

CHILI TOWN BOARD MEETING - October 20, 2004

A meeting of the Chili Town Board was held on October 20, 2004 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 Logel.

PRESENT: Councilman Slattery, Councilwoman Sperr, Councilwoman Ignatowski and Supervisor Logel. (Councilman Powers was excused.)

ALSO PRESENT: Richard Brongo, Town Clerk/Deputy Supervisor; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor; Joseph Lu, Town Engineer; Joseph Carr, Commissioner of Public Works/Superintendent of Highways; Dianne O'Meara, Comptroller; George Barnett, Sergeant of Arms.

The invocation was given by Pastor Reeves of the Calvary Assembly of God.

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

Supervisor Logel stated under the Matters of Supervisor was an item regarding the New York State Assessor's Association presented the Robert Osias Professionalism Award to Linda Leach for her diligence, integrity and quiet professional competence. Supervisor Logel stated Linda Leach was quite surprised when she received it. Supervisor Logel stated she asked Linda Leach if she wanted to be on the agenda tonight to have the award presented, but as it had already been presented to her, she felt anybody that wanted to stop in, could see the award. Supervisor Logel stated she did want to put it on the agenda because it was something that really needed to be mentioned because it was presented to her by her peers, all of the people that she works with in the field, and they highly respect her work. Supervisor Logel stated so everyone needs to congratulate Linda Leach.

Supervisor Logel stated she had two awards that were presented to her that she needs to present to Chili employees. Supervisor Logel stated she was invited to the Gates-Chili School District for a meeting and was presented a Certificate of Appreciation to the Town of Chili in recognition of its education and business partner relationship with the school. Supervisor Logel stated the certificate was presented to her by Mr. Stein, and it is because of the work that Joe Carr and the Highway Department has done with the young people at Paul Road, and the chips and all of the material that they donated. Supervisor Logel presented the certificate to Joe Carr and asked him to hang it down in the Highway Department.

Supervisor Logel stated she had a Certificate of Achievement presented to the Town of Chili for its outstanding support of the 2004 United Way Red Cross Campaign. She stated the certificate was presented at the Supervisors Association Meeting, but it truly belongs to Dianne O'Meara who did most of the work that was done. She stated Dianne O'Meara did an outstanding job this year and surpassed all of the goals that the Town had.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Eight speakers addressed the Town Board on various subjects, and the Public Forum concluded at 7:48 p.m.

Supervisor Logel stated this afternoon a letter was received from Senator Alessi's office in response to her letter of June 8 that she wrote to Senator Alessi asking him to consider finding a grant for the Town so they could put in a septic system at the Baker property. Supervisor Logel stated the reason they closed everything over there was because of the septic system, simply for health reasons.

Supervisor Logel stated today in the mail came a letter from Senator Alessi's office notifying the Town that they are giving the Town \$20,000 to put in a new septic system. She stated that is moving on a forward note.

TOWN BOARD COMMITTEE REPORTS/REPORTS BY COUNCIL MEMBERS:

**Community Service Committee - James Powers, Michael Slattery
Recreation Advisory Committee**

Councilman Slattery stated the 13th Annual Chili Hay Ride is taking place Friday, October 22nd, and Saturday, the 23rd, over at the disk golf course area. He stated the Boy Scouts once again are going to be out there participating with the haunted house, and various groups participating with the haunted hay ride. He stated that is going to be taking place from 6:30 to 9:30 on Friday and Saturday.

Councilman Slattery stated the Halloween Party is going to be the 29th at the Community Center on Buffalo Road. He stated people can stop by Recreation or give them a call for more information.

Councilman Slattery stated there is also a new brochure that the Recreation Director put out, with the number of different activities talking about what is going to be taking place this fall, this winter. He stated Breakfast With Santa is also included with that.

Councilman Slattery stated for the seniors, the Senior Center is a great facility. He stated Tricia Bacon does a great job down there. He stated there is going to be Thanksgiving party on Thursday the 8th with a chicken dinner, all of the trimmings, dressing, mashed potatoes.

Councilman Slattery asked how long is the grant for the septic system good for. Supervisor Logel stated the letter indicated Senator Alessi wanted to notify the Town of the special funding. Supervisor Logel stated she anticipates that in the next few weeks that Senator Alessi will be contacting the Town with the proper paperwork to fill out. She stated it is pass-through money secured through Senator Alessi's effort. Supervisor Logel stated the paperwork will come and they will fill it out the second they get it.

Councilman Slattery stated they will have to figure out how they will use the septic system, whether or not to keep the house, etc. Councilman Slattery stated he had asked Joe Carr, Mr. Curley and the Parks Department people to recommend should they take the house out, and when they do build something, do they build something like at Black Creek where they have the two bathroom facilities, the single-standing unit, and make it so that it has a shelter added to it. He stated they might have the bathrooms at one end of an open-air pavilion that could be added.

Councilman Slattery asked is this something that can be done in stages, because money is an issue. He stated they need to look at Baker, and they need to look at the whole thing over there, the disk golf. He stated they need to ask is this going to be a disk golf course. He stated they can't do anything without the bathroom facilities. He stated there are Johnny-on-the-Spots over there now. He stated he thought septic can go in and bathroom freestanding facilities can be built. He stated then they can go from there or look at the whole plan. He stated that has all to be discussed. He stated he asked them to do that, get together with Recreation. He stated they will be bringing that up at Recreation. Councilman Slattery stated the Recreation Advisory Committee looked at some of the different uses for that facility, too.

Supervisor Logel stated the main thing was she knew the Town stood a chance of getting money for septic. She stated that is a sanitary health issue. She stated once they have the sanitary system, then building the structures, they can go from there.

Councilman Slattery asked have they talked about the structure and the other recommendations that came up. Supervisor Logel stated they have already met and talked about that a little bit. Supervisor Logel stated last week Joe, Diane and herself talked about money.

CHILI TOWN BOARD MEETING - October 20, 2004

Joseph Carr stated what they need to do is build a storage building. He stated they have a lot of equipment that is stored in the various buildings. He stated their ultimate goal is to build a 60 by 100 cold storage building where they could get the equipment and materials inside. He stated they would also like to provide an outside storage area for the pipe, man holes, frame covers and those kinds of construction related items.

Joseph Carr stated once they have a new storage facility, then they can look at demolition of the old structures, a clean-up of that property and the development of a facility like they are talking about, a shelter, some bathrooms that can be used to expand the uses there. He stated but they need to look at exactly how they would go about it, what kind of facility do they need, how much would that cost, and then identify some sources for that funding. He stated he thought that is going to start at the next Recreation Advisory meeting.

Councilman Slattery asked for these facilities, are they looking at facilities on the Baker property, or are they looking at Stryker. Supervisor Logel stated on Stryker. Joseph Carr stated he should have pointed out that the storage facility that he described, they are looking at putting that on the Stryker Road property, but at the common property line between the Baker and Stryker, utilizing the existing entry road off of 386.

Councilman Slattery asked in regards to Mrs. Lyle's comment regarding the property there, is that going to be touched. Supervisor Logel stated at this point in the game, Joe Carr needs to get from them an official easement before they can go in and do anything.

Joseph Carr stated if the Town is going to consider eliminating the pipe that goes east/west, which was the original pipe that is on an easement, then they need to acquire an easement over the bypass pipe that they put in about seven years ago. He stated that was just done by agreement. He stated so that is one of the things that they would have to do if they decide to close off that piece of pipe.

Councilman Slattery stated the Drainage Committee was looking for closure to this, too. Supervisor Logel stated she was under the impression it has been a couple, three, four weeks since they had a discussion about it. She stated she thought it was held up just getting the easement, the official easement at this point in the game. She stated so that needs to be worked out.

Educational Committee - Virginia Ignatowski, Mary Sperr Library Board of Trustees Historical Preservation Board

Councilwoman Ignatowski stated the library hasn't met since the last meeting.

Councilwoman Sperr stated the Historical Preservation Board had a really interesting meeting regarding wonderful topics. She stated they were all to bring a couple ideas they had for their web site. She stated they haven't decided what they will call it yet. She stated it would be similar to a newsletter, but it wouldn't cost them postage, paper and printing to print a newsletter. She stated they have interesting ideas. She stated they're going to sit down and talk to Chris Levey to find out what kind of help they can get from him.

Councilwoman Sperr stated they also proposed a \$100 scholarship award, and Peter Widener came with a draft document to discuss and they are looking forward to doing that. She stated it will probably be put into effect and finalized by the springtime. She stated they want to propose this to high school seniors, so they are working on that and discussing how to notify everyone about how to do nominations.

Councilwoman Sperr stated they also have a new residence interested in getting into the Historic

CHILI TOWN BOARD MEETING - October 20, 2004

Preservation District. She stated they are always looking for homes that are interested in getting into the Historic Preservation District. She stated they also talked about updating the mailing list for flyers.

Supervisor Logel stated under Correspondence, there is a letter of resignation. Councilwoman Sperr stated she thought she mentioned that before. She stated Maureen Eich was resigning due to a full-time position commitment. Supervisor Logel stated they have letters of people interested.

Councilwoman Sperr stated the Historic Preservation Board discussed it amongst themselves and have to come to a recommendation. She stated they have a couple people belonging to the Historical Society that are interested in historical buildings and they want to ask them if they're interested before they make a recommendation.

Environmental Services Committee - Virginia Ignatowski, Michael Slattery
Conservation Board
Drainage Committee

Councilwoman Ignatowski stated the Conservation Board will be meeting next week.

Supervisor Logel stated they received a letter this afternoon at 2:29 p.m., so it was not on the agenda. She stated William Riddell indicates in his letter that in recent months he has had the good fortune of receiving a promotion with the Town of Ontario that requires him to attend meetings every Monday night that conflict directly with the Chili Conservation Board meeting nights, so he has now resigned officially.

Councilwoman Ignatowski stated the Conservation Board will be meeting next week looking for a person to come on board. Supervisor Logel stated she could not remember now off the top of her head whether they have any applications in the file for the Conservation Board. Councilwoman Ignatowski stated some may be for Conservation, but a lot were also for the possibility of that agriculture committee.

Councilman Slattery stated there has been no Drainage Committee meeting since the last Town Board meeting.

Public Safety Committee - James Powers, Mary Sperr
Traffic Safety Committee

Councilwoman Sperr stated as far as the Traffic Safety Committee, both Jim Powers and herself were out of town the night the meeting was held.

Supervisor Logel asked if they brought up the Old Chili Scottsville Road. Supervisor Logel stated one of the things that she has been asked to do as a result of that meeting is to direct the Town Attorney to start preparing a local law to address the issue that has been presented, to look into the Old Chili Scottsville Road being made one way.

Joseph Carr stated the section of highway that runs from Beaver Road to Scottsville Chili Road sees a high amount of traffic, but there are very few homes there. He stated some of the citizens asked them to look into making that section of highway one-way traffic because they don't have a section in the code that addresses that. He stated they do not have any one-way streets. He stated they would need to amend the code, which they do by local law.

Joseph Carr stated the Traffic Safety Committee did review this twice. He stated some citizens were at the last meeting and discussed it at length. He stated the Committee's recommendation was to pursue and to make this a one-way section of highway.

CHILI TOWN BOARD MEETING - October 20, 2004

Councilwoman Sperr asked which direction would that be. Supervisor Logel stated south. Supervisor Logel stated the recommendation is one-way south from Beaver to Scottsville Chili Road, just on that section. Joseph Carr stated that was correct. Supervisor Logel stated it is a serious safety issue.

Councilwoman Sperr stated the homeowners are interested in that also. Richard Stowe stated they submitted the petition. Councilwoman Sperr stated she didn't get a copy of that. Supervisor Logel stated Joe Carr gave it to her tonight.

Richard Stowe stated there is a section, a chapter in their local code where they have enacted some speed limitations, some parking restrictions, other traffic weight limits and other traffic and safety items. He stated that is under the authority of the Vehicle and Traffic Law of the State of New York that delegates authority to Towns on town roads. He stated the way that this Board can choose to exercise that authority is to pass a local law which needs to be presented, so he will work in concert with Joe Carr and the Traffic Safety Committee to get what he believes to be the recommendation for the Board in the form of a local law. He stated that cannot be adopted without being introduced and having a public hearing. He stated after having the public hearing conducted, getting the input of the public, then and only then could it be passed after that. Richard Stowe stated so once there is a proposal, there will be a full public hearing and everybody that may be affected will have the opportunity to hear it.

Supervisor Logel asked if they would do the full public hearing at a Town Board meeting. Richard Stowe stated they would.

Councilwoman Ignatowski stated speaking of local laws, Mr. Johnson was talking about the noise ordinance. She stated she recalls from the last Board meeting it was indicated Dan Kress should be able to uphold what the Town's ordinances are. She asked what further can be done on that because she personally knows those motor bikes are louder than the Thruway because she has had a friend calling from inside their house when those have been running, and she had to be yelling over the top of that noise. She stated it is quite loud.

Councilwoman Sperr stated there are four-cylinder race bikes that are very loud. She stated the mufflers can't reduce the noise on those. She stated she asked some questions after the last Board meeting herself.

Supervisor Logel stated the issue is catching who is doing it at what time. Supervisor Logel stated she spoke with Mr. Austin, and apparently Brian (Austin) doesn't get home from work until 7:30 at night. She stated that is way after dark. She stated so the father is not the one riding. She stated apparently the riding is being done by the two kids. She stated they apparently get home around 4 in the afternoon, and so therefore, they ride like 4 to 6 or whatever.

Supervisor Logel stated whenever Dan Kress is there, there has not been anything going on where Dan Kress had time to check it out. She stated there has not been too much more discussion on it than that. She stated they are trying to set up a meeting with Mr. Austin and the Austin family. She stated Mr. Austin, the owner, is ultimately going to be in charge of the kids. She stated they wanted to set up a meeting with him, the Sheriff's Department, Dan Kress, herself and probably Keith O'Toole. She stated the thing that has been keeping them from doing that is to find when they can do it all at the same time, especially with Mr. Austin not getting home until 7:00 and 7:30 at night. She stated they may have to just do it on a Saturday. She stated they are trying to get that set up.

MATTERS OF THE SUPERVISOR:

1. New York State Assessors Association, Inc. presented the Robert Osias Professionalism Award to Linda A. Leach, IAO for her diligence, integrity and quiet professional competence.

Supervisor Logel showed everyone a brochure from RG&E, "Voice your Choice." She stated at the meeting of the Supervisors, the concern that they expressed to RG&E is that the brochure looks like

CHILI TOWN BOARD MEETING - October 20, 2004

junk mail. She stated the Supervisors have been asked to please bring this to the people's attention, because everyone does have a choice. She stated everyone does have to make a choice.

Supervisor Logel stated people should not toss the brochure out. She stated if anyone needs to go on the web site and look up the information, they can. She stated there is supposed to be more than one mailing.

Councilwoman Ignatowski stated the Town will have to make a choice. Supervisor Logel stated they do, too. She stated she gave the choice to Diane O'Meara and Joe Carr. She stated they have to decide what is in the Town's best interest for whether they should stay with RG&E or to go with one of the other energy service companies.

Councilman Slattery asked when will that be coming back to the Town Board.

Dianne O'Meara stated in certain instances such as the streetlights go, they don't have a choice. She stated they have to use RG&E. She stated they did have a resolution for Energetix. Supervisor Logel stated they need to get a resolution on the agenda because this has to be done before December 30th. She stated Dianne O'Meara and Joe Carr will advise the Board.

Supervisor Logel stated on Wednesday, Thursday and Friday, October 27th through the 29th, the Chili Art Group will hold a fall show in this room. She stated she was not coming to this one because last time she spent money and bought paintings. She stated it is a very worthwhile show to come to. She stated there are very talented individuals in the Art Group. Supervisor Logel stated she just purchased a painting that Helen Chudyk did of the old Chili Town Hall that is hanging in John George's office. She stated she purchased it because it was being auctioned off. She stated originally it was marked at \$100 and she picked it up at auction for \$25. Supervisor Logel stated Helen Chudyk's husband was a former Highway Superintendent for years and years, and they were very involved with the Town.

Supervisor Logel stated she has been asked by Roger Brandt of Rochester's Cornerstone Group to inform everybody that the new 50-unit apartment community for seniors is open and accepting applications. She stated so if anybody is interested, there are one and two-bedroom units. She stated she had the rates and income levels information. She stated that information will be in Mr. Brong's office, available to the public.

Supervisor Logel stated regarding the timeline on Union Station, they are meeting tomorrow morning. She stated she will be given the suggested remediation plan by the engineer's office. She stated this has consumed a tremendous amount of a time. She stated the developer will be going before the Planning Board in November with his new site plan that will have the ponds.

Supervisor Logel stated as far as the number of trees being replaced, that is all part of that plan. She stated the site restoration, they would like to see it done this fall, but there are certain times of the year that it is better to plant trees than others. Supervisor Logel stated she did not know what has been meant by mature trees, as was stated earlier, but they can bring in trees only so large.

Councilwoman Sperr stated they do not want the 2-inch little saplings. She stated they want something that will provide some privacy. Supervisor Logel stated the recommendation is going to be that there be a mix of trees, but she hasn't seen the plan yet. She stated she will see it at 9 o'clock tomorrow morning.

Supervisor Logel stated the DEC did say ideally with such a small acreage, less than an acre, the ideal thing is to let it reforest itself and she said no to that. Councilwoman Sperr stated maybe they think so.

Supervisor Logel stated nobody has come to her office. She stated she extended an invitation at the meeting two weeks ago saying anybody was invited to come to her office to get answers on anything

CHILI TOWN BOARD MEETING - October 20, 2004

that they were concerned about, and nobody did show up for that.

Supervisor Logel stated she did not know what this Board's input would be into the Riga landfill. She stated she would have to inquire. She stated this government agency is a completely separate government agency. She stated she could not imagine they had any input to the Riga landfill when it was built.

Councilman Slattery stated he wasn't on the Board when that Riga landfill was built. Supervisor Logel stated they will have to look into this, because she did not think there is anyway the Town would have any say in what goes on at the Riga landfill.

Joseph Carr stated the issue that they had was making sure that the trucking routes were 490 and not using 33-A. He stated obviously there are going to be a few local trucks, but not to have through traffic from those large trucks.

Councilman Slattery stated part of the problem is a transfer station over by the airport. He stated at times one can see them going down Paul Road and getting on at Chili Center. Supervisor Logel stated they're heavy, too.

Richard Stowe stated trucks from that transfer station are not the Monroe County contracted haulers hauling that refuse to the Mill Seat Landfill. He stated that is a transfer station. He stated there are garbage trucks. He stated they do go down Paul Road. He stated they do not go to the Mill Seat Landfill. He stated they are going mostly to the Occidental incinerator in Niagara Falls.

Richard Stowe stated the County contract with M & T Transport that hauls the waste from Monroe County's transfer station, formerly referred to as the blue box, to the Mill Seat Landfill is under contract with the County of Monroe and uses 490 as a route of transport.

Richard Stowe stated he needs to caution the folks that read in the paper about toxic out-of-the-county waste and New York City waste. He stated that is not the topic of any conversation anywhere. He stated what goes into the Mill Seat Landfill is permitted under Part 360 by the DEC. He stated they do not allow any toxic waste to go into that site, nor will they under any future agreements because it is permitted by Part 360. He stated whether or not the County sees fit to bring forth an issue to allow waste from outside Monroe County to go into that, that is a County decision. He stated the Town of Riga doesn't even get to vote in that decision except as it relates to the contract between the County of Monroe and the Town of Riga called the Host Benefits Agreement that has a provision that currently prohibits that.

Richard Stowe stated for anybody that has a passing interest in that, there is a meeting scheduled for Wednesday, October 27th, at the Churchville-Chili Intermediate Auditorium at 7 o'clock, open to the public. He stated beyond attending that meeting, Chili doesn't have any interest in any of it. He stated the citizens may as interested citizens, but nothing else changes.

Supervisor Logel stated she has concerns. She stated she lives off Paul Road and has seen huge trucks coming from the transfer station. Richard Stowe stated he has followed them. He stated those are not County of Monroe trucks. He stated those are private entity trucks taking State highways to various destinations, not the Mill Seat Landfill.

Supervisor Logel asked Joe Carr to answer the question about Union, between Chili and Wheatland. Joseph Carr stated they can put the biggest blame on the lateness of the State budget. He stated the County had identified, as one of their maintenance projects, to improve Union Street, at least the shoulder of Union Street. He stated because the money to do that was tied up in their CHIPS program, they weren't sure if the County was going to receive that and they didn't know that until late this year. He stated there wasn't time to do the job the way the County intended to do it. He stated they asked

CHILI TOWN BOARD MEETING - October 20, 2004

them to do the wedging just to protect the edge to get them one more year. He stated the County fully intends to redo that road, improve it next year.

Councilwoman Sperr stated it is a good idea. She stated she lives down that stretch. She stated the sides of that road were crumbling and they were just in pieces. She stated what they have done is hold it together until next year. She stated the budget, there is really nothing anyone can do about it, when they can't get projects done because of the budget.

Supervisor Logel stated they need to make sure with Terry Rice that is on schedule for next year and that it doesn't get knocked off. Joseph Carr stated he knows it is on the program now.

Councilman Slattery stated basically they will continue what they did in the Town of Wheatland, North Road, to the town line. Joseph Carr stated that was the original plan.

Supervisor Logel stated as far as the tax levy question, the information should be at the front page of every budget, in the budget book. She stated she could have someone get the information together for Mrs. Wilcox from 2003, 2004.

Supervisor Logel stated about the reassessment that was brought up, her assessment went up \$21,000. She stated the assessments in Victor, all of the houses went from \$200,000 to \$225,000 to \$250,000 in Victor. She stated so the statement that houses on the assessment are not going up other places, they are going up other places, extensively. She stated the reassessment is not an easy subject to discuss, and it is not an easy subject to comprehend, and it is certainly not one that anyone likes.

Supervisor Logel stated Chili's Assessor does a very hard job trying to keep the assessment on line and trying to look at the issues.

Supervisor Logel stated the map that Mr. Brixner had, that is a Board of Elections map. She stated she was not sure who updates them on the map, but she thought with modern technology, they should be fairly up to date on their mapping.

The 9/15/04 Town Board Meeting Minutes were approved as corrected.

The 10/6/04 Town Board Meeting Minutes were approved as submitted.

REPORTS SUBMITTED:

Comptroller's Report- September 2004

Conservation Board- August 30, 2004

Town Clerk's Report- September 2004

Drainage Committee- September 7, 2004

Recreation Advisory Committee- September 9, 2004

Community Center Monthly Revenue Report- September 2004

Recreation Monthly Revenue Report- September 2004

Senior Center Monthly Revenue Report- September 2004

CORRESPONDENCE:

1. Letter of Resignation from the Chili Historic Preservation Board date stamped September 14, 2004 from Maureen J. Eich.
2. Letter dated October 14, 2004 from Richard J. Brongo, Town Clerk, notifying the Town Board that he has received formal notification from the Four Point Rod & Gun Club, located at 4400 S. Union Street, N. Chili, NY 14514 that they have made application for renewal of their liquor license from the State Liquor Authority.
3. Letter dated October 19, 2004 from William Riddell regarding his resignation from the Chili Conservation Board, effective immediately.

RESOLUTION #318 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: Councilwoman Sperr

Seconded by: Councilwoman Ignatowski

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 §25.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #319 RE: Modifications to the 2005 Tentative Budget

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that the following modifications be made to the 2005 Tentative Budget:

1. SF-101-3410.4 (Gates Fire District) be amended to \$460,593.02 from the tentative amount of \$454,931.20; and
2. A1420.4 (Attorney-Contractual) be amended to \$116,485 from the tentative amount of \$96,485; and
3. South Chili Water Benefit Area #1 fund balance be amended to \$11,840.32 from the tentative amount of \$0; and
4. Amend Removal of Exemptions/Omitted Assessment be amended to \$9,698.64 from the tentative amount of \$0.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #320 RE: Adoption of the 2005 Preliminary Budget

Offered by: Councilwoman Ignatowski

Seconded by: Councilman Slattery

WHEREAS, the Town Board has reviewed the 2005 Tentative Budget and made modifications as necessary;

NOW, THEREFORE, BE IT RESOLVED that the Town Board approves and adopts the 2005 Preliminary Budget and orders that a Public Hearing be held on November 3, 2004 as specified in Resolution #321.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #321 RE: Set Public Hearing on the 2005 Preliminary Budget

Offered by: Councilwoman Sperr

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that the Town Board establishes the date, place and time for the Public Hearings on the 2005 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 3, 2004

PLACE: Town Hall, 3333 Chili Avenue, Rochester, NY 14624

BE IT FURTHER RESOLVED the Chili Town Board will conduct a **PUBLIC HEARING** on **November 3, 2004 at 7:00 PM** to consider the following:

Water District Assessment Rolls (Hynes Tract, S Chili Benefit Area #1, and S Chili Benefit Area #2)

Sewer Districts Chili Sewer Improvement Benefit Area #1

Chili Consolidated Lighting District #1

Lighting Districts (Chili Industrial, Pumpkin Hill, Blueberry Hill, Parklands of Chili, 3360 Chili Avenue Subdivision, Bellaqua Estates)

Sidewalk District (Park Place)

Park District (Lexington)

Consolidated Drainage District

Assessment Rolls for Fire and Fire Protection Districts (Chili, Gates-Chili, Clifton, Scottsville)

Assessment Rolls for Ambulance Districts (Chili, Gates-Chili, Clifton, Scottsville)

Proposed contracts for Ambulance Districts

Proposed contracts for Fire and Fire Protection Districts

Preliminary Budget

BE IT FURTHER RESOLVED that the Town Clerk's publication of the public hearing notice of same, in accordance with Section 108, in the Gates-Chili Post is hereby ratified.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #322 RE: Authorization of Agreement with General Code Publishers

Offered by: Councilwoman Ignatowski

Seconded by: Councilman Slattery

BE IT RESOLVED that per the recommendation of Daniel J. Kress, Director of Planning, Zoning and Development, the Town Supervisor is hereby authorized to enter into an agreement with General Code Publishers, of Rochester, New York, to prepare and deliver an editorial critique of the Code of the Town of Chili, including a review and analysis of all town legislation, including the zoning legislation, for purposes of identifying provisions in need of correction or updating. The total expenses are not to exceed \$3,530; to be paid from those moneys already budgeted for maintenance of the Code of the Town of Chili.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #323 RE: RE: Letter of Credit Release for Park Place Section 5 (Release 7)

Offered by: Councilwoman Sperr

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that per recommendation of the Town Engineer, \$26,509.27 be released from the letter of credit with Canandaigua National Bank (#1101943733) for Park Place Section 5, leaving a

balance of \$115,236.71; subject to engineering fees and street light bills to the Town.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #324 RE: Transfer of Funds

Offered by: Councilwoman Ignatowski

Seconded by: Councilman Slattery

BE IT RESOLVED to transfer \$28,000 from DA5142.499 (Snow Removal-Miscellaneous) to DA5110.1 (General Repairs-Personnel).

APPROVED BY A VOTE OF 4 YES

RESOLUTION #325 RE: 2004 Audit

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

BE IT RESOLVED that Supervisor Logel is authorized to enter into contract with The Bonadio Group, LLP to perform the following:

1. An audit "2004 Annual Financial Report, Updated Document,"
2. An audit of 2004 receipts and disbursements pertaining to Town Clerk, Receiver of Taxes, Court and Recreation as per Town Law Section 123
3. An Audit of the "2004 Component Unit Annual Financial Report (Chili Public Library)"

BE IT FURTHER RESOLVED that Supervisor Logel is authorized to enter into a contract with Bonadio Group, LLP to perform an audit of the "2004 Financial Reports per all GASB pronouncements" and;

BE IT FURTHER RESOLVED that Supervisor Logel is authorized to enter into a contract with Bonadio Group, LLP to perform a "Federal Single Audit per OMB Circular A-133.

BE IT FURTHER RESOLVED the contract is subject to approval by the Counsel for the Town of Chili.

BE IT FURTHER RESOLVED that the total cost for the above audit is \$14,500.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #326 RE: 10/20/04 Abstract

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

BE IT RESOLVED to pay vouchers 5267-5531 totaling \$ 90,740.27 to be paid from the Distribution Account as audited by Dianne O'Meara, Comptroller:

General Fund	\$47,525.26
Highway Fund	\$29,453.32
H34 S Chili Water Benefit #2	\$ 1,179.59
H35 Chili Avenue D01781	\$ 630.00
H36 Chili Sewer Benefit #1	\$ 1,298.06
Consolidated Drainage	\$ 381.74

CHILI TOWN BOARD MEETING - October 20, 2004

Special Light Districts	<u>\$10,272.30</u>
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TOTAL ABSTRACT	\$90,740.27
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APPROVED BY A VOTE OF 4 YES

The next meeting of the Chili Town Board is scheduled for Wednesday, November 03, 2004 at 7:00 p.m. at the Chili Town Hall meeting room.

The meeting was adjourned at 9:00 p.m.