

Parma Town Board meeting held on Wednesday, November 4, 2015 at the  
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York

**ATTENDANCE**

Supervisor	Jim Smith
Councilperson	Gary Comardo
Councilperson	James Roose
Councilperson	Tina Brown
Councilperson	Kyle Mullen
Town Clerk	Donna K. Curry
Building and Development Coordinator	Dennis Scibetta
Dir. of Parks and Recreation	Tom Venniro
Absent	Highway Supt. Brian Speer

**OTHERS IN ATTENDANCE**

Michael Weldon, Sr., Andrew Cassata, Adam Joy, Savannah Lotta, Brianna Gruttadaoni, Dana Frisbee, Jake Meyer, and other members of the public.

**CALL TO ORDER**

Supervisor Smith 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.

**MINUTES – OCTOBER 20, 2015**

**RESOLUTION NO. 261-2015** Motion by Councilperson Comardo, seconded by Councilperson Brown, to accept the Minutes of the October 20, 2015 meeting with changes noted.

Motion carried: Aye 5 (Smith, Comardo, Roose, Brown, Mullen) Nay 0

**TOWN CLERK REPORT**

The Town Clerk and VFW reports for October have been completed, filed and provided to the Town Board. We are in the process of completing the final surrender to the Hilton, Spencerport and Brockport School Districts tax collection. Information was shared with the Town Board from the Association of Towns regarding upcoming training sessions in Rochester on January 6<sup>th</sup> to the 8<sup>th</sup> 2016 and the Annual Meeting and Training School in New York City, February 14<sup>th</sup> through the 17<sup>th</sup> 2016. The Clerk informed the Board that she may be called in for jury duty next week.

**HIGHWAY DEPARTMENT REPORT**

Supt. Speer was not in attendance. Councilperson Mullen reported staff is working on set

up for the winter, in particular the salt spreaders and painting trucks for corrosion control. He also reported there is 1,700 ton of salt on hand and Supt. Speer has ordered an additional 1,000 ton. This will be delivered from inventory stockpiled at the salt mine, allow them to move inventory so they are able to mine and store additional inventory for the upcoming season. The Town will not be billed for this until after the first of the year. He also reported there may be a leak near the front of the new salt storage building, the Village flusher unit is still available and the GPS unit is being looked into further with Monroe County and the possibility of obtaining a camera system which will be different from the Village so that we can make use of each other's as the need arises. In further researching having an inter-district agreement for how to borrow funds to pay for these purchases, it came to light that we might consider depleting one district down and pay back from the others. Whatever way it is done, consideration should be given to the stress it may put on the tax cap. There needs to be research on if this is the way we want to go.

### **BUILDING DEPARTMENT REPORT**

Mr. Scibetta reported building permits for new residential houses has increased by seventeen over last year. The Sandalwood Subdivision project is being resurrected. It will now have 27-29 lots off Route 259 on the east side. It will be similar to the Walnut Grove Development on Ogden Parma Town Line Road across from Gillette Road and will now go back to the original 7-8 lots proposed. Activity in the current section of Country Village Estates continues. Five of the lots have been sold and there are offers on nine of the remaining twelve lots. It is expected that they will begin the newest section over the winter.

On the business front, contact was made with the Chamber of Commerce to have one of their display racks in the Town Hall lobby for local business brochures. The winery has rented all the existing space in that building and is looking at a high end restaurant to round out the site.

Mr. Scibetta reported he has completed the Monroe County Soil and Water training. This is one of the EPA requirements. Notice has been received of what has to be corrected at the highway garage. The formal report is expected in December. A cease and desist order has been received for the highway garage building so that runoff can no longer enter the stormwater system. Since the drains in the highway garage have been covered and any runoff from snow and ice melt will go directly in the stormwater system. Supervisor Smith noted that the Engineer for the Town has been asked for a design to bring it up to specs and the Town has thirty days to sign the acknowledgement letter which he is currently having the Attorney for the Town review.

### **RECREATION DEPARTMENT REPORT**

Mr. Venniro reported on his budget. He noted that revenues and expenses are in line with projection and the revenues have exceeded those projections. Transfers for the Park Department are being made to cover the water main break and football field maintenance, Highway work on park roads as well as equipment repairs. The inventory project to update

fixed and general asset inventories has been completed in both departments. The Halloween Celebration was a success and there were lots of volunteers. The next big event will be the Christmas Tree Lighting on December 5, 2015. Work has begun on the Winter/Spring Program.

Park hours are now 9:00 a.m. to 6:00 p.m. and the gates will be open on the weekend. There will no longer be Park Attendants or seasonal grounds on hand. He noted the Park received a lot of use this year and thanked staff for their work. The weather presented a challenge for the Monroe County Cross Country Event held this past weekend along with traffic and parking issues. As a part of the review of park use for the year, parking and security will be discussed with all the sports groups. It was decided to table the sports agreements which were to be approved as part of tonight's business. The dates will be held for these organizations but the agreements will be reviewed to address these concerns. Suggestions made included using GPS for mapping parking locations and opening this up as a community event so that organizations could provide food, and services.

Volunteers were in the park for Make a Difference Day last Saturday. Students and parents from the Northwood Elementary School worked on trail maintenance and project and there will be a tree planting at 9:15 a.m. to replace the American Legion Veteran Memorial tree lost last year.

The Monroe County Community Block Grant funding has been confirmed. The Town will receive \$32,000 in for the Community Grant which will be used for upgrades at the VFW Lodge for handicapped accessibility at the entryway and roof and gutter repairs. There is a meeting this week with Monroe County to review the needs.

Mr. Venni reported he had provided the Town Board with a report on his recent attendance at the NRPA Congress Conference in Las Vegas in September. He felt he had significant takeaways that he hopes to utilize in the community.

### **LIBRARY REPORT**

Ms. Tantillo reported there are several family events scheduled at the Library. The new handicap doors will be installed as part of the Bullet Aid received through Senator Robach's office. The bathroom restoration has been completed. The meeting room is being set up as a discovery/early learning room at scheduled times for young children.

### **PUBLIC HEARING – 2016 PRELIMINARY BUDGET**

Supervisor Smith opened the Public Hearing at 7:10 p.m. for the 2016 Preliminary Budget. He noted the Legal Notice had been advertised and posted as required by law.

#### **Legal Notice Town of Parma Public Hearing for the 2016 Budget and Special Districts**

PLEASE TAKE NOTICE that a Public Hearing for the 2016 Budget and Special Districts for the Town of Parma will be held on Wednesday, November 4, 2015 at

7:00 p.m., at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York. This meeting is open to all interested persons. Copies of the budget are available for viewing at the Town Clerk's office and will be posted on the Town's website at [www.parmany.org](http://www.parmany.org).

The proposed salaries for the following Town Elected Officials for 2016 are:

Supervisor	\$25,605.00
Councilperson/Deputy Supervisor	\$ 8,500.00
3 Councilpersons (\$7,216.00 each)	\$21,650.00
Town Clerk	\$39,000.00
Highway Superintendent	\$62,452.00
2 Town Justices (\$14,841.00 each)	\$29,682.00

This year's budget will fall within the tax cap, which is .75% of what was spent in 2015. This is reflective of a growth factor determined by the state based on population and the new formula does not take into account assessment changes. He indicated the 2017 tax cap will likely be zero. The biggest changes are in the area of health care. The Town has opted to change the plan year so that we are renewing at 2015 rates with the plan year to now be December 1, 2015 through November 30, 2016. The premium rates will only go up 12.9%. By making this change we have avoided a 30% increase for 2016.

The tax rate for Village residents will be going down about 1.4% for a rate of \$2.61 per 1,000 of assessed value. The rate for Town residents outside of the Village will also go down about 1.4% for a rate of \$2.74 per 1,000 of assessed value. Most employees will be receiving a 2% pay increase and those at the lower end of their pay ranges will see a slightly larger increase. He noted this will help with the expected minimum wage increase which will be another challenge in 2017.

Supervisor Smith asked if there were any comments. None were heard and the public hearing was closed at 7:20 p.m.

### **PUBLIC FORUM**

Supervisor Smith asked if there was any other citizen who would like to address the Town Board with any concerns. There was no response.

### **BUSINESS ITEMS**

#### **ADOPTION OF 2016 TOWN AND SPECIAL DISTRICTS BUDGET**

**RESOLUTION NO. 262-2015** Motion by Councilperson Comardo, seconded by Councilperson Brown, to adopt the 2016 Town and Special Districts Budget.

Motion carried: Aye 5 (Smith, Comardo, Roose, Brown, Mullen) Nay 0

**BUDGET TRANSFERS**

**RESOLUTION NO. 263-2015** Motion by Supervisor Smith, seconded by Councilperson Mullen, to approve the Budget Transfers as presented.

BUDGET TRANSFERS			Nov-15			
ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
AOO.516.1420.472.00	LEGAL LABOR	28,000.00	AOO.516.1420.474.00	LEGAL TOWN	28,000.00	GAVIGAN
AOO.576.7520.441.00	GAS & ELECTRIC	500.00	AOO.576.7520.480.00	MISC EXPENSE	500.00	GAVIGAN
BOO.530.3410.110.00	FIRE MARSHAL	8,900.00	BOO.537.3620.210.00	EQUIPMENT	24,579.00	SCIBETTA
BOO.530.3410.210.00	OFFICE EQUIPMENT	1,000.00	AOO.571.7110.170.00	PARK ATTENDANT	1,800.00	VENNIRO
BOO.530.3410.430.00	EDUCATIONAL	1,275.00	AOO.571.7110.422.00	EQUIPMENT REPAIR	1,000.00	VENNIRO
BOO.537.3620.473.00	LEGAL FEES	3,654.00	AOO.571.7110.452.00	VEHICLE MAINTENANCE	800.00	VENNIRO
	UNAPPROPRIATED B FUNE	9,750.00	AOO.571.7110.460.00	CONTRACTED SERVICES	9,085.00	VENNIRO
AOO.571.7110.150.00	LABORER SEASONAL	2,000.00	AOO.571.7110.490.00	PARK IMPROVEMENTS	1,500.00	VENNIRO
AOO.571.7110.180.00	LABORER	2,085.00				
AOO.571.7110.160.00	LABORER/GATES	500.00				
AOO.571.7110.430.00	EDUCATIONAL	500.00				
AOO.571.7110.480.00	MISC	100.00				
AOO.516.1990.400.00	MISC CONTINGENCY	6,000.00				
AOO.530.3989.210.00	EQUIPMENT	3,000.00				
AOO.515.1355.450.00	PERSONAL CAR	120.00	AOO.515.1355.491.00	DEEDS	120.00	WELLS
		67,384.00			67,384.00	

Motion carried: Aye 5 (Smith, Comardo, Roose, Brown, Mullen) Nay 0

**RELEASE OF LETTER OF CREDIT**  
**MERCY FLIGHT SUBDIVISION PHASE 4**

Correspondence has been received from Chatfield Engineers recommending the release of \$27,346.90 from the letter of credit.

**RESOLUTION NO. 264-2015** Motion by Supervisor Smith, seconded by Councilperson Comardo, to authorize the release of \$27,346.90 from the letter of credit for Mercy Flight Subdivision Phase 4.

Motion carried: Aye 5 (Smith, Comardo, Roose, Brown, Mullen) Nay 0

**RELEASE OF LETTER OF CREDIT**  
**COUNTRY VILLAGE ESTATES SECTION IV**

Correspondence has been received from Chatfield Engineers recommending the release of \$184,009.63 from the letter of credit.

**RESOLUTION NO. 265-2015** Motion by Councilperson Roose, seconded by Councilperson Mullen, to authorize the release of \$184,009.63 from the letter of credit for Country Village Estates Section IV.

Motion carried: Aye 5 (Smith, Comardo, Roose, Brown, Mullen) Nay 0

Supervisor Smith noted that the next three items on the agenda – Park Use Agreements for 2016 5K Anemia, 2016 Hilton Heat Tournament and 2016 Rochester Cougars Baseball Tournament would be tabled until the second meeting in December. The agreements will better clarify what the expectations are for use of the facilities and reiterated that parking was the biggest issue. They want to be sure there is a clear understanding of the expectations for large events. The dates for these events will be tentatively saved.

### **DISPOSAL OF 2007 CHEVROLET MALIBU**

There were no bids received for the purchase of the Town's 2007 Chevrolet Malibu. It was decided that Mr. Scibetta should look at alternate ways to advertise and explore the possibility of upcoming auctions.

### **AUTHORIZATION FOR USE OF TASER DEVICES**

Supervisor Smith summarized this proposal noting this resolution would authorize the use of Taser devices specifically for the duties of Court Officer Attendant in performing their jobs. Use would only be during court related duties, training and recertification. The devices will not be taken off site except for specific training. Insurance quotes were obtained. This is not going to impact the overall cost and our rating.

**RESOLUTION NO. 266-2015** Motion by Councilperson Roose, seconded by Councilperson Mullen,

**WHEREAS**, by Resolution No. 135-2012, the Town of Parma made effective May 1, 2012 a re-designation of the position of Court Officer Attendants whom serve the Justice Court in the Town of Parma as uniformed court officers under the pleasure, direction and control of the Parma Town Justices and/or the Parma Court Clerk with regard to their respective duties, and whom remain members in a distinct unit of the Parma Special Police with all rights and privileges associated thereto with said membership, and whom utilize the existing office space and office equipment, computers, radios, uniforms, special police equipment and utilities, and the custody/holding area of the Parma Special Police to carry out their duties for the Justice Court in the Town of Parma; and,

**WHEREAS**, by Resolution No. 135-2012, such Court Officer Attendants as members of the Parma Special Police continue to have the powers and authority of Peace Officers pursuant to New York State Criminal Procedure Law, Section 2.10 (54), which expressly designates Peace Officers as special policemen appointed pursuant to New York Town Law Section 158, as created, established, and defined by resolution of the Town Board in the Town of Parma on June 11, 1962, June 28, 1982, and August 19, 1997; and,

**WHEREAS**, by Resolution No. 135-2012, the Town of Parma, by and through the Justice Court in the Town of Parma, permitted a budget for the purchase of uniforms and equipment, and reimbursement of the Court Officer Attendants for any training or ongoing certification required and necessary for the Court Officer Attendants to carry out their duties; and,

**WHEREAS**, in this Resolution, the Justice Court in the Town of Parma, is requesting the Town Board in the Town of Parma to approve, authorize, adopt, and ratify, the training, implementation, deployment and use while on duty of neuromuscular disruption electronic control devices (commonly known and referred to in the industry as “Taser” devices) by the Court Officer Attendants while the Court Officer Attendants are on duty or participating in a training program for the purpose of instruction and continued education with regard to the Taser devices; and,

**WHEREAS**, the Justice Court in the Town of Parma has reviewed, approved and implemented the use of Tasers to provide both the community in the Town of Parma and Justice Court staff and other personnel safer alternatives for controlling situations that may develop whereby the Court Officer Attendants may be required to use force consistent with their training and based upon the circumstances then present and visually observed, and has applied for and was awarded a grant from the New York State Department of Criminal Justice Services (“DCJS”) for the purchase of Taser devices that are consistent with the recommendations for best practices of the DCJS, and reimbursement of the cost for same; and,

**WHEREAS**, the sole authorized distributor is Taser International, Inc., who manufactures the Taser International X26P, which is the Taser unit requested to be used by the Court Officer Attendants in all training, implementation, deployment and use while on duty and consistent with the Court Officer Attendants’ general jurisdiction of patrol including the courtroom, courthouse grounds and surrounding perimeter, said Taser devices to be secured in the office of the Justice Court with the Court Clerk at the end of every shift, and said Taser devices to be only transported away from the courthouse and grounds when a Court Officer Attendant is attending a training program for continued education that requires the use of the Taser International X26P; and,

**WHEREAS**, the Town Board in the Town of Parma desires to provide the members of the community and employees of the Justice Court in the Town of Parma, a safe environment to conduct and transact court business and affairs, which will in turn promote courtroom decorum and judicial efficiency, and furthermore desires to approve, authorize, adopt, and ratify the Court Officer Attendants to purchase with Town Justice approval and to carry the Taser devices while on duty and use the Taser devices in accordance with the Parma Justice Court Officer Attendants Standard Operating Procedures and the manufacturer’s operating instructions and recommendations of safe use of the Taser devices, including but not limited to, the Taser International X26P.

**NOW, THEREFORE BE IT RESOLVED** as follows:

1. The Town Board in the Town of Parma does hereby approve, authorize, adopt, and ratify, the purchase and use of neuromuscular disruption electronic control devices (commonly known and referred to in the industry as “Taser” units), including but not limited to, the Taser International X26P manufactured by Taser International, Inc., by the Court Officer Attendants in the Justice Court in the Town of Parma with Town Justice approval in all training, implementation, deployment, and use while on duty to provide the members of the community and employees of the Justice

Court in the Town of Parma, a safe environment to conduct and transact court business and affairs, which will in turn promote courtroom decorum and judicial efficiency.

2. Said training, implementation, deployment, and use while on duty of the Taser units by the Court Officer Attendants in the Justice Court in the Town of Parma shall be in accordance with the Parma Justice Court Officer Attendants Standard Operating Procedures and the manufacturer's operating instructions and recommendations of safe use of the Taser devices, including but not limited to, the Taser International X26P, and consistent with the Court Officer Attendants' general jurisdiction of patrol including the courtroom, courthouse grounds and surrounding perimeter, said Taser device to be secured in the office of the Justice Court with the Court Clerk at the end of every shift, and said Taser device to be only transported away from the courthouse and grounds when a Court Officer Attendant is attending a training program for continued education that requires the use of the Taser devices.
3. The Town Supervisor and the Director of Finance are hereby directed to notify the carrier of general liability insurance for the Town of Parma of this Resolution and to complete any additional application forms, registrations or other designations, as may be required from time to time.
4. This Resolution shall take effect immediately upon its approval and adoption.

Motion carried: Aye 5 (Smith, Comardo, Roose, Brown, Mullen) Nay 0

### **MISCELLANEOUS**

There were no miscellaneous items.

### **LIAISON REPORTS**

\*\*Councilperson Brown reported the Planning Board approved the Chinappi Subdivision for two more lots, a one lot subdivision at 200 Webster Road and tabled a split/merge request for 600-602 Burritt Road. The Assessor's Office will be closed from Thursday through Monday. Mr. Wells will be on vacation and Ms. Muller is mending well but has not yet returned to work.

\*\*Councilperson Comardo reported the Park and Recreation Commission met last week. There was discussion on how to expand the Apple Derby Run and that our equipment is very outdated. There will be a Thanksgiving Dinner for the Seniors on November 20th. The last charter trip for the year will be a Christmas in the Country outing.

The Drug Coalition group will be meeting next week and their meetings will be moving to the high school. The Farmland and Open Space Committee won't be active until spring.

\*\*Councilperson Roose felt that we should eliminate the Special Police Liaison assignment and the Code Enforcement Officer has been on vacation.

\*\*Councilperson Mullen reported there was no Zoning Board since we last met. Ms. Moore has returned to work at the Highway Department.

\*\*Supervisor Smith reported he has participated in meetings with representatives from the School, Chamber and local government which have resulted in good conversations and included large athletic events as it pertains to ways to improve parking on site and for areas north of the school, how dark it is and opening up the bus loop. The last Hilton Parma Hamlin Chamber of Commerce meeting was held at the museum. A portion of the lunch proceeds were donated to the museum.

He reported the solar project is now looking at building on this campus. Advantages include that we already own the land, and estimated \$15,000 savings for electricity in the first year. The agreement will be sent to our attorneys for review, it will encompass a 20-25 year agreement, and include a flat rate for electricity. The developer will develop and build out the project and there will be no upfront cost to the Town. There will be computer software that will monitor the output of electricity. There is the potential for use by the school district as well.

Supervisor Smith reported the concrete base will be poured this Friday for the Board/Court Room divider door storage area and the contractor is scheduled to install December 3<sup>rd</sup> and 4<sup>th</sup>.

There was no further business before the Town Board, Supervisor Smith made a motion to adjourn the meeting at 7:48 p.m., seconded by Councilperson Comardo and all were in favor.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk