

Parma Town Board meeting held on Tuesday, January 2, 2007 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

Supervisor	Richard Lemcke
Councilman	Kenneth Blackburn
Councilman	Joseph Reinschmidt
Councilman	Carm Carmestro
Councilman	James Smith
Highway Supt.	Brian Speer
Building Inspector	Jack Barton
Recreation Director	Steve Fowler

OTHERS IN ATTENDANCE

Laurie Matthews, Michael Weldon, Stan Hoy, James Kesselring and other members of the public.

CALL TO ORDER

Supervisor Lemcke called the meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Supervisor Lemcke noted emergency exit procedures and that the business meeting would be held first.

PUBLIC FORUM

Supervisor Lemcke asked if anyone present would like to address the Town Board on any topic not on the agenda. There was no response.

MINUTES – DECEMBER 19, 2006

RESOLUTION NO. 1-2007 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve the Minutes of the December 19, 2006 meeting.

Motion carried: Aye 5 Nay 0

TOWN CLERK'S REPORT

The Town Clerk reported that she had spoken to Stuart Brown and determined that the window was too short to realistically meet the February 1, 2007 deadline to apply for a NYS Archives grant. The 2007 Town and County tax bills have been mailed and collection has started. A summary was provided of VFW rental revenue and number of rentals. Town Clerk reports for the year and December have been run but have not been finished they will be provided at the next meeting.

HIGHWAY DEPARTMENT REPORT

Supt. Speer submitted the Annual Agreement for Expenditure of Highway Moneys for 2007. Work will be done on rebuilding Spencer Road, which may take up to three years to complete, not to exceed \$35,000. General repairs to 20.23 miles of town highways in the amount of \$28,500 are also included in the agreement.

AGREEMENT FOR EXPENDITURE OF HIGHWAY MONEYS

RESOLUTION NO. 2-2007 Motion by Councilman Smith, seconded by Councilman Blackburn, to approve the Agreement of the Expenditure of Highway Moneys for General Repairs in the amount of \$28,500 and Permanent Improvements to Spencer Road not to exceed \$35,000 for 2007.

Motion carried: Aye 5 Nay 0

Supt Speer informed the Town Board that we will be obligated to take 70 % of the salt ordered under the terms of the contract. He expressed concern for where they will store salt as the winter progresses. Due to the mild weather conditions, they have not used a significant amount and will have to store the excess. Alternative storage options were discussed.

PARKS DEPARTMENT

The Park Foreman was not in attendance for a report.

INFORMATIONAL ITEMS

**LIGHTHOUSE BEACH SUBDIVISION - LAKE SIDE BOULEVARD
PATHWAYS**

Supervisor Lemcke read the letter summarizing the findings of Lacey Katzen regarding the pathways along Lake Side Boulevard. Based on their findings, it is their belief that the Town is not the owner of any of the pathways. A copy is added at the end of the minutes.

Mr. Kesselring wanted clarification that the Town does not own the property and the sign that is currently posted should be taken down because the Town does not have jurisdiction. Supervisor Lemcke indicated that if the signs related to parking they would remain otherwise they would come down.

There are three alternatives. The Town could appeal to get eminent domain or if any property owner has a deed that says they have rights to the pathway, the pathways would revert back and would be for everyone. The last alternative would be for the adjacent property owners to assume ownership through legal action.

The Town will not be taking any action regarding the pathways unless it is found that one title references use of the pathways. Then the Town could potentially become involved again because there is public access involved.

There was discussion about the difference from the subdivision map of 1921 and the maps of 1943 which show the dedication of the roads.

Laurie Matthews wanted to know the Town's position and what recourse she might have during the interim. Supervisor Lemcke responded that the signs will be removed if their purpose is not for parking and if actions are disruptive to your way of life you could consider contacting the Monroe County Sheriffs or consult an attorney.

RECREATION DEPARTMENT REPORT

Mr. Fowler reported that Laurie Shoemaker, a SUNY Brockport student, will start an internship January 22, 2007 with the Recreation Department. It will run through April of 2007.

Laurie Fillion has been hired as a part time Administrative Assistant starting January 29, 2007. She will replace Barb Conklin who is retiring after twenty years of service with the Town.

The Hilton-Parma Recreation and Parks Commission adopted the departments Comprehensive Plan for 2007 through 2011 and would like the Town Board's approval at tonight's Organizational meeting. This will be discussed at the January 16, 2007 meeting.

The Recreation department will be completing and submitting a self-assessment packet for the Commission for Accreditation of Parks and Recreation Agencies by the end of January.

Discussion regarding the Community and Health Center covered adding a facility, the steps that have occurred so far and what the next step in the process should be. The Commission is looking for \$10,000 to fund the initial hiring of an architectural firm to design an appropriate Community and Health facility to the specifications within the developed budget as well as make a determination if the existing Community Center should be renovated or a new facility built at an alternate location.

The Village board has approved \$5,000 for this purpose; however, the funds are not budgeted for this year. They would be available after June 1, 2007. The Commission is asking that the Town Board front the village portion out of the Recreation Fund so that work can be started. Town Board members expressed the need for more information and discussion before proceeding. The issue was tabled for later discussion.

BUILDING DEPARTMENT REPORT

Jack Barton reported that he is still working with the software company for new software for the building department. A final proposal is expected soon.

Mark Woods accepted the Fire Marshall position and then declined after he was informed of a promotion he is receiving in his current position. The promotion would not allow him daytime availability for the Fire Marshall position. There was discussion of what options should be pursued. The position will be posted again and in the interim duties will continue to be split by Mr. Barton and Mr. Prince.

Mr. Barton informed the Town Board that he will be on vacation starting Thursday and will return Tuesday, January 16, 2007.

MISCELLANEOUS

OPEN SPACE COMMITTEE

Supervisor Lemcke provided Town Board members with a draft for creating an Open Space Committee. The purpose of the committee would be to identify property throughout the Town which meets qualifications to be established for development protection. It was proposed that this be a two phase process.

The first phase would be to select a committee that would consist of a Chairperson, a Community Representative and one member each from the Planning, Conservation and Zoning Boards. Their function would be to identify and categorized property with respect to prioritizing what would require development protection. Scott Copey was suggested as Chairperson and Marilyn DeMeyer as the Community Representative. Mr. Copey has already provided the Town Board with a presentation and has experience in this area. It was noted that Mrs. DeMeyer had attended a training seminar on this topic and has taken the initiative to make herself knowledgeable on the subject. Planning,

Conservation and Zoning Board representatives would be selected by members of the respective Boards.

During Phase II the committee would consist of a Chairperson, several Community Representatives and a Town Board Member. Representatives from the Planning, Conservation and Zoning Boards would not be a part of this phase. Phase II would focus on the decision side of what should be done. It was noted that Elaine Begy was approached and would be available for any recordkeeping requirements. It was determined that the committee would be set up as part of the organizational meeting.

YOUTH DEVELOPMENT SERVICES PROVIDER AGREEMENT

Supervisor Lemcke reported that he has yet to receive the final review of the agreement.

ANNEXATION - 610 BURRITT ROAD

Supervisor Lemcke reminded everyone of the Public Hearing January 9, 2007 at 7:00 p.m. at the Town Hall.

LIAISON REPORTS

**Councilman Smith reported that he will be scheduling a methodology meeting with the Town Clerks office and the Recreation and Parks Departments for implementation of Town Park field and pavilion usage.

He noted that the Hilton Heat Soccer Club and the Hilton Raiders Football Club have been faithful in fulfilling their obligations as it pertains to field upkeep. There has been a significant increase in field usage by baseball leagues and a similar contribution should be considered.

The Boy Scouts have contacted the Parks department requesting use of the concession stand during the Klondike Derby in January. Discussion followed. It was determined that the warming hut would be more appropriate.

The Special Police logged 700 plus hours in service to the community. This was approximately a 40% increase. It was noted that requests for their services increased during the past year. A breakdown will be provided.

**Councilman Carmestro had no report.

**Councilman Reinschmidt had no report.

**Councilman Blackburn had no report.

ORGANIZATIONAL MEETING

Supervisor Lemcke switched over to the Organizational Meeting portion of the meeting at 8:14 p.m.

MILEAGE AGREEMENT FOR REIMBURSEMENT TO EMPLOYEES WHO USE PERSONAL VEHICLES FOR OFFICIAL TOWN OF PARMA BUSINESS FOR 2007

RESOLUTION NO. 3-2007 Motion by Councilman Reinschmidt, seconded by Councilman Blackburn, to approve the amount of \$.405 per mile to be paid to employees who use their personal vehicles for official Town of Parma business.

Motion carried: Aye 5 Nay 0

OFFICIAL DEPOSITORIES OF THE TOWN OF PARMA

RESOLUTION NO. 4-2007 Motion by Councilman Smith, seconded by Councilman Carmestro, to approve M&T Bank and HSBC Bank as the official depositories for the Town of Parma for 2007.

Motion carried: Aye 5 Nay 0

OFFICIAL NEWSPAPER OF THE TOWN OF PARMA

RESOLUTION NO. 5-2007 Motion by Councilman Blackburn, seconded by Councilman Smith, to designate the Suburban News as the official newspaper for the Town of Parma for 2007.

Motion carried: Aye 5 Nay 0

OFFICIAL MEETING DATES FOR THE RECREATION COMMISSION - 2007

The following dates for the Recreation Commission meetings were submitted. The Commission normally meets on the 4th Wednesday of each month. Meetings start at 7:15 p.m. and are held at the Village Community Center.

RESOLUTION NO. 6-2007 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve the 2007 meeting dates for the Recreation Commission as follows:

January 22, 2007 (4 th Monday)	July 18, 2007 (3 rd Wednesday)
February 28, 2007	September 26, 2007
March 28, 2007	October 24, 2007
April 25, 2007	November 28, 2007
May 23, 2007	December 19, 2007 (3 rd Wednesday)
June 27, 2007	

Motion carried: Aye 5 Nay 0

TOWN BOARD MEETING DATES -2007

RESOLUTION NO. 7-2007 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve the 2007 meeting dates for the Parma Town Board as follows:

January 2, 2007	July 3, 2007
January 16, 2007	July 17, 2007
February 6, 2007	August 7, 2007
February 20, 2007	August 21, 2007
March 6, 2007	September 4, 2007
March 20, 2007	September 18, 2007
April 3, 2007	October 2, 2007
April 17, 2007	October 16, 2007
May 1, 2007	November 7, 2007 (Wednesday)
May 15, 2007	November 20, 2007
June 5, 2007	December 4, 2007
June 19, 2007	December 18, 2007
	December 28, 2007 (Year-End Bill Paying Session)

Meeting time will be 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road.

Motion carried: Aye 5 Nay 0

PLANNING BOARD MEETING DATES – 2007

RESOLUTION NO. 8-2007 Motion by Councilman Smith, seconded by Councilman Blackburn, to approve the 2006 meeting dates for the Parma Planning Board as follows:

January 4, 2007	July 16, 2007
January 15, 2007 (Martin Luther King Day)	August 2, 2007
February 1, 2007	August 20, 2007
February 19, 2007 (Presidents Day)	September 6, 2007
March 1, 2007	September 17, 2007
March 19, 2007	October 4, 2007
April 5, 2007	October 15, 2007
April 16, 2007	November 1, 2007
May 3, 2007	November 19, 2007
May 21, 2007	December 6, 2007
June 7, 2007	December 17, 2007
June 18, 2007	January 3, 2008
July 5, 2007	

Meeting time will be 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road.

Motion carried: Aye 5 Nay 0

ZONING BOARD OF APPEALS MEETING DATES – 2007

RESOLUTION NO. 9-2007 Motion by Councilman Reinschmidt, seconded by Councilman Carmestro, to approve the 2007 meeting dates for the Parma Zoning Board of Appeals as follows:

January 18, 2007	July 19, 2007
February 15, 2007	August 16, 2007
March 15, 2007	September 20, 2007
April 26, 2007	October 18, 2007
May 17, 2007	November 15, 2007
June 21, 2007	December 20, 2007
	January 17, 2008

Meeting time will be 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road.

Motion carried: Aye 5 Nay 0

CONSERVATION BOARD MEETING DATES – 2007

RESOLUTION NO. 10-2007 Motion by Councilman Carmestro, seconded by Councilman Smith, to approve the 2007 meeting dates for the Parma Conservation Board as follows:

January 2, 2007	July 3, 2007
January 16, 2007	July 17, 2007
February 6, 2007	August 7, 2007
February 20, 2007	August 21, 2007
March 6, 2007	September 4, 2007
March 20, 2007	September 18, 2007
April 3, 2007	October 2, 2007
April 17, 2007	October 16, 2007
May 1, 2007	November 7, 2007 (Wednesday)
May 15, 2007	November 20, 2007
June 5, 2007	December 4, 2007
June 19, 2007	December 18, 2007

Meeting time will be 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road.

Motion carried: Aye 5 Nay 0

TOWN OF PARMA OFFICIAL HOLIDAYS – 2007

RESOLUTION NO.11-2007 Motion by Councilman Smith, seconded by Councilman Blackburn, to approve the Town of Parma 2007 Official Holidays as follows:

Monday, January 1, 2007	New Years Day
Monday, January 15, 2007	Martin Luther King Day
Monday, February 19, 2007	Presidents' Day
Friday, April 6, 2007	Good Friday
Monday, May 28, 2007	Memorial Day
Wednesday, July 4, 2007	Independence Day
Monday, September 3, 2007	Labor Day
Monday, October 8, 2007	Columbus Day
Monday, November 12, 2007	Veterans Day
Thursday, November 22, 2007	Thanksgiving Day
Friday, November 23, 2007	Thanksgiving Holiday
Tuesday, December 25, 2007	Christmas Holiday

Motion carried: Aye 4 Nay 1 Supervisor Lemcke voting Nay

2007 STAFF APPOINTMENTS

The following are the Supervisor's appointments:

Director of Finance	Mary Gavigan
Bookkeeper	Marian Aprilano
Historian	Thomas Burger
Deputy Supervisor	Joseph Reinschmidt

RECEIVER OF TAXES AND REGISTRAR APPOINTMENTS

RESOLUTION NO. 12-2007 Motion by Councilman Smith, seconded by Councilman Blackburn, to appoint Donna Curry Receiver of Taxes and Registrar for 2007.

Motion carried: Aye 5 Nay 0

BOARDS AND COMMISSIONS APPOINTMENTS

RESOLUTION NO.13-2007 Motion by Councilman Reinschmidt, seconded by Councilman Carmestro, to approve the appointments to the Town of Parma Boards and Commissions as they have been presented for 2007:

PLANNING BOARD

Tim Harner	Term Jan 1, 2007 to Dec 31, 2011
Maureen Werner, Sec.	Term Jan 1, 2007 to Dec 31, 2007

ZONING BOARD OF APPEALS

Patrick Buskey	Term Jan 1, 2007 to Dec 31, 2011
Mark Kalen, Alternate	Term Jan 1, 2007 to Dec 31, 2007
Diane Grundon, Sec.	Term Jan 1, 2007 to Dec 31, 2007

CONSERVATION BOARD

Michael Reinschmidt	Term Jan 1, 2007 to Dec 31, 2008
Michael White	Term Jan 1, 2007 to Dec 31, 2008
Scott Harter	Term Jan 1, 2007 to Dec 31, 2008
Elaine Begy, Sec.	Term Jan 1, 2007 to Dec 31, 2007
Don Harter	Term Jan 1, 2007 to Dec 31, 2007
Greg Pacelli, Chairperson	Term Jan 1, 2007 to Dec 31, 2007
Michael Ingham	Term Jan 1, 2007 to Dec 31, 2007

LIBRARY BOARD

There were no changes to the Library Board.

ASSESSMENT REVIEW BOARD

Jim Eichas	Term Jan. 1, 2007 to Sept. 30, 2011
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RECREATION COMMISSION

Art Cosgrove	Term Jan. 1, 2007 to Dec. 31, 2010
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OPEN SPACE COMMITTEE

The Town Board agreed to the creation of an Open Space Committee for one year which will meet at a date and time to be determined by the members.

Scott Copey, Chairperson	December 31, 2007
Marilyn DeMeyer, Community Rep.	December 31, 2007
Members yet to be determined	
Planning Board	December 31, 2007
Zoning Board	December 31, 2007
Conservation Board	December 31, 2007
Elaine Begy, Secretary	December 31, 2007

Motion carried: Aye 5 Nay 0

**LIAISON ASSIGNMENTS FOR TOWN DEPARTMENTS, BOARDS
AND COMMISSIONS FOR 2007**

RESOLUTION NO. 14-2007 Motion by Councilman Smith, seconded by Councilman Reinschmidt, to approve the following Liaison Appointments for 2007:

Supervisor Lemcke	Personnel Union North Greece Fire District
Councilman Blackburn	Village of Hilton Senior Citizen Zoning Enforcement Parks Department
Councilman Reinschmidt	Library Special Police Conservation Board Ogden/Spencerport Fire District
Councilman Carmestro	Assessor Planning Board Hilton Fire District

Councilman Smith

Recreation
Zoning Board of Appeals
Dog Control

Motion carried: Aye 5 Nay 0

TOWN OF PARMA INVESTMENT POLICY

RESOLUTION NO. 15-2007 Motion by Councilman Smith, seconded by Councilman Blackburn, to approve the Town of Parma Investment Policy.

Motion carried: Aye 5 Nay 0

*** *See end of Minutes for Investment Policy*

ELECTION EXPENSES FOR 2007

RESOLUTION NO. 16-2007 Motion by Councilman Smith, seconded by Councilman Blackburn, to approve the following for 2007 for Election Inspectors:

Hourly rate of pay	\$10.00
Pay for Training/Testing (one time fee)	\$25.00
Pay for Chairperson (per election)	\$20.00

Motion carried: Aye 5 Nay 0

PETTY CASH APPROVALS

RESOLUTION NO. 17-2007 Motion by Councilman Blackburn, seconded by Councilman Reinschmidt, to approve the following petty cash amounts for the following departments for 2007:

Finance Department	\$100.00
Highway Department	\$100.00
Town Clerk	\$340.00
Library	\$100.00

Motion carried: Aye 5 Nay 0

PROCUREMENT POLICIES AND PROCEDURES FOR THE TOWN OF PARMA

RESOLUTION NO. 18-2007 Motion by Councilman Blackburn, seconded by Councilman Carmestro, to approve the Procurement Policies and Procedures for the Town of Parma for 2006.

Motion carried: Aye 5 Nay 0

*** *See end of Minutes for Procurement Policies*

STATEMENT OF NON-COLLUSION

RESOLUTION NO. 19-2007 Motion by Councilman Blackburn, seconded by Councilman Smith, to approve the Statement of Non-Collusion.

Motion carried: Aye 5 Nay 0

**** See end of Minutes for Statement of Non-Collusion**

TOWN OF PARMA PAVILION RENTAL AND VFW RENTAL FEES FOR 2007

RESOLUTION NO. 20-2007 Motion by Councilman Blackburn, seconded by Councilman Reinschmidt, to approve the following per event rental fees for 2007:

Pavilion rentals	Resident	\$50.00
	Non-resident	\$100.00
VFW rentals	Regular full day	\$200.00 (+ \$100 security deposit)
	4 Hour or less	\$100.00 (+ \$100 security deposit)
	Active VFW member	\$50.00 (+\$100 security deposit)
	Inactive VFW member	\$75.00 (+ \$100 security deposit)

Motion carried: Aye 4 Nay 1 Councilman Carmestro voting Nay

LAST BILL PAYING SESSION

RESOLUTION NO. 21-2007 Motion by Councilman Carmestro, seconded by Councilman Smith, to set the last bill paying session for the last business day of each year.

Motion carried: Aye 5 Nay 0

ATTORNEYS FOR THE TOWN FOR 2007

It has been a number of years since the Town Board has reviewed services provided... Town Board members discussed exploring other attorneys versed in Town Law to see what services are offered and their fees. They would like to accept Lacy Katzen, LLP; Sercu & Sercu, LLP and James Holahan as attorneys for the Town for the current time but obtain requests for proposals. It was suggested that an ad be placed in the Daily Record soliciting proposals.

RESOLUTION NO. 22-2007 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve Lacy Katzen, LLP; Sercu & Sercu, LLP and James Holahan in maintaining their status as the Attorneys for the Town of Parma.

Motion carried: Aye 5 Nay 0

ENGINEERING FIRM FOR THE TOWN OF PARMA FOR 2007

Dissatisfaction was expressed with the current services being provided and the Town Board would like to solicit proposals from other firms for this service. There was discussion regarding how to proceed and it was decided that they would pursue other avenues.

RESOLUTION NO. 23-2007 Motion by Councilman Reinschmidt, seconded by Councilman Blackburn, to name Larsen Engineers as an engineering firm for the Town of Parma for 2007.

Motion carried: Aye 4 Nay 1 Supervisor Lemcke voting Nay

DOG CONTROL KENNEL FOR 2007

RESOLUTION NO. 24-2007 Motion by Councilman Reinschmidt, seconded by Councilman Carmestro, to approve Lollipop Farms as its official kennel for the year 2007.

Motion carried: Aye 5 Nay 0

DOG FINES FOR 2007

RESOLUTION NO. 25-2006 Motion by Councilman Reinschmidt, seconded by Councilman Smith, to approve the dog fines for 2007 as follows:
Penalties for dog ordinances in the Town of Parma for 2006 will be subject to community service and/or a fine of not less than \$250.00 and no more than \$1,000.00 for each offense.

Motion carried: Aye 5 Nay 0

RECREATION MASTER PLAN

The Town Board decided that they would like more time to review and will add to the agenda for the January 16, 2007 Town Board meeting.

ESTABLISHMENT OF HIGHWAY EQUIPMENT RESERVE FUND

Councilman Smith stated that he would like to move that the Town Board establish a reserve fund for the purchase of Highway Equipment with the intent of funding it annually with reserves from other funds. This was tabled and will be discussed at the January 16, 2007 Town Board meeting. The Town Board would like specific information from the Finance Director.

TOWN OF PARMA ACTIVE EMPLOYEE LIST FOR 2006

PROPOSED CHANGES

- Change job title for John Barclay from Laborer to Senior Van Driver. This is an internal change for clarity.
- Remove Jack Barton as Fire Marshall PT.
- Add Elaine Begy as Open Space Committee Secretary with no compensation.
- Remove Richard Blake's name from the employee list.
- Change James Christ job title from Laborer to MEO.
- Add Robert Prince as Fire Marshall PT.
- Change job title for Gary Twentymon from Laborer to Senior Van Driver. This is an internal change for clarity.
- Remove Mark Woods as Fire Marshall -Resigned.
- Remove Paul Zarpentine as Laborer.
- Tom Best, Ed Radke and Al Leone will stand as is but there will be further discussion in Executive Session.

RESOLUTION NO. 26-2007 Motion by Councilman Carmestro, seconded by Councilman Reinschmidt, to approve the Active Employee List for the year 2007 with the noted changes.

Motion carried: Aye 4 Nay 0

Abstained: Supervisor Lemcke

EXECUTIVE SESSION

RESOLUTION NO. 27-2007 Motion by Supervisor Lemcke, seconded by

Councilman Blackburn, to close the regular session at 9:16 p.m. and enter into Executive Session to discuss individual personnel.

Motion carried: Aye 5 Nay 0

RESOLUTION NO. 28-2007 Motion by Councilman Smith, seconded by Councilman Reinschmidt, to close the Executive Session at 10:00 p.m. and return to the regular meeting.

Motion carried: Aye 5 Nay 0

PROCEED WITH THE REMAINING ACTIVE EMPLOYEE LIST FOR THE TOWN OF PARMA

RESOLUTION NO.29-2007 Motion by Supervisor Lemcke, seconded by Councilman Carmestro, to proceed with approval of the remaining active Active Employee List with the exception of Ed Radke and Tom Best who will remain in their current positions at current rates of pay pending a decision on clarification of titles.

Motion carried: Aye 4 Nay 0 Abstained: Councilman Blackburn

There being no further business before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 10:08 p.m., seconded by Councilman Smith.

Respectively submitted,

Donna K. Curry
Parma Town Clerk

TOWN OF PARMA INVESTMENT POLICY

A. Investment Policy

The objectives of the Investment Policy of the Town of Parma are to minimize risk; to insure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. The Town Board would like to maximize interest income on all funds not immediately needed for payment of obligations. Investments of excess funds shall be governed by the regulations contained in the Town Law, General Municipal Law and Local Finance Law. The priorities for investment of funds shall be:

1. Safety
2. Liquidity
3. Yield

B. Delegation of Authority for Investing Town Money

The Town Board delegates the authority to make the day-to-day investments decisions within the guidelines and limitations of this policy to the:

1. Town Supervisor, as Chief Fiscal Officer
2. Director of Finance

C. Investment Regulations

- 1.0 Authorized Commercial Banks

The Town Board authorizes the use of commercial banks or trust companies (not savings banks or associations) located and licensed to do business in New York State. The use of private brokerage or investment firms is not authorized by this policy. (General Municipal Law 11, Local Finance Law 165.00 (b))

2.0 Authorized Investments Instruments

Types of accounts –

- 1.1 Savings Accounts
- 2.1 Money Market Deposit Accounts
- 2.2 Super N.O.W. Accounts
- 2.3 7 To 31 Day Accounts
- 2.4 Certificate of Deposits
- 2.5 Investments of Obligations – U.S. Treasury Bonds, Bills, Notes
Generally, obligations of the United States and of the State of New York is permissible investments.
- 2.6 Repurchase Agreements – A repurchase agreement is a transaction in which a local governmental unit purchases from a trading partner authorized securities. Simultaneously, the unit agrees to re-sell and the trading partner agrees to repurchase the security at a future date. Prices and dates for the sale and resale are agreed upon at the time of the initial purchase by the local government. The security purchase under a repurchase agreement should only be federal securities.

C. Investment Security

The primary objective of this policy is to enhance the safety and availability of any Town funds invested. Regulations of the Federal Deposit Insurance Corporation state that each official custodian of funds of any country, municipality or political subdivision depositing such funds in an insured bank located in the same state shall be insured up to \$100,000 for the time and savings accounts per bank and up to \$100,000 for demand deposits per bank. (12 Code Federal Regulations Section 330.8)

For amounts in excess of F.D.I.C. coverage, a pledge of obligations as collateral is required to secure the investments. The obligations that may be pledged are:

1. Obligations of the United States
2. Obligations of agencies of the United States if the payment of principal and interest is guaranteed by the Federal Government
3. Obligations of New York State
4. Obligations of any municipality, school district or district corporation in the State
5. Obligations of public authority (Public Authorities Law, various sections) and obligations of public housing authority (Public Housing Law S49)

The officer in charge should determine on a regular basis whether:

- the transaction are recorded on the books of the custodial bank
- the proper obligations have been pledged and whenever possible such obligations should be delivered to a bank or trust company other than the institution with which the investment is made.
- the obligations have an adequate market value to cover the deposits/investments
- the obligations have been segregated either physically or by appropriate book entry
- the fiscal officer's written consent is required for the release and substitution of the pledged obligations

D. Transfer Funds

The Town Board authorizes the designated officials the authority to use electronic transfer of funds, among the approved banking institutions to assist in the movement of monies. Each such transfer shall be specifically identified in the original journal entry as a “transfer of funds” and subsequently supported by the bank confirmation notice to provide an audit trail.

E. Written Reports

All investments shall be documented in written reports to the Town Board outlining the details of each investment and bids received thereon. Monthly reporting of investments should be made to the Town Board.

F. Bonding Policy

All Town employees who are involved with the transaction of Town funds are bonded through the Town’s insurance program. This program should be reviewed and updated annually.

PROCUREMENT POLICIES AND PROCEDURES FOR THE TOWN OF PARMA

This document sets forth the policies and procedures of The Town of Parma to meet the requirements of General Municipal Law, Section 104-b.

Purpose

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the Parma Town Board is adopting internal policies and procedures governing all procurements of goods and services which are not required to be pursuant to the competitive bidding requirements of the General Municipal Law, Section 103 or of any other general, special or local law.

Procedures for Determining Whether Procurements are Subject to Bidding

The procedures for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

Formal Bids – Purchases over \$10,000 and \$20,000 for Public Works

General Municipal Law 103 provides that all purchase contracts involving expenditures in excess of \$10,000 and all contracts for public work involving expenditures in excess of \$20,000 be awarded through the competitive bidding process for political subdivisions. Although not defined in General Municipal Law 103, the Office of the State Comptroller has expressed the opinion that the term “purchase” applies to the procurement of commodities, while the term “contract for public work” encompasses contracts for services, labor or construction. In determining the necessity for competitive bidding, the cumulative amount to be expended for an item or commodity in a fiscal year must be considered.

Formal Bid Procedures:

- A. The Department Head must receive approval from the Town Board for the bid process to start.
- B. Formal bids are processed and published by the Town Clerk’s office with direct assistance from the using departments in the preparation of technical specifications, plans and drawings where required.

- C. Formal bids will be received and opened publicly at the specified date, time and place set forth in the bid documents.
- D. All bids received will be tabulated and given to the using department. The using department will prepare a report for the Town Board containing their recommendations for the award to the lowest and best responsible bidder meeting the Town's specifications. A resolution is passed at the next Town Board meeting.
- E. The Town Clerk is responsible for securing and filing all bids, legal notices, and resolutions. Every transaction should fall within the provisions of applicable law and regulations and should be completely documented for subsequent bid inspection by Town auditors, federal and state agencies, the bidders or any interested citizens.

Non-Bid Procurements (see chart at end)

Purchases under \$10,000 are subject to approvals specified on the chart at the end of the policy. Each Department Head is responsible for compliance with the purchasing procedures adopted in this policy. The procedure for standard purchasing is as follows:

- A. The Department Head determines whether the purchase is a bid or non bid purchase.
- B. The Department Head receives the correct number of quotes or approvals for the dollar amount of the purchase. Every attempt should be made to purchase locally providing the costs are competitive. The documentation for the two verbal quotes should be kept by the department and filed.
- C. Any quotes that will be reviewed by the Town Board should be submitted to the Town Clerk to put in the Town Board minutes and to be filed in the Town Clerk's office.
- D. After approvals, a voucher is created with a copy of the vendor's invoice and signed by the Department Head. This is forwarded to the Finance office.
- E. The appropriate departmental General Ledger account should have sufficient funds available. If not, a budget transfer form should be submitted to the Finance office for approval by the Town Board before the bill is paid.

State Pricing Contracts

The State of New York and other governmental entities establish contracts that are extended to all New York municipalities. A list and details of the contracts can be obtained through the Internet. Such procurements shall be regarded as noncompetitive transactions.

Statutory Exceptions from these Policies and Procedures

Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances.

- A. Through county contracts – General Municipal Law 103(3)
- B. Through state contracts – General Municipal Law 104
- C. Through agencies for the blind or severely handicapped – State Finance Law Section 175-b
- D. Through articles manufactured in correctional institutions – Correction Law Section 186
- E. Sole source situation
- F. Personal service contracts – accountants, engineer, architect or attorney
- G. Emergency purchases

Adequate Documentation

A good faith effort shall be made to obtain the required number of written (3) or verbal (2) quotes. All written quotes are to be filed with the Town Clerk. Verbal quotes are the responsibility of the Department Head to keep adequate records.

Awards to Other Than the Lowest Bidder

The lowest proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the lowest bidder.

Items Excepted From Policies and Procedures By The Board

The Parma Town Board will decide whether to solicit bids or quotes for professional services based on their needs at the time and whether it is in the best interest of the Town of Parma.

Input from Officers

Comments concerning the policies and procedures shall be solicited from officers of the political subdivision or district therein involved in the procurement process to the enactment of the policies and procedures, and will be solicited from time to time hereafter.

Annual Review

The Parma Town Board shall annually review these policies and procedures. The Parma Town Supervisor shall be responsible for conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

Unintentional Failure to Comply

The unintentional failure to fully comply with the provisions of the General Municipal Law, Section 104-b shall not be grounds to void action taken or give rise to a cause of action against the Town of Parma or any officer or employee thereof.

The Quotation Process

The Town and all departments will adhere to the following table for stimulating competitive pricing for small purchases up to \$10,000.

Standard Purchases

Dollars	Department Head	Supervisor	Town Board	Quotes Required
0 - \$1,999	Yes			
\$2,000 - \$4999	Yes	Yes		2 Written
\$5,000 - \$9,999	Yes	Yes	Yes	3 Written
>\$10,000	Subject to Bid			

* The Highway Superintendent may approve highway purchases between 2,000 – 4,999*

Pre Approved Projects

Dollars	Department Head	Supervisor	Town Board	Quotes Required
0 - \$1,999	Yes			
\$2,000 - \$4999	Yes			2 Written
\$5,000 - \$9,999	Yes	Yes	Yes	3 Written
>\$10,000	Subject to Bid			

STATEMENT OF NON-COLLUSION

By Submission of the Bid of Proposal, the Bidder Certifies that:

1. This bid or proposal has been independently arrived at without collusion with any other competitor or potential competitor;

2. This bid proposal has not been knowingly disclosed and will not be knowingly disclosed prior to the opening of bids or proposals for this project, to any other bidder, competitor, or potential competitor;
3. No attempt has been made to induce any other person, partnership or corporation to submit or not to submit a bid or proposal;
4. The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing in its behalf;
5. That attached hereto (if a corporate bidder) is a certified copy of a resolution authorizing the execution of the certificate by the signatory of this bid or proposal on behalf of the corporate bidder.

Company Name

Address

Signature

Title

Date