

Parma Town Board meeting held on Tuesday, February 4, 2014 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

Supervisor	James Smith
Councilperson	Gary Comardo
Councilperson	James Roose
Councilperson	Tina Brown
Councilperson	Kyle Mullen
Highway Supt.	Brian Speer
Building Inspector	Jack Barton
Director of Parks and Recreation	Tom Venniro

OTHERS IN ATTENDANCE

Assessor Don Wells, Carol Mullen, Ken Mullen, Helen Ives, Mike Weldon, Sr., Janna McGlynn, Melissa Webster, Ed Arnold, Cindy Arnold, Mark Bernreuther, John Duggan, Fritz Gunther, Dorreen Hoy, Stan Hoy, Jim Borelli, Joseph Silivestro and other members of the public.

CALL TO ORDER

Supervisor Smith 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. Emergency exit procedures were noted.

MINUTES – JANUARY 21, 2014

RESOLUTION NO. 71-2014 Motion by Councilperson Comardo, seconded by Councilperson Brown, to accept the Minutes of the January 21, 2014 Town Board meeting.

Motion carried: Aye 5 Nay 0

TOWN CLERK REPORT

The Town Clerk Report for the month of January has been completed, filed and given to the Board. Tax collections have picked up as we are coming up on the no interest cutoff this Monday. The Town's portion of this year's collection, \$3,711,000.45, has been paid in full to the Supervisor. The remainder of the collections will now be turned over to the Monroe County Treasurer.

HIGHWAY DEPARTMENT REPORT

Supt. Speer provided the Board with statistics on the winter season so far. He reported they have driven 22,643 miles, have purchased 4,271 ton of salt and used 2,508 ton of it, and 1,370 hour covering those miles.

When it is not snowing they have been fixing, chipping and patching potholes.

BUILDING DEPARTMENT REPORT

Mr. Barton reported the Building Department report for the month of January was completed today. There were 95 inspections done in January between the Zoning Code Enforcement, Fire Marshall and the Building Department.

RECREATION DEPARTMENT REPORT

Mr. Venniro explained the department is getting ready to launch a new Recreation and Park Software which will make their work more efficient and provide a more convenient experience for participants. Use is expected to coincide with the 2014 Spring Program Brochure beginning in March.

LIAISON REPORTS

**Councilperson Brown noted there had been no Planning Board meeting since we last met and the Conservation Board is meeting tonight.

**Councilperson Comardo is the liaison for the Park Department. He has met with Tom Venniro to discuss that department.

**Councilperson Roose attended the Park and Recreation Commission meeting. He noted it was Tom's first commission meeting. During the meeting they discussed the technology upgrades that will be taking place which is expected to save time and money. The Sweetheart Dance will be held Friday, February 7th from 6:00 to 8:00 p.m. at the Community Center.

**Supervisor Smith reported he attended the Library Board meeting. He spoke with them about long range planning issues. He has reviewed the proposed union contract for the Park, Recreation and Building departments with their union representative. That person will now review with the union members and get back to us on if there is a tentative settlement. At that point it will be distributed to the Board.

**Councilperson Mullen reported there has not been a Zoning Board of Appeals meeting. During the last meeting there had been a question raised about zoning for having chickens. He stated that he had met with Mr. Barton and Mr. Prince regarding this and also did a significant amount of research in codes for surrounding Towns as well as the City of Rochester. Mr. Mullen reviewed the information he compiled with those in attendance. (*see Schedule A at the end of the minutes*) He felt that our policy is in line with our neighboring towns and the population density. He noted there is a process in place to apply for a variance to have chickens and over the past three years there have only been a handful of cases involving chickens before the Zoning Board of Appeals and there have been approvals and denials from that Board. The Zoning Board of Appeals uses a checklist from which to base their decision and the determinations are made on a case by case basis. Right now he would not recommend any changes for these reasons.

PUBLIC FORUM

Supervisor Smith opened the public forum and asked if there was any citizen present who would like to address the Town Board about their concerns.

Janna McGlynn expressed that she would like to have a small flock of 5-6 chickens and they have done a lot of research and found a breed that will suit her situation. The breed she would like to have is a Speckled Sussex. It weighs about ten pounds, comes in a bantam version and lays 240 eggs per year at maturity. There is a smaller bantam variety which weighs two pounds or less. Her family wants to know where their food is coming from and would like to be self-sufficient. She cited numerous examples of how they are currently meeting that goal (some examples noted: hunt, fish, can goods from their own garden, make their own pasta, soap and other items). She expressed that the eggs are more nutritious, the birds eat bugs and weeds, aerate the soil, each chicken would need 4 sq. ft. in a coop and 8-10 feet if free range and are not costly to maintain. She felt they are quiet and that you would only hear them when they "sing out" when they lay or sense a threat. With regard to cleanliness, odor is not a problem if the coops and yard area are kept clean, dust baths would be available and they can be bathed in a large dish pan with soap. Vermin will not be attracted if the food is stored properly in tightly closed containers and chicken wire will be put around the penned area and across the top to deter hawks. With regards to disease, getting veterinary care, proper hand washing, keeping the area clean and having specific boots or shoes for the coop. She indicated the CDC does not have concerns with small flocks and avian flu. They also do not consider them to be livestock. The coop they would like to purchase is a 6ft by 8 ft. elevated Tuscarora shelter. She also cited the City of Rochester Code and noted her husband was a police officer there and never responded to calls regarding chickens. She asked the Board to reconsider what is currently in the Town Code.

Melissa Webster also wished to speak about having chickens. She expressed that if the Board supports agriculture and rural programs she does not understand why you can have a horse on 2.5 acres but not any chickens. She felt this was a silly law. She will soon have three children and would like to put her son in a 4-H program. He is very interested in growing things and farm animals. She would like to see her son care for, breed and eat animals he has raised and felt it would be a good responsibility for him. She resides on .69 acres where she feels she has plenty of room and her property backs up to a huge field where there is other wildlife. She felt it would benefit our soils, other families, and be a more cost effective way to have organic eggs. She stated that it would cost about \$15 per month to raise 6 chickens, they put nitrogen and phosphorus back into our soil, and free ranging chickens take care of all the bugs that are overrunning and killing plants. They look so cute she really wants one and for her kids to have one too. With our Town being an agricultural Town and all the beautiful farms we have around us she felt that small homes should also represent who Parma is and feels she is left out of that. She would like to participate in gardens; growing beautiful things and having chickens walk through the yard. If the City can do this then we should be able to also.

Edward Arnold stated that he intended to speak about chickens but that something of a greater concern to him came about. He tried to get the chicken issue on the agenda for this meeting, said he dropped off information and was under the impression that it would be on the agenda. It was not on the agenda. He wanted the public to see it so they could come to speak on it if they wanted to. He wanted to know what the actual procedure was for bringing an item on to the agenda.

Supervisor Smith responded that if someone wants to discuss something, like we have tonight with the chickens, it would take place in the open forum. If someone is coming to the Board with a business item it would typically be presented to someone in the office, a department head who can request that it be put on the agenda under their own authority, they could ask a Town Board member to sponsor it. Business items, something that would have action taken on either during the meeting at hand or after

requested information is provided at a subsequent meeting, are typically put on the agenda as items that will have actions taken on them during that meeting. When that information is available then it is brought up again. We do not typically put discussion items on the agenda from the people because they can bring it up in the open forum.

Mr. Arnold wanted to know how you ever bring something forward to get a public hearing. He felt he has supplied a lot of information and asked to be put on the agenda but was not. He wanted to hear from other members of the Board on how to do this.

Councilperson Mullen inquired if he had gone online to the Town Code to look at how to pursue a change in the code. Mr. Arnold indicated he had not and asked where the information was. Councilperson Mullen could not site the specific spot but indicated there are procedures. He referenced a request from Mr. Arnold stating what he would like to see proposed. He noted there would need to be a public hearing to address this and if this is what you are looking to do then it would need to be presented as a formal request and is not just a decision made that night. Mr. Arnold stated that this is why he wanted the topic on the agenda so that dialogue could begin on this. He felt he was getting stonewalled to get something on the agenda, indicated he would look at the code and would like him to contact him with where the information is if he finds it.

Councilperson Comardo stated that he understood why Mr. Arnold wanted it on the agenda so that people could read it. The appropriate place to start a discussion would be just as it has taken place tonight and would not preclude taking formal steps to change the code on a matter. He felt it was productive to have the conversation first as has been done tonight. A lot of research was done on surrounding Towns and will be made available if you want. There is a path forward right now to allow those that are interested in raising chickens to do so. Changing the Code would be a more widespread process. He noted he has been the liaison to the Zoning Board for the last two years and there has not really been a lot of interest by the general public. He acknowledged the interest expressed by some people tonight. He indicated that if there seems to be a real movement in the Town to change the code so that it can be more prevalent to have chickens it would support the proposals heard tonight to change the Code. The Town has not heard any thus far. In the absence of this, it does not prevent individuals from going forward and having chickens. He noted that those that spoke tonight have expressed reasonable ideas for why they want it and what they would do. He also noted this can be done today in Parma.

Mr. Arnold felt the \$200 fee to apply for a variance was of concern. He came back to his concern that he really does not understand the vehicle to be used for the public to be able to talk to their representatives about their concerns. He referred to the last meeting where it was stated by the Supervisor that there could be discussion on the topic of chickens. He felt it is difficult to get things done when there isn't a procedure and asked again what the procedure is.

Councilperson Brown stated she thought we were doing the procedure right now. A public hearing is held to address a specific thing; it is presented in writing. Mr. Arnold felt it was specific and asked if Councilperson Brown had received the information. She indicated she had. Mrs. Webster inquired what it takes to change the law. She acknowledged she is new to this and noted that earlier it was mentioned that more people would have to come forward. She felt that there would be a lot of young families similar to hers that would be interested in this. When they bought their house they wanted land and space and even if there were only a small number of people that wanted to do this couldn't the law of Rochester be copied. Councilperson Brown stated that it is a process. Councilperson Comardo acknowledged the interest of those that had spoken tonight but also noted it is a Town of 16,000 people and he does not know where others stand on this topic. He reiterated that in his time as liaison to the

Zoning Board he has not heard people expressing an interest. Mrs. Webster was unsure of what she should do to gain interest.

Councilperson Roose asked to speak before there were any more questions taken. He noted in his time on the Board, the Zoning Code has been reviewed and some things changed. He summed up the process as people would come in to talk, like this, spurring interest. Mr. Barton would research; provide paperwork to the Board; discussion on the proposal goes back and forth which would eventually lead to a public hearing. He felt this is what we are doing - people talk, the Board listens, which could eventually lead to a proposal, a public hearing is held and a change to the Code could be voted on.

An unknown person inquired if there had been no interest on this how someone would know if it was up for discussion if it is not put on the forum (agenda). Councilperson Brown noted the earlier discussion was referring to interest at the Zoning Board level. If you have less than three acres you would go to the Zoning Board to apply for a variance. There has been an average of one a year for the past ten years and some have been approved.

Councilperson Mullen inquired what Mrs. McGlynn's and Mrs. Webster's lot sizes were and if they are they over or under an acre. Mrs. McGlynn state hers was a standard Village lot, she does not reside in the Village and it is under an acre. Mrs. Webster's lot size is .69 acres. Councilperson Mullen noted even at .69 acres no other Town around here would allow you to have chickens without a variance. The City of Rochester is the only place where you could have chickens. Even Hamlin, which is a more rural and agricultural than Parma, would not allow this without requesting a variance. Mrs. Webster felt this was silly and wanted to know why someone in an apartment complex or a condo with "five feet" of land can do this. Councilperson Mullen noted that in the City you have to be the owner of the property, you must have a license, size and number restrictions exist and this is enforced by the Police Department. He inquired if she had talked to the Building Department and exhausted all the existing options. She did not feel she could afford the application fee for a variance but that she could pay for a license, shelter and food to raise chickens.

Supervisor Smith explained what is involved in making the change and the cost associated with doing so. The total cost was estimated at \$1,700 to \$2,000 and would include: \$900 and \$1,000 to write the law, cost associated with posting, Zoning Board would review over three hours over a period of two meetings, eight to ten hours minimum of Building Department time; because it is a town wide action it would be a Type I SEQR action; and needs to be reviewed by Monroe County. It was noted, historically, this is addressed when there are several changes coming up and we bundle them together. It costs just about the same to make one law change as it would to do five. He would not like to see us jump in and spend this if we average one request a year. In that this has been publicized by Mr. Arnold, it may start to get more requests and get the attention of the Board. What he would like to see is legitimate requests and not 100 people say they are going to raise chickens and only two people actually end up doing it. The Town does have the option of waiving all or part of the fee. So if someone wants to apply for a zoning variance, they can also apply for a hardship. The Town could look at this and then determine if a waiver will be granted and would usually be conditional on an annual review to confirm everyone is in compliance. Mrs. Webster would like to apply but only if she knows she will not have to spend the application fee. Supervisor Smith said he would talk with the Building Department to see what the best way to proceed is. He asked that she wait a couple of weeks and then apply. He believes that we have done this in the past.

Councilperson Mullen noted that the Town does not prohibit chickens. He noted some people have come out and said that you cannot have chickens and wanted to make clear that this is an incorrect statement. He felt those statements should be redacted by anyone who has put them out there. The Code

allows you to have animals. The question is the size of the lot and if you have a variance to go underneath those limits. Animals are welcome and you are allowed to have them on your property.

Mark Bernreuther expressed his thanks for this conversation, the research provided and appreciates it is politically correct to look at the surrounding towns. However, he did not think that just because other towns surrounding us do not allow (based on the prior discussion) that it is a reason for us not to allow it. He felt we are above this. He felt Parma is noted for being farm friendly and it is beneath us to not consider this just because surrounding towns are not doing it. If it has no detrimental effect to our neighbors, it should only be about what we want. He felt chickens are marvelous animals and pets and the ladies who spoke have brought up excellent points on how beneficial chickens can be. He stated they don't hurt anybody, obviously you don't want it on a postage stamp lot, and you don't want to offend or stink out your neighbors but cleanliness is another issue. He appreciated the sensitivity offered for hardship situations, but if only one or two people a year express an interest maybe it is because you have to come up with \$200 to get the variance. He suggested not incurring the expense of changing the code by changing the fee for a variance to have chickens. He suggested \$5.00. Then it would be beneficial to everyone involved.

BUSINESS ITEMS

CYCLOCROSS EVENT – SEPTEMBER 27, 2014

Supervisor Smith reported the Rochester Cyclocross organization has requested use of our Park again this year for one of their events. The event will take place at the back of the Park straight back from the baseball fields on September 27th.

RESOLUTION NO. 72-2014 Motion by Supervisor Smith, seconded by Councilperson Comardo, to allow use of the Town Hall Park for the Cyclocross Event to be held on September 27, 2014.

Motion carried: Aye 5 Nay 0

RESOLUTION TO AMEND THE TOWN OF PARMA PROCUREMENT POLICY

The following resolution was read by the Supervisor and discussion included whether fire districts were included as one of the entities. It could not be confirmed that this was the case. Also discussed was whether the effective period should be stated in the resolution since the legislation has been implemented as a trial and will expire in August of 2017 if not reinstated prior to that time. It was felt that there would be sufficient notice from the Association of Towns and State that our policy could be changed if the practice is not renewed. It was decided that we will have enough notice from the Association of Towns if any change is needed and the wording will be left as it is. This is a trial period for having the option of using municipal contracts for purchases and recent changes to procurement laws allows municipalities to "piggyback" off of other municipal contracts which have been properly bid and awarded rather than just through New York State and the current county provisions.

RESOLUTION NO. 73-2014 Motion by Councilperson Roose, seconded by Councilperson Mullen,

WHEREAS, various departments within the Town of Parma, are in need, from time to time to purchase various equipment, machinery and supplies, many of which are items available from either Uniform State Bid Awards, Uniform County Bid Awards or other municipal bid awards, all of which have been conducted and awarded in accordance with the provisions of Section 103 of the General Municipal Law of the State of New York; and

WHEREAS, the Town Board desires to allow the Town departments to purchase items of equipment, machinery or supplies as needed from these various municipal bid awards available to the Town of Parma for such purposes, and such municipal bid awards generally allow for a more favorable cost of the purchase of such equipment, machinery or goods than is available to the Town of Parma on a separate bid basis;

NOW, THEREFORE, be it resolved by the Town Board of the Town of Parma, Monroe County, New York, as follows:

Section 1. That the Department heads of the various departments of the Town of Parma, be and hereby are authorized to purchase equipment, machinery, goods and supplies from any State, County, Town, Village or School District who have secured an award for such items of equipment, machinery or supplies though the solicitation of the competitive bidding process in accordance with the provisions of General Municipal Law Section 103 and within the parameters of the Town of Parma Procurement Policy.

Section 2. That this authorization shall be incorporated into the Town of Parma Procurement Policy under the section *Statutory Exceptions from these Policies and Procedures* as G. Through any State, County, Town, Village or School District contracts – General Municipal Law 103(16).

Section 3. That this authorization shall remain in full force and affect until such time as the same has been withdrawn or modified by further resolution of the Town Board.

Motion carried: Aye 5 Nay 0

AUTHORIZATION TO PURCHASE HIGHWAY DUMP TRUCK

Supervisor Smith noted we have documentation from Onondaga County which allows other municipalities to purchase off of this bid. If anyone has a question on the piggyback guidelines they will be available upon request. The specifications must meet the needs of the Town. Councilperson Mullen asked for clarification on the price were are going to pay for the truck in that Supt. Speer previously noted someone had purchased a truck for over \$200,000 and we were getting our for much less (\$189,000). Supt. Speer noted the truck we are getting was built on speculation, is a 2013 truck, and has been sitting on their lot. The recent purchase by another entity was for a 2014 truck which has different emission controls thus making the price higher.

Supt. Speer has provided the Board with updated lease rate quotes for the purchase of a 2013 International truck with a stainless steel box and snow equipment package. Per Supt Speer, First Niagara Bank has the lowest rate. (*See Schedule B at end of minutes*) Discussion included: there are two options by paying at the beginning of the term and each year thereafter or paying at the end of the year an each year thereafter. Both would be over a three year period of three installments. There is no prepayment penalty clause. Because of the immediate need for the truck it was proposed to pay \$64,932.12 now and after assessing our cash situation decide if we will pay it off in full earlier. Supt. Speer will provide the Town Clerk with the truck's specifications.

RESOLUTION NO. 74-2014 Motion by Councilperson Mullen, seconded by Councilperson Brown, to authorize the purchase of a 2013 International truck with a stainless steel box and snow equipment package from Henderson Truck Equipment through use of the Onondaga County bid of which a copy has been provided by the Highway Superintendent.

Motion carried: Aye 5 Nay 0

**AUTHORIZATION TO ENTER INTO LEASE AGREEMENT FOR PURCHASE
OF HIGHWAY DUMP TRUCK**

RESOLUTION NO. 75-2014 Motion by Councilperson Roose, seconded by Councilperson Comardo, to enter into a lease agreement with First Niagara Bank for the purchase of a 2013 International truck with a stainless steel box and snow equipment package from Henderson Truck Equipment for a total cost not to exceed \$201,000.

Motion carried: Aye 5 Nay 0

COBRA FUTBOL CLUB SOCCER TOURNAMENT

Supervisor Smith explained there has been a request from the Cobras to use Town Hall Park soccer fields to supplemental their field needs for their tournament on July 12 and 13, 2014. There will be a \$2,000 charge for the two day usage; access should be from Parma Center Road; there will be no pavilion usage; there will be no parking allowed at the front of the park and the Cobras will need to provide traffic management and inform their participants of these restrictions so that pavilion rentals are not disrupted. A standard contract will be drawn up for this event and follow the previously established policies that are in place for other organizations that hold events (i.e. insurance, selling of food, vendors, Town's right to cancel due to field conditions, etc.). The Hilton Heat club was contacted for their input on any conflict and they are ok with this.

RESOLUTION NO. 76-2014 Motion by Supervisor Smith, seconded by Councilperson Comardo, to allow the Cobra Futbol Club to use up to five soccer fields for July 12 and 13, 2014 for their soccer tournament with the establishment of our standard agreement and will also include the following:

1. \$2,000 charge for the two day usage
2. Access should be from Parma Center Road with parking at the rear of the Park. There will be no parking allowed at the front of the Park.
3. There will be no pavilion usage.
4. The Cobras will provide traffic management and inform their participants of these restrictions so that pavilion rentals are not disrupted.

Motion carried: Aye 5 Nay 0

WALNUT GROVE ESTATES – LETTER OF CREDIT

Supervisor Smith read correspondence from Chatfield Engineers that they have reviewed and find acceptable the estimate for the letter of credit for Walnut Grove Estates in the amount of \$184,760.20.

The Supervisor explained this is an action taken which holds funds in escrow from a developer to make sure that improvements, generally roadwork, are completed according to the specification stated in the plans. The goal is to have enough funds in the bank to fix any issues that may arise. This subdivision is on the west side of Webster Road at the south end.

RESOLUTION NO. 77-2014 Motion by Supervisor Smith, seconded by Councilperson Brown to accept the Letter of Credit for Walnut Grove Estates Subdivision in the amount of \$184,760.20.

Motion carried: Aye 5 Nay 0

TIME WARNER CABLE – 2014 TAX PAYMENT

RESOLUTION NO. 78-2014 Motion by Supervisor Smith, seconded by Councilperson Roose, to accept \$3,031.87 from Time Warner Cable and pay \$733.19 as a credit from franchise fees paid to the Town of Parma for the full payment of the 2014 Town & County tax bills for Time Warner Cable tax account numbers:

264001	500.00-0-258./HILT	\$183.14
264089	500.00-2-580./BKPT	\$ 33.00
264089	500.00-2-580./HILT	\$374.04
264089	500.00-2-580./SPEN	\$143.01
	Total	\$733.19

Motion carried: Aye 5 Nay 0

BUDGET TRANSFERS

TRANSFERS

Feb-14

ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
AOO3.909	FUND BALANCE	62,612.08	AOO514146014000	RECORDS MANAGEMENT CLK	5,379.08	CURRY
			AOO514146046000	CONTRACTED SERVICES	57,233.50	CURRY
LOO3.909	FUND BALANCE	3,981.59	LOO574741049000	BOOKS	3,759.59	KIRK
			LOO574741049200	VAP	222.00	KIRK
LOO3.909	FUND BALANCE	12,100.00	LOO409559900	APPROPRIATED FUND	12,100.00	GAVIGAN
BOO3.909	FUND BALANCE	206,772.00	BOO409559900	APPROPRIATED FUND	206,772.00	GAVIGAN
AOO510101021000	OFFICE EQUIPMENT	500.00	AOO512122043000	EDUCATIONAL & PROF	1,000.00	GAVIGAN
AOO510101041000	OFFICE SUPPLIES	500.00				
AOO516144047500	ENGINEERING	250.00	AOO516143046300	EMPLOYEE HANDBOOK	250.00	GAVIGAN
AOO516162048000	MISC EXPENSES	100.00	AOO516192043000	EDUCATIONAL & PROF	100.00	GAVIGAN
AOO536364041000	SUPPLIES	57.69	AOO536364011000	ADMINISTRATOR	57.69	GAVIGAN
		286,873.36			286,873.86	

RESOLUTION NO. 79-2014 Motion by Councilperson Comardo, seconded by Councilperson Brown, to approve the Budget Transfers as presented.

Motion approved: Aye 5 Nay 0

MISCELLANEOUS

RESOLUTION TO CLARIFY THE POSITION OF CHIEF OF THE PARMA SPECIAL POLICE

RESOLUTION NO. 80-2014 Motion by Councilperson Roose, seconded by Councilperson Brown,

WHEREAS, the Parma Town Supervisor has acted as the Chief of the Special Police in the absence of an appointed Chief this resolution serves to clarify that position, and

WHEREAS, the Town Board of Parma desires that the Town Supervisor be the Chief Law Enforcement Officer of the Town of Parma, including, but not limited to the Chief of the Parma Special Police. As of this adoption all previous appointments of all other Chiefs of the Parma Special Police are revoked.

NOW, THEREFORE, be it resolved that the Town of Parma Supervisor is now the Chief of the Parma Special Police.

Motion approved: Aye 5 Nay 0

There being no further business before the Town Board, Councilperson Comardo made a motion to adjourn the meeting at 7:58 p.m., seconded by Councilperson Brown.

Respectfully submitted,

Donna K. Curry
 Parma Town Clerk

SCHEDULE A

SUMMARY TABLE

Municipality	City of Rochester	Town of Clarkson	Town of Greece	Town of Hamlin	Town of Ogden	Town of Parma
Allowed by code?	"Fowl"	"Livestock"	"Farm animals"	"Hens & Chickens"	"Animals", incl <i>poultry, chickens</i>	"Animals"
Universal code or by Zoning District?	Universal	Universal	Both	Both	Both (Residential Districts)	Both (Residential Districts)
Minimum Space Required?	8 ft ² per fowl, max 30 fowl ¹	Any lot, within density limitation ²	≥ 10 acres ³	1 acre per 10 chickens or hens ⁴	5 acres ⁵	3 acres for animal in any zone district ⁶
Rooster allowed?	No	Not specified	Not specified	Yes, 5 acres	Not specified	Not specified

Assessment: Parma's policy and code for the keeping of poultry is aligned with neighboring towns based on residential population density. Further, the ability to apply for a zoning variance offers potential relief for a

resident/owner to raise chickens/hens on less than 3 acres of land. Based on data received as of 31 January 2014, trend analysis indicates an average of one request for variance or less per year. A change in the town code, relating to poultry, fowl, chickens, and/or hens is not recommended.

¹ Each fowl shall have at least four square feet of floor space when kept in a coop and shall have at least four square feet of space in addition thereto as and for a runway. Not more than 30 fowl may be kept in an open area of 240 square feet. *§ 30-19. Regulations relating to fowl.* City of Rochester code, available at: <http://ecode360.com/RO0104>

² The keeping of livestock shall be allowed on any lot in any district until the gross residential density reaches a point of development in excess of two dwelling units per acre in the immediate vicinity of the site. The "immediate vicinity" shall be taken to mean a one-fourth-mile-square area (40 acres) centered on the site in question. *§ 140-19.*

Regulations applicable to all residential districts. Town of Clarkson code, available at: <http://ecode360.com/CL0027>.

³ Farm animals. Regardless of size, breed or species, animals which are customarily found on farms may be permitted outdoors, provided that said animals are kept on a farm (as provided required by Chapter 211, Zoning, of the Code of the Town of Greece). *§ 157-10. Animals.* FARM: A lot or any combination of contiguous lots either owned or leased which comprises not less than 10 acres in area and which is principally used for agricultural purposes, including but not limited to horticulture; plant nurseries; apiaries; fish hatcheries; animal or poultry husbandry; dairying; pasturing; and the customary accessory structures necessary for the storage or sale of the agricultural goods produced on said lot. *§ 211-5. Word usage and definitions.* Town of Greece code, available at: <http://ecode360.com/GR0054>

⁴ Hens and chickens. Ten chickens or hens are allowed on a lot of one acre, and an additional 10 chickens or hens are allowed for each additional acre. Notwithstanding the foregoing, no roosters are allowed on any lot of less than five acres. *§ 520-41. Keeping of animals and poultry; required enclosures and fences for farm animals.* Town of Hamlin code, available at: <http://ecode360.com/HA0223>

⁵ In any residential (RT [Residential Transition District], R-1 [Single-Family Residential District], R-2 [Two-Family Residential District], MFR [Multi-Family Residential District]) district, no lot may be used or occupied and no structure may be erected, maintained or used for the raising or harboring of pigeons, swine, goats, rabbits, cows, poultry, bees, foxes, mink, skunk or other fur-bearing animals unless the lot is five or more acres in size. *§ 210-42. Keeping of animals.* Town of Ogden code, available at: <http://www.ecode360.com/OG0089>

⁶ Except for riding horses, no animals, other than ordinary household pets, shall be kept on any residential lot of three acres or less in any zone district. Riding horses may be kept on residential lots of 2 1/2 acres or more. *§ 165-82. Regulations applicable to all districts.* Town of Parma code, available at: <http://ecode360.com/PA0391>

SCHEDULE B

LEASE QUOTES							
	Amount	Rate	Payments	Years	Payment Frequency	Advance / Arrears	Total Payments
First Niagara	\$190,000	2.555%	\$64,932.12	3	Annual	Advance	\$194,796.36
	\$190,000	2.704%	\$66,788.86	3	Annual	Arrears	\$200,366.58
Real Leasing	\$190,125 *	3.560%	\$65,604.39	3	Annual	Advance	\$196,813.17
	\$190,125 *	3.560%	\$67,939.90	3	Annual	Arrears	\$203,820.00
* \$125.00 additional cost for issuance of lease							
Rochester Equipment Leasing	\$190,000	4.200%	\$65,956.11	3	Annual	Advance	\$197,868.33
	\$190,000	3.500%	\$67,817.49	3	Annual	Arrears	\$203,452.47

Rochester Equipment Leasing, Inc.

January 21, 2014

FORMAL PROPOSAL

OBLIGOR: TOWN OF PARMA, NY

- ✓ This is a finance/ownership contract. No residual value.
- ✓ Fixed interest rate for the three (3) year term.

EQUIPMENT: NEW DUMP TRUCK W/SNOW REMOVAL EQUIPMENT

OPTION 1

Acquisition Cost: \$190,000.00 Term: Three (3) years First Payment Due: At Closing
 Down Payment: \$0.00 Payment Mode: Annual in Advance Payment Amount: \$65,956.11
 Trade In: \$0.00 Interest Rate: 4.200%
 Principal Balance: \$190,000.00 Rate Factor: 0.347137
Total \$197,868.33

OPTION 2

Acquisition Cost: \$190,000.00 Term: Three (3) years First Payment Due: One Year from Close
 Down Payment: \$0.00 Payment Mode: Annual in Arrears Payment Amount: \$67,817.49
 Trade In: \$0.00 Interest Rate: 3.500%
 Principal Balance: \$190,000.00 Rate Factor: 0.356934
\$203,452.47

- * **This is a proposal only and is not a commitment to finance. This proposal is subject to credit review and approval and proper execution of mutually acceptable documentation.**
- * Failure to consummate this transaction once credit approval is granted and the documents are drafted and delivered to Obligor will result in a documentation fee being assessed to the Obligor.
- * This transaction must be credit approved, all documents properly executed and returned to Rochester Equipment Leasing, Inc. and the transaction funded on ALL proposals on or before February 4, 2014. If funding does not occur within that time-frame, or there is a change of circumstance which adversely affects the expectations, rights, or security of Oblige or its assignees, then Oblige or its assignees reserve the right to adjust and determine a new interest rate factor and payment amount, or withdraw this proposal in its entirety.
- * This transaction must be designated as tax-exempt under Section 103 of the Internal Revenue Code of 1986 as amended.
- * **OBLIGOR'S TOTAL AMOUNT OF TAX-EXEMPT DEBT TO BE ISSUED IN THIS CALENDAR YEAR WILL NOT EXCEED THE \$10,000,000 LIMIT, OR THE INTEREST RATE IS SUBJECT TO CHANGE.**

Rochester Equipment Leasing, Inc.	TOWN OF PARMA, NY
	Signature:
	Typed Name & Title
	Date:



First Niagara Leasing, Inc
 726 Exchange Street STE 900
 Buffalo, NY 14210

Attention: Mr. Brian Spears

First Niagara Leasing, Inc is pleased to present the following proposal for the transaction described below:

Date: January 16, 2014
 Lessor: First Niagara Leasing, Inc
 Lessee: Town of Parma
 Equipment: Two Trucks(Regional International Trucks)
 Expiration: This Quote is valid for 30 days

LEASE QUOTE:

Amount	Rate	Payments	Term/Years	Payment Frequency	Advance/Arrears	Total Payments
\$190,000.00	2.555%	\$64,932.12	3	Annual	Advance	\$194,796.36
\$190,00.00	2.704%	\$66,788.86	3	Annual	Arrears	\$200,366.58

The proposed financing terms and conditions are subject to the satisfactory completion of the First Niagara Leasing Inc. standard credit approval process.

This is a Tax-Exempt, Municipal Lease/Purchase with the title to the equipment passing to Lessee. This is a net lease under which, all costs, including insurance and maintenance are paid by Lessee for the term of the lease.

This quote was prepared under the assumption that the Lessee is Tax Exempt and Bank Qualified. First Niagara Leasing, Inc can provide a revised quote if it is determined that the Lessee is Non-Bank Qualified or does not qualify for Tax Exempt interest rates.

NO DOCUMENTATION FEES OR PREPAYMENT PENALTY FEES

Thank you for the opportunity to present this proposal. If you have any questions, please contact me at 716-417-6736

Sincerely,
 Traci L. Stadler
 Vice President
 Office Number: 716-819-5749
 Fax Number: 800-745-5822
 Cell: 716-417-6736
 Email: traci.stadler@fnfg.com



BUSINESS | MUNICIPAL | ENERGY
1200 Pittsford-Victor Road
Pittsford, NY 14534
Phone: (585) 419-9190 / Fax: (585) 419-9110
www.RealLease.com

January 30, 2014

Town of Parma
Brian F. Speer – Highway Superintendent
1300 Hilton-Parma Corners Rd.
Hilton, NY 14468

Dear Mr. Speer:

Real Lease, Inc. is pleased to present the following Municipal Lease Purchase Proposal for the Town of Parma. Approval of this commitment by the Town of Parma shall constitute the Town of Parma application to Real Lease, Inc. The terms and provisions are subject to Lessor's cost and availability of funds, acceptance, approval of management of Lessor and are pursuant to the following terms and conditions.

LESSOR:	Real Lease, Inc. ("RLI") its affiliates, assigns or nominees
LESSEE:	Town of Parma
EQUIPMENT:	International Plow Truck
EQUIPMENT COST:	It is anticipated that the total cost of the equipment will not exceed \$190,125.00. This amount includes a cost of issuance for the amount of \$125.00
LEASE PAYMENT & TERM OPTION #1:	Three (3) annual lease payments of \$65,604.39 each, in advance, based on the equipment cost above. Current municipal rate is 3.56%
LEASE PAYMENT & TERM OPTION #2:	Three (3) annual lease payments of \$67,939.90 each, in arrears, based on the equipment cost above. Current municipal rate is 3.56%
RATE:	The preceding costs are estimates, and thus, the payment amount would be changed in proportion to the actual cost – (Equipment Cost x Lease Factor). Proposed