

Parma Town Board meeting held on Tuesday, March 5, 2013 at the  
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

**ATTENDANCE**

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

**OTHERS IN ATTENDANCE**

Dog Control and Code Enforcement Officer Art Fritz, Recreation Commissioners Dave Tresholavy and Al Howe, Joe Petricone from the Parks Department, Larry Speer, Anne Duggan, John Duggan, Mike Clark, Joe Reinschmidt, Heidi Reinschmidt, Greg Timmons, Kyle Mullen, Ken Mullen, Mike Weldon, Ken Blackburn, John Barclay, Fritz Gunther, Carol Kluth, Helen Ives, Justin Zajia, John Chart, Roger Koss, and numerous other members of the public who did not sign in.

**CALL TO ORDER**

Due to the large number of people in attendance the meeting was not called to order until Court proceedings finished so that the room could be opened to accommodate everyone in attendance. Supervisor Carmestro called the meeting to order at 6:50 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 and that the meeting was being recorded.

**PUBLIC FORUM**

Supervisor Carmestro asked if there was any citizen present who would like to address the Town Board about their concerns. He asked that they stand give their name and address and their concerns. Joseph Reinschmidt indicated he received a copy of a letter addressed to the Town Board from Dean Snyder and confirmed Town Board members received. His concerns included whether weaknesses identified by the Comptroller's office regarding access by Finance staff in the accounting software have been addressed and will there be an independent audit done annually as he recalled there being sign offs performed by the Board in the past and that a Town Auditor was selected each year at the Organizational meeting. He asked when that changed. The Supervisor and Councilperson Smith did not recall ever signing off and Councilperson Smith noted that Mr. Reinschmidt was on the Town Board, during the time he has been on the Board, and there was no sign off by the Town Board. It was noted that the annual reports (AUD) have been done each year by Raymond F. Wager, CPA or Hungerford Vinton, LLC; but

full blow audits have not been done. There was an internal controls audit done by Hungerford Vinton in 2011. Raymond F. Wager, CPA has been chosen to do the audit based on being the low bidder and that audit has already started. This will be done each year.

Ken Blackburn asked if discussion would be allowed during the portion of the meeting addressing #3 on the agenda (Deputy Highway Superintendent Position). After a brief discussion it was determined that the discussion would take place during the public forum.

Mr. Blackburn stated that a couple of options have been given to the Board and wished for the Board to elaborate and explain how they came to the decision they are going to make tonight. Supervisor Carmestro asked the Attorney for the Town, James Holahan, if this is something that could be discussed. Attorney Holahan responded that the Town Board has not acted on this matter and since this was part of settlement discussions with the Judge and related to other litigation and advised that they are not at liberty speak regarding this. There was disagreement by some in attendance. After asking for a show of hands on how many people wished to speak and some discussion it was determined that those who wished to speak should limit their time to 4 minutes.

Discussion from this point centered around two main topics: the Deputy Highway Superintendent position and the New York State Comptroller Office Audit. There were heated discussions, numerous opinions stated, accusations made, as well as thoughtful questions and a great deal of feedback given to the Town Board.

Kyle Mullen requested that the letter referred to by Mr. Reinschmidt and written by Dean Snyder be entered into the record of the minutes. The Clerk asked that Mr. Mullen provide a copy of the letter, so what he was specifically asking for, could be incorporated into the record. *See Schedule A attached at the end of the minutes.*

The public forum was closed at 8:40 pm.

### **MINUTES – FEBRUARY 19, 2013**

**RESOLUTION NO. 91-2013** Motion by Councilperson Roose, seconded by Councilperson Brown, to accept the Minutes of the February 19, 2013 meeting.

Motion carried: Aye 4 Nay 0 Abstained Councilperson Smith

### **TOWN CLERK REPORT**

Town Clerk Report for February has been submitted and filed. The Hilton Rotary Club has requested use of the playground and the North side of the Town Hall for their annual Easter Egg Hunt from 8:00 to 9:30 am. on Saturday, March 30, 2013. They are providing the required insurance. The Town Board was in agreement to allow the event. The Monroe County Town Clerk and Tax Receiver's Association will be hosting Robert

Freeman, the Executive Director of the Committee for Open Government, at their next meeting this Friday. Ms. Webster and I will both be attending this meeting.

I have been contacted by Kris Schultz on behalf of Joe Sciortino, JR Holdings, LLC on what they need to do to reapply for rezoning of 945, 949, 959 & 961 Hilton Parma Corners Road from Rural Residential to Planned Development Senior Residential. This would be the proposed site for North Parma Station. When they originally applied they were charged a \$25.00 application fee for each application (4) and the \$100.00 Public Hearing Fee for each application. A Public Hearing was set for August 16, 2011 but a request was received for a postponement to December. The letter indicated they wanted sufficient time to complete a traffic study and to hold informational meetings. They are inquiring as to what the fee will be. It should be noted that no legal was run for the public hearing but there was work done by Mr. Barton and my department regarding this. I have spoken with Jack Barton and we agree that new applications will be needed for each parcel and a full environmental assessment would need to be done. The Clerks asked what fees should be charged should a new request be submitted. It was agreed that the current application fee (\$250.00) would be charged for each parcel as the same work will have to be done again. The public hearing fee will be waived as this was not completed the last time.

An application was submitted on March 1, 2013 for a Local Government Records Management Improvement Fund Grant for 2013/14. This is the 3<sup>rd</sup> submission for a joint grant with the Village of Hilton. We are requesting funding for the remaining portion of our last request in the 2011/12 cycle. If funded entirely we could receive over \$147,000. The Building Department property record files for both the Town and Village are maxed to capacity. Efforts to get records into our Records Management software are at a standstill at the moment because our server has been at peak capacity for several months and an upgrade is needed. Our Building Department is in need of another fireproof cabinet, at a cost of \$5,000, but we do not have the space for it right now. It seems pointless to spend \$5,000 on a fireproof cabinet when numerous cabinets will be freed up for use if the server is upgraded.

The Hilton Cadet Baseball Organization has submitted paperwork for pavilions on July 19, 20 and 21<sup>st</sup> for all four pavilions. The local fee rental is \$75.00 per pavilion. This would be 12 rentals for a total of \$900.00. They have sent a check in for \$300.00 which is one days' worth of rentals. The payment last year was \$1,500 for the agreement and they paid \$75.00 per day for five pavilions over a two day period for a total of \$375.00. There was no mention of what was to be charged for the pavilions in the January 15, 2013 meeting. The Board was asked how they would like to proceed. There was discussion which concluded with charging that the Saturday and Sunday normal rate be charged but felt it was not necessary to charge for the Friday rentals. This would be a charge of \$600 for the three days.

**HILTON CADET TRAVEL BASEBALL – PAVILION USAGE**

**RESOLUTION NO. 92-2013**

Motion by Councilperson Smith, seconded by Councilperson Comardo, to charge a fee of \$600 for the rental of all park

pavilions on July 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup> for the Hilton Cadet Youth Baseball Tournament.

Motion carried: Aye 5 Nay 0

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported crews have been doing sewer cleaning and patching potholes. At the next meeting he will present the expenditures for work on Town roads.

A list of roads the County will be doing work on in the upcoming year has been released but no dollar amounts have been included. For Parma, they will be working on Bennett Road between Wilder and Curtis Roads; the west end of Burritt Road, Hinkleyville Road, the east end of Huffer Road, Lighthouse Road between Curtis and Moul Road.

The Town should be receiving its reimbursement for the Collamer Road Bridge Project over West Creek and is expected within four weeks.

There was discussion on the Huffer Road curve and what can be done to alleviate further deaths at that location. A study is being done by the County to determine the best way to address the situation.

### **BUILDING DEPARTMENT REPORT**

The Building Inspector is attending training so there was no report.

### **RECREATION DEPARTMENT REPORT**

Mr. Fowler introduced Luis Martinez-Perez from SUNY Brockport. Luis is a Recreation and Leisure student completing his final semester internship before graduating in May. He will be with us in a full time capacity through the end of April.

### **MISCELLANEOUS REPORTS**

#### **PARKS REPORT**

There was discussion on repairing the ceiling in the Court offices. It is likely that the ceiling will be repaired versus installing a drop ceiling. Pros and cons of each were discussed. Mr. Petricone has met with a drop ceiling installer for recommendations and with a company that resurfaces ceilings using a stucco/stipple type process. He was also asked by the Court office to price a drop ceiling in the Courtroom area. The Court has applied for a grant for that type of ceiling and new lighting. Mr. Petricone also asked for a quote for the Board room. It was noted the ceiling likely has asbestos in it. There was further discussion on the cause of the leaks in the Court Office area and the impact it has had on staff in that department. There is a considerable difference in the pricing.

**ENTER INTO EXECUTIVE SESSION**

Attorney for the Town James Holahan asked to speak to the Town Board regarding pending litigation in an executive session.

**RESOLUTION NO. 93-2013** Motion by Councilperson Smith, seconded by Councilperson Comardo, to enter into Executive Session for a brief consult with the Attorney for the Town to discuss ongoing litigation.

Motion carried: Aye 5 Nay 0

The Town Board recessed to the small meeting room for the Executive Session at 9:02 p.m. so those in attendance would not have to leave the room and come back.

**CLOSE EXECUTIVE SESSION**

**RESOLUTION NO. 94-2013** Motion by Councilperson Smith, seconded by Councilperson Comardo, to close the Executive Session at 9:16 p.m. and return to regular session.

Motion carried: Aye 5 Nay 0

**BUSINESS ITEMS**

**DOG KENNEL – TOWN OF HAMLIN**

There was discussion about the inter-municipal agreement with the Town of Hamlin. Art Fritz, Dog Control Officer explained that he had shown the inter-municipal agreement to the Town Attorney for any legal wording that needed to be changed or added. The Town of Hamlin has also looked at it and is ok with it.

**RESOLUTION NO. 95-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to enter into an inter-municipal agreement with the Town of Hamlin to act as the official Dog Kennel for the Town of Parma.

Motion carried: Aye 5 Nay 0

*See Schedule B at the end of the minutes*

**LETTER OF CREDIT APPROVAL ALL SEASONS SUBDIVISION – SECTION 5**

Correspondence has been received from Chatfield Engineers that they have reviewed the estimate for the letter of credit for \$414,207.40 for Section 5 of the All Seasons Subdivision and the Town Board needs to approve.

**RESOLUTION NO. 96-2013** Motion by Councilperson Roose, seconded by Councilperson Smith to approve the Letter of Credit for the All Seasons Subdivision – Section 5 in the amount of \$414,207.40.

Motion carried: Aye 5 Nay 0

**DEPUTY HIGHWAY SUPERINTENDENT POSITION**

**RESOLUTION NO. 97-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, to table action to create the Deputy Highway Superintendent Position.

Motion carried: Aye 5 Nay 0

**MISCELLANEOUS**

None.

**LIAISON REPORTS**

\*\*Councilperson Brown reported that the dog kennel business was covered earlier on in the meeting and there is not a lot going on with the Special Police. Recreation Department was also covered earlier in the meeting.

\*\*Councilperson Comardo reported that the Zoning Board met two weeks ago and there were six actions consisting of mostly variances and extension of nonconforming uses. Five actions were passed and the sixth one was tabled to give the applicant and board more time to gather further information.

\*\*Councilperson Smith reported that there was nothing more specific than what had already been talked about regarding the court ceiling. He is working on getting together a presentation on the Emerald Ash Borer that is threatening the trees, hopefully sometime in April.

\*\*Councilman Roose reported that the Planning Board had a very short agenda. He reported on the Dome on Ridge Road and that the last remaining violations that were occurring there are being addressed. He had spoken with Bob Prince who stated that the owner of the Dome is on the same page with the Town. Mr. Roose has been there this week and the bathroom construction is almost done and they are working on the door being installed by the revolving door.

There being no further business before the Town Board, Councilperson Roose made a motion to adjourn the meeting at 9:26 p.m., seconded by Councilperson Brown.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk

### Schedule A

Letter from Dean Snyder sent via e-mail

**Subject:** Open letter to the Parma Town Board 3-3-13

Dear Parma Town Board members:

It was with regret that I read the January 2013 report from the Office of the New York State Comptroller <http://www.osc.state.ny.us/localgov/audits/towns/2013/parma.pdf> where it was made clear our "Town Board did not adopt reasonable budgets", "did not allocate adequate revenues to the Town Outside of the Village (TOV) highway fund which caused the TOV highway fund to report a deficit fund balance since 2007. At the same time the Board appropriated nonexistent fund balance in the highway fund budget for three of the last five fiscal years, all the while knowing that the TOV highway fund had a deficit fund balance. In addition, the Board consistently underestimated the sales tax revenue for the TOV general fund and significantly" (page 3) "underestimated expenditures. For example, the Board underestimated revenues by \$309,631 (42 percent) in 2010 and by \$284,194 (40 percent) in 2011" (page 4).

It was also found that "Both the Finance Director and the finance office clerk have full administrative rights to the Town's financial software and can...make or delete evidence of, payments without detection" (page 4). "Town Law requires all Town officers and employees who receive or disperse moneys during the year to account for these transactions and present their books and records to the Board for audit by January 20th of the following year."... "This annual audit provides the Board and Taxpayers with a measure of assurance that the Town's financial records and reports contain reliable information on which to base management decisions and gives the Board the opportunity to monitor the Town's fiscal procedures. During our audit period, the Board DID NOT audit, or contract with an independent public accountant to audit the books and records of the Supervisor and Town Clerk" (page 11).

"The Board's budgeting practices decreased the transparency taxpayers are entitled to and caused TOV taxpayers to pay real property taxes that were higher than necessary" (page 7).

Our Town Board is the legislative body responsible for the overall management of the Town, including oversight of the Town's operations and finances and adopting and monitoring the budget. Our Supervisor is the Town's chief fiscal officer and is responsible for maintaining adequate accounting records. According to the State Comptroller's audit the Board's actions have been "misleading" (page 9), caused "taxpayers living outside of the Village to pay unnecessary property taxes" (page 9). "The Board adopted budgets..with inaccurate estimates"... "routinely overestimated expenditures and underestimated revenues to generate operating surpluses" (page 10).

What does all of this mean to you and me as taxpayers?

I asked each of you at a recent Town Board meeting if you were aware of the Town Law requiring you to audit the books and records of the Supervisor and Town Clerk. I was shocked to find out that with your significant combined experience, not one of you were aware of this requirement. Rather than accept the fact that you had made a grave error in

judgment, I heard a litany of excuses including none of you are financial experts, and that the State Comptroller's Office was "mean and unfair" with its report. The reason for this report is to protect the taxpayers from poor decisions being made at your level.

Apparently you have been operating with poor information, you should be thankful this was brought to your attention.

The most painful excuse I heard was that although the TOV taxpayers were overtaxed, the money is being put to good use. If taxpayers were taxed at the appropriate level, the Town would have had to borrow money and pay interest to facilitate several current project's completion...in the long run it was saving taxpayers dollars (the means justifies the end?). Are you kidding me! Did you realize that most taxpayers carry some credit card debt and that over taxing each one of them borrows their money (without their permission) that they could have used to pay down their debt. The resulting cost of interest to each of these individual taxpayers could be 18 to 22% just so the Town can selfishly save some tiny fraction of that percentage. This over taxation results in stealing "definition steal: To take the property of another without permission or right".

I understand this has unfortunately gone on for years but that is no excuse. I understand great strides had been made by the Board during Supervisor McCann's term to remove this "Consequentialism" mentality, but it appears we are headed back towards our old ways.

I understand that the Board had a great idea on how to undermine the taxpayer's directive to elect Brian Speer as the Highway Superintendent. You decided to try to fire his Road Foreman on a technicality without the Highway Superintendent's input or consent (see attached "Town Board letter to Highway Dept foreman.pdf"). This may have seemed like a great plan, to fire a person without just cause by "appointing" him to a position that requires him to live in the Town (he has never lived in the Town since he was hired as a Road Foreman nor was he ever sworn into this new "Deputy Highway Superintendent" position, nor was the Highway Superintendent made aware of this appointment (see attached "Highway foreman to the Town Board.pdf). Shame on you! I understand we as taxpayers have wasted over \$80,000 trying to support this "great idea" and will probably spend over \$100,000 before we are done. Thank you very much for being a good steward of our tax dollars not to mention the underhanded manner you decided to deal with this valued employee (another example of Consequentialism).

I also understand some of you think it would be another "great idea" to get rid of the Town's elected position of Highway Superintendent, to replace it with an "appointed" position taking away the Town resident's voice in deciding who oversees this important responsibility. This coming from the same Board who as described above, has miserably failed at their fiduciary duties regarding the Town finances. Are any of you experts in the nuances of the Highway Department. You weren't even able to accurately account for the budgeting and expenses of the Highway department budget, much less indicate you can run it with an appointed position (is it true that your budget for the highway department misrepresents the actual numbers by including increases due to benefits while none of the other departments carry that burden?).

Some talk has been centered around the Town acting more like a business. What would a Business' Board of Directors do if they received an audit report like the one presented above? They would probably fire the people responsible for advising and making these



poor decisions. A hundred thousand dollars may not sound like much to you, but it seems like a tremendous amount of individual taxpayer's hard earned money wasted to apparently satisfy someone's personal vendetta against our elected Highway Superintendent! During the primary and election I believe Brian Speer identified many of the financial inconsistencies noted in the State Comptroller's audit. Why didn't you take these seriously and research them? I recently heard the Town Board dropped health insurance benefits for part-time Town employees while at the same time granting "lifetime" health insurance benefits to anyone sitting on the Town Board for just 10 years. If this is true, that's a pretty good benefit for just 10 years in a part time position. What do you think the residents would think of this decision if they knew about it? Is this an example of being good stewards of our Town's assets?

What can be done to set the Town back on track?

1. Accept that some previous mistakes were made and work on improving your performance in the tasks delegated to you by the voters.
2. If someone tells you the State Audit report is just a bunch of recommendations and that what you currently are doing is just fine, consider the source. Carefully read the entire report until you understand it. If you have questions, contact the State Comptroller's Office. Their job is to answer questions and get you pointed in the right direction.
3. Stop spitting in the face of the voters who elected Brian Speer and accept that the attached letter to the Highway Foreman was a foolish mistake. Cut our losses. Accept Superintendent Speer's recommendation that we retain the Road Foreman position instead of creating the Deputy Highway Superintendent position which would force this longtime valued employee to either sell his house and move into Parma or quit.
4. If we lack financial expertise on the Board, advertise the position looking for someone with that experience. Maybe its time to choose public officials based on what experience and background they can bring to the table and not base it on "whose turn it is", who carried the most petitions or who sold the most nachos at Apple Festival.

For once, consider "doing the right thing".

Respectfully submitted,

Dean Snyder



## TOWN OF PARMA

1300 Hilton-Parma Road  
P.O. Box 728  
Hilton, New York 14468  
(585) 392-9462  
Fax (585) 392-6659

CARM CARMESTRO  
Supervisor

APRIL 19, 2012

Alfred Leone  
70 Westmar Drive  
Rochester, NY 14624]

1<sup>st</sup> letter to AL

Re: *Proof of Residency*

Dear Mr. Leone:

You have been appointed to the position of Deputy Superintendent of Highways. This position was classified by the Monroe County Civil Service Commission as part of the exempt class, and, by New York law, you are a public officer. As a public officer, you are required to maintain residency in the Town of Parma. It is my understanding that failure to meet the residency requirements of your office renders your appointment ineffective. Public Officers Law § 30.

The information presently available to the Town indicates that you are not a Town resident. As such, the Town Board is requesting that you produce satisfactory proof that you are a resident of the Town of Parma at its regularly scheduled meeting on May 1, 2012. Failure to do so will jeopardize your appointment and, upon information and belief, will render the office of Deputy Superintendent of Highways vacant by operation of law.

If you have any questions, you may direct them to me.

Very truly yours,

Carm Carmestro  
Parma Town Supervisor

pc: James Smith, Councilperson  
Gary Comardo, Councilperson  
James Roose, Councilperson  
Tina Brown, Councilperson  
Brian Speer, Highway Superintendent

April 23, 2012

Supervisor Carmestro,

I am a bit puzzled by your letter dated April 19, 2012 regarding the need to provide proof of residency. In October 2002, I was hired for the position of Road Foreman for the Parma Highway Department by Resolution No.331-2002. Such a position does not require Town residency.

But now, according to your letter and information I received as a result of my FOIL to the Department of Labor, sometime in the recent past I have been appointed to the position of Deputy Highway Superintendent, an appointment that I was completely unaware of. As you state in your letter, this position does have a residency requirement, so it begs the question, how could I have been appointed as Deputy Highway Superintendent in the first place since, as everyone is aware, I do not live in town. As you point out, this is a violation of Public Officers Law § 30, a violation that obviously was committed by either your office or the Civil Service Commission. And in furtherance of this violation, the Department of Labor may have made a Determination based on this misinformation.

Town Law § 32 states that before the position of Deputy Highway Superintendent can be filled, the Town Board must first create the position, after which the Highway Superintendent has five (5) days to fill the position. If he does not fill the position in that time frame, the Town Board can fill the position. Since the Highway Superintendent did not appoint me, it would follow that the Town Board must have.

Could you please provide me with a copy of both the Resolution that created the position and the Town Resolution that appoints me to that position. Also could you provide me with a copy of the letter notifying me of the appointment and that I must both take an oath of office and file an official undertaking.

As to the Monroe County Civil Service, it bases the classification of employees on the information provided by the Town. The local Commission cannot appoint employees to a particular position, but can only certify that the Town can have such a position. Therefore if the Commission has classified me as Deputy Highway Superintendent, they did so with information provided by your office. Providing false information to the Civil Service Commission is a violation of Civil Service Law.

It occurs to me that this is nothing more than the continuation of a decade long treatment of harassment by the Town and that you may have deliberately orchestrated these circumstances to create an opportunity to dismiss me from employment with the Town. You can't violate the law and then use the result against me. I have contacted a Labor Attorney to inquire as to my legal rights.

Given the reasons stated above, I see no reason to provide the Town with proof of residency as it is not needed for the position of Road Foreman for which I was hired.

**Schedule B**

## LEASE AGREEMENT FOR KENNEL FACILITIES

LEASE AGREEMENT, made this 5 day of March, 2013, by and between the TOWN OF PARMA, a municipal corporation in the State of New York, having its office and principal place of business at 1300 Hilton Parma Corners Road, Town of Parma, Monroe County, New York, hereinafter referred to as "Lessee ", and

TOWN OF HAMLIN, having an office and principal place of business at 1658 Lake Road, Hamlin, New York 14464, in the Town of Hamlin, County of Monroe and State of New York, hereinafter referred to as "Lessor

### WITNESSETH:

WHEREAS, Lessor owns and operates boarding kennel facilities for stray dogs known as Town of Hamlin Boarding Facilities, located at 80 Railroad Avenue, in the Town of Hamlin, County of Monroe and State of New York and

WHEREAS, Lessee desires to rent kennel facilities so that it may maintain a pound or shelter for dogs pursuant to Section 115 of the Agriculture and Markets Law of the State of New York.

### THE PARTIES AGREE AS FOLLOWS:

1. Lessor hereby leases to Lessee, for Lessee's exclusive use, two dog kennels at Town of Hamlin Boarding Facilities.
2. Lessee, Town of Parma Dog Control Officer will use the leased facilities to provide and maintain a shelter or pound for all dogs seized by the Town of Parma in accordance with the provisions of section 115 of the Agriculture and Markets Law.
3. Lessee, Town of Parma Dog Control Officer shall have access to the leased facilities at all times to deliver and pick up seized dogs or redeem previously seized dogs. Lessee, Town of Parma Dog Control Officer in its use of facilities, agrees to adhere to the practices and policies of the Lessor.
4. Lessor shall provide a competent employee to care for the dogs in the leased facilities and shall provide food and water for such animals. Lessor agrees to provide all insurances, maintenance and repair as may be necessary, and shall keep the leased facilities in a clean condition.
5. The parties agree to comply with all provisions of Article 7 of the Agriculture and Markets Law and with any rules and regulations promulgated pursuant thereto in relation to seizure, holding care and redemption of dogs.
6. The Town of Parma will be responsible for collecting all kenneling fees prior to the dog's release to the dog owner as well as providing a release form to the dog owner so they may redeem their dog from the Town of Hamlin
7. The Town of Hamlin will be responsible for collecting all fees for veterinary costs, adoption, spayed and neutered fees from the dog owner.
8. If the dog is not adopted or cannot be placed in a foster home after the hold period, the Town of Hamlin will take the dog to Lollypop Farm. There will be a \$35.00 charge for transporting the dog to Lollypop Farm. The Town of Parma will be responsible for the admittance fee to Lollypop Farm.
9. Lessor agrees to provide to Lessee a monthly report of the number of "dog days" used by lessee during the preceding month. A "dog day" is defined as the use of

one kennel by one dog for one day (e.g., one dog held in one kennel for three days equals three "dog days").

10. Lessee shall pay to Lessor the sum of \$2,000.00 in two payments, \$1,000.00 upon the signing of this contract, and the final payment of \$1,000.00 shall be payable on or about July 1, 2013 by voucher submitted to the Parma Town Board of the Lessee.

11. This agreement shall commence on the 5<sup>th</sup> day of March 2013 and shall continue through the 28<sup>th</sup> day of February 2014.

12. This agreement may be terminated by either party upon thirty days written notice to the other party, with monies due or overpaid prorated on a monthly basis to the termination date.

IN WITNESS WHEREOF, the parties have executed this agreement the day and date for above written.

WITNESS:

\_\_\_\_\_

TOWN OF PARMA

By: \_\_\_\_\_  
Carmey Carmestro  
Town Supervisor

WITNESS:

\_\_\_\_\_

TOWN OF HAMLIN

By: \_\_\_\_\_  
Thomas Breslawski  
Town Supervisor