

Parma Town Board meeting held on Tuesday, January 4, 2011 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
Highway Supt.	Brian Speer
Building Inspector	Jack Barton
Recreation Director	Steve Fowler
Absent	Councilman James Roose

### OTHERS IN ATTENDANCE

Park Foreman Joe Petricone, Jim Zollweg, Tina Brown, Helen Ives, Charlie Lissow, Tom Bertrand, Walt Horylev, Larry Speer, Jeff Clark, Matt Fiske, Cab DeRoo, Garrett Hartle, Tom and Julia Paethe Jackie Hartle, Jacob Kryk, Nathan Smarcz, Timothy Gardner, Jr. and other members of the public.

### CALL TO ORDER

Supervisor McCann called the meeting to order at 6:57 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. The meeting was late beginning due to the board room having to be used by court.

### ORGANIZATIONAL MEETING

Supervisor McCann noted the meeting was properly noticed and the legal was read.

### MILEAGE AGREEMENT FOR REIMBURSEMENT TO EMPLOYEES WHO USE PERSONAL VEHICLES FOR OFFICIAL TOWN OF PARMA BUSINESS FOR 2011

**RESOLUTION NO. 1-2011** Motion by Councilman Carmestro, seconded by Councilman Comardo, to approve the amount of \$.50 per mile to be paid to employees who use their personal vehicles for official Town of Parma business.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

### 2011 SUPERVISOR'S APPOINTMENTS

Supervisor McCann informed the Town Board of the following appointments for 2011.

Deputy Supervisor	Carm Carmestro
Director of Finance	Mary Gavigan
Bookkeeper	Marian Aprilano
Historian PT	Thomas Burger
Historian PT	Don Stilson

### APPOINTMENTS - RECEIVER OF TAXES, REGISTRAR AND RECORDS MANAGEMENT OFFICER

**RESOLUTION NO. 2-2011** Motion by Councilman Comardo, seconded by Councilman Carmestro, to appoint Donna Curry Receiver of Taxes, Registrar and Records Management Officer for 2011.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

**TOWN CLERK APPOINTMENTS FOR 2011**

Town Clerk Curry informed the Town Board of the following appointments for 2011.  
First Deputy Town Clerk and Receiver of Taxes      Carrie Webster  
Second Deputy Town Clerk                                      Kerri Scoccia

**APPROVAL OF BLANKET OFFICIAL UNDERTAKING**

**RESOLUTION NO. 3-2010**              Motion by Councilman Smith, seconded by Councilman Carmestro, to acknowledge as sufficient per Public Officers Law Section 11(2), the blanket undertaking covering Town Officers, Clerks and employees as set forth below:

- |  |  |
|--|--|
| 1. Town Supervisor, Town Clerk/Receiver of Taxes,<br>Director of Finance and Assistant Director of Finance | \$500,000 Limit                        |
| 2. Employees including Clerks, Court Clerk, Town<br>Officers and employees not prescribed above)           | \$100,000 Limit<br>\$ 1,000 Deductible |

Motion carried: Aye 5 Nay 0

**OFFICIAL DEPOSITORIES OF THE TOWN OF PARMA**

**RESOLUTION NO. 4-2011**              Motion by Councilman Carmestro, seconded by Councilman Comardo, to approve M&T Bank, HSBC Bank and First Niagara Bank as the official depositories for the Town of Parma for 2011.

Motion carried: Aye 4 Nay 0                      Absent Councilman Roose

**OFFICIAL NEWSPAPERS OF THE TOWN OF PARMA**

**RESOLUTION NO. 5-2011**              Motion by Councilman Smith, seconded by Councilman Comardo, to designate the Suburban News North and South Editions as the official newspaper for the Town of Parma for 2011. Should there be a need, or if a deadline is missed with the Suburban News the secondary newspaper to be used will be the Rochester Democrat & Chronicle.

Motion carried: Aye 4 Nay 0                      Absent Councilman Roose

**OFFICIAL MEETING DATES FOR THE RECREATION COMMISSION - 2011**

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

January 26, 2011	July 20, 2011 ( 3 <sup>rd</sup> Wednesday)
February 23, 2011	No August Meeting
March 23, 2011	September 28, 2011
April 27, 2011	October 26, 2011
May 25, 2011	November 16, 2011 (3 <sup>rd</sup> Wednesday)
June 22, 2011	December 14, 2011 (2 <sup>nd</sup> Wednesday)

**ESTABLISH BOARD MEETING DATES AND TIMES – 2011**

**RESOLUTION NO. 6-2011**              Motion by Councilman Comardo, seconded by Councilman Carmestro, to approve the 2011 meeting dates times for the Parma Town Board, Planning Board, Zoning Board of Appeals and the Conservation Board as follows:

**TOWN BOARD MEETING DATES AND TIME -2011**

The Parma Town Board will meet at 6:30 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road on the first and third Tuesday unless otherwise noted.

January 4, 2011	July 19, 2011
January 18, 2011	August 16, 2011
February 1, 2011	September 6, 2011
February 15, 2011	September 20, 2011
March 1, 2011	October 4, 2011
March 15, 2011	October 18, 2011
April 5, 2011	November 1, 2011
April 19, 2011	November 15, 2011
May 3, 2011	December 6, 2011
May 17, 2011	December 20, 2011
June 21, 2011	December 30, 2011 (Friday) (Last Bill paying session – time to be determined)

**PLANNING BOARD MEETING DATES – 2011**

The Parma Planning Board will meet at 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road on the first Thursday and third Monday unless otherwise noted.

January 6, 2011	July 18, 2011
January 17, 2011 (Martin Luther King Day)	August 4, 2011
February 3, 2011	August 15, 2011
February 21, 2011 (Presidents Day)	September 1, 2011
March 3, 2011	September 19, 2011
March 21, 2011	October 6, 2011
April 7, 2011	October 17, 2011
April 18, 2011	November 3, 2011
May 5, 2011	November 21, 2011
May 16, 2011	December 1, 2011
June 2, 2011	December 19, 2011
June 20, 2011	January 5, 2012
July 7, 2011	

**ZONING BOARD OF APPEALS MEETING DATES – 2011**

The Parma Zoning Board of Appeals will meet at 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road on the third Thursday unless otherwise noted.

January 20, 2011	July 14, 2011
February 17, 2011	August 18, 2011
March 17, 2011	September 15, 2011
April 21, 2011	October 20, 2011
May 19, 2011	November 17, 2011
June 16, 2011	December 15, 2011
	January 19, 2012

**CONSERVATION BOARD MEETING DATES – 2011**

The Parma Conservation Board will meet at 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road on the first and third Tuesdays unless otherwise noted.

January 4, 2011	July 5, 2011
January 18, 2011	July 19, 2011
February 1, 2011	August 2, 2011
February 15, 2011	August 16, 2011
March 1, 2011	September 6, 2011
March 15, 2011	September 20, 2011
April 5, 2011	October 4, 2011
April 19, 2011	October 18, 2011

May 3, 2011  
May 17, 2011  
June 7, 2011  
June 21, 2011

November 1, 2011  
November 15, 2011  
December 6, 2011  
December 20, 2011

Motion carried: Aye 4 Nay 0

Absent Councilman Roose

**STANDARD WORKDAYS ESTABLISHED FOR THE TOWN OF PARMA**

**RESOLUTION NO. 7-2011** Motion by Councilman Carmestro, seconded by Councilman Comardo, to approve the 2011 standard workday as follows:

A 7-hour workday will be established for retirement purposes for the following positions:

Assessment Clerk	Assessor
Assistant Assessor	Building Inspector
Civil Defense Administrator	Clerk to Town Justice
Conservation Board Member	Councilperson
Court Attendant	Deputy Supervisor
Deputy Town Clerk	Deputy Town Clerk/ Receiver of Taxes
Director of Finance	Dog Control Officer
Fire Marshal PT	Food Service PT
Historian PT	Laborer
Library Director	Library Page
Library Trainee	Lifeguard Seasonal
Office Clerk PT	Office Clerk IV
Office Clerk IV-Seasonal	Planning Board Member
Principal Library Clerk	Receiver of Taxes / Assessments
Registrar of Vital Statistics PT	Recreation Assistant
Recreation Director	Assistant Recreation Director
Recreation Leader	Recreation Supervisor (Provisional)
Secretary to Planning Board	Secretary to Zoning Board
Secretary to Supervisor	Senior Citizen Program Specialist
Senior Library Clerk	Student Helper
Supervisor	Town Justice
Town Clerk	Zoning Board Member
Zoning Investigator PT	

Motion carried: Aye 4 Nay 0

Absent Councilman Roose

**RESOLUTION NO. 8-2011** Motion by Councilman Carmestro, seconded by Councilman Comardo, to approve the 2011 standard workday as follows:

An 8 hour workday has been established for retirement purposes for the following positions:

Deputy Superintendent of Highways	Heavy Motor Equipment Operator
Laborer (Highway) (Buildings & Grounds)	Laborer PT (Highway) (Buildings & Grounds)
Maintenance Mechanic III	Motor Equipment Operator
Parks Foreman	Parks Assistant Foreman
Superintendent of Highways	

Motion carried: Aye 4 Nay 0

Absent Councilman Roose

**TOWN OF PARMA OFFICIAL HOLIDAYS – 2011**

**RESOLUTION NO. 9-2011** Motion by Councilman Carmestro, seconded by Councilman Comardo, to approve the Town of Parma 2011 Official Holidays as follows:

Monday, January 17, 2011	Martin Luther King Day
Monday, February 21, 2011	Presidents' Day
Friday, April 22, 2011	Good Friday
Monday, May 30, 2011	Memorial Day
Monday, July 4, 2011	Independence Day
Monday, September 5, 2011	Labor Day
Monday, October 10, 2011	Columbus Day
Friday, November 11, 2011	Veterans Day
Thursday, November 24, 2011	Thanksgiving Day
Friday, November 25, 2011	Thanksgiving Holiday
Friday, December 23, 2011	Christmas Holiday

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

### **BOARD AND COMMISSION APPOINTMENTS**

**RESOLUTION NO. 10-2011** Motion by Councilman Smith, seconded by Councilman Carmestro, to approve the appointments to the Town of Parma Boards and Commissions as they have been presented for 2011.

#### **PLANNING BOARD**

Edward Fuierer	Term Jan 1, 2011 to Dec 31, 2015
Maureen Werner, Sec.	Term Jan 1, 2011 to Dec 31, 2011

#### **ZONING BOARD OF APPEALS**

Veronica Robillard, Chairperson	Term Jan 1, 2011 to Dec 31, 2015
Diane Cook, Sec.	Term Jan 1, 2011 to Dec 31, 2011
Jim Zollweg, Alternate	Term Jan 1, 2011 to Dec 31, 2011

#### **CONSERVATION BOARD**

Michael Reinschmidt	Term Jan. 1, 2011 to Dec. 31, 2011
Michael White	Term Jan. 1, 2011 to Dec. 31, 2011
Scott Harter	Term Jan. 1, 2011 to Dec. 31, 2011
Elaine Begy, Sec.	Term Jan. 1, 2011 to Dec. 31, 2011

#### **LIBRARY BOARD**

Elsie Webster	Term Jan. 1, 2011 to Dec. 31, 2014
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#### **BOARD OF ASSESSMENT REVIEW**

Robert Prince	Term Oct. 1, 2010 to Sept. 30, 2015
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#### **RECREATION COMMISSION**

Arthur Cosgrove	Term Jan. 1, 2011 to Dec. 31, 2014
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#### **FARMLAND AND OPEN SPACE PRESERVATION COMMITTEE**

Supervisor McCann suggested that the Board considered terms for the Farmland and Open Space Committee similar to that of the Conservation Board. It was determined that the term for members of the Farmland and Open Space Committee would be expanded to two year terms with half the members being appointed for two years and the other half for one year this year so that terms will not all expire at the same time going forward.

Scott Copey, Chairperson	December 31, 2012
Marilyn DeMeyer	December 31, 2012
Patrick Buskey	December 31, 2012

Tim Harner	December 31, 2011
Tim Thomas	December 31, 2011
Donald Green	December 31, 2011

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

**LIAISON ASSIGNMENTS FOR TOWN DEPARTMENTS, BOARDS  
AND COMMISSIONS FOR 2011**

The following are the Liaison Assignments for 2011:

Supervisor McCann	Personnel Union Library
Councilman Carmestro	Village of Hilton Hilton Fire Department/District North Greece Fire District
Councilman Smith	Parks Department Conservation Board Zoning Enforcement
Councilman Comardo	Assessor Recreation Planning Board Dog Control
Councilman Roose	Zoning Board Special Police Spencerport Fire District

**TOWN OF PARMA INVESTMENT POLICY**

There were no changes to the Town of Parma Investment Policy.

**RESOLUTION NO. 11-2011** Motion by Councilman Smith, seconded by Councilman Comardo, to approve the Town of Parma Investment Policy with no changes.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

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

**ELECTION EXPENSES FOR 2011**

**RESOLUTION NO. 12-2011** Motion by Councilman Carmestro, seconded by Councilman Comardo, to approve the following for 2011 for Election Inspectors:

Hourly rate of pay	\$10.00
Pay for Review/Training/Testing (one time fee)	\$25.00
Pay for Site chairman (per election/primary)	Amount to be based on Board of Election formula

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

**PETTY CASH APPROVALS**

**RESOLUTION NO. 13-2011** Motion by Councilman Smith, seconded by Councilman Carmestro, to approve the following petty cash amounts for the following departments for 2011:

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

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

**PROCUREMENT POLICIES AND PROCEDURES**

There were no changes to the Procurement Policies and Procedures for the Town of Parma.

**RESOLUTION NO. 14-2011** Motion by Councilman Comardo, seconded by Councilman Smith, to approve the Procurement Policies and Procedures for the Town of Parma for 2011.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

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

**STATEMENT OF NON-COLLUSION**

**RESOLUTION NO. 15-2011** Motion by Councilman Smith, seconded by Councilman Carmestro, to approve the Statement of Non-Collusion.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

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

**TOWN OF PARMA PAVILION RENTAL AND VFW RENTAL FEES FOR 2010**

Councilman Carmestro requested a fee increase for the pavilion rentals and that there be future discussion on VFW rentals.

**RESOLUTION NO. 16-2011** Motion by Councilman Carmestro, seconded by Councilman Smith, to approve the following per event rental fees for 2010:

<b>Pavilion Rentals:</b>	Resident	\$75.00
	Non-resident	\$150.00

<b>VFW Rentals:</b>	Regular-Full Day	\$275.00	+ \$100 Security Deposit
	4 Hours or less	\$175.00	+ \$100 Security Deposit
	Active VFW Member	\$ 75.00	+ \$100 Security Deposit
	Inactive VFW Member	\$100.00	+ \$100 Security Deposit
	Non-profits	\$100.00	+ \$100 Security Deposit

**Cancellation Fee:** \$30.00

**Security Deposits:** All returns of security deposits are subject to approval after an inspection has been made by the Parks Department. The building must be left in the condition received.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

**APPOINTMENT OF SPECIAL PROSECUTOR**

**RESOLUTION NO. 17-2011** Motion by Councilman Comardo, seconded by Councilman Comardo,

**WHEREAS**, the Town Board of the Town of Parma, Monroe County has been advised that in order to properly prosecute certain violations of the Town of Parma Ordinances and Local Laws, it is necessary to obtain the appointment of the Attorneys' for the town as Special Prosecutor; and,

**WHEREAS**, the Town Board desires the Assistant Counsel for the Town, Lara Badain, Esq., be appointed as Special Prosecutor for this purpose; and,

**WHEREAS**, the Town Board desires the Assistant Counsel for the Town, Peter Rodgers, Esq., be appointed as Special Prosecutor for this purpose; and,

**WHEREAS**, the Town Board, once it has so appointed the Attorney for the Town, would ask the District Attorney of the County of Monroe to approve the appointment and take whatever steps are necessary to authorize the Assistant Counsel for the Town to act as Special Prosecutor for these purposes.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Parma hereby appoints Attorneys for the Town Lara Badain, Esq. and Peter Rodgers, Esq. to act as a Special Prosecutor for the purpose of prosecuting any alleged violations of or offenses against the Ordinances, Local Laws and Code of the Town of Parma, in and for the Town of Parma, in the County of Monroe and requests the District Attorney of the County of Monroe to approve the appointment made herein and take whatever steps are necessary to properly authorize Lara Badain, Esq. and Peter Rodgers, Esq. to act as a Special Prosecutor as set forth herein.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

#### **ATTORNEYS FOR THE TOWN FOR 2011**

**RESOLUTION NO. 18-2011** Motion by Councilman Carmestro, seconded by Councilman Smith, to name the official Attorneys for the Town of Parma for the year 2011 as Lacy Katzen, LLP; Sercu & Sercu, LLP; and Holahan of Bond, Schoeneck & King, CLLP and Harter Secrest & Emery, LLP.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

#### **ENGINEERING FIRMS FOR THE TOWN OF PARMA FOR 2011**

**RESOLUTION NO. 19-2011** Motion by Councilman Carmestro, seconded by Councilman Comardo, to name Larsen Engineers and Chatfield Engineers as engineering firms for the Town of Parma for 2011.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

#### **OFFICIAL ELECTRICAL INSPECTION AGENCIES FOR 2011**

**RESOLUTION NO. 20-2011** Motion by Councilman Smith, seconded by Councilman Carmestro, to approve Common Wealth and Middle Department as the official electrical inspection agencies for the Town of Parma for 2011.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

#### **DOG CONTROL COVERAGE FOR 2011**

**RESOLUTION NO. 21-2011** Motion by Councilman Comardo, seconded by Councilman Smith, to use the Parma Special Police to cover for the Dog Control Officer when he is out of town during the 2011 calendar year. The Special Police member providing coverage will be paid a fee of \$25.00 for each call responded to.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

#### **DOG CONTROL KENNEL FOR 2011**

**RESOLUTION NO. 22-2011** Motion by Councilman Carmestro, seconded by

Councilman Smith, to approve Lollipop Farms as its official kennel for the year 2011.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

### **DOG FINES FOR 2011**

**RESOLUTION NO. 23-2011** Motion by Councilman Comardo, seconded by Councilman Smith, to approve the dog fines for 2011 as follows:

Penalties for dog ordinances in the Town of Parma for 2011 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 4 Nay 0 Absent Councilman Roose

### **TOWN OF PARMA ACTIVE EMPLOYEE LIST FOR 2011**

**RESOLUTION NO. 24-2011** Motion by Councilman Smith, seconded by Councilman Carmestro, to approve the Active Employee List for the year 2011.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

Supervisor McCann concluded the Organizational portion of the meeting at 7:30 p.m.

### **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. There was no response.

### **MINUTES – DECEMBER 21, 2010**

A draft of the minutes has been received by the Town Board and due to the lengthy nature the Board will take more time to review before approving at the next Town Board meeting.

### **TOWN CLERK REPORT**

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

The Clerk reported that tax bills have been mailed and collection has begun. Collection has started off briskly.

### **HIGHWAY DEPARTMENT REPORT**

#### **2011 AMENDATORY AGREEMENT – ALL SEASONS COUNTY/TOWN WORK AGREEMENT**

Supt. Speer explained the change in the fringe rate is a reflection of County's actual fringe rate being reduced 5% from last year. The County will be reducing the fringe rate to the municipalities by 2.5%. It was noted the rate went up gradually over time and it was felt its should come down gradually as well. The fringe rate for the Town of Parma will be the maximum agreed rate of 52.19%.

**RESOLUTION NO. 25-2011** Motion by Councilman Comardo, seconded by Councilman Smith, to accept the 2011 Amendatory Agreement for the All Seasons County/Town Work Agreement.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

## **RECREATION DEPARTMENT REPORT**

Mr. Fowler did not have a report.

## **PARKS DEPARTMENT**

Joe Petricone reported the new truck has been delivered, its plow has been installed and finishing work is being completed. Staff has been working on sod repair and painting the bathroom floors in park buildings.

## **BUSINESS ITEMS**

### **REQUEST FOR 2010 TRAINING CREDIT - BROWN**

**RESOLUTION NO. 26-2011** Motion by Councilman Smith, seconded by Councilman Carmestro, to accept training credits obtained by Tina Brown in 2009 to be applied to 2010 training requirements.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

### **FUND HIGHWAY EQUIPMENT RESERVE ACCOUNT**

**RESOLUTION NO. 27-2011** Motion by Councilman Smith, seconded by Councilman Comardo, to fund the Highway Equipment Reserve Fund in the amount of \$150,000; with funds to come from the B Fund.

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

There was additional discussion on starting fund accounts for the preservation of open space, road repairs and culvert improvements, and the septic system at Town Hall and Park. The Board members wished to consult with the Finance Director and there will be further discussion on how best to fund. Supervisor McCann noted he had not heard back from Larsen Engineers regarding the septic system update and he will follow up.

## **BUILDING DEPARTMENT REPORT**

Mr. Barton reported that effective December 28, 2010, New York State has updated their Building Code. He also noted the December Building Department Report has been completed and the numbers are up slightly from last year.

## **MISCELLANEOUS**

### **FUNDING OF EMPLOYEE HEALTH SAVINGS ACCOUNTS**

**RESOLUTION NO. 28-2011** Motion by Supervisor McCann, seconded by Councilman Carmestro, to fund the full year total for employee Health Savings Accounts (HSA).

Motion carried: Aye 4 Nay 0 Absent Councilman Roose

## **CORRESPONDENCE**

Association of Towns Notice of annual meeting, dues and training sessions.

## **LIAISON REPORTS**

There were no reports.

There being no further business before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 8:48 p.m., seconded by Councilman Comardo.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk

### **TOWN OF PARMA INVESTMENT POLICY – Version 1 2004**

#### **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