vinette, Gary Hafner, Sheldon (Seb) Burritt, Mike Weldon, Steve Bell, Wendy Bell, Kris Schultz, Dave Lattuca, Peter Lacagnina, and other members of the Public.

CALL TO ORDER

Supervisor Barton called the meeting to order at 6:30 p.m. and led those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Emergency exit procedures were noted.

REGULAR MEETING MINUTES – JULY 16, 2019

RESOLUTION No. 199-2019 Motion by Councilperson Comardo, seconded by Councilperson Roose, to accept the Minutes of the regular meeting held on July 16, 2019. Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

TOWN CLERK REPORT

The Town Clerk reported that the Town Clerk Report and VFW Report for July were submitted and filed in the Supervisor's Office.

HIGHWAY DEPARTMENT REPORT

Supt. Speer was absent. There was no report.

BUILDING DEPARTMENT REPORT

Mr. Scibetta was absent. There was no report.

RECREATION DEPARTMENT REPORT

Mr. Venniro reported that the Parks and Recreation Department Budget Reports are accurate through most of August 2019 and will be provided at the first meeting in September. Summer registration and programming is coming to a close. The Fall Experience Guide is being put together and will become available for registration in early September.

2019 Parma Days Summer Smash was held on July 26, 2019. The evening highlighted civic group food vendors, ice cream, music, bounce houses, a petting zoo, a movie under the stars and fireworks. There were approximately 2000 attendees. He thanked the Board for attending and providing re-usable shopping bags to people attending.

Park Update:

They are working on the remaining Capital Projects for the year including researching the possibility of a dog park and baseball field reconstruction. He is hoping to have the information gathered to be an action item as soon as possible. In addition to Town Funds, they are pursuing funding opportunities.

PUBLIC FORUM

Supervisor Barton asked if there was any other citizen who would like to address the Town Board with any concerns.

Sheldon Burritt (Seb), resident of Parma for 76 years and worked for the Parma Highway Department, stated that he felt he needed to come tonight and let the residents know what is going on at the Town of Parma Highway Department. He felt that 90% of the residents do not know and it is important they understand. He has concerns with where tax payer dollars are going when the roads in Parma are being maintained by other Towns and not by our own Department, which is taking our tax dollars out of our own Town. He questioned why the Village is paving and maintaining the roads in the park, not our Department. There is work place violence, harassment and bullying by certain people against other employees of the Department. He knows several Town employees that took early retirement to get away from it. During one incident they cornered an employee and attacked him and the secretary upstairs had to lock her door to her office because the yelling; two mechanics watched this whole thing develop. The bullying against the employees has to stop. The one individual attacks everything.

He worked the evening and weekend on snow watch for Parma, and he would call people in to plow the roads if needed, the employees knew what they needed to do and they came in and did it for years. He does not understand why now during the evening and weekend shifts employees, who have done this for years, have to notify a person who doesn't even reside in the Town to ask what needs to be done. What is happening is not good. There is a certain individual who worked in the Parks Department and as told to him was given the ultimatum to retire, which he did, and now he is down working at the Highway Department. The hiring of this certain employee into

the Highway Department was wrong. The overtime is beyond being abused and he feels that it is time something is done. He understands that the Board's hands are tied but as a tax payer in this Town for 76 years something is just not right and the word needs to get out.

Supervisor Barton explained to the audience that when it comes to road work in the Town the Town has the right of first refusal on those roads to do that work which bring in a profit to the town and helps with the budget. He further noted that based on Town Law because the Highway Superintendent is an elected position the Town Board cannot control what is happening in that Department.

Jim Vinette, Huffer Road, has concerns with the condition of Hilton Parma Corners Road which he understands is a State Road. Supervisor Barton explained that this is part State Road, part County Road and that he will pass on the concerns about the condition of that road. The Town does not decide when this work is done because it is not a Town Road.

Supervisor Barton also passed along that there will be a meeting coming up, which will be advertised regarding changes that will be made on Ridge Road eliminating road lanes and adding a turning lane. That meeting would give residents a chance to talk to the State.

Peter Lacagnina, was looking for an update regarding his ongoing drainage issue. He is still waiting for the fill work to be completed and top soil brought in so he can put grass in and asked if the Supervisor had talked to the Highway Superintendent for a timeline. Supervisor Barton stated he did relay the message to Brian Speer and that he did not give him a timeline or any direction. He will pass along the information again.

Dave Lattuca, resident on Ferguson Drive, wanted to thank the Town for their help during the flooding. His understanding is there is going to be 300 million dollars made available in aid to help along the entire lake and wondered what that meant for residents. Supervisor Barton said he has not heard anything about this money being used for claims or repairs for residents. Each Town has been asked to submit projects they think would help them best to deter the flooding from continuing and he heard there have been over 75 projects submitted just in Monroe County.

Mr. Lattuca asked if the Town has prepared any projects or had open discussions with residents; he felt more long term solutions needs to happen. Supervisor Barton said the Town concerns were the failing sanitary sewers, roads that are not accessible and water coming in from ponds and wetlands to the South. The state will be looking at all of the submissions and then rank the projects; the Towns will not have a say in this ranking. Mr. Lattuca stated he is disappointed that the Town did not have open discussions with the residents before going to the State with suggestions. Supervisor Barton said the State asked them not to talk about projects at this time.

Councilperson Judd said that the timeline for this was very tight; the Towns have all been asking what can be done to help residents going into the future. The State has the final say and they are looking at this globally along the lake not just at one Town. She also noted that these discussions

include Town Supervisors and Engineers. The Town is providing as much information as they can to the State to let them know what the biggest issues are in the Towns.

Mike Weldon asked if the Board had looked into painting the meeting house yet. Supervisor Barton said the Town will be going out for estimates.

BUSINESS ITEMS

BID FOR TOWN CLERK OFFICE

Supervisor Barton explained that the Town had gone to bid for this a while ago but it was during the busy season for contractors. He would like to authorize MRB to go out to bid again realizing that the Town Clerk's Office will be able to have these renovations done during the months of November/December.

RESOLUTION No. 200-2019 Motion by Councilperson Judd seconded by Councilperson Roose to advertise for bids for the Town Clerk Office renovations using MRB.

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

RESOLUTION TO REPEAL THE INTERNATIONAL JOINT COMMISSION'S (IJC) PLAN 2014

RESOLUTION No. 201-2019 Motion by Councilperson Comardo, seconded by Councilperson Keller at a regular Town Board Meeting of the Town of Parma, Monroe County, New York held on August 20, 2019.

WHEREAS, the Town of Parma, New York and its residents are directly and permanently impacted by the implementation of Plan 2014 by the International Joint Commission (IJC); and

WHEREAS, the Town of Parma, its residents and waterfront properties have suffered severe damages due to flooding caused by Plan 2014; and

WHEREAS, the Town of Parma and other municipalities on Lake Ontario have expended significant staffing, resources and monies in emergency response, flood protections and mitigation in 2017 and again in 2019; and

WHEREAS, Plan 2014 forces unreasonable and unacceptable changes to Lake Ontario's traditional water levels expecting to address environmental concerns ; however, it has become clear that the effect of extreme flooding has resulted in devastation to the natural habitat of fish and wildlife that has been established for generations; and

WHEREAS, Plan 2014 imposes immeasurable hardship on our Town during times of high water by creating great economic stress, flooding our homes, destroying our infrastructure,

unprecedented erosion of our lakeshore properties and compromising public health and public safety; and

WHEREAS, substantial State and Federal funds have been expended in an attempt to address the catastrophic damage caused by flooding as a result of implementing Plan 2014; and

WHEREAS, Plan 2014 does not provide compensation or mitigation for damages caused by changes in water levels, contrary to the Boundary Waters Treaty of 1909 which specifically provides for compensation to property owners; and

WHEREAS, in the 53 years leading up to 2017, since the implementation of Plan 1958-DD in 1964 flooding has only occurred in 1973 and 1993. Since the commencement of Plan 2014 in 2017, devastating flooding has occurred in two of the three years of Plan 2014's existence; and

WHEREAS, the IJC's Plan 2014 was to regulate the water levels of Lake Ontario and the St. Lawrence River has failed to accomplish its mission to continue to protect against extreme high and low water levels.

NOW, THEREFORE, be it resolved, that the Town of Parma calls on the IJC, the United States Government and the Canadian Government to repeal Plan 2014 and requests that the IJC reinstate Plan 1958-DD and bring an immediate stop to the man-made flooding of Lake Ontario.
Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

QUOTE FOR SECURITY DOORS

Supervisor Barton explained that the quote did not include the panic buttons to lock the front doors which was a request from our Court Officers or the second reader at the front doors on the north side of the entrance way and has been adjusted. These upgrades will help to eliminate the use of keys to access the building.

RESOLUTION No. 202-2019 Motion by Councilperson Roose seconded by Councilperson Judd to expend no more than \$10,700.00 to complete the upgrades to the security system using R Options, the company that put the security system in place.
Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

PREPAID CHECK

RESOLUTION No. 203-2019 Motion by Councilperson Comardo, seconded by Councilperson Keller to authorize the payment of Prepaid Checks as presented.

PREPAIDS			AUGUST				
VENDOR CODE	ACCOUNT CODE	DATE	CASH CODE	CHECK NUMBER	AMOUNT	DESCRIPTION	TRANSACTION
MARLIN	DB.550.5130.210.00	07/19/19	Z991.110	1157	7,750.85	RADIO INSTALLMENT	DONE
PATRIOT SEALCOATING	AOO.516.1620.490.00	07/24/19	Z991.110	1159	5,915.62	TOWN HALL SEALING	DONE
PETTINARIS	AOO.570.7140.491.01	08/01/19	Z991.110	1160	544.43	SUMMER CAMP PIZZA	DONE
MONROE COUNTY PARKS	AOO.570.7140.493.01	08/01/19	Z991.110	1163	100.00	NATURE CAMP	DONE
COLONIAL BELLE	AOO.570.7610.490.04	08/01/19	Z991.110	1162	350.00	SENIOR TRIP	DONE
NYS OFFICE OF PARKS	AOO.570.7140.493.01	08/01/19	Z991.110	1164	70.00	HAMLIN BEACH	DONE
NYS OFFICE OF PARKS	AOO.570.7140.493.01	08/01/19	Z991.110	1168	35.00	LETCHWORTH	DONE
NYS OFFICE OF PARKS	AOO.570.7140.493.01	08/01/19	Z991.110	1167	35.00	LETCHWORTH	DONE
NYS OFFICE OF PARKS	AOO.570.7140.493.01	08/01/19	Z991.110	1166	35.00	STONY BROOK	DONE
NYS OFFICE OF PARKS	AOO.570.7140.493.01	08/01/19	Z991.110	1165	35.00	STONY BROOK	DONE
COLONIAL BELLE	AOO.570.7610.490.04	08/12/19	Z991.110	1172	1,366.00	SENIOR TRIP	DONE
PITTSFORD FARMS	AOO.570.7610.490.04	08/12/19	Z991.110	1173	136.50	SENIOR TRIP	DONE

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

BUDGET TRANSFER

RESOLUTION No. 204-2019 Motion by Councilperson Comardo, seconded by Councilperson Judd, to approve the Transfer as presented in the amount of \$10,400.00.

TRANSFER			AUG			
ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
AOO.511.1110.430.00	EDUCATIONAL	\$400.00	AOO.511.1110.431.00	BOOKS	\$400.00	PINZON
DBO.550.5130.460.00	CONTRACTED SERVICE	\$10,000.00	DBO.550.5130.452.00	VEHICLE MAINTENANCE	\$10,000.00	SPEER
		10,400.00			10,400.00	

Councilperson Roose asked about the transfer between contracted services and vehicle maintenance. Mary Gavigan explained that the Highway Department is over budget for various purchases in their vehicle maintenance line so they are transferring from one line item to another to cover the gap. Councilperson Roose noted that the Highway Department is already over budget and it is only in August.

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

2019 PARK USE AGREEMENT

Tom Venniro explained that both Park Use Agreements are repeat users of the Park. The Cyclocross group is a very small bike race on the trails. The group always does a good job of cleaning up the park and fixing damage, if any. The Cross County events consist of five smaller

company could refuse payment if there were an issue since they advised against it. The consensus of the Board was they would like to be able to help the school but feel that they should listen to the Insurance Company.

RESOLUTION No. 207-2019 Motion by Councilperson Roose, seconded by Councilperson Keller, to allow the Hilton Central School District Cross Country Team to use the 14 Passenger Van for a meet in the Bronx over Columbus Day Weekend.
Motion failed: Aye 2 (Roose, Keller) Nay 3 (Barton, Comardo, Judd)

**ADVERTISE FOR SEASONAL RECREATION ASSISTANT
BEFORE AND AFTER SCHOOL**

Mr. Venniro is seeking approval to advertise for Before/After Care and the UPK Program Staff for the 2019-2020 school year per the Town Hiring Policy. He is hopeful most would return but they are in need of a few people to maintain the proper ratios. The pay scale for the position has already been set for this year.

RESOLUTION No. 208-2019 Motion by Councilperson Comardo, seconded by Councilperson Judd, to authorize the Director of Parks and Recreation to advertise and hire Seasonal Recreation staff for the BEAR Program at the current rate set by the Town Board. This position runs for the 2019-2020 school year.
Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

406 HUFFER ROAD SUPREME COURT ACTION

Supervisor Barton explained that the building on this property is falling down; the only thing holding it up is the stuff inside. This sits very close to the right of way. The Code Enforcement Officer has sent several letters with no response from the owner. Copies of the letters and pictures were provided to the Board.

RESOLUTION No. 209-2019 Motion by Councilperson Comardo, seconded by Councilperson Keller, to authorize the attorney for the Town, Lara Badain, to initiate action in Supreme Court for code violations under Article 10 of the Town Code for property at 406 Huffer Road in the Town of Parma.
Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

**BUILDING PERMIT FEES FOR REPLACEMENT DOME
AT 4618 RIDGE ROAD**

Kris Schultz, on behalf of the owner, explained that the Dome came down on January 1st of this year and that he is here to ask the Board to consider a reduction for the Building Permit. He stated that the owner looked into putting up a solid structure but the cost to do so was so high he was forced to go back to the dome structure. The last time the structure came down the Board

agreed to an amount of \$500. The Building Inspector looked at the amount of inspections necessary and felt that because the foundation is remaining the same, a fee of \$660.00 was fair. The facility is well used and is a viable business for the Town. Supervisor Barton does not disagree with what the Building Inspector proposes for the fee. There was discussion about the access door on the building and the Supervisor thought he would need a variance for that. Kris Schultz said he would look into that.

Councilperson Comardo asked if something has changed that will help keep this structure up. Kris Schultz felt that the windstorm combined with the loss of power is why this came down. This structure is different and has wind and temperature sensors. Councilperson Roose asked if this is evacuated in high winds. Supervisor Barton explained that these structures are built to allow plenty of time to evacuate.

RESOLUTION No. 210-2019 Motion by Supervisor Barton, seconded by Councilperson Roose, to reduce the Building Permit Fee to \$660.00 for the replacement dome at 4618 Ridge Road West.

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

ASSESSOR APPOINTMENT

Supervisor Barton said they will discuss this at a future meeting in September.

INFORMATIONAL ITEMS

Supervisor Barton updated the Board on 5416 Ridge Road. The majority of the property has been cleaned up since the last meeting. Mr. Fritz will be following up with the property owner at the end of the week to see if everything has been removed. Councilperson Judd asked what insures this will not happen again. Supervisor Barton said that is what the Supreme Court would do. Locally all that the Town Court can do is fine him.

Supervisor Barton and Supt. Speer will be meeting with the Army Corps of Engineers regarding East Wautoma/Delavergne Drive to discuss what happened and violations of their regulations by the Town during the flooding. The DEC had the same issues and seems to be okay with the Town removing all things put in place when the water levels go down. Councilperson Roose asked if they could come after the Town for this or are these just recommendations. Supervisor Barton said that they have laws in place, permit requirements in place and a permit was not applied for.

LIAISON REPORTS

**Councilperson Keller reported that there was a Zoning Board meeting last week which was fairly routine; there were no accessory structures on the Agenda. All applications were approved and one table. He noted that Dennis Scibetta got the information together for him regarding

accessory structures. In 2017-2018 almost all of them were approved and in 2019 there was a mix of approvals and denials. He feels that the structures being requesting are getting larger and he will continue to work with Dennis and monitor this situation. The thought is that if you are always approving them then it is time to change the code.

**Councilperson Comardo reported HPDICE has been on hiatus over the summer because so much of their work is with the school district. They will have a presence in the High School and Middle School during orientation.

**Councilperson Roose reported that Summer Smash was very well attended. He has talked to Shari Pearce at the Village and they are hoping to be up to 7 Special Police members in the next few weeks.

**Councilperson Judd reported that there will be a Farmland and Open Space meeting in September. Farmland and Open Space in conjunction with the Genesee Land Trust will be holding another public forum in October to inform the public about what they are trying to do with farmland in Parma. This forum will be advertised. She attended the Library Meeting and there are some concerns with some of the charges for the roof through MRB.

The Solar Company for Curtis Road did not show up to the Planning Board meeting; the Planning Board took care of SEQR but tabled the Preliminary approval. They are still reviewing information on 5107 Ridge Road West and two split merges were granted.

WARRANT

RESOLUTION No. 211-2019 Motion by Councilperson Keller, seconded by Councilperson Comardo to approve payment of AOO General Fund bills, in the amount of \$112,686.69.

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

RESOLUTION No. 212-2019 Motion by Councilperson Comardo, seconded by Councilperson Roose to approve payment of BOO Part Town Fund bills, in the amount of \$3,604.35.

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

RESOLUTION No. 213-2019 Motion by Councilperson Roose, seconded by Councilperson Judd to approve payment of DAO Highway Townwide Fund bills, in the amount of \$583.38.

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

RESOLUTION No. 214-2019 Motion by Councilperson Judd, seconded by Councilperson Keller to approve payment of DBO Highway Part Town Fund bills, in the amount of \$120,789.39.

Councilperson Judd is concerned with one of the bills for approximately \$57,000 for a construction company to come in to the Town and move rocks around at the lakefront. She does not mind approving this if it was needed because we don't have the equipment but she doesn't think it would cost this amount for rental of equipment only. She does not understand how this company could be hired without approval from the Board when the Department is over budget. Councilperson Roose asked what the potential is for the Town to get reimbursed for lakefront work this year. Mary Gavigan, Finance Director, stated that they will not be getting reimbursed this time and there has been no income coming in from County Road work by the Highway Department. The employees at Highway are not working on roads, they are continually doing brush. Mary Gavigan said it will be important as these line items start going over budget that the Board look at them and the other line items and make hard decisions about what to do about this budget. Councilperson Keller asked if they can get an estimate of what is needed to run the Department until the end of the year and then the Board can hold them to the budget and pay the bills only and not transfer money in from the General Fund. Mary Gavigan explained how the Highway Budget is broken down. She explained that DB is where the revenue for County work goes and there has been none; meanwhile the budget for expenditures is from DB and that is the money being used to pay the bills. DA is the Snow/Ice money; they are over in this line item because of overtime, partly because of the grievance. The A Fund is what is needed to run the Highway Garage, this line is fine. The B Part Town Fund is what can be transferred to DB to make him whole if he goes over in that line; however, he has already been given \$687,000 to balance the budget. The revenue submitted by Brian for last year's budget was \$120,000.00 of which \$10,000 has been received only because we helped other municipalities while they worked on our roads. The Highway Superintendent never bid on any of the work that needed to be completed in the Town. Councilperson Judd asked if the employees at Highway will be okay for the year. Mary Gavigan said they will. Councilperson Roose asked if the \$500,000 approved for equipment last year was all used up. Mary said he used the full amount and has purchased other equipment and he is over budget in his equipment line, including the radios that he purchased and the Town is paying for that cannot even be used at this point.

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

RESOLUTION No. 215-2019 Motion by Councilperson Keller, seconded by Councilperson Comardo to approve payment of SDO Townwide Drainage Fund bills, in the amount of \$64,341.49.

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

RESOLUTION No. 216-2019 Motion by Councilperson Comardo, seconded by Councilperson Roose to approve payment of TAO Trust and Agency Fund bills, in the amount of \$2,486.30.

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

The total to be paid is \$304,491.60

ENTER INTO EXECUTIVE SESSION

RESOLUTION No. 217-2019 Motion by Supervisor Barton, seconded by Councilperson Comardo to enter into Executive Session to discuss a pending legal matter. There will be no business conducted after the Executive Session.

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

Entered into Executive Session at 8:10 p.m.

EXIT OUT OF EXECUTIVE SESSION

RESOLUTION No. 218-2019 Motion by Councilperson Comardo, seconded by Councilperson Keller to exit out of Executive Session and enter back into Regular Session at 9:12 p.m.

Motion carried: Aye 5 (Barton, Comardo, Roose, Keller, Judd) Nay 0

There was no further business before the Town Board, Councilperson Keller made a motion to adjourn the meeting at 9:13 p.m., seconded by Councilperson Comardo and all were in favor.

Respectfully submitted,



Carrie Fracassi
Parma Town Clerk