

Parma Town Board meeting held on Tuesday, May 4, 2010 at the  
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

### **ATTENDANCE**

Supervisor	Peter McCann
Councilman	Carm Carmestro
Councilman	James Smith
Councilman	Gary Comardo
Councilman	James Roose
Highway Superintendent	Brian Speer
Building Inspector	Jack Barton
Recreation Director	Steve Fowler

### **OTHERS IN ATTENDANCE**

Park Foreman Joe Petricone, Building Inspector Bob Prince, Mike Weldon, Sr., Helen Ives, Gene DeMeyer, Walter Pavlovych, John Chart, Peter Tassey, Allan Rice, Tammy Rice, Charles Lissow, James Kesselring, Joyce Kesselring, Jim Zollweg, Tina Brown, Mike Brown, Tim Carr, Scott Frearson, Larry Speer, Walt Siwicki, and other unidentified members of the public.

### **CALL TO ORDER**

Supervisor McCann called the meeting to order at 6:30 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Supervisor McCann noted emergency exit procedures. It was noted that the meeting is being digitally recorded.

### **PUBLIC FORUM**

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

Liquor License Application - Walter Pavlovich introduced himself to the Town Board and relayed that he and his brother are in the process of purchasing Braemar County Club. They are applying for Ball Park Beer and Restaurant Bar licenses with the New York State Liquor Authority. He would like the Town Board to waive the 30-day notification waiting period. Supervisor McCann noted this matter would be addressed under the Town Clerk report.

Waterfront Residential Zoning - Mr. Tassey inquired where the Town stands with regards to the zoning of water front properties. He felt the zoning code should include a clause allowing sheds on the side and what is now considered the front of the property as there are numerous properties which are non compliant for sheds with the zoning as it currently exists. Jack Barton replied that the Town is working on a host of ordinances including this one. The Town is working with a consultant on the process to establish setback requirements for the lakeside and is proposing a high water mean mark. This is the last of those changes being reviewed

Lakefront Drainage Issue - Mr. Tassey is also concerned about the requirement of new homes to be built at higher elevations. He felt the ramification of this requirement has changed the terrain of the land. The height requirement now causes natural runoff to flow into neighboring yards rather than into the lake. He would like to pave his driveway but felt he cannot because he will have to install a drainage system. He does not feel he should have to pay for a drainage system because a neighbor was required to build his house at a higher elevation. In response, it was clarified that federal FEMA requirements and the Residential Building Code of New York State establish what the minimum elevation can be for a house in a Flood Zone.

Lake Ontario Wind Turbines - Mr. Tassely expressed he would appreciate a quick response to the potential of wind turbines on Lake Ontario and hoped that people would read up on it as he was not in favor.

Address Change - Mr. Kesselring would like to have his address changed from 20 Clearview Avenue to 4 Lighthouse Beach Road. He has been using and receiving mail using 4 Lighthouse Beach Road as his address. This address was identified in a postal audit, which showed 20 Clearview Avenue as his legal address and access to his property is off Clearview Avenue. Mr. Kesselring indicated that 911 would not object to the change. He provided a copy of the notice from the Post Office and correspondence from the 911 center for the Town Board to review. In addition, correspondence from the owners of the lighthouse indicating they would like to see their mailing address remain Lighthouse Beach was also provided. There was further discussion. The Town Board would like input from the Fire Department before addressing a decision at the next board meeting.

### **MINUTES – APRIL 20, 2010**

The Town Clerk noted that the draft has been changed to reflect a correct tax account number of 032.03-2-8 not 9.

**RESOLUTION NO. 99-2010** Motion by Councilman Carmestro, seconded by Councilman Comardo, to accept the Minutes of the April 20, 2010 meeting including the change to the draft for the correct tax account number 032.03-2-8 not 9.

Motion carried: Aye 5 Nay 0

### **CORRECTION TO MARCH 2, 2010 MINUTES**

**RESOLUTION NO. 100-2010** Motion by Councilman Carmestro, seconded by Councilman Comardo, to correct Resolution No. 68-2010 of the March 2, 2010 minutes to change all instances of 032.03-2-9 to 032.03-2-8.

Motion carried: Aye 5 Nay 0

### **TOWN CLERK REPORT**

The Town Clerk and VFW Summary Reports for April have been submitted.

### **PAVILION USAGE – LIGHTHOUSE DISTRICT BOY SCOUTS**

The Lighthouse District Boy Scouts have requested use of the Burritt and Lions Pavilions on Saturday, October 16, 2010 for their annual Monster Bash event.

**RESOLUTION NO. 101-2010** Motion by Councilman Comardo, seconded by Councilman Roose, to waive the fee for use of the Burritt and Lions Pavilions by the Lighthouse District Boy Scouts for their annual Monster Bash event to be held on October 16, 2010.

Motion carried: Aye 5 Nay 0

Dog Licensing Changes - The Town Clerk attended the New York State Town Clerks Annual Conference where the Department of Agriculture and Markets was the lead speaker. Their 2010 budget will no longer provide dog licensing services. New York State law will still require that dogs be licensed. The Town will be affected because it will now be responsible for renewal notices, new owner license tags and replacement license tags. All tags will have to say the Town of Parma on them. Fees that have been going to the State and County will now come back to the local municipality. This is estimated to be \$2,235 in additional revenue. We

currently receive \$7,346 in dog license revenue which goes for Dog Control. The last renewal notices the State will issue will be December of 2010. Starting in January of 2011 the Town will have to send reminders and provide replacement tags. At this time no revenue is allocated to the Clerk's office. The Clerk will be reviewing associated costs to determine if there will be an impact on the 2011 budget and hoped the redirected fees would be earmarked to cover the new costs associated with the change. A summary of current dog license fees in Monroe County indicates we are in line with what other Towns are charging. A local law will be needed and the State is considering providing model wording.

**WAIVER OF 30 DAY WAITING PERIOD FOR NYS LIQUOR LICENSE  
RENEWAL – BRAEMAR COUNTRY CLUB, INC.**

There was extensive discussion on the request to waive the 30 day waiting period. Supervisor McCann indicated he would be abstaining from any vote as he has provided an insurance quote for the business. Mr. Barton reported a fire safety inspection was done last month and a copy of the report has been sent to Mr. Pavlovych. There was nothing in the report that would affect an application for a liquor license. There was discussion on what was suppose to happen during this waiting period and the impact of waiving if the Town Board was to do so.

**RESOLUTION NO. 102-2010**      Motion by Councilman Roose, seconded by Councilman Comardo,

**Whereas,** The Braemar Country Club, Inc., doing business at 4704 Ridge Road West in the Town of Parma intends to file for a New York State Liquor License; and

**Whereas,** pursuant to Alcohol Beverage Control Law §64(2A), an applicant must give the municipality thirty (30) days notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement; now therefore be it

**Resolved,** that the Town Board of the Town of Parma hereby waives the thirty (30) days notice period in regard to Braemar Country Club, Inc. allowing an earlier submission of the liquor license application.

Motion was not carried:

**VOTE OF THE TOWN BOARD**

Supervisor	Peter McCann	Abstain
Councilman	Carmey Carmestro	Nay
Councilman	James Smith	Nay
Councilman	Gary Comardo	Aye
Councilman	James Roose	Aye

**RESOLUTION OF TOWN BOARD OF TOWN OF PARMA  
AUTHORIZING ELECTION INSPECTORS  
FOR SPECIAL TOWN ELECTION ON JUNE 2, 2010**

**RESOLUTION NO. 103-2010**      Motion by Councilman Comardo, seconded by Councilman Carmestro,

WHEREAS, the Town Board previously authorized that a Special Town Election of the qualified electors of the Town of Parma be held on June 2, 2010 at the Parma Town Hall between the hours of 12:00 p.m. and 9:00 p.m.; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the appointment of the following individuals to serve as election inspectors for the Special Election to be held on June 2, 2010 at the Parma Town Hall:

Catherine Almekinder	Marcia Kohler
Charles Eichas	Susan Oakden
Barbara Harnden	Dorothy Shepanski
Gail Kane	Elsie Webster, Chairperson

and be it

FURTHER RESOLVED that these election inspectors will be paid at the rates approved by the Parma Town Board during the Organization Meeting held on January 5, 2010.

Motion carried:

**VOTE OF THE TOWN BOARD**

Supervisor	Peter McCann	Aye
Councilman	Carmey Carmestro	Aye
Councilman	James Smith	Aye
Councilman	Gary Comardo	Aye
Councilman	James Roose	Aye

**BUILDING DEPARTMENT REPORT**

**AUTHORIZE ENGINEER REVIEW AND REPORT – 4 WEST CREEK DRIVE**

Mr. Barton reported a letter has been sent to the owner of the burned dwelling at 4 West Creek Drive on April 7, 2010 which has been left open to the weather and elements for several months. This most recent letter addresses the Town Code regarding Unsafe Buildings; informing them that it is dangerous and unsafe to the public, requesting them to take action immediately and provide an engineering report on or before April 30<sup>th</sup>. The letter also indicated that if there was no response the Town would appoint an engineer to do a survey inspection and report. It was noted no response had been received within the prescribed time.

There was discussion on the process that would occur. Mr. Barton explained the process and would contact the owner of 4 West Creek Drive to inform them that the Town Board has authorized contracting with an engineer unless they respond with their own engineer within two weeks. Next steps were explained, if they do not comply. This included having an inspection, the possibility of a search warrant through Supreme Court to get into the property and providing a copy of the report to the owner. Depending on the outcome of the report, if the structure needs to be demolished the owner would then have 30 days to initiate action and it must be completed within 90 days. If work did not begin within 30 days our attorney would serve them with notice and we could begin the bid process and contract to have it done. Mr. Barton estimates an additional 90 days if the owners have not started within the thirty days. He noted that additional time may be needed if access is denied and search warrants would be needed in order to obtain a court order for the destruction of the property through Supreme Court.

Alan and Tammy Rice were present to find out the status of the burned home and reported an influx of rodents and that cars were still coming to look at the house.

Any costs to the Town associated with this process would be added to the property taxes. It was estimated the total cost would be between \$20,000 to \$25,000 dollars.

**RESOLUTION NO. 104-2010** Motion by Councilman Carmestro, seconded by Councilman Smith, to authorize the Town of Parma to contract with Engineer to inspect and provide a report on the status of 4 West Creek Drive if the current owner has not provided their own engineer's report within two weeks from tonight's meeting.

Motion carried: Aye 5 Nay 0

Mr. Barton reported Building Inspector Bob Prince, Planning Board Chairman Edward Fuierer and Councilman Roose have met with the four applicants who have applied for the Planning Board opening. He expects to have a recommendation for the next Town Board meeting.

The property owner of 952 Parma Center Road was recently in court because of code violations. Some progress has been made as the owner has now agreed to an inspection by the

Town. Mr. Barton thought the court stated the inspection must be completed by the end of the first week in June

Mr. Barton informed the Town Board that there will be a public hearing on the Doug Miller Soccer Complex and Glacier Ridge Snow Tubing proposal this Thursday in front of the Planning Board. SEQR will be reviewed as well as agency comments.

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported crews continue to work on small projects and have started the second pass for the spring brush pickup.

### **AUTHORIZATION TO PURCHASE HIGHWAY EQUIPMENT**

Supt. Speer informed the Town Board of an opportunity to purchase two pickup trucks which were originally for the Thruway Authority and can be purchased off state bid from Fairport Ford. Supt. Speer explained what he would like to do with the trucks and provided the following information:

2-2011 Ford F-350 Cab and Chassis at \$15,508 each (would be \$26,820 if purchased off the lot)

Truck 1 – install a fiberglass utility box utility box  
Box price \$10,540  
Truck total with box \$26,148

Truck 2 – install a stake body with lift tailgate  
Stake body cost \$9,954  
Truck total with stake body \$25,560

There was discussion on how the trucks would be used. They would replace the 1997 and 1998 pickup trucks with 190,000 and 150,000 miles. It was not felt there would be significant auction value.

There was further discussion on the truck used for chipping and we are currently using a Village vehicle as well. Supt. Speer indicated he is looking at an alternative replacement for this truck by putting a different body on an existing truck which would allow them to have the flexibility of an A-frame with a chipper box which would be changed to a salter in the winter. He estimated \$28,000 if this was done. This truck is not part of what is being requested tonight.

**RESOLUTION NO. 105-2010** Motion by Councilman Smith, seconded by Councilman Comardo, to authorize the Highway Superintendent to purchase two 2011 Ford F-350 Cab and Chassis on state contract and make the appropriate modifications not to exceed \$60,000 for both trucks with funds to come from B Surplus.

Motion approved: Aye 5 Nay 0

### **RECREATION DEPARTMENT REPORT**

Mr. Fowler did not have a report.

### **PARKS DEPARTMENT**

Mr. Petricone did not have a report. The Skate Park Rules and drinking fountain issue will be addressed under Business Items.

### **BUSINESS ITEMS**

#### **REZONING FOR 5112 & 5114 RIDGE ROAD WEST**

Mr. Carr was present to request that the tabled application to rezone 5112 and 5114 Ridge Road West be tabled again. Mr. Carr informed the Town Board that he had problems with the engineer he hired in December of 2008 to do the plans. He felt he needed more time. There

was a lengthy discussion on violations that go back eight years. It did not appear that any of the open items have been completed. Mr. Carr was reminded of the legal agreement with the owner of 5114 Ridge Road West for use of that property has not been provided as well. Supervisor McCann made it very clear to Mr. Carr that he will have to take responsibility for correcting these violations and the burden is on him to complete. Mr. Barton clarified that Mr. Carr will need to contract with a new engineer(s) to provide a revised site plan and construction plans for these properties. Mr. Carr was again urged to get the properties into compliance.

**RESOLUTION NO. 106-2010** Motion by Councilman Roose, seconded by Councilman Comardo, to table a decision on the rezoning of 5112 and 5114 Ridge Road West until the July 20, 2010 Town Board Meeting.

Motion approved: Aye 5 Nay 0

### **APPOINTMENT FOR ASSESSMENT BOARD OF REVIEW**

**RESOLUTION NO. 107-2010** Motion by Councilman Smith, seconded by Councilman Comardo, to appoint Eugene DeMeyer to the Assessment Board of Review to fill the term previously held by Anthony Melo effective now through September 30, 2014.

Motion approved: Aye 5 Nay 0

### **SKATE PARK RULES**

A list of skate park rules had been provided and reviewed. Mr. Petricone noted they were compiled based on our current rules and from the Towns of Ogden and Richmond. No profanity will be added to number seven. The following is the list of rules.

This skate park and its equipment are for the use of skateboarders and inline skaters only. All other activities are strictly prohibited. Any individuals not participating in these activities must remain outside the fenced-in skate park.

1. **HELMETS MUST BE WORN AT ALL TIMES**
2. **NO motorized vehicles, scooters or bikes are allowed.**
3. Children under the age of 10 years old must be accompanied by an adult.
4. NO Pets.
5. NO Loitering.
6. NO smoking, drugs, alcohol or profanity.
7. This facility is open from 9:30 a.m. – 10:00 p.m. April 1<sup>st</sup> – October 31<sup>st</sup>.
8. Please respect this park and its equipment as if it were your own. Help keep this park clean and safe for all users.
9. **THE USERS OF THIS FACILITY ASSUME ANY AND ALL RESPONSIBILITY FOR PERSONAL PROPERTY AND PERSONAL INJURY.**

**The Town reserves the right to revoke skate park privileges to individuals who do not obey these rules. In addition, violators may be subject to penalties for town ordinance violations.**

**RESOLUTION NO. 108-2010** Motion by Councilman Carmestro and seconded by Councilman Comardo, to accept and authorize the posting of the Skate Park rules.

Motion carried: Aye 5 Nay 0

### **SHARED SERVICE – STORAGE BUILDING AND SALT STORAGE SHED**

A grant application has been submitted to New York State by the Shared Services Team to fund planning and design costs to build a new storage facility and salt shed. An announcement on

whether the grant will be awarded is expected in the next sixty days. If we do not receive, the Town School and Village Boards need to decide if the project can move forward without grant money. During the recent joint meeting \$30,000 was identified as the amount needed to hire an architect/engineer. There was discussion on committing funds for this purpose. Feedback from the Village Manager indicates that Steve Ayers of the School District will bring this before the School Board and felt a one-third split was fair. Salt usage was calculated and breaks out for a split of 78% for the Town, 12% for the Village and 10% for the School. The Village provided a breakdown for sharing of the storage building based on estimated usage to be 43% by the Town, 43% by the School and 10% by community groups. The Village will be considering a break out of 50% for the Town, 33% for the School, 17% for the Village and the possibility of a contribution or reduction in the land price by the Fire Department. Even though the Village does not expect to use the shared storage space they would contribute as part of their share for the community organizations.

It was noted that these numbers are references for the planning and design stage of the project; it will get the project going as a contingency if the grant is not received and the funding will not be needed if the grant is received.

Village Trustee Speer noted that the Village Board approved a resolution to fund 17% of the estimated \$30,000 cost and will use this as a barometer for the total project.

**RESOLUTION NO. 109-2010** Motion by Councilman Carmestro and seconded by Councilman Comardo, to commit to up to \$15,000 to hire the appropriate architect/engineer should grant funding not be received for planning and design costs to build a new storage facility and salt shed with the remaining portion of the cost to come from the Hilton Central School District and the Village of Hilton.

Motion carried: Aye 5 Nay 0

#### **INTERMUNICIPAL AGREEMENT – FIRE MARSHAL & BUILDING INSPECTOR SERVICES**

There was discussion on the Town providing building and fire inspections for the Village of Hilton when their Fire Marshal/Building Inspector is not available. Mr. Barton, Mr. Prince and Mr. Lissow have reviewed the proposal for implementation on an emergency basis. It was felt the Town would not likely use reciprocating services but consideration for a rate fee charge or a fixed amount per each request. There was discussion on how the rate was established for the agreement with the Town of Ogden and what might be charged back to the Village. It was noted that the Village adopted a resolution to enter into an agreement for this service with the Town.

**RESOLUTION NO. 110-2010** Motion by Councilman Carmestro and seconded by Councilman Roose, that the Parma Town Board is in favor of entering into an Intermunicipal Agreement to provide the Village of Hilton with emergency type building and fire inspections if requested. Said agreement will be prepared by the Village of Hilton's attorney and submitted to the Parma Town Board for approval.

Motion carried: Aye 5 Nay 0

#### **PARK DRINKING FOUNTAIN**

A Town resident has requested a drinking fountain be available for younger children. It was Mr. Petricone provided some background information on the installation of the drinking fountain and indicated it would be very costly to install other kinds of vandalism additional fountain. A box had been provided on more than one occasion but was destroyed or vandalized. A new box has been provided which has been chained and bolted to the building to limit vandalism.

## **INFORMATIONAL ITEMS**

### **VILLAGE RENT BREAKDOWN**

The Town Board received copies of the breakdown of Recreation Department rent at the Community Center for informational purposes and was discussed in depth at the joint meeting. In the future, the Town might try to negotiate a little different rate when it comes time to look at purchasing a new senior vehicle in 2013.

### **MISCELLANEOUS ITEMS**

Smoke Free Parks/Playgrounds – Letter given to the Town Board about Smoke Free Parks and Playgrounds from Smoking & Health Action Coalition of Monroe County. There was discussion and questions were raised about having designated areas in the park for smoking, who would patrol the no smoking rule, and how currently there are no other parks in Monroe County that are smoke free. It was agreed that a representative from American Lung Association could come out and talk to the Board.

Monroe County Points of Distribution Sites (PODS) – The Town Board was informed that our coordinator is no longer in his prior town capacity which potentially leaves our POD with no coordinator in the event of a major environmental, biological or terrorist attack that affects the whole county or town. The High School is our designated spot whereby medications can be dispensed during an emergency. Our sector includes the Town of Parma, Town of Hamlin and part of North Greece. The current coordinator for this is unable to continue in this capacity so they are looking for a coordinator to go to upcoming meetings. Possible choices were discussed, including the previous The Hamlin Supervisor will be contacted to see if he is interested, however if he is not available, Councilman Comardo has offered to be the PODS Coordinator.

Rabies Clinic –Gene DeMeyer inquired when the Parma rabies clinic would be held. The Town Clerk responded that the Dog Control Officer has not determined a date but that it has been held in July in the past.

Annual Household Hazardous Waste Collection – Supt. Speer reported that the Household Hazardous Waste Collection sponsored by Monroe County Department of Environmental Services is scheduled for June 12, 2010 at the Town of Ogden Highway Garage. The Parma Highway Department is taking appointments for Parma residents through June 11, 2010. Ad material has not yet been provided.

### **SPECIAL POLICE**

Scott Frearson Lieutenant with the Parma Special Police read a letter from Chief Tod Endenhofer responding to the correspondence discussed at the joint meeting with the Village of Hilton. Chief Endenhofer was unable to attend tonight's meeting. Lt. Frearson asked that the correspondence be read into the record. *See Schedule A at end of minutes for copies of the read correspondence.*

### **LIAISON REPORTS**

\*\*Councilman Smith reported that he attended the Conservation Board Meeting and they reviewed the Golf Dome. He said the Board seems happy with the progress being made at the Dome and that there are still some minor issues that need to be worked out. He has talked to Art Fritz who stated there have been fifty one complaints so far this year and nineteen remain open.

\*\*Councilman Carmestro reported the Village held a public hearing on the Hovey Street entrance and heard concerns from residents on Parkwood Lane about traffic, speeding and concern for children safety. Make a Difference Day will be October 23, 2010 and he wondered

whether the Town would donate towards this community project again. The Town donated \$500 last year. This will be an agenda item for the next meeting.

\*\*Councilman Comardo attended the Recreation Commission meeting and reported swim programs would be cancelled during the summer months due to pool maintenance. There was also discussion on the University of FIT program, the Community Garage Sale, Kites in the Park, a new van for senior transportation to the Senior Center and the possible need to buy a bigger van next time.

\*\*Councilman Roose reported the interviews for the Planning Board opening went well and there are four candidates who all bring different experience to the table. The decision will be tough but he feels there will be a recommendation by the next board meeting.

There being no further business brought before the Town Board, Councilman Comardo made a motion to adjourn the meeting at 9:15 p.m., seconded by Councilman Roose and all were in favor.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk

#### *Schedule A*

April 13, 2010

Peter McCann  
Parma Town Supervisor  
Parma Town Hall  
Hilton, NY 14468

Dear Supervisor McCann:

I was asked to respond to a letter from the Hilton FD regarding our working relationship with the organization. I thank their Chief for his feedback and willingness to stand up for his department; however, I feel it necessary to offer the factual information surrounding the claims made, as every story has two sides. The letter is mainly based on opinion rather than actual facts. I will attempt to break down each incident individually for a better understanding for all involved. Should it be necessary, I shall also provide the necessary documentation supporting the details of these circumstances.

Incident 1 – A Fire Commissioner hit an Officer while she was directing traffic for the parade, at the corner of Rt 259 & South Ave, after disobeying several orders to stop due to a closed roadway, to allow pedestrians to clear out. Several witnesses to this fact are documented on the incident report. The driver was identified by the vehicle description and license plate information. The Carnival Chairman (Ray Ward) and Committee Member (Tim Yokel) were notified immediately by myself via (phone call and in person.) and they said, “it would be handled.” Unfortunately, it seems Mr. Ward and Mr. Yokel chose not to convey this information to their Chief and/or President of the organization . (Note - see attached copy of email from Ray Ward dated 9/9/09)

Incident 2 – In the aftermath of the tornado during Carnival, we were requested by the HFD Fire Police (Dale) to secure the North driveway and send EVERYONE to the South driveway for access to the Fire Grounds. The Fire Police solely would allow authorized personnel to enter. Two Officers were stationed at the North Driveway to assist with the Fire Police request. They stopped a personal vehicle from entering and directed the vehicle to move to the South Drive as instructed, per Fire Police directive. They later identified the driver as an EMS Captain (Carter), who did not want to go around and was going to enter via the North Drive. The driver attempted to intimidate the officers by lurching his vehicle forward while the Officers were standing in front of the truck.

The Officers were told later by Eric Guest that, “He apologized for these actions as the Fire Department membership was upset over the carnival situation and could have handled the situation better.” Since those officers were not actually struck and were sympathetic to the situation, they declined to write a traffic ticket. The offense occurred between the sidewalk and roadway, it is not HFD property. (See my filed report for full details)

Chief Guest was informed immediately after the 2<sup>nd</sup> incident about both concerns. I followed up with him in August 09 during a conversation at the fire hall. I requested all parties sit down and have a meeting regarding the above noted incidents, he refused saying "They were handled". Since an actual injury occurred to an officer in incident one, I saw no other recourse than to allow the officer that got struck to issue a summons to the operator of the vehicle.

Incident 3 - To my knowledge, at no time did a HFD member get questioned by an Officer of my department regarding identification at the Fire Hall, nor when responding to take a call, unless we are speaking about incident number 2 above. If any member of the HFD or our community feels they have been questioned inappropriately, I would encourage those individual(s) come forward and please identify the officer(s). We take this type of accusation seriously and have set policies and procedures to deal with such matters.

Incident 4 - The FD rescinded use of the key fob giving us access to the Fire Hall, based on the inability of our two organization to "maintain a relationship" after the offending Commissioner received the ticket. (Clearly stated in an email from Ray Ward dated 9/9/09 - see attached copy again. )

My respect for the general membership of the HFD/EMS remains intact, being a former Firefighter and Paramedic. I understand they are volunteers just like us, attempting to contribute to the well being of our community. Leadership involves taking responsibility for your people and their actions (good or bad). While I realize that the above information may not change the opinion or feelings of the FD about the Special Police, that is not of consequence.

I felt compelled to reply to unsubstantiated claims and misleading information. As very visible representatives of the Town, we hold ourselves to the highest of professional standards. We hold the stewardship of public trust in the highest of regards. All situations are handled per policy and procedure, and clearly documented in our reports. Our Town Board Liaison and Town Supervisor are always made aware of any incident.

Again our group would be happy to provide any further supporting documentation and discuss these enclosed matters. It is clear the Hilton Fire Department would rather not work with us. A survey of our membership has shown there is a general and real concern regarding safety, considering the actions a few, that have demonstrated to me a serious disrespect for the law and other volunteer organizations in our town. Thank you for your time and effort.

Respectfully,

Tod Edenhofer  
Chief of Parma Special Police

**Access To Fire Station**

Wednesday, September 9, 2009 9:42 AM

From: "Ray Ward" <rayward@gmail.com>  
To: "Todd Edenhofer" <specialpolice@parmany.org>, "Todd Edenhofer" <edenhofer@yahoo.com>

Hello Todd,

I wanted to call you to speak with you about this, however, I thought I might be a little more clear in an email.

We, the fire commissioners, have removed access from you FOB that was given to you a couple of months ago to allow you to access the fire station to store you bikes. I realize that the bikes are not currently stored there, but I still need to get the FOB back from you.

- The rationale for our decision has to do with the appearance ticket that you sent to one of our members, Don Harte, who also happens to be a fire commissioner. You and I had spoken about the incident at the carnival and I had told you I would take care of it. You then approached our chief about this incident and you were once again told we would handle the situation. You then proceeded to send him an appearance ticket, which in my mind means that you are not satisfied with the department's handling of this incident. I am not sure why this is... Since this has created a morale situation within the department, we turned off your FOB. We only have volunteers that handle all of the work at the fire station. I realize that your members are also volunteers and am sure that you can understand that this cannot be tolerated. We need to keep our volunteers content to keep them running on calls.

I hope you understand our decision, if not please feel free to call me, 729-2456, to discuss this situation further.

Thanks,  
Ray Ward



## Hilton Fire Department, Inc.

Fire - Rescue - EMS

120 Old Hojack Lane • Hilton, N.Y. 14468  
Business # (585) 392-8601 • Fax # (585) 392-6279

Pete McCann  
Town Supervisor  
Parma Town Hall  
Hilton, NY 14468

Dear Pete –

I was asked to send a letter to explain our workings with the Parma Special Police. Due to problems that we have had with the Parma Special Police in the last year, at this point we do not want to work with them unless a change in leadership occurs.

The problems that occurred in the last year are:

- One of our members was accused of hitting a Special Police on our property during carnival. Nothing was said to our carnival committee, Chief or President. No one was aware of this "situation" until our member received a ticket in the mail and was told he needed to report to court to answer the charges.
- Other members of the department were prevented from entering our carnival grounds Saturday night after we shut the field down to the public. After the rain and tornado, our field was flooded and we were forced to shut the carnival down. At this time we needed our own people to help the clean up process begin. The special police would not let any of our people (who were clearly identified as members) onto the field.
- When we first opened our building we decided to let the Special Police park their bicycles in our fire hall. Our members started to get questioned in our parking lot when they came down to go on a call and were asked to show identification. After this, they were told they needed to remove their bikes from the fire hall.

For the above reasons, we will not be working with the Parma Special Police until their current leader is replaced. If you have any question, please call me anytime at the fire hall, 392-8601.

Sincerely,

Eric Guest, Chief