

CHILI TOWN BOARD  
October 3, 2012

A meeting of the Chili Town Board was held on October 3, 2012 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Supervisor David Dunning.

**PRESENT:** Councilman Brown, Councilwoman DiFlorio; Councilman Slattery, Councilwoman Sperr and Supervisor David Dunning.

**ALSO PRESENT:** Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; Virginia Ignatowski, Town Clerk; Daniel Knapp, Director of Finance; Ken Kraus, Deputy Town Supervisor; David Lindsay, Commissioner of Public Works/Highway Superintendent and Building Department Representative; Richard Stowe, Counsel for the Town. Eric Vail, Insurance Counselor was excused.

The invocation was given by Virginia Ignatowski.

The Pledge of Allegiance was cited. The fire safety exits were identified for those present.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. No speakers addressed the Town Board. The Public Forum concluded at 7:02 p.m.

**MATTERS OF THE SUPERVISOR:**

1. Town of Chili has been awarded a Monroe County CDBG Grant for \$37,250 for Davis Park Pedestrian Entrance Project.

**SUPERVISOR DUNNING:** Just like to say that the Town has been awarded a grant through the Monroe County CDBG what -- the Community Development Block Grant program for \$37,250 for Davis Park pedestrian entrance improvement.

2. Town of Chili has been awarded a NYS Department of Agriculture & Markets Grant for \$50,000 to assist the Town of Chili & Town of Wheatland in its Agriculture & Farmland Protection Plan.

**SUPERVISOR DUNNING:** And we also just received notice from the New York State Department of Agriculture and Markets that we are receiving a \$50,000 grant to go towards the Farmland Protection Plan. That is something that we will be working on with the Town of Wheatland. If you recall about a year or so ago, we did pass a resolution to go out to work with Wheatland on this particular one, so combined it was 25,000 for each municipality and \$50,000 total. So very pleased, and we'll begin working with the Supervisor shortly over in the Town of Wheatland.

I don't have anything under pending matters.

**MATTERS OF THE TOWN COUNCIL:**

**COUNCILMAN SLATTERY:** Yes, Supervisor. One thing that I would have is, on the abstract tonight, there is some -- there is information there regarding the Black Creek Stream Corridor Trail. I was wondering if there is any update for the Board at this time.

**SUPERVISOR DUNNING:** Yeah. Actually, we have a meeting, Steering Committee meeting next week or, I think, the week after. Coming up shortly.

We had a series of Steering Committee meetings to this point. The consultant, Bergmann Associates, has given us a couple different options or several different options for trail alignment possibilities. We had a public meeting with -- was greatly -- it was largely attended by a lot of residents in the Town of Riga and a few for the Town of Chili.

And the overall feedback that we really kind of got from the residents at that point is a lot of residents really weren't in favor of having a trail put in basically right along the creek itself. So the creek alignment has been moved -- or I say the creek. The trail alignment -- that would be an accomplishment, wouldn't it?

**COUNCILMAN SLATTERY:** Maybe we can clean it at that time.

**SUPERVISOR DUNNING:** No, no. Mr. Stowe, you can tell me tomorrow. (Laughter.)

The -- the trail alignment itself is now moving out more towards the roads in that area, and one of the thought processes there is one of the things that we'll talk about a little bit more tonight here, too, is it will help us, perhaps, with sidewalks and things like that to get some areas covered in sidewalks.

But we have another Steering Committee meeting coming up. We have decided to forego

the land owner or property owners' meeting initially because right now there would be not a single piece of this trail would be on any private property at all. It would be on either County or Town property.

COUNCILMAN SLATTERY: In the right-of-way?

SUPERVISOR DUNNING: It would be either in County or Town property.

COUNCILMAN SLATTERY: But you say closer to a road?

SUPERVISOR DUNNING: Yes. They would be in the roads -- they would use the road right-of-ways.

COUNCILMAN SLATTERY: Oh, okay.

SUPERVISOR DUNNING: But the -- because there was no individual property owners that would be affected by the installation of a trail, should it be identified as such, um, we have decided to forego that property owners' meeting. There is really no need to -- to take it any further. We heard very clearly that they were not in favor of it, and we -- we are going to honor that and we'll move on in a different direction. So I will -- should have -- we should wrap this up I'm thinking some time before the end of the year. The project should be complete and we should have some -- some, you know, maps and things that we can look at as far as trail alignments and things.

COUNCILWOMAN SPERR: Great.

COUNCILMAN SLATTERY: Thank you.

COUNCILWOMAN SPERR: I did have one thing I didn't think of originally. But in correspondence tonight, there was a note here that Nancy Austin is resigning from the Preservation Board, and just to make sure that everyone realized, there is an opening. Nancy (Austin) is moving to a different Town, so that is creating an opening for another member of the Preservation Board.

The only other update I wanted to give was the Preservation Board has been working on a book about the barns of Chili for quite some time, and that book is now at the printers. So I can give an update that we have made it to the printers and we're anxiously looking forward to receiving those.

SUPERVISOR DUNNING: Very thankful to see the completion of that project.

COUNCILWOMAN SPERR: So am I. So are they.

The 9/5/12 Town Board meeting minutes were approved as submitted.

#### **REPORTS SUBMITTED:**

Monthly Financial Report – August 2012

Town Clerk Report – August 2012

Recreation Center Revenue Report – August 2012

Senior Center Revenue Report – August 2012

Architectural Advisory Committee Minutes – 8/22/2012

Chil-“E” Fest Report – 2012

Chili Parks & Recreation Committee Minutes – 7/17/2012

Conservation Board Minutes – 8/6/2012

Dog Control Report – August 2012

Drainage Committee Minutes – 8/7/2012

Historic Preservation Board Minutes – 6/11/2012, 7/9/2012, 8/13/2012

Planning Board Minutes – 8/14/2012

Traffic & Safety Minutes – 6/7/2012, No July Meeting, 8/2/2012

Zoning Board Minutes – 8/28/2012

#### **CORRESPONDENCE:**

1. Town Clerk, Virginia Ignatowski has received notification that Nancy Austin, Historic Preservation Board is resigning, effective 11/1/2012.
2. Town Clerk, Virginia Ignatowski has received notification that Scott Batz, Court Deputy is resigning, effective 9/13/2012.
3. Town Clerk, Virginia Ignatowski has received notification that Gregory Steele, Highway Department is retiring effective 10/26/2012.

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#### **RESOLUTION #265 RE: Authorizing Surety, Form, and Amount of Official Undertaking for the Faithful Performance of the Duties of the Town Clerk and Receiver of Taxes and Assessments**

**OFFERED BY: Councilman Brown**

**SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED**, as follows:

Section 1. The Town Board hereby approves the surety, form, and amount of the official undertaking for the faithful performance of the duties of the Town Clerk and Receiver of Taxes and Assessments as follows:

Type of Undertaking: Government Form P  
Faithful Performance  
Insurance company: Utica National Insurance Group  
Amount: \$500,000

Section 2. A true copy of this resolution shall be affixed to the undertaking to indicate this Board's approval thereon in accordance with Town Law Section 25.

UNANIMOUSLY APPROVED

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**RESOLUTION #266 RE: Chili Fire Department, Inc. Addition to Active List**

**OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio**

**BE IT RESOLVED**, that the following individual be added to the Chili Fire Department, Inc. Active list effective October 3, 2012:

Anthony Higgins

UNANIMOUSLY APPROVED

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**RESOLUTION #267 RE: Chili Fire Department, Inc. Removal from Active List**

**OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio**

**BE IT RESOLVED**, that the following individual be removed from the Chili Fire Department, Inc. Active list effective September 10, 2012:

Tim Guttman

UNANIMOUSLY APPROVED

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**RESOLUTION #268 RE: Union Station Park CDBG Grant Extension**

**OFFERED BY: Councilman Brown SECONDED BY: Councilman Slattery**

**WHEREAS**, the Town has received a \$50,000 Community Development Block Grant (CDBG) from Monroe County to be used for ADA trail at Union Station Park and that grant has already been accepted at the September 7, 2011 Town Board meeting Resolution #240; and

**BE IT RESOLVED**, that Supervisor Dunning is authorized to sign an agreement to extend the terms of the contract through July 31, 2013.

UNANIMOUSLY APPROVED

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**RESOLUTION #269 RE: Purchase General Receipts Module for Enterprise Edition Financial Accounting Software Package**

**OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Brown**

**BE IT RESOLVED** to purchase from KVS Information Systems, Inc through the OGS State Bid Contract PT63243 the Enterprise Edition Financial application software module General Receipts at a cost not to exceed \$1,955, to be paid from A/C #A1310.2; and

**BE IT FURTHER RESOLVED**, to subscribe for annual support services at a cost of \$300.

UNANIMOUSLY APPROVED

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**RESOLUTION #270 RE: Office Clerk IV Part-Time (Substitutes)**

**OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that the following individual be appointed substitute part-time Office Clerk IV for the year 2012, and shall be paid at the rate of \$8.00 per hour; expenses to be paid by voucher as incurred.

Marilyn Morningstar

UNANIMOUSLY APPROVED

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**RESOLUTION #271 RE: Bids for Sidewalk Plowing**

**OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Slattery**

**WHEREAS**, on September 24, 2012 the Chili Town Clerk received written sealed proposals for the plowing of sidewalks for the 2012/2013 season. The proposals identified a total cost for the main general sidewalk areas, and for Sections 1-10 of the Park Place sidewalk district. Three proposals were received as follows:

|                  |                   |
|------------------|-------------------|
| David Krenzer    |                   |
| Bid Item #1      | General Sidewalks |
| Bid Item #2      | Park Place        |
| Total Bid Amount | \$876.50          |

|                  |                   |
|------------------|-------------------|
| Jo-Ann Krenzer   |                   |
| Bid Item #1      | General Sidewalks |
| Bid Item #2      | Park Place        |
| Total Bid Amount | \$807.00          |

|                  |                   |
|------------------|-------------------|
| J. Scott Krenzer |                   |
| Bid Item #1      | General Sidewalks |
| Bid Item #2      | Park Place        |
| Total Bid Amount | \$787.00          |

**NOW, THEREFORE, BE IT RESOLVED**, to award the sidewalk plowing bid to the low bidder, J. Scott Krenzer at a cost of \$787.00 per trip for both general area sidewalks and the Park Place Sidewalk District.

UNANIMOUSLY APPROVED

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**RESOLUTION #272 RE: Establish Letter of Credit for American Tire 1350 Scottsville Road**

**OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that per the recommendation of the Commissioner of Public Works/Superintendent of Highways, a letter of credit be established for American Tire in the amount of \$62,860.40.

Items within the letter of credit include, but are not limited to, completion of punch-list items for storm water quality and quantity features, erosion control measures and the preparation of record plans to be submitted to the Town.

UNANIMOUSLY APPROVED

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**RESOLUTION #273 RE: Cabling and Equipment for New Highway and DPW Facility PA System**

**OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr**

**WHEREAS**, cabling is necessary for a Public Address (PA) system at the new highway garage/DPW facility located at 200 Beaver Road; and

**WHEREAS**, the Town requested and received the following proposals to provide the required equipment and cabling service:

|        |  |
|--------|--|
| TekPro | \$6,520 (Does not include required IP Phone Expansion)     |
| Relcom | \$8,517.75 (Includes required IP Phone Expansion)          |
| IC2S   | \$12,260.70 (Does not include required IP Phone Expansion) |

**WHEREAS**, the Commissioner of Public Works/Superintendent of Highways and Director of MIS have reviewed the submitted proposals and have made a determination that when including the cost for the required IP Phone Expansion that the proposal from TekPro would exceed the proposal from Relcom and is therefore rejected and that the quote from Relcom is acceptable and recommend; and

**NOW, THEREFORE, BE IT RESOLVED**, to accept the proposal from Relcom for a cost of \$8,517.75 to be paid from H481620.2.

UNANIMOUSLY APPROVED

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**RESOLUTION #274 RE: Parks and Recreation Master Plan Consultant**

**OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr**

**WHEREAS**, the Town of Chili will be updating the Parks and Recreation Master Plan and will be contracting with a professional consultant to assist with the process; and

**WHEREAS**, five proposals were received for providing professional consulting services and the following three Firms were interviewed:

|                      |          |
|----------------------|----------|
| EDR                  | \$43,120 |
| Bergmann Associates  | \$54,060 |
| LiRo Engineers. Inc. | \$63,000 |

**BE IT RESOLVED** that per the recommendation of the Parks and Recreation Master Plan Interview Committee, Supervisor Dunning is hereby authorized to sign a contract with EDR to provide consultant services, pending review by Town Attorney, with the amount of contract not to exceed \$47,000.00 which includes ten percent contingency.

UNANIMOUSLY APPROVED

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**RESOLUTION #275 RE: Set Public Hearing on the 2013 Preliminary Budget**

**OFFERED BY: Councilman Brown SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** in accordance of Section 108 of the Town Code the Town Board establishes the date, place and time for the Public Hearing on the 2013 Preliminary Budgets as follows and directs the Town Clerk to publish notice of same, in accordance with Section 108, in the Gates-Chili Post:

DATE: November 7, 2012  
PLACE: Town Hall, 3333 Chili Avenue, Rochester, NY 14624

**BE IT FURTHER RESOLVED**, that a Public Hearing be set for November 7, 2012 at 7:00 p.m. for the purpose of considering:

**Water District Assessment Rolls** (Hynes Tract, S Chili Benefit Area #1, S Chili Benefit Area #2)  
**Sewer Districts** (Chili Sewer Improvement Benefit Area #1)  
**Consolidated Lighting District #1**  
**Lighting Districts** (Chili Industrial, Pumpkin Hill, Blueberry Hill, Parklands of Chili.)  
**Sidewalk District (Park Place)**  
**Park District (Lexington)**  
**Consolidated Drainage District**

**Assessment Rolls for Fire and Fire Protection Districts** (Chili, Gates-Chili, Clifton, Chili-Scottsville)  
**Assessment Rolls for Ambulance Districts** (Chili, Gates-Chili, Clifton, Chili-Scottsville)  
**Proposed contracts for Ambulance Districts**  
**Proposed contracts for Fire and Fire Protection Districts**  
**Preliminary Budget**

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to publish notice of same, in accordance with Section 108, in the Gates-Chili Post is hereby ratified.

UNANIMOUSLY APPROVED

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**RESOLUTION #276 RE: Independent CPA Services for 2013**

**OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Brown**

**WHEREAS**, Freed Maxick & Battaglia submitted a three year proposal to perform independent CPA services to audit financial records, review court records as per the Uniform Justice Court

Act §2019A and the LOSAP audit of service points; and

**NOW, THEREFORE, BE IT RESOLVED**, to continue with Freed Maxick & Battaglia with the second year of their proposal to perform the above services per Resolution #305, passed on November 2, 2011.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: We recently got a call for projects from the UPWP, the Genesee Transportation Council. I want to thank Councilwoman Sperr for stepping up to the plate on this one. I asked her to please take a look at this grant. I wasn't able to work on it and she has been working on this with some people and, you know, we -- we really -- this would be a great opportunity and it fits the UPWP perfectly.

We have been successful in these type of grants before and I just want to thank you, Councilwoman Sperr, for doing this.

COUNCILWOMAN SPERR: Sure.

SUPERVISOR DUNNING: And hopefully we can be successful in this.

COUNCILWOMAN SPERR: Hopefully we will. It is due October 19th, and it will take a while before we hear. It will take months after we submit, so it will be a while before you hear any result, but as soon as we do find out, we'll pass it along.

**RESOLUTION #277 RE: Sidewalk Master Plan and Map Grant.**

**OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio**

**WHEREAS**, the Town of Chili 2030 Comprehensive Plan call for the creation of the above referenced master plan and map; and

**WHEREAS**, The Genesee Transportation Council (GTC) is currently accepting applications for the 2013-2014 Unified Planning Work Program (UPWP) grants; and

**WHEREAS**, the GTC has determined the eligibility of such a master plan effort under the UPWP; and

**NOW, THEREFORE, BE IT RESOLVED**, that Supervisor Dunning be authorized to submit a grant application for the master plan and map, committing matching funds not to exceed \$5,000.00 local cash and/or in-kind service match.

UNANIMOUSLY APPROVED

**RESOLUTION #278 RE: September 19, 2012 Abstract**

**OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Slattery**

**WHEREAS**, January 4, 2012 Resolution #1 authorized vouchers to be paid September 19, 2012 by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 6937, 6978, 7027-7034, 7038-7040, 7065-7174 totaling \$295,990.45 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

**NOW, THEREFORE, BE IT RESOLVED**, to note for the record vouchers 6937, 6978, 7027-7034, 7038-7040, 7065-7174 were paid from the following funds:

|                                  |               |
|----------------------------------|---------------|
| General Fund                     | \$ 63,245.58  |
| Highway Fund                     | \$ 185,067.13 |
| Library Fund                     | \$ 1,006.25   |
| H49 Davis Park ADA Restrooms     | \$ 4,378.00   |
| H52 Union Station Park ADA Trail | \$ 1,595.00   |
| Consolidated Drainage            | \$ 4,070.99   |
| Fire/Ambulance Fund              | \$ 36,127.50  |
| Senior Center Fundraiser         | \$ 500.00     |
| Total for Abstract               | \$ 295,990.45 |

UNANIMOUSLY APPROVED

**RESOLUTION #279**

**RE: October 3, 2012 Abstract**

**OFFERED BY: Councilwoman Sperr**

**SECONDED BY: Councilman Slattery**

**BE IT RESOLVED** to pay vouchers 6715, 7175-7179, 7184, 7190, 7202-7211, 7213, 7216-7217, 7219-7221, 7229, 7232, 7236, 7251-7253, 7255-7256, 7264-7275, 7277, 7279, 7282-7357, 7360-7362 totaling \$387,880.48 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

|                             |               |
|-----------------------------|---------------|
| General Fund                | \$ 66,204.11  |
| Highway Fund                | \$267,446.49  |
| H48 200 Beaver Road Project | \$ 52,992.25  |
| Consolidated Drainage       | \$ 1,162.63   |
| Fire/Ambulance Fund         | \$ 75.00      |
| TOTAL                       | \$ 387,880.48 |

UNANIMOUSLY APPROVED

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The next regular meeting of the Chili Town Board will be on Wednesday October 17, 2012 at 7:00 p.m. in the main meeting room.

The meeting was adjourned at 7:12 p.m.