

Parma Town Board meeting held on Tuesday, January 2, 2013 at the  
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

**ATTENDANCE**

Supervisor	Carmey Carmestro
Councilperson	James Smith
Councilperson	Gary Comardo
Councilperson	James Roose
Councilperson	Tina Brown
Building Inspector	Jack Barton
Recreation Director	Steve Fowler
Absent	Highway Supt. Brian Speer

**OTHERS IN ATTENDANCE**

Recreation Commissioners Dave Tresohlavey and Al Howe, Carol Kluth, Helen Ives, Fritz Gunther, Zach Coleman, Mike Clark, and other members of the public.

**CALL TO ORDER**

Supervisor Carmestro called the meeting to order at 6:35 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Emergency exit procedures were noted.

**PUBLIC FORUM**

Supervisor Carmestro 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 18, 2012**

**RESOLUTION NO. 1-2013** Motion by Councilperson Roose, seconded by Councilperson Brown, to accept the Minutes of the December 18, 2012 meeting.

Motion carried: Aye 5 Nay 0

**TOWN CLERK REPORT**

The Clerk reported that tax bills have been mailed and collection has begun for the 2013 Town and County tax cycle. This year's hours of collection will be Monday, Tuesday, Wednesday and Friday 8:00 am-4:00 pm and on Thursdays 8:00 am-6:00 pm during

January, February and March and until 5:00 pm after that. The office will also be open on Saturday, February 9, 2013 only from 9:00 till noon for the convenience of taxpayers.

Notification has been received from the Association of Towns regarding their Annual meeting notice and training sessions. A list of the training offerings; positions on proposed legislation for the State and Federal level; and forms for designating a voting delegate re included in the packet which has been provided to the Board.

The VFW Summary Report for December has been submitted. The Town Clerk Year-End Report will be ready for the next meeting.

### **HIGHWAY DEPARTMENT REPORT**

Mr. Barton noted at the beginning of the meeting that Supt. Speer had contacted him just prior to the meeting and he was not sure he would be able to get to the meeting due to truck issues.

### **BUILDING DEPARTMENT REPORT**

Mr. Barton provided the Town Board with a draft resolution that would authorize Attorney for the Town, Sercu & Sercu, LLP, to commence an action in Supreme Court for a cease and desist order on the property located at 4618 Ridge Road West. Mr. Barton noted that our Code requires this be authorized by the Town Board.

The following items were discussed. Clarification was requested on what was not in compliance. It was noted that there are not enough bathroom facilities to accommodate the outdoor activities. Currently, they only meet the requirements for 99 people as it was when the structure was built.

The question was raised regarding what was recently approved by the Planning Board. It was explained that the Planning Board approved the first phase of a phased plan. The original plan (tubing hill and six soccer fields) was submitted to the Planning but until it was completed in its entirety the Planning Board could not approve and should not open. The property owner went back to the site Engineer and revised the plan into phases. This has been reviewed by the Planning Board and the first phase (tubing hill and one soccer field) is pretty close to completion. It was noted the Planning Board does not have jurisdiction over the building code and it is the building code that establishes the need for more bathrooms.

There was discussion on problems with the emergency access road. This included bent fire lane signs which have been fixed; however, the placement of the signs is still in question. The access path has been evaluated by their Engineer. Stone was added and it was widened to meet the site plan requirements. The North Greece Fire District had reviewed and questioned whether they could traverse and if the path could handle the load. There was also mention that an off-road vehicle would be provided by the owner but it was not a vehicle that could be used.

The number of bathrooms is the primary violation which needs to be resolved. Councilperson Roose reported that he spoke with the Kris Schultz, the project Engineer at length about the project. The Architect for the project is in the process of drawing up plans for the extra fixtures and believes that they are ready to be submitted. Once approved, work on installing them could begin. Councilperson Roose stated he was at the tubing hill over the weekend and felt this could be considered a peak time since school was out for vacation. He observed there were more adults than kids and went into the bathrooms but no one was in them. He knows the Town needs to require the fixtures and that it is a state requirement. He also acknowledged that the Town has worked hard to get compliance on many issues that were not being met. He applauded Mr. Barton and the Building Department staff for seeing that the project is kept in compliance and does not want anyone to be in jeopardy due to safety violations. In his opinion this is not a safety issue and does not see how we can close down a business for this reason.

There was further discussion on this project having an operating permit. It was noted that the property owner and the Engineer felt they were not informed of the need to have this permit until about 30 days ago. Mr. Barton indicated that it was noted in a Planning Board in September. Councilperson Roose inquired why they were not informed of this permit sooner. Discussion included who is required to have this kind of permit; who is exempt; and whether permits have been issued previously. It was noted that permits have not been issued but that inspections are done annually. The Building Department came before the Town Board on this issue where it was established that they did not want to have permits issued and a fee charged at that time. As a result a paper permit is not issued and a fee has not been charged. The Building Code requirements still needed to be met so annual inspections are done and fire safety inspection requirements must be met.

There was further discussion on the bathroom fixture requirements; the number of people to the number of fixtures required; how this number is arrived at and that portable fixtures could not be used for this purpose. The Building Code stipulates the formula that determines the number of fixtures required. Once plans are submitted they can be reviewed within a couple of days. The problem has been that the plans submitted have not met the code. The plan review has specifically cited the code to be met. There was discussion on telling the Architect what the Building Department is looking for. Mr. Barton stated they are looking for the Code path that was followed as noted on the plan review. It was noted the developer was aware of the requirements last year but chose to work on a different section of the project (soccer fields) instead of completing the tubing portion. This has resulted in the project not being in compliance for that phase. It has been three years of trying to get the project into compliance. Handicap parking spots were also discussed.

Board members expressed that they would not like to have to shut him down and that this is a phenomenal thing to have in our community. There was discussion on granting a grace period. Several options were suggested. The second meeting in February was agreed on. It was felt that seven weeks was a gracious grace period. It was noted that it has been one thing after another; the owner has been defiant which has resulted in frustration and a very unpleasant situation.

Mr. Barton was asked to communicate that February 19th be the drop dead date to be compliant and that this be communicated by our attorney to theirs.

It has come to Mr. Barton's attention that a section of the Town Code pertaining to Operating Permits has an error. After consulting with the Town Clerk it was determined that what was passed; filed with the Department of State; and sent to General Code was correct. What actually was printed in the Code was incorrect. General Code will be asked to correct this.

## **RECREATION DEPARTMENT REPORT**

Mr. Fowler did not have anything specific to report.

## **BUSINESS ITEMS**

### **EMPLOYER CONTRIBUTION TO HSA ACCOUNTS**

Supervisor Carmestro noted that they are looking at funding employee HSA accounts on a quarterly basis for the year.

**RESOLUTION NO. 2-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, to authorized the Finance Director to disburse funds at the beginning of each quarter to fund employee HSA accounts.

Motion carried: Aye 5 Nay 0

## **ORGANIZATIONAL MEETING**

### **MILEAGE AGREEMENT FOR REIMBURSEMENT TO EMPLOYEES WHO USE PERSONAL VEHICLES FOR OFFICIAL TOWN OF PARMA BUSINESS FOR 2013**

**RESOLUTION NO. 3-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, 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 5 Nay 0

## **2013 SUPERVISOR'S APPOINTMENTS**

Supervisor Carmestro informed the Town Board of the following appointments for 2013.

Deputy Supervisor	Jim Smith
Director of Finance	Mary Gavigan
Bookkeeper	Marian Aprilano
Historian PT	Don Stilson
Historian PT	James Stilson

**2013 TOWN BOARD APPOINTMENTS**

The following appointments were made by the Town Board for 2013.

**RESOLUTION NO. 4-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to appoint

Registrar	Donna K. Curry
Tax Receiver	Donna K. Curry
Records Management Officer	Donna K. Curry
Dog Control Officer	Arthur Fritz

Motion carried: Aye 5 Nay 0

**TOWN CLERK APPOINTMENTS FOR 2013**

Town Clerk Curry informed the Town Board of the following appointments for 2013.

Deputy Town Clerk and Receiver of Taxes	Carrie Webster
Deputy Town Clerk	Kerri Scoccia

**APPROVAL OF BLANKET UNDERTAKING**

**RESOLUTION NO. 5-2013** Motion by Councilperson Comardo, seconded by Councilperson Smith, to acknowledge as sufficient, per Public Officers Law Section 11(2), the blanket undertaking covering Town Officer, Clerks and employees as set forth below:

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

Motion carried: Aye 5 Nay 0

**OFFICIAL DEPOSITORIES OF THE TOWN OF PARMA**

**RESOLUTION NO. 6-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, to approve M&T Bank and First Niagara Bank as the official depositories for the Town of Parma for 2013.

Motion carried: Aye 5 Nay 0

**OFFICIAL NEWSPAPERS OF THE TOWN OF PARMA**

**RESOLUTION NO. 7-2013** Motion by Councilperson Roose, seconded by Councilperson Brown, to designate the Suburban News North and South

Editions as the official newspaper for the Town of Parma for 2013.  
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 5 Nay 0

**OFFICIAL MEETING DATES FOR THE RECREATION COMMISSION - 2013**

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 7:00 p.m. and are held at  
the Village Community Center.

January 23, 2013	July 24, 2013
February 20, 2013	No August Meeting
March 27, 2013	September 25, 2013
April 24, 2013	October 23, 2013
May 22, 2013	November 20, 2013
June 26, 2013	December 18, 2013

**TOWN BOARD MEETING DATES AND TIME -2013**

**RESOLUTION NO. 8-2013** Motion by Councilperson Brown, seconded by  
Councilperson Comardo, to approve the 2013 meeting dates for the Parma  
Town Board as follows:

January 2, 2013 (Wednesday)	July 16, 2013
January 15, 2013	August 20, 2013
February 5, 2013	September 3, 2013
February 19, 2013	September 17, 2013
March 5, 2013	October 1, 2013
March 19, 2013	October 15, 2013
April 2, 2013	November 6, 2013 (Wednesday)
April 16, 2013	November 19, 2013
May 7, 2013	December 3, 2013
May 21, 2013	December 17, 2013
June 18, 2013	December 30, 2013 (Monday) (time to be determined)

Meeting time will be 6:30 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners  
Road

Motion carried: Aye 5 Nay 0

**PLANNING BOARD ZONING BOARD OF APPEALS, CONSERVATION  
BOARD MEETING DATES – 2013**

The Board reviewed the dates provided for the Planning Board, Zoning Board of Appeals, and the Conservation Review Board

**PLANNING BOARD MEETING DATES – 2013**

January 3, 2013	July 15, 2013
January 21, 2013 (Martin Luther King Day)	August 1, 2013
February 7, 2013	August 19, 2013
February 18, 2013 (President's Day)	September 5, 2013
March 7, 2013	September 16, 2013
March 18, 2013	October 3, 2013
April 4, 2013	October 21, 2013
April 15, 2013	November 7, 2013
May 2, 2013	November 18, 2013
May 20, 2013	December 5, 2013
June 6, 2013	December 16, 2013
June 17, 2013	January 2, 2014
July 3, 2013 (Wednesday)	

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

**ZONING BOARD OF APPEALS MEETING DATES – 2013**

January 17, 2013	July 18, 2013
February 21, 2013	August 15, 2013
March 21, 2013	September 19, 2013
April 18, 2013	October 17, 2013
May 16, 2013	November 21, 2013
June 20, 2013	December 19, 2013
	January 16, 2014

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

**CONSERVATION BOARD MEETING DATES – 2013**

January 2, 2013 (Wednesday)	July 2, 2013
January 15, 2013	July 16, 2013
February 5, 2013	August 6, 2013
February 19, 2013	August 20, 2013
March 5, 2013	September 3, 2013
March 19, 2013	September 17, 2013
April 2, 2013	October 1, 2013
April 16, 2013	October 15, 2013
May 7, 2013	November 6, 2013 (Wednesday)
May 21, 2013	November 19, 2013
June 4, 2013	December 3, 2013

June 18, 2013

December 17, 2013

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

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

**RESOLUTION NO. 9-2013** Motion by Councilperson Comardo, seconded by Councilperson Smith, to approve the 2013 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 III
Office Clerk IV	Office Clerk IV-Seasonal
Planning Board Member	Principal Library Clerk
Receiver of Taxes/Assessments	Registrar of Vital Statistics PT
Recreation Assistant	Secretary to Planning Board
Secretary to Zoning Board	Secretary to Supervisor
Senior Library Clerk	Supervisor
Town Justice	Town Clerk
Zoning Board Member	Zoning Investigator PT

A 7.5 hour workday has been established for retirement purposes for the following positions:

Recreation Director	Assistant Recreation Director
Recreation Leader	Senior Citizen Program Specialist

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

Highway Superintendent	Heavy Motor Equipment Operator
Laborer-Highway/Buildings & Grounds	Laborer PT – Highway/Buildings & Grounds
Maintenance Mechanic III	Motor Equipment Operator
Parks Foreman	Parks Assistant Foreman

Motion carried: Aye 5 Nay 0

**TOWN OF PARMA HOURS OF OPERATION**

**RESOLUTION NO. 10-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, to approve the Town of Parma hours of operation as follows:

Town Hall	Monday –Friday	8:00 A.M.- 4:00 P.M.
Parks Department	Monday –Friday	7:00 A.M.- 3:30 P.M.
Recreation Department	Monday –Friday	8:00 A.M.- 4:00 P.M.
Highway Department	Monday –Friday	7:00 A.M.- 3:30 P.M.

There are certain circumstances where there may be exceptions, however the above hours of operations have been established and are not to be altered without the Department Head or Supervisor’s approval.

Motion carried: Aye 5 Nay 0

**TOWN OF PARMA OFFICIAL HOLIDAYS – 2013**

The Town Board reviewed the list of official holidays for 2013 and was in agreement with them.

Tuesday, January 1, 2013	New Year’s Day
Monday, January 21, 2013	Martin Luther King Day
Monday, February 18, 2013	Presidents’ Day
Friday, March 29, 2013	Good Friday
Monday, May 27, 2013	Memorial Day
Thursday, July 4, 2013	Independence Day
Monday, September 2, 2013	Labor Day
Monday, October 14, 2013	Columbus Day
Monday, November 11, 2013	Veteran’s Day
Thursday, November 28, 2013	Thanksgiving Day
Friday, November 29, 2013	Thanksgiving Holiday
Wednesday, December 25, 2013	Christmas Day

Motion carried: Aye 5 Nay 0

**BOARDS AND COMMISSIONS APPOINTMENTS**

**PLANNING BOARD**

**RESOLUTION NO. 11-2013** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve the appointments to the Town of Parma Planning Board as they have been presented for 2013.

Bob Pelkey	Term Jan 1, 2013 to Dec 31, 2017
Maureen Werner, Sec.	Term Jan 1, 2013 to Dec 31, 2013

Motion carried: Aye 5 Nay 0

### **ZONING BOARD OF APPEALS**

**RESOLUTION NO. 12-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the appointments to the Town of Parma Zoning Board of Appeals as they have been presented for 2013.

Stephen Shelley	Term Jan 1, 2013 to Dec 31, 2017
G. Blake Keller, Alternate	Term Jan 1, 2013 to Dec 31, 2013
Carrie Webster, Sec.	Term Jan 1, 2013 to Dec 31, 2013

Motion carried: Aye 5 Nay 0

### **CONSERVATION ADVISORY BOARD**

**RESOLUTION NO. 13-2013** Motion by Councilperson Comardo, seconded by Councilperson Smith, to approve the appointments to the Town of Parma Conservation Advisory Board as presented for 2013.

Michael White	Term Jan. 1, 2013 to Dec. 31, 2014
Scott Harter	Term Jan. 1, 2013 to Dec. 31, 2014
Peter Stoller	Term Jan. 1, 2013 to Dec. 31, 2014
Diane Brisson, Sec.	Term Jan. 1, 2013 to Dec. 31, 2013

Motion carried: Aye 5 Nay 0

### **LIBRARY BOARD**

**RESOLUTION NO. 14-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, to approve the appointment to the Library as presented for 2013.

Linda Kirchgessner	Term Jan. 1, 2013 to Dec. 31, 2017
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Motion carried: Aye 5 Nay 0

### **ASSESSMENT REVIEW BOARD**

**RESOLUTION NO. 15-2013** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve the appointments to the Town of Parma Assessment Review Board as presented for 2013.

James Kesselring	Term Oct. 1, 2012 to Sept. 30, 2017
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Motion carried: Aye 5 Nay 0

### **RECREATION COMMISSION**

**RESOLUTION NO. 16-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the appointment to the Recreation Commission as presented for 2013.

Thomas Ganley Term Jan. 1, 2013 to Dec. 31, 2016

Motion carried: Aye 5 Nay 0

**FARMLAND AND OPEN SPACE PRESERVATION COMMITTEE**

**RESOLUTION NO. 17-2013** Motion by Councilperson Comardo, seconded by Councilperson Smith, to approve the appointments to the Town of Parma Farmland and Open Space Preservation Committee as presented for 2013.

Scott Copey, Chairperson Term Jan 1, 2013 to Dec 31, 2014  
Marilyn DeMeyer Term Jan 1, 2013 to Dec 31, 2014  
Pat Buskey Term Jan 1, 2013 to Dec 31, 2014

Motion carried: Aye 5 Nay 0

**LIAISON ASSIGNMENTS FOR TOWN DEPARTMENTS, BOARDS  
AND COMMISSIONS FOR 2013**

The following are the Liaison Assignments for 2013:

Supervisor Carmestro	Personnel Union Library Village of Hilton
Councilperson Smith	Parks Department Historical Union Negotiations Farmland and Open Space Preservation
Councilperson Comardo	GIS Zoning Board Zoning Enforcement
Councilperson Roose	Assessor Planning Board Conservation Board
Councilperson Brown	Dog Control Recreation Special Police

**TOWN OF PARMA INVESTMENT POLICY**

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

**RESOLUTION NO. 18-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the Town of Parma Investment Policy with no changes.

Motion carried: Aye 5 Nay 0

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

### **ELECTION EXPENSES FOR 2013**

**RESOLUTION NO. 19-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the following for 2013 for Election Inspectors:

Hourly rate of pay	\$10.00
Pay for Review/Training/Testing (one-time fee)	\$25.00
Amount to be paid to site chairman will be based on Board of Election Formula.	

Motion carried: Aye 5 Nay 0

### **PETTY CASH APPROVALS**

**RESOLUTION NO. 20-2013** Motion by Councilperson Comardo, seconded by Councilperson Smith to approve the following petty cash amounts for the following departments for 2013:

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**

The thresholds for approval of purchases were reviewed. There were no changes to the Procurement Policies and Procedures for the Town of Parma.

**RESOLUTION NO. 21-2013** Motion by Councilperson Comardo, seconded by Councilperson Smith, to approve the Procurement Policies and Procedures for the Town of Parma for 2013.

Motion carried: Aye 5 Nay 0

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

**STATEMENT OF NON-COLLUSION**

**RESOLUTION NO. 22-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, 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 2013**

**RESOLUTION NO. 23-2013** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve the following per event rental fees for 2013 effective January 3, 2013:

<b>Pavilion Rentals:</b>	Resident	\$ 75.00
	Non-resident	\$150.00
<b>Cancellation Fee:</b>		\$ 30.00

**VFW Rentals:** Rentals for the VFW property are no longer available. The Town Board reserves the right to change this at any time.

Motion carried: Aye 5 Nay 0

**APPOINTMENT OF SPECIAL PROSECUTOR**

**RESOLUTION NO. 24-2013** Motion by Councilperson Smith, seconded by Councilperson Roose,

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 appointment 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 5 Nay 0

### **ATTORNEYS FOR THE TOWN FOR 2013**

**RESOLUTION NO. 25-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to name the official Attorneys for the Town of Parma for the year 2013 as Lacy Katzen, LLP; Sercu & Sercu, LLP; Bond, Schoeneck & King, CLLP, Harter Secrest & Emery, LLP, and Knauf Shaw, LLP.

Motion carried: Aye 5 Nay 0

### **ENGINEERING FIRMS FOR THE TOWN OF PARMA FOR 2013**

**RESOLUTION NO. 26-2013** Motion by Councilperson Roose, seconded by Councilperson Brown, to name Larsen Engineers and Chatfield Engineers as engineering firms for the Town of Parma for 2013.

Motion carried: Aye 5 Nay 0

### **OFFICIAL ELECTRICAL INSPECTION AGENCIES FOR 2013**

**RESOLUTION NO. 27-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to name Common Wealth and Middle Department as electrical inspection agencies for the Town of Parma for 2013.

Motion carried: Aye 5 Nay 0

### **DOG CONTROL OFFICER VACATION COVERAGE FOR 2013**

**RESOLUTION NO. 28-2013** Motion by Councilperson Comardo, seconded by Councilperson Smith, to have 2013 out of town vacation coverage for the Dog Control Officer provided by Michael Ingham including access to the

Town truck and equipment required to do the job as well as payment of \$25.00 for each call responded to.

Motion carried: Aye 5 Nay 0

### **DOG CONTROL KENNEL FOR 2013**

**RESOLUTION NO. 29-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, to approve Lollipop Farms as its official kennel for the year 2013.

Motion carried: Aye 5 Nay 0

It was noted that the Dog Control Officer is looking at someone closer but the entity is not yet up and running.

### **DOG FINES FOR 2013**

**RESOLUTION NO. 30-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the dog fines for 2013 as follows:

Penalties for dog ordinances in the Town of Parma for 2013 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

### **TOWN OF PARMA ACTIVE EMPLOYEE LIST FOR 2013**

**RESOLUTION NO. 31-2013** Motion by Councilperson Comardo, seconded by Councilperson Smith, to accept the Active Employee List for the year 2013 as presented.

Motion carried: Aye 5 Nay 0

### **ANNUAL REVIEW OF WORKPLACE VIOLENCE POLICY**

Supervisor Carmestro noted revisions were made in August of 2012 and two training sessions were held during the year.

**RESOLUTION NO. 32-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, that the Town Board has reviewed and accepted the Workplace Violence Policy for the Town of Parma for 2013.

Motion carried: Aye 5 Nay 0

That concluded the Organizational portion of the meeting and the regular Town Board meeting continued.

### **BUDGET TRANSFERS**

TRANSFERS TO BUDGET			Dec-12			
ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
LOO574741012000	LIBRARIAN 1	1,500.00	LOO574901081000	NYS RETIREMENT	9,328.05	CRUMB
LOO574741015000	PAGES	1,759.52	LOO574904081000	WORKERS COMP	127.00	CRUMB
LOO574741016000	CLERKS	230.49				
LOO574903081000	SOCIAL SECURITY	499.14				
LOO574906081000	MEDICAL INSURANCE	5,465.90				
AOO570714012001	TOT PLAYGROUND	275.00	AOO570702012000	ASST RECREATION DIRECTOR	275.00	FOWLER
AOO570714012001	TOT PLAYGROUND	375.00	AOO570702014000	RECREATION LEADER	375.00	FOWLER
AOO570714012001	TOT PLAYGROUND	1,400.00	AOO570714011001	SUMMERHELP STAFF	1,400.00	FOWLER
AOO570731049432	VOLLEYBALL CAMP	150.00	AOO570731049442	BABYSITTING TRAINING	150.00	FOWLER
AOO570731049432	VOLLEYBALL CAMP	25.00	AOO570731049842	OTHER PROGRAMS	25.00	FOWLER
		11,680.05			11,680.05	

**RESOLUTION NO. 33-2012** Motion by Councilperson Smith, seconded by Councilperson Roose, to approve the Budget Transfers as presented.

Motion approved: Aye 5 Nay 0

**LIAISON REPORTS**

\*\*Councilperson Brown reported the Recreation Commission met and that Mr. Fowler is working on getting creative ways to better use the space at the Community Center. She is following up with a Special Police issue and there was nothing to report for Dog Control.

\*\*Councilperson Comardo reported the Zoning Board of Appeal issued a special use permit for the display of autos at a Ridge Road location and application for two area variances was addressed. Zoning Enforcement has sent out six letters.

\*\*Councilperson Smith reported a quote has been received from the company that worked on the Board/Court room divider when the last major overhaul was done. He noted that there are not many companies that do this kind of work. The expected cost will be \$1590 plus parts and travel and felt there are not any other options.

There was discussion on snow removal when staff is away and the difficulty in getting to the back to get equipment so that the front, Town Hall building, can be cleared in a more timely fashion. He explained what happened during a recent storm when staff and a customer could not get into the building. It was noted that the Highway Department had done one pass at the front of the building and also returned later to push snow back. There was discussion on how much earlier a start time should be when there is a snow event and giving the Foreman discretion in determining when this was needed. It was felt that coming in at 6:00 a.m. in the winter when necessary was appropriate but there was no need to be here before 7:00 a.m. in the summer. And the first priority is opening the Town Hall building.

Councilperson Smith indicated he was also seeking consensus from the Town Board on how to handle snow removal on weekends in the park. He suggested that the Park be closed during a snow event that would require plowing. It was noted that people use the park even when it is snowing. It was agreed that the gates would be kept locked and park users could park in the front lot which would be kept open by the Highway Department

passes. It was also agreed this should be conveyed to the public through an advertisement in the Suburban News.

The issue of snow removal at the VFW parking lot was also discussed. It was noted disc golf is played in all kinds of weather conditions. When the protocol is written for when the park will be closed on weekends during the winter, it should be sent to Ryan Hand (Disc Golf Organization) informing them of this change and that parking in inappropriate areas will be considered trespassing. There was further discussion on Park staff plowing the VFW parking lot for Bingo and their monthly meetings. It was felt that the plowing should be done as part of the regular workday and that the Highway Department continues as they have done in the past.

\*\*Councilperson Roose reported there was no Planning Board meeting since we last met.

There being no further business before the Town Board, Councilperson Smith made a motion to adjourn the meeting at 7:55 p.m., seconded by Councilperson 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