

CHILI TOWN BOARD  
October 21, 2009

A meeting of the Chili Town Board was held on October 21, 2009 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:** Councilwoman DiFlorio; Councilwoman Ignatowski, Councilman Slattery, Councilwoman Sperr and Supervisor David Dunning.

**ALSO PRESENT:** Richard Brongo, Town Clerk; Jordon Brown, Deputy Town Supervisor; Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; Chris Karelus, Building Department Manager; David Lindsay, Commissioner of Public Works/Highway Superintendent; Dianne O'Meara, Director of Finance; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Richard Brongo.

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

**SUPERVISOR DUNNING:** Before we start the Public Forum, I would like to make a brief statement, if I may. You may notice we are using two cameras this evening. As part of our enhancement of some of the video we're doing that we'll be submitting to Time-Warner, we're experimenting with a picture-in-picture concept trying to capture not only the Public Forum and side table, but also what is generally happening up here on dais. So we hope that that will work out well and I'm sure we'll get some feedback as things go on.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. The following speakers addressed the Town Board on various subjects: Dorothy Borgus, Jerry Brixner. The Public Forum concluded at 7:10 p.m.

**SUPERVISOR DUNNING:** To address a couple of the questions that came up. There has been, I would say, quite honestly, little progress in the code updates. I have met Mr. Karelus and Mr. Lindsay, and we have gone through some sections of the code book.

I also worked on a couple of things as a result of the workshops, the joint Planning and Zoning Boards have put together. There has been some recommendations for some code updates and changes and modifications in that. As of yet, there has been nothing obviously presented to the Town Board for any changes at this point in time. We're not prepared to -- it is an ongoing process. It will be ever-going process, I believe, that we'll always look at our codes and look opportunities to make modifications, corrections, changes wherever they're appropriate and necessary.

So it -- it is always happening. It is an -- always going to be a work in progress.

In regards to -- there was another question. Thank you.

The moratorium. The moratorium, we are still working on the -- any possible code revisions that may need to happen because of that, but I would like to make it clear that this was not a moratorium on the sale of adult videos or a moratorium imposed upon any one business in the Town of Chili. This was a moratorium imposed on adult uses, period, in the Town of Chili. So -- but we are working on modifications to code or law right now, and that is still being reviewed between our -- Mr. Karelus from the Building Department, our Counsel for the Town, as well as I am aware of some of the information that is there. We are working on that very actively.

As far as cable access goes, we did have some -- experience some technical difficulties in the Town with our recordings. We -- you will notice again Mr. Levey is here tonight with some equipment that we're testing to see if we can correct those technical difficulties and get things straightened out.

In regards to anything with Educable, I have no comment on that. There is nothing to comment on. Since I have been in office, we have not had any contract with Educable, so I don't know what, if anything, may or may not be due them prior to when I came here. I have never had a contract with them. I have never signed a contract or seen a signed contract with them.

With that, the only other things -- I don't know if the Town Board has any comments on anything from the Public Forum.

I will move on to Matters of the Supervisor.

**MATTERS OF THE SUPERVISOR:**

**SUPERVISOR DUNNING:** Again, I have mentioned the cameras and the usage of the cameras. I apologize for the table up here. We'll have a workshop -- for those of you that may

not know, we'll have a budget workshop immediately following this meeting tonight. We hope many will stay and hear what goes on with that.

And also, I have shared some information with the Board, and we have shared some thoughts around the microphones. I know the use of the microphones and the volume in which some -- some people can actually be heard through the microphones changes from person to person, especially when we get over to the side table. There is some challenges actually being heard. I have talked to Mr. Levey, gotten some preliminary thoughts and the thought process is we're going to mike the side table, which we could do, and individually put microphones in front of basically each person over there and make it so we can still move the side table and keep it portable. We need to go through some other upgrades.

We did look at it -- and I quite honestly thought -- I had a conversation with Councilwoman Ignatowski about this -- thought we had some lapel mikes or some more lapel mikes, and it appears we really don't. I believe we have one. We're really not sure how well that works, but we do have other devices that I thought were lapel mikes originally, but they're not. They're more for hearing impaired where you can plug them into portable devices and things like that to pick up the sound. So that is not what those are.

We also have a wireless mike we can play around with that can be actually handed back and forth if we wanted to. We're looking at -- for the enhancement of the sound system along with the microphones, I believe, is around the \$5,800 mark. I did not incorporate anything into our budget to accommodate that this year, specifically for that. We certainly can make some modifications and adjustments if we need to accommodate that, but that is something as we get into our budget workshop, we should all be aware of what is happening there, and the desire to get some type of audio or better audio, if you will, over at the side table. And it would also get rid of some of the hum, I think, we hear.

Am I right?

CHRIS LEVEY: Yes.

SUPERVISOR DUNNING: That would take care of the hum. If we get the table, we'll upgrade our system. But whether that is an expense you want to go through or not, that is a Board decision and we can talk about it some more.

Other than that, I don't have any else.

#### Pending Matters:

1. Vacancies on Special Police.

SUPERVISOR DUNNING: Under Pending Matters, we still have vacancies on the Special Police, and -- I think we -- before we move forward with anything on that, we still need to answer a couple of questions. I know for the Town Board you have asked them and I have provided some of the information to you. So I will work on that and get that done.

#### MATTERS OF THE TOWN COUNCIL:

COUNCILWOMAN IGNATOWSKI: Real quick question. I was just -- just a status of the dog census?

SUPERVISOR DUNNING: Mr. Lindsay?

DAVID LINDSAY: We're currently under way with the dog census. The progress started about two weeks ago. The original individual that was interested in it backed out due to some personal problems, so then there was a second individual on the list. It took some time for a background check, and like I said, we started probably about two weeks ago.

COUNCILMAN SLATTERY: Supervisor, I would just like to recognize former Town Supervisor Bill Kelly who came in.

Good evening, Mr. Kelly.

Jerry (Brixner) already spoke.

#### REPORTS SUBMITTED:

Community Center Revenue Report -- September '09  
Recreation Center Revenue Report -- September '09  
Senior Center Revenue Report -- September '09  
Town Clerk Report -- September '09  
Architectural Advisory Committee Minutes -- 4/22/09  
Conservation Board Minutes -- 8/31/09  
Dog Control Report -- September 2009  
Recreation Advisory Minutes -- 9/9/09  
Traffic & Safety Committee Minutes -- 9/3/09

#### CORRESPONDENCE:

1. Mr. Brongo has received formal notification from Jake's located at 4390 Buffalo Road, N. Chili, NY 14514 in the Town of Chili of their intent to apply for a renewal of their liquor license with the State Liquor Authority License #3111488.

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: As liaison for Historic Preservation, I have been working closely with that group for a number of years, and it has been a while since we had a house of this caliber to put in the landmark district for the Town. And I'm personally familiar with the house. This house happens to be next door to mine, if you call it next door. We live on Union Street and the houses are what I like to call down the road a spell. So it is a lovely home. It has been well kept, and I'm looking forward to Rona Pearce who will be doing the presentation for the Town Board at that meeting.

**RESOLUTION #326 RE: SET PUBLIC HEARING FOR NOVEMBER 18, 2009 AT 7:00 P.M. TO CONSIDER LANDMARK STATUS FOR THE CRAW HOUSE LOCATED AT 4120 UNION STREET, N. CHILI, NY 14514. TAX ID# 172.01-1-3**

**OFFERED BY: Councilwoman Sperr      SECONDED BY: Councilwoman Ignatowski**

**BE IT RESOLVED** that a Public Hearing be set for November 18, 2009 at 7:00 p.m. to consider landmark status for 4120 Union Street, know as the Craw House, as recommended by the Historic Preservation Board. The tax account number is 172.01-1-3.

UNANIMOUSLY APPROVED

**TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:**

COUNCILWOMAN IGNATOWSKI: I think you said water, but it is not --

Multiple speakers made simultaneous comments.

COUNCILWOMAN IGNATOWSKI: I know this is in the Riverdale area. Could it be that the two roads are back to back? I know -- they have all of the peoples' names tight through the roads in Riverdale, and I wonder if these two parcels are backed to each other.

RICHARD BRONGO: They are. By the same owner. The one backs up. They're just doing a different split on the properties.

**RESOLUTION #327 RE: ORDER SETTING PUBLIC HEARING ON THE PROPOSED EXTENSION OF THE CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE PROPERTIES LOCATED AT 51 MORRISON AVENUE, ROCHESTER, NY 14623, TAX MAP NUMBER 160.07-2-1 AND 54 HAROLD AVENUE, ROCHESTER, NY 14623, TAX MAP NUMBER 160.07-2-75, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK**

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

**WHEREAS**, a written petition, dated September 29, 2009, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Chili, Monroe County, New York for the extension of the Chili Consolidated Drainage District to serve the properties located at 51 Morrison Avenue, Rochester, NY 14623, Tax Map Number 160.07-2-1 and 54 Harold Avenue, Rochester, NY 14623, Tax Map Number 160.07-2-75, more particularly described in Schedule A (Property Description) on file in the Town Clerk's Office; and

**WHEREAS**, if the district extension is approved, the properties within the proposed extension will be eligible to receive the drainage services available to other properties within the Chili Consolidated Drainage District. No drainage improvements are proposed to be constructed within the proposed district extension by the Chili Consolidated Drainage District at this time; and

**WHEREAS**, as stated in the Petition, all costs relating to the formation of the district extension shall be paid by the petitioners; and

**WHEREAS**, except as otherwise provided above, all expenses of the Chili Consolidated Drainage District, including all extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended; and

**WHEREAS**, the estimated cost to the typical property, and, if different, the typical one or two family home within the Chili Consolidated Drainage District, in the first year following the formation of the district extension for debt service and operation and maintenance charges, is as follows:

Typical Property: \_\_\_\_\_ \$0.00 \_\_\_\_\_

Typical One or Two Family Home: \_\_\_\_\_ \$0.00 \_\_\_\_\_

**WHEREAS**, the proposed district extension is an Unlisted Action for the purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder ("SEQRA"); and

**NOW THEREFORE**, it is hereby, and

**RESOLVED**, that the Chili Town Board is hereby designated "Lead Agency" for the environmental review of this proposed action; and be it

**ORDERED**, that a meeting of the Town Board of the said Town of Chili shall be held at the Chili Town Hall, 3333 Chili Avenue, Town of Chili, New York on 18th day of November, 2009, at 7:00 p.m. to consider the said Petition and to hear all persons interested in the subject thereof and for such other action on the vote of said Town Board in relation to the said Petition as may be proper or required by law; and it is further

**ORDERED**, that the Town Clerk of the Town of Chili is hereby authorized and directed to publish a copy of this order in the Gates-Chili News and post a copy of the same on the bulletin board in the Office of the Town Clerk, not less than ten (10) days, but not more than twenty (20) days, prior to the date set for said public hearing.

**Upon a call of the Roll of the Members of the Town Board of the Town of Chili:**

UNANIMOUSLY APPROVED

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**RESOLUTION #328**

**RE: SETTLEMENT**

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

**WHEREAS**, the Town's special counsel for tax review proceedings and the Town's Assessor have recommended settlement of an Article 7 RPTL proceeding commenced by Empire State Carpenters Apprenticeship RE Corp, 21 Jetview Drive, Rochester NY 14624; and

**WHEREAS**, acceptance of this recommendation and settlement of this action, at this time, is in the best interests of the taxpayers of the Town of Chili; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town's special counsel, its Assessor and the Supervisor are hereby authorized to execute the necessary paperwork to settle the tax proceedings commenced by Empire State Carpenters Apprenticeship RE Corp for the years 2006, 2007, 2009 being index number 06-8803, 07-9676, 09-10859 and to take whatever action is appropriate to discontinue said actions.

UNANIMOUSLY APPROVED

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: Before we take a moment of silence, I would like to take a role call, please.

**RESOLUTION #329 RE: In Memory of Daryl Cox**

**OFFERED BY: Supervisor Dunning      SECONDED BY: Councilwoman DiFlorio  
Councilwoman Ignatowski  
Councilman Slattery  
Councilwoman Sperr**

**WHEREAS**, on October 12, 2009, Daryl Cox passed away and we are deeply saddened by his loss;

**AND WHEREAS**, Mr. Cox served on the Architectural Advisory Committee from April 2008, and as Vice Chair from March 2009 thru September 2009; Mr. Cox also served on the Chil-E-Fest Committee from 2008-2009;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Chili hereby extends their deepest sympathy to the Cox family and also sets aside this special page of their minutes from this Town Board Meeting in his honor and takes a moment of silence in Mr. Cox's memory. The Town Clerk is hereby directed to send a copy of this resolution to the family.

UNANIMOUSLY APPROVED

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**RESOLUTION #330 RE: Extension of New York State Snow and Ice Contract**

**OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman DiFlorio**

**WHEREAS**, the Town Board of the Town of Chili on October 21, 2009 makes a resolution to approve the Snow & Ice Contract No. D009808 between the State of New York and the Town of Chili for snow and ice control which will expire on June 30, 2012 unless further extended. The contract will be for \$371,854.95.

UNANIMOUSLY APPROVED

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**RESOLUTION #331 RE: Finger Lakes Building Officials Association monthly meeting**

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

**WHEREAS**, the Finger Lakes Building Officials Association (FLBOA) offers monthly meetings;

**BE IT RESOLVED** that Ed Shero and Pat Sheridan be allowed to attend the monthly meeting offered by FLBOA on Rigid Insulation Installation & Inspection on November 10, 2009 from 10AM – 1PM at the RIT Inn & Conference Center at a cost not to exceed \$10.00 each A/C #A3620.4.

UNANIMOUSLY APPROVED

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**RESOLUTION #332 RE: 2009 Genesee Valley Recreation and Park Society Annual Conference**

**OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Ignatowski**

**BE IT RESOLVED** that Michael Curley, Director of Parks and Recreation is hereby authorized to attend the 2009 Genesee Valley Recreation and Park Society Annual Conference in Rochester, NY to be held November 13, 2009 at a cost not to exceed \$70.00 plus mileage to be paid from account A7020.4 (Recreation Administration-Contractual)

UNANIMOUSLY APPROVED

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**TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:**

**COUNCILWOMAN IGNATOWSKI:** Supervisor, is there any opportunity to move 333 and 334 to later so we can discuss our modifications that we're looking for this evening during the workshop session? I guess that also goes to Rich Stowe. He is giving me the evil eyes.

The reason being is that normally I have had an opportunity to go through some of the budget and go back and forth and there will be modifications made that will be part of the preliminary budget. This, of course, being the first workshop session, we're not able to do that, and the preliminary budget by definition is the budget adopted by the Town Board but yet we have yet to have any of our modifications, if there is any, that have gone into it yet. So for me to say -- especially when we get to 334, that the Town Board has reviewed the 2010 tentative budget and made modifications as necessary, I haven't done that yet.

**RICHARD STOWE:** If your question is does that preclude you from making modifications after your workshop, the answer is no. You still --

**COUNCILWOMAN IGNATOWSKI:** I understand that.

**COUNCILMAN SLATTERY:** But it is the wording in the resolution. Where it says made modifications, as necessary.

**COUNCILWOMAN IGNATOWSKI:** We haven't done that yet.

**RICHARD STOWE:** You will have made some. You may not have made all you want.

**COUNCILMAN SLATTERY:** Correct.

**RICHARD STOWE:** The preliminary budget is -- is just that. It's preliminary. It is the one that we hold the Public Hearing on. If in the Board's wisdom after their workshop this evening there are two more resolutions at the next meeting that you want to adopt or after the Public Hearing that you want to adopt, you can still do that. If you make no changes to the document after you have adopted this resolution, it stands as the budget for the Town. That doesn't preclude you from making other modifications. The things that you cannot modify are the salaries of the elected officials as they have appeared in the budget notice that has been printed. The rest of the others you can.

COUNCILWOMAN IGNATOWSKI: I guess it is just that the preliminary budget really isn't reflective what our discussions are and the changes, and I was just looking for an opportunity to be able to have a resolution -- if we make any decisions for modifications, that it would be reflected in that so that when it comes to the Public Hearing, people are then commenting on what we have decided on as opposed to now we're having all these other resolutions floating out here, and it hasn't been decided definitively we're doing that and that that is the budget we, as a Board, are happy with. And then you're just incorporating it along with public comment at that point.

RICHARD STOWE: That's correct. That is would be if you adopted this resolution.

SUPERVISOR DUNNING: Counsel, a question. With this thought process, would the Town Board be able to propose any resolutions then to modify the budget or modify the tentative budget this evening or at a later period after -- after this workshop or after the two workshops without calling a meeting, by simply --

RICHARD STOWE: It would have to be done at a meeting.

SUPERVISOR DUNNING: So those decisions can't be made at the workshop session. They would have to be made as part of a Town Board meeting.

RICHARD STOWE: At a Town Board meeting.

COUNCILWOMAN IGNATOWSKI: Workshop session is not considered to be a Town Board meeting. I thought I read something you can still have decisions. Or is there -- could we hold off and have that be a special meeting/workshop session next Monday when we have our last workshop?

RICHARD STOWE: It is the Board's pleasure. If it's the Board's desire to hold off adopting this resolution until after your workshops, you can -- if it's the desire of the Board -- I'm not advocating this, but if you wanted to, you could adjourn this meeting -- recess this meeting -- recess this meeting, pardon me, until another night, and if it is the same night as one of your workshops, theoretically you could do that, as well.

You would need to notice that as a special meeting of the Town Board, or as a reconvened meeting, all right, and if -- if that is when and when you would want to adopt any other modifications, you could do that. You would simply hold on this tonight. Is that the thought? It would have to be before -- it would have to be before your preliminary budget hearing. That is all.

COUNCILWOMAN IGNATOWSKI: Correct. It would be -- my thought process was to do it at Monday's workshop session. We just have that -- the resolutions that could go on at that point.

RICHARD STOWE: The only other thing that you will need to be prepared for is having the document that you're holding the Public Hearing on available with those items incorporated into it.

COUNCILWOMAN SPERR: For the Public Hearing.

RICHARD STOWE: For the Public Hearing, correct. I -- assuming have you enough time, turnaround time. So it is a question of how you want to do it, I guess.

COUNCILWOMAN IGNATOWSKI: Week and a half. A couple of days. But you want to give people a chance to take a look at it.

I guess just for me, I would prefer to have it be the actual -- what we're looking at as a Board as opposed to trying to throw it all in together.

RICHARD STOWE: That's the Board's call.

COUNCILWOMAN IGNATOWSKI: That would be my part.

I know the logistics of it, we would have to -- we're indicating -- another advertisement of such like in the D & C, that this is not also going to be a special Town Board --

SUPERVISOR DUNNING: No. We would have to do under -- if we would have to change the Public Hearing notice for any reason, we would have to advertise for that.

But my biggest concern -- and I understand and appreciate what you're saying. I do. But my biggest concern with especially the workshop, we hold a workshop for probably three of the biggest departments we have, and these workshops could go quite lengthy, and if we're going to draft resolutions after the -- after the next workshop -- after that workshop on Monday night, draft resolutions to modify the preliminary or modify the tentative budget or to pass a preliminary budget, one we won't have the opportunity necessarily to have Counsel review some of these before we do it, and we always typically have Counsel review our resolutions.

Second, it could put us into the late hours of the evening, and in regards to the public, it really doesn't give them a fair chance to come in and be a part of our hearing, listen to the resolutions and see how the Town Board has moved on those resolutions. I would recommend if you want to do that, and it is fine, if it is the Board's desire to recess this meeting and reopen it at a later date, I would suggest this be done -- you come back with these -- at least one of the resolutions, um, as -- on a date that would be open, not on the same night that we do the workshop, so it gives us time to get the resolutions drafted, put together, reviewed and make sure it is what you're looking for, and I would make that date Friday, October 30th at 7 p.m. here in the main meeting room. It is the only night between then and now that this room is not being occupied.

COUNCILWOMAN IGNATOWSKI: That doesn't give you a lot of time to get the document out for people to be able to review.

SUPERVISOR DUNNING: From Monday, after the workshop. Tuesday we'll have to get it done. It will go out by Tuesday afternoon or Wednesday for people to review and Friday night for a -- for these two resolutions.

COUNCILWOMAN IGNATOWSKI: I'm wondering if there is a compromise, to be able to capture what is discussed this evening and have that then be taken care of on Monday and the subsequent -- for Highway, could then just carry forward to the Public Hearing. Because we're covering quite a bit tonight.

SUPERVISOR DUNNING: Quite frankly, Highway is the bigger part of the budget. Some of the things that we're covering tonight, with all due respect to the departments that are here, are fairly light compared to the Highway Department.

COUNCILWOMAN SPERR: Doesn't necessarily mean that the number of questions or the volume of questions --

SUPERVISOR DUNNING: I'm not implying that or even suggesting that. I'm just saying by comparison, there is a lot more substance, and I would think -- maybe I'm wrong, but based on what I experienced the last time around, there were a lot of questions around Highway's budget.

COUNCILWOMAN IGNATOWSKI: I'm just trying to insure that it -- that is reflected what our conversation is so that the public has an opportunity to be able to comment on what is decided during these workshops, as well. That is just my concern.

SUPERVISOR DUNNING: I understand.

COUNCILWOMAN IGNATOWSKI: How we move forward with that, I guess -- I don't want to be the only one talking here, but -- but I don't know what the other thoughts are.

COUNCILMAN SLATTERY: I'm open to that. I think it's -- I think you saw the e-mail regarding my thoughts regarding the budget and the timeline that we had as a Board to review it, and then the questions that we have. I know there was a comment, concern, about wanting to get it done quick, but at the same time, the amount of time this Board had to review it, where other people have months to be working on it and so forth, so that's -- historically, for me, I know I have a lot of questions regarding the budget. So to have the workshop tonight with the certain department heads, there is going to be some comments, feedback, some action items for those department heads, and unless there is an answer that they bring forth tonight, um -- so I feel it's a -- a little premature and I would like to -- maybe if we have to hold that special Town Board meeting. I would have to check on the 30th. I mean granted, this is the only night -- or the 30th is the only night this room is available, doesn't necessarily mean we can't have the meeting somewhere else.

COUNCILWOMAN IGNATOWSKI: Like the library, in the --

COUNCILMAN SLATTERY: Library, Senior Center. There is other areas that we could -- that could accommodate the community.

SUPERVISOR DUNNING: Do we have a motion for something then? I'm -- whatever the Board desires to do, I'm waiting for a motion then.

COUNCILWOMAN DI FLORIO: Do we need to identify a specific date tonight?

SUPERVISOR DUNNING: I would recommend we would walk away from here with a specific date, yes.

COUNCILWOMAN SPERR: Fire Department is the 29th at 7 p.m. And Monday is the workshop.

The Board discussed potential dates.

COUNCILWOMAN IGNATOWSKI: Really at that point it would just be the modifications that are being captured, that the public would have to have the time frame then to review.

COUNCILMAN SLATTERY: Supervisor, I make a motion we hold a special Town Board meeting on October 30th, Friday --

SUPERVISOR DUNNING: Actually, I'm looking for a motion to table these resolutions tonight.

RICHARD STOWE: Can I interject?

COUNCILMAN SLATTERY: Certainly, you can.

RICHARD STOWE: Just in the interest of trying to be clear, I don't know the motivation behind Resolution 333's modifications.

COUNCILWOMAN DI FLORIO: We haven't heard it yet.

COUNCILWOMAN SPERR: So we could move and second, have a discussion and then table?

RICHARD STOWE: You could -- I mean if -- I'm trying to separate the desire to have the document be the document you hold the preliminary budget hearing on versus taking action on other items that may be okay and can be incorporated as you go along like this one.

COUNCILWOMAN IGNATOWSKI: That's true. 333, we can have another resolution to modify it. True. We can still move forward with 333.

RICHARD STOWE: That is my point. Secondly, if you decide you don't want to act on Resolution 334, it hasn't been moved and seconded yet. There is nothing to table it. You simply hold it and it carries over on an agenda that ostensibly you will recess this meeting to another date and publish another notice for; is that correct? And if there are other resolutions that this Board deems necessary to modify the tentative budget that grow out of your workshop, they can be added to the agenda. That can be carried as Old Business. You can take care of your other resolutions modifying the tentative budget, modify it accordingly and then deal with the preliminary budget and you satisfactory yourselves with the amount of time you have to send it out.

COUNCILWOMAN IGNATOWSKI: Sounds like a plan. We'll do what he said.

SUPERVISOR DUNNING: Then I would just like -- then I will stop for a second here and I will mention it again.

Supervisor Dunning read the resolution.

COUNCILWOMAN IGNATOWSKI: Why aren't we having the modifications.

SUPERVISOR DUNNING: We didn't get these numbers when we did the original budget. We didn't have all of these numbers. These are numbers that were taken into consideration. As we had some corrections, they were taken into consideration in the overall budget, but we didn't have the preliminary numbers.

COUNCILMAN SLATTERY: Which is normal, typical.

**RESOLUTION #333 RE: Modifications to 2010 Tentative Budget**

**OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that the following modifications be made to the 2010 Tentative Budget:

1. A9010.8 (Employee Benefits-NYSERS) be amended to \$208,000 from the 2010 Tentative amount of \$150,000; and
2. DA9010.8 (Employee Benefits-NYSERS) be amended to \$219,000 from the 2010 Tentative amount of \$170,000; and
3. SD9010.9 (Employee Benefits-NYSERS) be amended to \$13,000 from the 2010 Tentative amount of \$9,500; and
4. General Fund appropriated fund balance be amended to \$1,902,933 from the 2010 Tentative amount of \$1,795,933.

UNANIMOUSLY APPROVED

**TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:**

(The following two resolutions were renumbered, due to the original Resolution 334 having been held.)

(This resolution will be acted on at the 10/30/09 Special Town Board meeting.)

SUPERVISOR DUNNING: So we're going to hold Resolution 334.

RICHARD STOWE: Yes.

**RESOLUTION #\_\_\_\_ RE: Adoption of the 2010 Preliminary Budget**

**OFFERED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_**

**WHEREAS**, the Town Board has reviewed the 2010 Tentative Budget and made modifications as necessary;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board approved and adopts the 2010 Preliminary Budget and orders that a Public Hearing be held on November 4, 2009 as specified in September 16, 2009 Resolution #305.

HELD

**RESOLUTION #334 RE: October 21, 2009 Abstract**

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

**BE IT RESOLVED** to pay vouchers 4857-5038 totaling \$121,611.26 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

General Fund	\$112,819.78
Highway Fund	\$ 8,219.46
Consolidated Drainage	\$ 572.02
TOTAL	\$121,611.26

UNANIMOUSLY APPROVED

**RESOLUTION #335 RE: October 21, 2009 Abstract**

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

**BE IT RESOLVED** to pay vouchers 5039-5041 totaling \$2,922.83 to be paid from the General Fund as presented to the Town Board by Richard Brongo, Town Clerk.

**APPROVED BY A VOTE OF 4 YES WITH 1 ABSTENTION (Councilwoman Sperr)**

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SUPERVISOR DUNNING: At this time, I would like to recess -- I don't have to have a motion for that?

RICHARD STOWE: No.

SUPERVISOR DUNNING: Recess this Town Board meeting until Friday October 30th at 7 p.m. in the main meeting room.

RICHARD STOWE: The thing that I think you want to probably consider is what sort of direction you want to give the Town Clerk with regard to notifications of that meeting.

SUPERVISOR DUNNING: Notices are -- so this is Friday, October 30th. We can't submit this to the Post, but we will have it posted on the bulletin boards.

RICHARD BRONGO: It will be next Wednesday, and we're having the meeting on Friday, so it will be in the Post.

SUPERVISOR DUNNING: So the Post, and then we want to make sure it is on the bulletin boards.

RICHARD BRONGO: So we'll say that this meeting has been recessed until --

RICHARD STOWE: Friday, October 30th at 7 o'clock, the preliminary budget will be considered by the Town Board.

How is that?

SUPERVISOR DUNNING: This meeting is recessed.

The next meeting of the Chili Town Board is scheduled for Friday, October 30, 2009 at 7:00 at the Chili Town Hall main meeting room.

The following meeting of the Chili Town Board is scheduled for Wednesday, November 4, 2009 at 7:00 p.m. at the Chili Town Hall main meeting room.

The meeting was recessed at 7:39 p.m.