Parma Town Board meeting held on Tuesday, December 21, 2010 at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

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

OTHERS IN ATTENDANCE

Don Wells Assessor, Park Foreman Joe Petricone, Building Inspector Bob Prince, Dog Control Officer Art Fritz, Attorney for the Town Lara Badain, Mary Lou Eckert, Jim Eckert, Gene DeMeyer, Mike Weldon, Tom Ganley, Charlie Lissow, Ray Lairmore, Anne Lairmore, Mike Putnam, Kevin Deal, Bruce Willis, Helen Willis, Pete Sorenson, Betty Sorenson, Steven Gabriel, Sue Putnam, Carrie Webster and other unidentified members of the public.

CALL TO ORDER

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

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.

PUBLIC HEARING TO ADOPT LOCAL LAW 5-2020 AMEND THE DOG CONTROL ORDINANCE

Supervisor McCann opened the public hearing by reading the legal notice which was published and posted as required by law. It was also noted that this was published on the website. Supervisor McCann noted that the purpose of the public hearing was to hear public input on the number of adult purebred dogs per property and the only thing to be addressed would be the number of adult purebred dogs not zoning issues such as the size of the lot. Those types of concerns will have to be addressed through our zoning ordinance at a later date.

Councilman Smith summarized how we got to where we are tonight. He noted that through the end of this year, New York State Department of Agriculture and Markets controlled dog licensing and rules related to the licensing of dogs. As a State cost cutting measure, this responsibility has been pushed down to the Town. Each Town is now required to adopt a local law related to dog licensing and fees. Currently, property owners are allowed three licensed mixed breed dogs six months and older. Individuals can go to the Zoning Board of Appeals to request a special permit if they wish to have more. He clarified that a kennel is a business that boards dogs for other people and requires a special use permit. Initially, the special use permit is reviewed annually and as a party builds a history it could then be extended for longer periods of time. The current State rules allow for an unlimited number of registered purebred dogs per property. If the owner of purebred dogs is breeding these dogs for sale, they must have a license issued by New York State Department of Agriculture and Markets. They are responsible for inspection of that location and will continue to oversee the breeding and sale of dogs after the first of the year. Councilman Smith also noted that a purebred license does not make you a breeder and a kennel is not related to the number of dogs on a purebred license. In

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all cases, having dogs is subject to the local noise ordinance. It was noted that this number was previously unlimited and the rules are being changed as of the first of the year.

Tom Ganley referred to a prior situation where an individual wanted to open a business in her home and was required to get signatures for approval from her neighbors. Mr. Ganley wanted to know if breeders of dogs have to get signatures to have a business in their home. Supervisor McCann clarified that signatures are required to notify neighbors that a request was being made and that they are still required.

Timothy Jennings stated that he had addressed the Town Board at the last meeting. He expressed that he has a different interpretation on how many dogs have been approved. His interpretation is that there are an unlimited number of purebred dogs on a purebred license so that dogs can be identified. The decision on the number of dogs on a property is a local determination. In his opinion the number is three, whether the dogs are purebred or not. He felt that even though kennels have been allowed to operate for extended periods of time; it does not make it legal. Mr. Jennings noted that he requested information from the Town under the Freedom of Information Act on the number of purebred licenses in the Town. He noted nine purebred licenses have been issued in 2010 and only five have more than 3 dogs. In his assessment, those five dog owners are illegal. He felt that the number of dogs is three and should remain three. He did not understand why the interests of these five people should supersede the interest of the community. Mr. Jennings also did not feel there was any difference between purebred and non-purebred dogs; as they pose the same problems. He felt that laws have been adopted because they are known to be a nuisance. He felt they were different from farm animals because they have been used as guard dogs for years and sentry animals because they make a lot of noise. He provide the Town Board with a summary of the information he collected on the Town's purebred licenses. He felt that twenty five dogs is too high and that the number should be three and has always been three but was never enforced.

Helen Willis stated that she has purebred cocker spaniels which she does not breed. She does fitness agility and obedience training and her dogs are working dogs. Her husband does therapy work at veterans and nursing homes. Their dogs are for sport and that they have never had a complaint to her knowledge. A premium price is paid for them and they get very good care. She felt that twenty could be in excess and that one would have to be very wealthy in order to afford to have them. She would like to prevent the sad situations you hear about at Lollipop Farm and is opposed to puppy mills. She indicated there was another cocker spaniel breeder who has show dogs and in her opinion has taken very good care of them. If you are dealing with show dogs a lot of care is involved. She would not oppose a lesser number for the welfare of the animals.

Ruben Ortenberg, an attorney with the firm of Fix, Spindleman, Brovitz and Goldman, felt that the Town Board has the authority to enact any kind of law it would like to enact within limits. One of the limits is that is be rational. He felt that it was not rational to go from three dogs to fifty dogs and that there was no basis for the number fifty. He felt that the number had to be based on something. Mr. Ortenberg also felt that this is a zoning law issue because the wording indicates the number of dogs on a property and not on a license. Because he felt it should be considered a zoning issue it should also have been submitted to the County Planning Department. He also felt that it was required that the environmental process of the State Enviromental Quality Protection Act and believes that this was not done.

Mr. Willis clarified the difference between dogs being used as guard and watch dogs. A watch dog is expected to make noise or cause an alarm about something. Guard dogs are expected to do something about it and be trained. He stated he has problems with puppy mills and felt they are unconscionable. He felt this is an opportunity to prevent and address this kind of situation. He did not understand where the numbers are coming from. He questioned whether he could trust the number given to him when he called Town Hall. He expressed concern that adult dogs were being addressed but not the number of puppies. Mr. Willis did not want to see the ownership of dogs jeopardized. He noted that his number of dogs is growing smaller and smaller and that he has a house full geriatric dogs which do not lead to more.

Susan Jennings expressed her disappointment that there was such a drastic change in the law and felt it was done quickly without a lot of public notice. She referred to the change made at

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the last meeting as going from three to fifty dogs. Supervisor McCann clarified that the change went from an unlimited number of dogs down to fifty. Ms. Jennings asked for clarification from the Attorney for the Town that the provision in code applies to three of any dog.

Lara Badain responded that this section of the Town Code will be moot at the first of the year because it refers to Section 109 of Agricultural and Markets Law, which is being repealed. The state has left it up to the Towns to create their own licensing structure. She explained that the section which limits three excepts out purebred licenses under the old law; which was unlimited. Ms. Jennings asked if this meant that there would no longer be a limit on mixed breed dogs because the three dog rule was being removed. Ms. Badain responded that the three dog rule was not being removed. She clarified that the section being referred to, is a zoning section, and is not before the Board tonight. That section will be revisited and have to be reworded to address those types of concerns because the section it refers to will no longer exist after the first of the year. Agriculture and Markets left it to the discretion to the Towns whether they wanted to have purebred licenses or not. The section being talked about excepts out people who have dogs under a purebred licenses which under the old law was unlimited. Anyone else would be limited to three. Ms. Badain verified this was what the Supervisor was trying to clarify.

Ms. Jennings stated that she does not see the distinction between a mixed breed and a purebred dog as a homeowner. She has the same issues regardless of which type it is. She is in favor of dog lovers because they will care about their dogs and they can do that within the law. She felt that laws protect us and create a structure for people who will not be responsible, such as those running puppy mills. She felt that the fifty dog rule limits adult dogs but does not say anything about puppies and conceivably there could be hundreds of dogs on a property. She was concerned that there would be no discussion on zoning tonight and understands that it is a separate issue. She cited having dogs on a thirty acre farm versus a small lot in the village. She was not in favor of having such a large number of dogs on a small lot. She would like to see the Town enforce the dog laws they have put in place. She also was not in favor of a provision in the new ordinance that would not require identification tags for pure bred dogs. She felt this was a safety concern.

Mr. Ortenberg stated he respectfully disagrees with the Town Attorney regarding Section 165 (82) (AA) which states "Notwithstanding Section 109…". His interpretation is that whether the section is repealed or not does not matter. He felt that you are limited to three dogs. He also felt that State law has never addressed the number of purebred dogs as being unlimited and that municipalities can place limits on the number of purebred dogs.

Ms. Badain did not disagree that the Town could set a number. She responded to earlier comments on SEQR requirements and referral to Monroe County Planning and Development. She felt they do not apply here because what has been passed is a Dog Ordinance not Zoning. She also assumed there would be changes to the zoning in the future and that those will have some relation to the Dog Ordinance. She noted that Section 165 (82) (AA) will have to be changed because it references a law that does not exist anymore. They are issues for another date and hearing which will be noticed so that people can attend. She does not feel the law is void.

Ms. Jennings asked what would happen if someone came in to license fifty dogs now. Ms. Badain responded that each case would be evaluated on its own.

Betty Sorenson felt that the cart was before the horse. She felt that the number of dogs should be established for a parcel before a number can be determined on a license. She felt the Zoning Board should provide recommendations for how this law should be worded. There was disagreement on the number of dogs advertised in the Suburban News. There was discussion on the wording of the legal notice. It was reread indicating up to a maximum of 25 dogs.

Councilman Smith clarified that the State of New York passed the licensing of dogs down to the local Town. The existing limit of three dogs per property is part of the Zoning Ordinance and tonight's discussion is the licensing of dogs. There has always been a distinction for purebred dogs in the State of New York. He noted that we looked at the price schedule and found it was unlimited; that determined the need to set the number of dogs to be licensed. This

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issue would not exist if the change to licensing had not been moved to the Town. He recognizes that the zoning will have to change as well. The Town is currently changing the licensing law and does not mean that the zoning will not be changed also.

Mrs. Sorenson asked if whatever is decided (number of dogs) will have to be amended to configure the number to the space available. Councilman Smith responded that we are currently looking at what the Town will be responsible for on January 1st to license dogs. During this process, it was identified that there could be a very large number of dogs under the existing structure of licensing and that consideration should be given to limiting.

Kevin Deal questioned what is reasonable and feels this will affect property values. He thought it would be difficult to sell his property with five barking dogs next door. He stated that it does not appear to have gotten way out of control. He felt fifty was too high. He appreciates the dog lovers who spoke and acknowledged they take tremendous care of their dogs but still does not want them next to him. He does not feel that most people take that good care of their dogs. Issues arise when the numbers are too large and there is not enough control. He felt three was even too many. He would like to see more control. If we can not control we should not be approving such a number.

Mr. Ortenberg responded to Councilman Smith's comments by suggesting that the number of dogs be per license rather than per property. In his opinion, the per property wording makes this a zoning law. If this was changed, an owner could have multiple dogs licensed but they could reside at different locations. There was further discussion on if this should be per license.

Susan Jennings suggested that the number should go back to three dogs per lot. This is what she felt the current law states. She felt that until the zoning law can be changed, the current zoning structure should be kept in place regardless of breed. She would like to see the current number stay in place and be enforced.

Timothy Jennings asked to address the issue of whether state law takes precedent over local law. He cited three opinions from the State Attorney General's Office indicating that regulation of dogs has been primarily the responsibility of Agricultural and Markets Law which also gives Towns the authority to impose restrictions on the keeping and running at large of dogs. Mr. Jennings felt that the keeping of numerous dogs in a single family dwelling would not be inconsistent with Ag & Markets Law and also expressed that the Town has always had the authority to regulate this issue. In his opinion the Town has the authority to set the number of purebred dogs in the Town and that number is three.

Mr. Willis clarified his position that he is in favor of looking at a number less than twenty five and that a distance separation rather than per parcel number makes more sense. He asked the Town Board to consider that it is easier to grant permission to have an exception than to create a problem. He felt the decision would be to go low and can always increase the number. Mr. Willis would like the Board to carefully and rationally consider the issue.

Kevin Deal wanted to know if someone could license 50 purebred dogs. Supervisor McCann responded yes, as it currently stands.

Tom Ganley would like to see the Town Board get down to a number that is reasonable for those that own dogs but also to the surrounding environment.

Mrs. Willis asked if it would be possible to have a different number for different situations such as different provisions for kennels, breeders or for showing dogs. She suggested creating parameters for the person that is responsible; provides provisions for fencing; trains so it won't bark, policing their dogs and educating dog owners of their responsibility. She noted that the dogs are not the problem; it is people not being responsible.

Kevin Deal does not want to have the kind of situation you hear about at Lollipop Farm. He felt if you can't legislate it won't work.

An unidentified speaker asked why there is a distinction between purebred and non purebred dogs. It was not known the reason but it has been distinguished for many years. It was noted

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that the decision tonight was on the number of dogs and that the issue of purebreds versus non purebreds is not part of tonight's decision. All the other items brought up tonight would have to be addressed at another date.

Supervisor McCann asked if there were any other comments.

Mr. Willis asked where the number twenty five came from. Supervisor McCann noted that it was investigated by the zoning enforcement and it was felt that there needed to be a limit to be able to control it; a proper noticed hearing was held; and the number could not change without holding another hearing. The local law was passed setting the number at fifty but the Town Board recognized that this should be looked at further based on input during the public hearing and set another public hearing for tonight. The same parameters apply; any material change would require another public hearing. With the exception of the purebred licenses, because it is being discussed tonight, all the other provisions will take place in eight days. The only issue tonight is the number which went from unlimited to fifty and now to be considered up to a maximum of twenty five.

Discussion and debate continued. Members of the audience reiterated their opinions and interpretations on the subject. The Town reiterated its position that further action would be needed to address the zoning side of this issue and that the current approved codes to take affect the first of the year allows fifty. The purpose of tonight's hearing was to determine the number of dogs for a purebred license.

Mr. Jennings asked that the Town Board revisit the issuing of identification tags. He felt it was a safety issue and cited examples. A member of the audience noted that her dog has a chip and because the dogs are shown it cannot have a collar on all the time. The Town Clerk noted that tags have not been required in the past; that owners could request tags previously; under the new law it is at the discretion of the Town and most of the purebred dogs in the Town do not currently have tags so this was carried over.

An unidentified gentleman felt that purebred dogs should be issued tags; that the number should be lowered to ten; anyone who wished to have more dogs should be able to appeal to have more and would require investigating before approval.

Supervisor McCann asked if there was anyone who has not spoken that would like to speak on this issue.

Councilman Roose indicated he would like to make a motion to allow up to twelve purebred dogs per license per property. There was extensive discussion on what should be voted on. The legal was reviewed again and it was felt if changed from per property to license it will have to be reheard. A maximum of twenty five or a number up to that number could be approved tonight. There was further discussion on what should be voted on and that it should be clarified whether this is per license versus per property. This led to discussion on whether another hearing was necessary because the changes would be significant. The attorney deferred to the Town Board to decide how to go forward. The motion by Councilman Roose would be to amend the Dog Control Ordinance Section F (c) to read a maximum of twelve purebred dogs per property. There was no second. Motion failed for lack of a second

AMEND THE DOG CONTROL ORDINANCE

RESOLUTION NO. 229-2010 Motion by Councilman Roose, seconded by Councilman Comardo, to not pass the proposed Dog Control Ordinance change to allow a maximum of 25 adult purebred dogs per property.

Motion carried to deny: Aye 5 Nay 0

SET PUBLIC HEARING DATE – CHANGE TO DOG CONTROL ORDINANCE AND TO ENACT OF A MORATORIUM ON PUREBRED LICENSES

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There was discussion on rehearing this proposal and how to word the resolution. The question was raised on if a moratorium could be placed on issuing purebred dog licenses. The attorney offered that the Town Board could place a moratorium on the issuance of any new purebred licenses and acknowledged that there were licenses due to expire and will need to be renewed in the interim. The attorney suggested the Town Board consider that as long as there is no deviation in the number, the license remains status quo, existing purebred licenses be renewed until such time as the ordinance is amended.

RESOLUTION NO. 230-2010 Motion by Councilman Roose, seconded by Councilman Comardo, to set a public hearing for January 18, 2011 for the purpose of amending Chapter 9 Dog Control Ordinance, Section F Purebred Licenses,(c) of the Town Code to read "to limit the number of adult purebred dogs that will be allowed per license" and to enact a moratorium on the issuance of any new purebred dog licenses and renewal of existing licenses shall allow only the current number of purebred dogs on the purebred license to be renewed until such time as a public hearing is held to amend the Dog Control Ordinance.

Motion carried: Aye 5 Nay 0

There was a pause in the meeting to allow individuals to leave.

MINUTES – DECEMBER 7, 2010

RESOLUTION NO. 231-2010 Motion by Councilman Comardo, seconded by Councilman Carmestro, to accept the Minutes of the December 7, 2010 meeting.

Motion carried: Aye 4 Nay 0 Abstained Councilman Smith

TOWN CLERK REPORT

Representatives from General Code are installing the Records Management software today and tomorrow. Initial training will take place and this will be an ongoing project over the next four to six months.

HIGHWAY DEPARTMENT REPORT

Supt. Speer reported on the number of miles (9640 miles), amount of salt (966 ton) and overtime ($11,000) used for the two lake effect events that have occurred so far. He reported that everything is under control and working.

RECREATION DEPARTMENT REPORT

Mr. Fowler reported the department's year-end review had been submitted which offered a look back at the operation of Hilton-Parma Recreation through 2010. The annual report is due out in mid-January.

They are in the process of finalizing the second reimbursement package with New York State Dormitory Authority concerning the Town Hall Park Field Lighting Project. The final reimbursement package will be submitted following the projects completion in mid spring 2011.

The department completed the reimbursement package associated with the Monroe County Office for the Aging Enhancement Grant. Payment for the $8,000 Enhancement Grant is expected in January. The department will also be completing the New York State Office of Children and Family Services reimbursement package from The Monroe County Youth Bureau for the 2010 amount of $3,439.

PARKS DEPARTMENT

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Mr. Petricone reported that he has researched and estimated there is $3,000 in repairs needed to the Park Department's pick up truck. The vehicle is eight years old. Councilman Carmestro indicated he would discuss further during his liaison report.

BUSINESS ITEMS

TOWN DEVELOPMENT REGULATION UPDATE

Mr. Barton explained the current need to update the Town's Development Regulations. Chatfield Engineers was contacted and has quoted $3,600 plus the cost for draft and final copies which will be billed directly to the Town. Mr. Barton noted the current code is from 1988 and updating was begun a few years ago but not completed. Several items are outdated and obsolete. These regulations go to every engineering firm that deals with the Town. Chatfield Engineers would work in conjunction with the Town's Planning Board, Highway and Building Departments to update these regulations.

RESOLUTION NO. 232-2010 Motion by Councilman Carmestro, seconded by Councilman Comardo, to authorize Chatfield Engineers to update the Town of Parma development regulations for the amount of $3,600 plus the cost of printing the draft and final copies.

Motion carried: Aye 5 Nay 0

WEST CREEK WOODS SUBDIVSION LOT #3 – BUILDING PERMIT

The issuance of a building permit for Lot #3 has been held up because of an ongoing problem with the road dedication. There was discussion on the status of the road dedication, judgments tied to the original developer and there being no value to the street as it pertains to the judgments. The urgency to issue a building permit using the current design plans is necessitated because the plans will not be valid after December 27, 2010. The owner will incur significant additional costs to redo the plans. The Town Board was in agreement to allow the building permit to be issued.

BUILDING DEPARTMENT REPORT

Mr. Barton requested that a fee of $75.00 be established for Applications for Zoning Permits that will be issued for agricultural operations that are exempt from Building Codes. The fee would cover administrative costs and at least one site visit to the property. Mr. Barton felt there would be an initial site inspection, verification that the use meets the requirements and that issues with zoning such as proper set back would be addressed. No additional verification would be required since there is no defined building permit. There was discussion on the importance of the applicant understanding that there would be no additional inspections. Should there be concerns in the future the applicant cannot come back on the Town because the Town has not inspected. It was clarified that a building permit is not required for electricity to be installed however inspections would be needed under the National Electrical Code and would not be associated with this permit. There was additional discussion on what would happen if at some point in the future the structure was used for some other purpose. It was noted that by acknowledging the zoning permit, the property owner cannot use the structure for anything else. The building department felt very strongly that it was important that the applicant recognizes what they are signing.

ZONING PERMIT APPLICATION FEE

RESOLUTION NO. 233-2010 Motion by Councilman Comardo, seconded by Councilman Carmestro, to establish a fee of $75.00 for the application of a Zoning Permit.

Motion carried: Aye 5 Nay 0

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REQUEST TO WAIVE VARIANCE APPLICATION FEE

Mr. Barton explained the circumstances regarding a request to waive the zoning variance application fee for 562 Hamlin Parma Town Line Road. Development consists of four lots of which one is a flag lot and the home does not meet the set back requirements. This was discovered when the builder submitted the instrument survey the week before Christmas last year. The C of O was not issued and the owners would like to clean this up. Because this is a flag lot the front setback is not facing the road and it is the rear of the house where the issue exists. This must go before the Zoning Board for approval.

RESOLUTION NO. 234-2010 Motion by Councilman Carmestro, seconded by Councilman Smith, to grant a waiver of the $150.00 fee for the zoning variance application of Richard Salton at 562 Hamlin Parma Town Line Road.

Motion carried: Aye 5 Nay 0

SET DATE FOR ORGANIZATIONAL MEETING

RESOLUTION NO. 235-2010 Motion by Councilman Smith, seconded by Councilman Carmestro, to set the date for the organizational meeting for January 4, 2011 at 6:30 p.m.

Motion carried: Aye 5 Nay 0

SET TIME FOR LAST BILL PAYING SESSION

RESOLUTION NO. 236-2010 Motion by Councilman Carmestro, seconded by Councilman Smith, to set the time for the last bill paying session scheduled for December 30, 2010 at 9:00 a.m.

Motion carried: Aye 5 Nay 0

BUDGET TRANSFERS

TRANSFERS TO BUDGET Dec-10

FROM			TO			
ACCT #	DESCRIPTION	AMT.	ACCT #	DESCRIPTION	AMT.	REQUESTED
AOO530398948000	MISC EXPENSE	2500.00	AOO590906081000	MEDICAL INSURANCE	13500.00	GAVIGAN
AOO516199040000	MISC CONTINGENCY	4,500.00				
AOO516142047200	LEGAL/LABOR	3500.00				
AOO516142047300	LEGAL/BUILDING	3,000.00				
AOO512122041000	OFFICE SUPPLIES	200.00	AOO512122043000	EDUCATIONAL &PROF	200.00	GAVIGAN
AOO516143046300	EMPLOYEE HANDBOOK	500.00	AOO516162046000	CONTRACTED SERVICES	500.00	GAVIGAN
AOO516167046000	CONTRACTED SERVICE	400.00	AOO516167042200	EQUIPMENT REPAIR/RENTAL	400.00	GAVIGAN
AOO516142047200	LEGAL LABOR	4,800.00	AOO590901081000	NYS RETIREMENT	4,800.00	GAVIGAN
	A UNAPPRORIATED FUND		AOO513132047100	AUDITOR	11,000.00	GAVIGAN
LOO574741044100	GAS & ELECTRIC	4,000.00	LOO574741041000	OFFICE SUPPLIES	3,000.00	CRUMB
			LOO574741041500	JANITORIAL SUPPLIES	540.00	CRUMB
			LOO574741044200	TELEPHONE	160.00	CRUMB
			LOO574741049200	VISITING ARTIST	300.00	CRUMB
AOO514141048000	MISC EXPENSE	50.00	AOO514141045000	PERSONAL CAR USE	50.00	CURRY
AOO514141021000	OFFICE EQUIPMENT	1,750.00	AOO514146046000	CONTRACTED SERVICES	7,490.00	CURRY
AOO514141023000	EDUCATIONAL	350.00				
AOO514141023100	BOOKS/SUBSCRIPTION	90.00				
AOO514141048000	MISC EXPENSE	800.00				
AOO514133012000	OFFICE CLERK	3,500.00				
AOO514133012000	CONTRACTED SERVICE	1,000.00				
BOO537362048000	MISC EXPENSE	2,800.00	BOO537362045100	GASOLINE	600.00	BARTON
			BOO537362045200	VEHICLE MAINTENANCE	400.00	BARTON
			BOO537362049100	PROPERTY MAINTENANCE	500.00	BARTON
			BOO537362047300	LEGAL FEES	1,300.00	BARTON
AOO570761011004	VAN DRIVER	2,100.00	AOO570714049101	PLAYGROUND YOUTH	2,100.00	FOWLER
AOO571711017000	PARK ATTENDENT	600.00	AOO571711015000	SEASONAL LABORER	600.00	DOOL
AOO571711019000	OVERTIME	750.00	AOO571711049000	SEASONAL LABORER	750.00	DOOL
AOO571711049000	PARK IMPROVEMENTS	3,500.00	AOO571711042200	EQUIPMENT REPAIRS	3,500.00	DOOL
AOO571711049000	PARK IMPROVEMENTS	3,000.00	AOO571711045100	FUEL	3,000.00	DOOL
AOO571711049000	PARK IMPROVEMENTS	1,000.00	AOO571711046000	CONTRACTED SERVICES	1,000.00	DOOL

RESOLUTION NO. 237-2010 Motion by Councilman Roose, seconded by Councilman Comardo, to approve the Budget Transfers as submitted.

Motion carried: Aye 5 Nay 0

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MISCELLANEOUS ITEMS

PHASE II STUDY FOR JOINT SALT STORAGE SHED

RESOLUTION NO. 238-2010 Motion by Councilman Carmestro, seconded by Councilman Comardo,

WHEREAS, it has been determined that before LaBella Associates can proceed with the comprehensive plan for a joint salt storage shed, a Phase II Environmental Study on the site at 40 Grove Street must be conducted;

NOW THEREFORE BE IT RESOLVED, that the Town of Parma will share 50% of the cost of the Phase II study with the Village of Hilton & Hilton Central School District but in no event shall our costs exceed $5,550.00.

Motion carried: Aye 5 Nay 0

INFORMATIONAL ITEMS

MISCELLANEOUS ITEMS

Conservation Easement Martin Farms – Supervisor McCann reported that the closing was held on December 17, 2010 for the purchase of the conservation easement on the Martin Farm property at 396 Burritt Road.

LIAISON REPORTS

**Councilman Smith reported he attended the Historical Society meeting last night and the group is growing and much more active.

**Councilman Carmestro reported that John Lemcke was elected to a four year term as Fire Commissioner in the recent election.

A quote was obtained from Doan for a 2011 Chevy Silverado 3500 on state contract bid for $24,900. They have offered a $10,000 trade on our current truck for a net price of $14, 999. There was discussion on repairs needed to the current Parks Department pickup truck and the cost if it was decided to keep the truck

AUTHORIZATION TO PURCHASE PARKS DEPARTMENT PICK UP TRUCK

RESOLUTION NO. 239-2010 Motion by Councilman Carmestro, seconded by Councilman Comardo, to authorize the purchase of a 2011 Chevy Silverado 3500 pickup truck on state bid contract in the amount of $14,999 including trade in for the current Parks Department pick up truck; with funds to come from the A Fund.

Motion carried: Aye 5 Nay 0

AUTHORIZATION TO PURCHASE 9' WESTON UNION PLOW MOUNT

Doan can also provide a 9'Weston Union Mount Plow on state bid contract including the installation.

RESOLUTION NO. 240-2010 Motion by Councilman Carmestro, seconded by Councilman Comardo, to authorize the purchase a 9' Weston Union Mount Plow from Doan on state bid contract not to exceed $5,000; with funds to come from the A Fund.

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Motion carried: Aye 5 Nay 0

**Councilman Comardo noted that the Recreation Commission cancelled their holiday meeting and that the Special Police met at the beginning of the month and there has not been another since we last met.

**Councilman Roose reported that area variances were approved for an addition to the existing building and parking for the Mico Transmission hearings. The addition will include two bays facing west and three bays facing south. The parking space request was modified to twenty three approved spaces and changes to how the cars are parked will meet the setback requirements for parking. There was additional discussion about the number of unlicensed cars and there can be no selling of cars as it would require a special permit.

CORRESPONDENCE

Supervisor McCann referred member to the correspondence folder.

WARRANT

RESOLUTION NO. 241-2010 Motion by Councilman Smith and seconded by Councilman Carmestro, to approve payment of the warrant as submitted below.

FUND TOTALS

AOO	General Fund	$	135,289.93
BOO	Part Town	$	6,368.42
DAO	Highway, Townwide	$	6,816.03
DBO	Highway, Part Town	$	22,231.43
SDO	Townwide Drainage	$	6,264.24
TAO	Trust & Agency	$	4,195.90
	GRAND TOTAL:	$	181,165.95

Motion carried: Aye 5 Nay 0

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 8:57 p.m., seconded by Councilman Smith and all were in favor.

Respectfully submitted,

Donna K. Curry
Parma Town Clerk