

CHILI TOWN BOARD
November 17, 2010

A meeting of the Chili Town Board was held on November 17, 2010 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; Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; David Lindsay, Commissioner of Public Works/Highway Superintendent and Building Department Representative; Dianne O'Meara, Director of Finance; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor. Jordon Brown, Deputy Town Supervisor was excused.

The invocation was given by Richard Brongo.

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

PRESENTATIONS/ANNOUNCEMENTS:

1. Diane Brewer-Hawes -- Red Cross Emergency Shelter.

SUPERVISOR DUNNING: A few weeks ago I got an e-mail from a young lady looking to help the Town of Chili by trying to put together a plan for a -- an emergency shelter, utilizing the Chili Senior Center.

Initially, my response was basically, "Well, okay, what -- what does this cost? What will we do? What does it involve? Do we need cots, beds, all this other stuff, blankets and water? And where will we put it all? And kind of went into a little spin there of information.

She came back with a very interesting proposal with some people from the Red Cross, and I would like to introduce, if I could, Diane Brewer-Hawes, who put this program together and some information that I believe I shared some of it with the Town Board.

You have got some of the information, but we have invited Diane (Brewer-Hawes) here to share with us her findings and her plan for perhaps allowing the Chili Senior Center to become an emergency shelter.

So with that, Diane (Brewer-Hawes), if you would.

MS. BREWER-HAWES: Thank you very much, everyone, for having me here tonight. My name is Diane Brewer-Hawes. I was a resident of Chili, born and raised here. Lived here for about 30 years. My father is a resident here of over 50 years, Dean Brewer, and I am a student at Roberts Wesleyan College, a senior, majoring in social work.

And for my communities class, we were asked to look to make a change within the community where we thought we could make it better. Because my father has mentioned on numerous occasions that, you know, we need more shelter space in the event of an emergency, a snow storm or something, it would be nice to use the Senior Center as such. So I thought well, this would be a great project.

I contacted the Red Cross and enlisted their help to see how do we go about doing such a thing. And, of course, they were quite helpful.

So they first informed me that we don't have a lot of shelter space out here in Chili. And, in fact, all of the schools are shelter spaces, and at Chili Pearce Memorial Church out in North Chili is also shelter space.

So based on the fact that there is about 27,000 residents in Chili, right now, the Red Cross has about 1200 spaces for emergency shelter space, so 1200 people they can accommodate. In the event of emergency -- and an emergency can be anything from a snowstorm, earthquake, tornado.

It could be a toxic spill. You have a railroad track right here. A train could go off and be derailed, and there could be toxic chemicals and people might need to be relocated.

GINNA is on the other side of the County, but if something happened at Ginna, it would mean that all those people from the east side would need space over on the west side, shelter space.

And so right now, there is only about 1200 actual spaces for people. So it got me thinking maybe the Senior Center might be a good spot to start.

With Ron Kieser's help from the Red Cross, we went out and did do a survey of the shelter. The shelter does have a nice -- 4,000 square feet of space, which sounds like it would accommodate a lot of people. It will only accommodate 100 people. It's a little bit of a help, but obviously more shelter space is needed in Chili. This is a start. They liked the building. It has everything they look for in a building. Large open areas.

Schools sound great, but this said, they prefer not the smaller space of the classrooms. They like to have people in a large open room so they can kind of keep track of them. They like a full kitchen, bathrooms, centrally located in the community and it's a nice structurally sound building. So the Red Cross, we did a survey of the building, and -- and everything looked good.

So a contract was given to Mr. Dunning for the Board's approval. If you decide to go with this, then you sign the contract and then the Red Cross pretty much steps in. When there's an emergency, they step in and they do everything. Um, they're totally in charge. They bring their own people. They bring the cots, the blankets, whatever supplies. They bring the food. They pretty -- they bring all their own staff. They take care of everything. So you're providing the shelter space and you're providing a wonderful benefit to the people in Chili.

So that's the -- that's the long and short of it. So if you have any questions, um, please feel free to ask me. If I don't know the answer, I will defer to Ron (Kieser) and Jennifer who are here from the Red Cross tonight.

SUPERVISOR DUNNING: I was just going to ask if you could please introduce our other guests here.

MS. BREWER-HAWES: Ron Kieser and Jennifer Duval.

COUNCILWOMAN DI FLORIO: I had a question. So you said they bring everything. Is there anything that needs to be stored on site?

MS. BREWER-HAWES: What they are starting to do is to put these -- like a pod, or, you know, a truck, a semi-truck, and they're looking for locations where they can just put those little shelter storage spaces where they have the cots and the blankets and everything. So it is not in the building; it's off in the back around somewhere. So they can go and unlatch, open up the truck and get all of the supplies out.

COUNCILWOMAN DI FLORIO: So it would be in a parking lot somewhere.

COUNCILMAN SLATTERY: That is something that remains on the property or something that is delivered if --

MS. BREWER-HAWES: It remains on the property there. So in the event of an emergency, it is already there.

COUNCILWOMAN SPERR: If there is a --

MR. KIESER: If I may, that is a proposal at this time. We do have a trailer as far as the west side goes with capacity for cots and blankets. That doesn't necessarily mean there will be one parked here in Chili. That wouldn't happen unless we had more trailers available, we would -- we would come to the Board to get that set up.

COUNCILMAN SLATTERY: Supervisor, we have we looked at the location for the possibility of having this trailer on site?

SUPERVISOR DUNNING: No. Actually this -- I think this is the first time I heard there is a possibility of one of the pod -- or similar type unit might be located. I did hear Ron (Kieser) and Diane (Brewer-Hawes) did discuss the possibility -- or that there would be a trailer somewhere in -- in close proximity to that that would be accessible bringing these things in. But the answer is no, we haven't really discussed any particular locations where we might be able to store.

Before we would probably agree to let that happen or do that, we would need to assess if -- one, if it can be done in the Town of Chili and where the best spot if it was to happen, where that would be.

COUNCILMAN SLATTERY: Now, have you -- maybe this is for the Red Cross. Have you met with the school districts and -- regarding which schools in Chili you would be utilizing? And then lastly, would you have trailers that would be at those locations, as well?

MS. BREWER-HAWES: All of the schools are already listed on their database at the Red Cross. They're already set up to be shelters. That's a given.

COUNCILMAN SLATTERY: Which schools in Chili?

MS. BREWER-HAWES: Um, that would be Churchville-Chili Central School, Churchville-Chili Middle School, Chestnut Ridge Elementary School, Churchville Elementary School, Fairbanks Road Elementary School, um, Gates-Chili, all of the Gates-Chili Schools, Neil Armstrong, Florence Brasser, Walt Disney, Paul Road.

COUNCILMAN SLATTERY: Basically we have three schools in Chili. The Chestnut Ridge, Paul Road and Florence Brasser. Do we have trailers at any of those locations?

MR. KIESER: No.

COUNCILMAN SLATTERY: No. Okay. In the event of a situation, would that -- those materials -- those materials would be brought out to those locations?

MS. BREWER-HAWES: Yes. Yes.

MR. KIESER: We have a supply center at Johns Street in Henrietta, and we would bring stuff out from there.

COUNCILWOMAN DI FLORIO: You used to store stuff on site, correct?

MR. KIESER: Because of the fact that the west side -- it isn't specifically Chili. We're talking west side of Monroe County, and we have got some areas that are quite far from our facilities, and the idea would be to move in a trailer. We have gone to a couple of Fire Departments on this, and moved the trailers in the parking -- to parking on the facility site.

But as it stands right now, unless I get word otherwise, I don't see us getting any more trailers for the time being. But that doesn't mean that we wouldn't be able to supply what we need for the shelter. Cots, blankets and whatever.

COUNCILMAN SLATTERY: You just mentioned the Fire Departments. Are those locations, as well, that you would --

MS. BREWER-HAWES: No. They're not set up as emergency shelters, and from what I understand, they're not a preferred site, because they are -- they're there for an emergency, as well, so they need to be kept free so people can get in and out.

COUNCILWOMAN IGNATOWSKI: I'm assuming there would be some sort of a way of notifying people that senior programs would not be able to be taking place at the time this was being used as an emergency shelter. That would be my only --

MS. BREWER-HAWES: This would be an event that the Senior Center is already closed. So it is closed for whatever the emergency is, so that, if it is across the news screens and radio, and then it -- when the Red Cross would be able to come in and use it. So it will only be used when the -- when the Senior Center is in not in use.

COUNCILWOMAN IGNATOWSKI: That was my only question.

SUPERVISOR DUNNING: So it wouldn't necessarily be used then, if there might be an emergency, unique to -- some other community that is not necessarily an emergency in the Town of Chili, you wouldn't necessarily look to utilize Chili's, unless, of course, you could in that event; is that true? Do you understand?

MR. KIESER: I know what you're saying, and it's a tough question to answer, because we would have to look at the whole picture of the event. You know, if we were looking at say a nuclear event, I know, we have got pre-planning that we deal with, so we would be increased primarily at Greece Arcadia and that area.

If there is an overflow and we're talking a large number of people, if this was a serious event, we would be looking at as many shelters as we could possibly open to get people in and relocated for the time being.

SUPERVISOR DUNNING: You would look to the municipality to work with you --

MR. KIESER: Oh, yes.

SUPERVISOR DUNNING: -- for the availability of the space you're looking for?

MR. KIESER: Yes. We can't do anything without your consent.

SUPERVISOR DUNNING: Who opens and closes the facilities in the event of emergency?

MR. KIESER: It's a joint operation between whoever you select as a contact person and the Red Cross.

SUPERVISOR DUNNING: And who -- who observes and stays with the facility during the time of the emergency? Is there always a representative from the Red Cross?

MR. KIESER: Yes.

SUPERVISOR DUNNING: -- or is there also a need for someone from the Town to be there to supervise the -- the activities?

MR. KIESER: That would be your call. As far as the staffing, as we open the shelter, the Red Cross mans the shelter on a 24-hour basis. If the Town feels they want someone to oversee us, then you would probably want somebody to be there.

SUPERVISOR DUNNING: Clean up after the emergency, who takes care of that?

MR. KIESER: We come in. As the shelter is open, we come in with a representative of the Town. We survey the site. Any damages that we see prior to opening the shelter, we'll make a note of. And as we close the shelter, we'll go back and do the same thing. Now, if there is anything broken or -- or a wall has a hole in it or something like that that wasn't there when we took over, then we're responsible to have it repaired.

COUNCILMAN SLATTERY: I guess one other thing that was discussed, that it would only be utilized when it was closed. Well, if there is a train -- you mention a train derailed. If that happened on Union Street and it's not near the Senior Center, we utilize the Senior Center as a point that you would want to utilize. That could be during the day when they are having activities there.

MS. BREWER-HAWES: Right.

COUNCILMAN SLATTERY: So you would look not to go to that location, or --

MS. BREWER-HAWES: I think it would be the same situation as Ginna. It would be up to whoever -- the point person's discretion. If they thought it was a severe enough emergency, they would say, "Maybe we need to close the Senior Center today because we need to use it as a shelter."

COUNCILMAN SLATTERY: I know Ginna has a plan and I'm somewhat involved with that a little bit, but they already have those sites designated. They have the traffic pattern set up. They have the road closure set up and all of that. It is pretty in depth, the plan that they have, so.

SUPERVISOR DUNNING: I don't have any other questions. I know this is a school project for you, I guess, Diane (Brewer-Hawes). When is your expected completion of this particular project or to get some resolution to the issue?

MS. BREWER-HAWES: Well, as I understand, you know, you take it from here, and you -- you vote on it, make a decision. I would expect by your December 1st meeting; is that correct?

SUPERVISOR DUNNING: Uh-huh.

MS. BREWER-HAWES: I have everything done that I need to do in order to write my paper. So you -- you can take it from here.

COUNCILMAN SLATTERY: Is that what your professor said?

COUNCILWOMAN SPERR: This requires a resolution.

SUPERVISOR DUNNING: Yes. It would require -- I believe it would because it is a contract to sign. You all have copies of that contract. So I -- you know, I will -- with -- I will ask and propose at least some type of a resolution at the next Town Board meeting for your

consideration.

COUNCILWOMAN IGNATOWSKI: This contract has been reviewed by our Counsel?

SUPERVISOR DUNNING: Not yet. We'll give it to him.

RICHARD STOWE: You haven't voted on it yet either.

SUPERVISOR DUNNING: Thank you.

COUNCILMAN SLATTERY: One last question I would have. Once this is approved, now you're graduated, you moved on. How would the Red Cross -- how would the communication be, who would be the contact person?

MS. BREWER-HAWES: These are your contact people. Ron (Kieser) is in charge of all of the shelters, emergency shelters, setting up the emergency shelters.

MR. KIESER: Not bad for a volunteer.

COUNCILWOMAN DI FLORIO: So you step out and they step in?

MS. BREWER-HAWES: Yes.

MR. KIESER: Once this is set up, we want to get this into our database, which is a national database. And once that is entered, then it all happens. You know, whatever happens, we'll deal with it accordingly. But our point would be first of all, we have to have a copy of the agreement, and we also have a -- have to have a copy of the survey, and we also have to have contact people that we can call to both open the shelter and give us permission to use the shelter.

COUNCILMAN SLATTERY: I'm sure our insurance provider would be looking at this, as well?

SUPERVISOR DUNNING: (Nodded affirmatively.)

COUNCILMAN SLATTERY: That's all I have.

SUPERVISOR DUNNING: Diane (Brewer-Hawes), thank you very much. Wonderful job you did here.

MS. BREWER-HAWES: Thank you.

SUPERVISOR DUNNING: And if this does manage to work its way through, you can certainly be proud of your efforts in either way. I think it is a very noble effort you put in here for the benefit of the people --

MS. BREWER-HAWES: Thank you.

SUPERVISOR DUNNING: Not only the people of Chili but Monroe County. I'm sure your dad is proud, too.

MS. BREWER-HAWES: I want an A.

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on November 17, 2010 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:20 p.m. to discuss Local Law amending "Chapter 176 Animals to Authorize the Issuance of Dog Licenses by the Town of Chili assuming the function from the State."

Attendance as previously noted in the 11/17/10 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 7:20 p.m.

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on November 17, 2010 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:21 p.m. to discuss Local Law amending Chapter 127 Recreation Advisory Committee.

Attendance as previously noted in the 11/17/10 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 7:21 p.m.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. The following speaker addressed the Town Board on various subjects: Dorothy Borgus. The Public Forum concluded at 7:36 p.m.

SUPERVISOR DUNNING: I think what we'll do is as we get to those resolutions, we'll address those questions as they came up.

MATTERS OF THE SUPERVISOR:

SUPERVISOR DUNNING: Just one thing that came about yesterday that I would like to share with the Board that is actually pretty exciting news. My secretary, Dawn (Forte), had gone

to the -- one of her PODs walk-throughs and training classes over at -- at one of our local PODs, and as a part of that, she learned that there is a possibility of some grant money available that the Town could be looking into and tapping into.

She spent actually what turned out to be a very short period of time with some people from the County, and was able to secure a little over \$36,000 for the Town of Chili for our generator that we have recently approved the purchase of. The County apparently had about 30 -- well, had \$36,000 leftover grant money that was unallocated, and she went ahead and got a hold of some people over at the County and said, "Chili wants some money if you have some extra money," and she worked with some people. She worked with Mr. Lindsay and the people at the County and just saved -- yesterday saved the Town of Chili \$36,000. And I think that's -- (Applause.)

SUPERVISOR DUNNING: I want to thank her --

COUNCILMAN SLATTERY: What do we need you for? (Laughter.)

COUNCILWOMAN IGNATOWSKI: Will that pretty much cover the cost of the generator?

SUPERVISOR DUNNING: No. Better than two-thirds -- a little less than half the cost, I'm sorry. A little less than half the cost of the generator. We were planning on spending I think it was close to \$80,000, so this is --

Stop it. And stop egging him on. (Laughter.)

COUNCILWOMAN SPERR: I didn't do a thing.

SUPERVISOR DUNNING: It had to be Rich Stowe.

I just want to thank Dawn (Forte) publicly for a -- it is just a wonderful thing to do and so quick. It just happened. I know she was very excited about saving the Town a lot of money, as we should be.

COUNCILMAN SLATTERY: Did we get a letter in regard to that from the County?

SUPERVISOR DUNNING: We get a letter from that? I know David (Lindsay) got some forms.

DAWN FORTE: We're working with Emergency Management, Muffy Meisenthal's office. Mr. Lindsay was able to get me my last piece of information that I need to send to the County tomorrow.

At that point in time, they will take a look at the information we submitted. It will be submitted to the State of New York by Friday.

COUNCILMAN SLATTERY: So does the approval come from the County or the State?

DAWN FORTE: It will probably come from the State. They had a grant that was for -- specifically for generators, and were able to tap in for, um, another local municipality plus the County, and then they ended up having this leftover money that we were able to tap into. So they went ahead, contacted the State of New York yesterday, asked them if we could go ahead and, um, get into the grant before it was too late. They accepted it and, um -- and we should be getting notified, um, as to it going ahead and -- and being accepted probably next week.

COUNCILMAN SLATTERY: Good. It's great news, but I don't want to get the cart before the horse here.

SUPERVISOR DUNNING: Well, as I understand it, with the conversations with the County, they have already talked to the State. The State has basically verbally approved this, that the Town could tap into this and tie into this one.

COUNCILMAN SLATTERY: That's great.

COUNCILWOMAN SPERR: Just a formality finalizing the paperwork.

DAWN FORTE: Just a formality with the paperwork only.

I would -- from what I have gathered from Muffy (Meisenthal)'s office, it is probably more than likely not going to be anything in writing. It -- because it is the grant going through the County, we'll get the money from them.

SUPERVISOR DUNNING: Just send a check. One check.

COUNCILMAN SLATTERY: Beautiful. Thank you. Good job.

SUPERVISOR DUNNING: Other than that, I don't have anything under new matters or pending matters.

MATTERS OF THE TOWN COUNCIL:

COUNCILWOMAN DI FLORIO: I just wanted to say what a fabulous turn-out we had for the Veteran's Day ceremony. I guess I will use one of your lines, Dorothy (Borgus). It was a shame we couldn't get members from the press to come and cover it, because it was a fabulous event. It was a really truly emotional and wonderful event and was glad to be a part of it.

SUPERVISOR DUNNING: And it was. It was a good event. I know Tracy (DiFlorio) put a lot of work into that. The Town, um, actually has a nice little pin that we handed out to the veterans, a nice lapel pin that was very nice. I know Tracy (DiFlorio) put a lot of work into it. Thank you for what you did, too.

The 10/6/10 and 10/20/10 Town Board meeting minutes were approved as submitted.

REPORTS SUBMITTED:

Dog Control Report -- October 2010
Recreation Center Revenue Report -- October 2010
Senior Center Revenue Report -- October 2010
Town Clerk Report -- October 2010

Conservation Board Minutes – 10/4/2010
Historic Preservation Board Minutes – 10/18/2010
Planning Board Minutes – 10/12/2010
Recreation Advisory Minutes – 10/13/2010

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There were two questions on that. I believe it was item number 38. The -- amend highway appropriated fund balance to 920,000 from the preliminary budget of 850,000; and then on 39 for the fire protection contract.

Dianne (O'Meara), would you care to share what -- with number 38, if you would, please?

DIANNE O'MEARA: That is basically utilizing more the projected highway surplus as of the end of this year.

SUPERVISOR DUNNING: It's an increase in the projected fund balance.

On number 39, the Chili fire protection contract. After the workshops and the presentation from the Fire Department, the Town Board did increase the amount of money appropriated to -- well, the 1,083,000 was a mistake to begin with, and that was explained at the workshop. That was the same number, I believe, as last year's and that was just an error in the tentative budget. The number you see there is the consideration for the Town of Chili as Commissioners of the Fire Department -- for the Fire Protection District I should say. The appropriation is set at 1,169,000. The 1,083,000 was an error to begin with.

COUNCILMAN SLATTERY: I know it was a challenging budget. I know there was a lot of discussion going back and forth, and I know there was certain departments, areas that were looking for more money. I know we, as a Town Board member, you know, we have a responsibility for the whole Town, and it's -- it's challenging. It's difficult times, and it's -- I wish we could do more, but this time, for the -- you know, we can't really go to the public and say, you know -- you know, we need more. We just can't do it. We're tightening the belt. We reduced budgets. We -- I know there was some purchases that certain departments wanted to make and so forth, but we had to pull back and it's -- we only can do it for so many years, as well.

SUPERVISOR DUNNING: And that is evident by this budget. Thank you.

It -- you know, when you look at the budget overall, it is still a decrease in appropriated spending this year. We have done what we can. Certainly we're seeing fewer -- fewer -- appreciating fewer revenues, and we -- by the work this Town Board has done to actually bring these -- or close these gaps on some of these budgets, we have actually, you know -- it's actually created less of a surplus, so less money to work with for the next year.

This was a very challenging budget. I quite frankly am very proud with the budget, where we ended up with the budget. It's a good budget, solid budget, and for this particular year, I think it happens to be actually the best we can present to the Town and I'm pleased with it.

COUNCILWOMAN SPERR: Have to say in my tenure here as a Town Board, this has been one of the most challenging budgets, and David (Dunning) did a very good job in the jumping off point in his presentation at the original budget, and we had to hold the line. So I think it's -- shows a great responsibility on the Town Board's part to be sensitive to the current economic times, and I just want to thank everyone here on the Board for their efforts in working on this budget. It was great to work with everyone. We all collaborated a lot on this, and I'm pleased with what we have been able to do.

I wish we would have been able to -- to do more, but hopefully the economic outlook will brighten for next year and we'll be able to do a few more things for the residents in the Town of Chili.

COUNCILWOMAN IGNATOWSKI: It was very challenging because of the reduction in revenue. It's amazing how much it has reduced for the past two years in trying to address that. And quite frankly, some of these modifications or -- that we're proposing right now, are additional State mandated funding that came in higher than what we were expecting, so our expenses end up being greater than what we anticipated, as well.

Like Michael (Slattery) indicated, we are trying to cut even more by getting rid of additional equipment purchases. Only so much you can do without sacrificing some of the services that you provide the Town.

COUNCILWOMAN DI FLORIO: And/or putting us in jeopardy.

COUNCILWOMAN IGNATOWSKI: It is still, quite frankly, the very minimum. It makes me very nervous not putting money into reserves. I'm -- but, you know, my household is the same way right now. We're not putting anything in savings, but I just don't like that for the future of the Town.

COUNCILMAN SLATTERY: Let's see what the change in leadership in Albany will do with these unfunded mandates that keep getting pushed down to the local levels. Hopefully that will help us in the future as we heard so many promises.

SUPERVISOR DUNNING: I will remain fairly unoptimistic about that.

COUNCILWOMAN SPERR: I share in that sentiment.

RESOLUTION #323 RE: Modifications to Preliminary Budget

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED that the following modifications be made to the 2011 Preliminary Budget:

1. Amend Library appropriations to \$1,078,564 from the 2011 Preliminary Budget amount of \$1,043,338; and
2. Amend Library revenues to \$76,305 from the 2011 Preliminary Budget amount of \$78,305; and
3. Amend Library appropriated fund balance to \$ 17,226 from the 2011 Preliminary Budget amount of \$0; and
4. Amend A2001 – Recreation revenues to \$237,000 from the 2011 Preliminary Budget amount of \$220,000; and
5. Amend A3001 - AIM to \$187,764 from the 2011 Preliminary Budget amount of \$189,852; and
6. Amend A1110.1 – Town Court Personnel to \$186,292 from the 2011 Preliminary Budget amount of \$187,083; and
7. Amend A1220.1 – Supervisor Personnel to \$122,443 from the 2011 Preliminary Budget amount of \$121,474; and
8. Amend A1310.1 – Director of Finance Personnel to \$89,351 from the 2011 Preliminary Budget amount of \$87,627; and
9. Amend A1355.1 – Assessor Personnel to \$181,244 from the 2011 Preliminary Budget amount of \$179,454; and
10. Amend A1430.2 Personnel Equipment to \$0 from the 2011 Preliminary Budget amount of \$650; and
11. Amend A1490.1 DPW-Personnel to \$98,384 from the 2011 Preliminary Budget amount of \$97,457; and
12. Amend A1620.403 Highway Building to \$14,000 from the 2011 Preliminary Budget amount of \$12,000; and
13. Amend A1620.411 Town Hall/Library Utilities to \$40,000 from the 2011 Preliminary Budget amount of \$35,000; and
14. Amend A1620.412 Court/Recreation Utilities to \$60,000 from the 2011 Preliminary Budget amount of \$58,000 ; and
15. Amend A1620.413 Highway Utilities to \$50,000 from the 2011 Preliminary Budget amount of \$45,000; and
16. Amend A1640.451 Central Garage – Building/Assessor to \$4,800 from the 2011 Preliminary Budget amount of \$4,500; and
17. Amend A1640.453 Central Garage – Fire Marshal to \$4,500 from the 2011 Preliminary Budget amount of \$4,000; and
18. Amend A1640.455 Central Garage - Parks to \$38,000 from the 2011 Preliminary Budget amount of \$37,000; and
19. Amend A1640.457 Central Garage – Dog Control to \$3,200 from the 2011 Preliminary Budget amount of \$3,000; and
20. Amend A1640.461 Central Garage – DPW to \$9,500 from the 2011 Preliminary Budget amount of \$8,500; and
21. Amend A1640.462 Central Garage – Refuse & Garbage to \$85,000 from the 2011 Preliminary Budget amount of \$80,000; and
22. Amend A1680.1 MIS Personnel to \$82,432 from the 2011 Preliminary Budget amount of \$80,710; and
23. Amend A3620.2 Safety Inspection Equipment to \$1,800 from the 2011 Preliminary Budget amount of \$2,700; and
24. Amend A5010.1 Highway Administration Personnel to \$109,990 from the 2011 Preliminary Budget amount of \$108,247; and
25. Amend A5132.4 Garage Contractual to \$16,500 from the 2011 Preliminary Budget amount of \$15,500; and
26. Amend A6772.1 Programs for the Aging Personnel to \$72,696 from the 2011 Preliminary Budget amount of \$71,513; and
27. Amend A7020.1 Recreation Personnel to \$216,404 from the 2011 Preliminary Budget amount of \$179,962; and
28. Amend A7110.4 Parks Contractual to \$89,200 from the 2011 Preliminary Budget amount of \$83,700; and
29. Amend A7550.4 Celebrations Contractual to \$37,500 from the 2011 Preliminary Budget amount of \$37,000; and
30. Amend A8540.4 Town Drainage Contractual to \$62,000 from the 2011 Preliminary Budget amount of \$61,500; and
31. Amend A9010.8 NYSERS to State mandated \$282,629 from the 2011 Preliminary Budget amount of \$253,114; and
32. Amend DA9010.8 NYSERS to State mandated \$266,624 from the 2011 Preliminary Budget amount of \$238,182; and
33. Amend SD9010.8 NYSERS to State mandated \$17,019 from the 2011 Preliminary Budget amount of \$15,203; and
34. Amend DA5130.2 Machinery Equipment to \$307,000 from the 2011 Preliminary Budget amount of \$337,000; and
35. Amend DA5130.4 Machinery Contractual to \$335,500 from the 2011 Preliminary Budget amount of \$328,000; and

36. Amend DA5142.4 Town Snow & Ice Contractual to \$125,000 from the 2011 Preliminary Budget amount of \$121,700; and
37. Amend DA5148.4 Services Other Governments Contractual to \$109,300 from the 2011 Preliminary Budget amount of \$108,500; and
38. Amend Highway appropriated fund balance to \$ 920,000 from the 2011 Preliminary Budget amount of \$850,000; and
39. Amend SF104-3410.4 Chili Fire Protection Contract to \$1,169,074 from the 2011 Preliminary Budget amount of \$1,083,240; and
40. Amend SD8540.4 Consolidated Drainage Materials to \$20,000 from the 2011 Preliminary Budget amount of \$17,000; and
41. Amend SD8540.461 Consolidated Drainage Vehicles to \$17,500 from the 2011 Preliminary Budget amount of \$15,000; and
42. Amend Chili Fire Protection appropriated fund balance to \$0 from the 2011 Preliminary Budget amount of \$35,000; and
43. Amend A9950.9 to \$428,127 from the 2011 Preliminary Budget amount of \$398,000; and
44. Amend SF101-3410.4 (Gates Fire District Contractual) to \$816,979.98 from the 2011 preliminary budget amount of \$0.

UNANIMOUSLY APPROVED

RESOLUTION #324 RE: Adopting Assessment Rolls for 2011 for Lighting Districts, Drainage Districts, Fire District, Fire Protection Districts, Ambulance Districts, Water Districts, Park District, Sidewalk District and Sewer District

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

WHEREAS, this Board on October 20, 2010 commencing at 7:00 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2011, including the assessment rolls for the lighting districts, drainage district, fire protection districts, ambulance districts, water districts, park district, sidewalk district, and sewer district for 2011, and having heard all persons desiring to be heard in the matter and said assessment rolls for said fiscal year having been fully discussed and considered by the Town Board acting on behalf of all said Districts, it is **RESOLVED** that the assessment rolls for 2011 for the various lighting districts, drainage district, fire district, fire protection districts, ambulance districts, water districts, park district, sidewalk district, and sewer district, as printed in the preliminary budget, are hereby adopted and established as the final assessment rolls for the fiscal year beginning January 1, 2011; and

BE IT FURTHER RESOLVED, that said assessment rolls be and the same hereby are filed in the Office of the Town Clerk.

UNANIMOUSLY APPROVED

RESOLUTION #325 RE: Adoption of the Annual Town Budget for 2011

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

WHEREAS, this Board on October 20, 2010 commencing at 7:00 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2011, including the assessment rolls for the lighting districts, drainage district, fire district, fire protection districts, ambulance districts, water districts, park district, sidewalk district, and sewer district for 2011, and having heard all persons desiring to be heard in the matter of the budget for this Town for such fiscal year having been fully discussed and considered; and

BE IT RESOLVED that said preliminary budget is approved and filed and as later amended as aforesaid, including the budgets for the lighting districts, drainage district, fire protection districts, ambulance districts, water districts, park district, sidewalk district, and sewer district for 2011, and that such annual budget is so adopted as detailed in the minutes of the proceedings of this Town Board; and

BE IT FURTHER RESOLVED, that the salaries of the elected officials included in the 2011 budget and as set forth in the published notice are adopted as published; and

BE IT FURTHER RESOLVED, that the Town Clerk shall prepare and certify as provided by law, triplicate copies of the said annual budget hereby adopted and deliver one such copy to the Supervisor of the Town and two copies to the County of Monroe as required by law.

UNANIMOUSLY APPROVED

RESOLUTION #326 RE: Transfer to General Fleet Reserve

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

WHEREAS, an auction of general equipment was held October 2010; and

WHEREAS, it has been advantageous to transfer the auction proceeds to the General Fleet Reserve for future use; and

NOW, THEREFORE, BE IT RESOLVED, to increase the General Fund budget A2665 (Sales of Equipment) and A9950.9 (Interfund Transfer) by \$5,859.00; and

BE IT FURTHER RESOLVED, to transfer \$5,859.00 to the General Fleet Reserve.

UNANIMOUSLY APPROVED

RESOLUTION #327 RE: Transfer to Highway Equipment Reserve

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Ignatowski

WHEREAS, an auction of highway equipment was held October 2010; and

WHEREAS, it has been advantageous to transfer the auction proceeds to the Highway Equipment Reserve for future use; and

NOW, THEREFORE, BE IT RESOLVED, to increase the Highway Fund budget DA2665 (Sales of Equipment) and DA9950.9 (Interfund Transfer) by \$20,250.00; and

BE IT FURTHER RESOLVED, to transfer \$20,250.00 to the Highway Equipment Reserve.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question, Dianne (O'Meara), on that as to why. Can you --

DIANNE O'MEARA: Um, the Town has been with the Workers' Compensation program, which is made up of other municipalities and agencies since 2004, the middle of 2004. And since that time, any, um, surplus that we may have had in the budget lines, we have moved into this reserve for bad years, and we -- we have reached a bad year with some severe, um, claims, and we have to make it up. We have to -- you know, give the -- give the program the additional amount that it -- that we're due.

Each of the agencies and municipalities are basically self-funded within a group that shares the administrative expenses. So this is Chili's injury problem, unfortunately.

But fortunately, though, so far, knock on wood, we're having a good year. So hopefully in the future we'll be getting some of the surplus money back as these claims close out.

SUPERVISOR DUNNING: Thank you. Any other questions or comments?

RESOLUTION #328 RE: Establish Budget – 2010 Deficit Workers Compensation Calculation

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman DiFlorio

WHEREAS, the deficit repayment calculation for the Workers Compensation program years 2004-2009 is \$150,746.00; and

WHEREAS, the Workers Compensation reserve was established in accordance with GML §6-n to support premiums; and

NOW, THEREFORE, BE IT RESOLVED, to create budget A-90 9040.8 (Workers Compensation Reserve) in the amount of \$150,746.00.

UNANIMOUSLY APPROVED

RESOLUTION #329 RE: Establish Budget – Engineering and Architectural Services for Highway Garage/Public Works Facility

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

WHEREAS, July 14, 2010 Resolution 243 authorized engineering and architectural services with Bergmann Associates at a cost not to exceed \$400,000; and

NOW, THEREFORE, BE IT RESOLVED, to establish a budget for H48 1440.4 (Engineer – Highway Building) of \$400,000.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question. Mr. Lindsay, regarding it seems to be an odd time of the year.

Actually seems like an opportune time probably when they're the best price. Why and what part of the budget?

DAVID LINDSAY: This is part of the 2010 budget, and -- and it is -- it is a -- excuse me. It is a time of year to be purchasing mowers as opposed to the spring. They're generally on a discounted price, so...

SUPERVISOR DUNNING: Thank you.

COUNCILMAN SLATTERY: Which, I think, typically we have done in the past. As long as I have been on the Board, we look at the different times of year when the -- when prices are reduced and so forth.

COUNCILWOMAN SPERR: Actually thought that the quotes -- we had asked you about what the quotes were, and I actually thought they were far more reasonable than expected except for the one tossed out that was twice as much. I think they were very reasonable, so I was pleased to see you were able to get a mower for that price.

RESOLUTION #330 RE: Purchase of Mower Replacement

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman DiFlorio

WHEREAS, the Commissioner of Public Works has requested that a new mower be purchased for the Parks Department to replace an existing mower and meet the needs of the Department for parks maintenance and snow removal; and

WHEREAS, three (3) quotes were received for the purchase of one (1) mower; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase of one (1) John Deere Select Series x724 from the John Deere Corporation at a cost not to exceed \$9,500 to be paid from A7110.2 (Parks Equipment); and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board authorizes the disposition of vehicle #174 (2003 John Deere X485 Mower) and hereby directs the Commissioner of Public Works to procure the highest reasonable compensation for such item.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: Dorothy (Borgus) mentioned this was all corrected and it is not. There is a typo where it says Section 500-223 (N)-- I believe it is 500-22 -- or I'm sorry, 23(N).

COUNCILWOMAN IGNATOWSKI: Wait.

SUPERVISOR DUNNING: There is an extra two in there. It should -- on the fourth "whereas," 500- 223(N) should be 500-23(N.)

COUNCILWOMAN SPERR: Got it.

COUNCILWOMAN IGNATOWSKI: One too many 2s.

SUPERVISOR DUNNING: I know Rich (Stowe) is just going to verify that before we --

There was a discussion off the record.

RICHARD STOWE: It can't be 223.

SUPERVISOR DUNNING: No. I believe it is 23(N).

RICHARD STOWE: I have a 23(M).

SUPERVISOR DUNNING: I know it is (N). The (N) is correct, according to the online code.

COUNCILMAN SLATTERY: You want to move on to the next resolution and let Rich (Stowe) --

RICHARD STOWE: No. That's correct. It's (N).

SUPERVISOR DUNNING: So if we can make that modification, I don't need to amend

anything; is that right?

RICHARD STOWE: That's right. Yep. Yep.

COUNCILWOMAN IGNATOWSKI: There was a question from Dorothy (Borgus), was this resolution run past Counsel before?

SUPERVISOR DUNNING: Oh, yeah. Counsel wrote it. Not that Counsel (indicating). Our Assistant Town Counsel wrote the resolution initially.

MS. BORGUS: Wow.

SUPERVISOR DUNNING: We all make mistakes.

MS. BORGUS: Not like that.

RESOLUTION #331 RE: Extension of PNOD zoning designation for property at 741 Paul Road.

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio

WHEREAS, property located at 741 Paul Road had previously been zoned Planned Neighborhood Overlay District (PNOD); and

WHEREAS, construction of the principal building(s) pursuant to a building permit has not commenced within two years of the PNOD zoning; and

WHEREAS, without an extension of the PNOD zoning designation, the PNOD zoning designation will expire; and

WHEREAS, the property owner, Howlitt-Paul Road LLC, has petitioned the Planning Board for an extension of the PNOD zoning designation pursuant to Section 500-23(N) of the Town Code; and

WHEREAS, the Planning Board has recommended an extension at its November 9, 2010 meeting; and

NOW, THEREFORE, BE IT RESOLVED, that extending the PNOD zoning designation is a Type II action with no significant environmental impact; and be it further

Resolved, that the PNOD zoning designation for property located at 741 Paul Road is hereby extended until December 3, 2011; and be it further

Resolved, that the Town Clerk is hereby directed to update the zoning map of the Town of Chili to reflect said extension and to deliver a copy of this resolution to the Building Department.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: This was a question how this happened and what side -- Mr. Lindsay, it's all yours.

DAVID LINDSAY: I wasn't here at the time the subdivision was built. It was built, so all I can tell you is what was said to me.

My understanding of it at this point is that when the original subdivision came in for approval, they kind of planned a smaller house size footprint. During construction or just before construction, they kind of up-sized the standard footprint of the homes.

Um, as you recall, I think last year we had a similar release. We may have some additional ones in the future. The way it was supposed to be handled as the houses were built, there should have been a map and a description filed at the County Clerk's Office which would have adjusted the easements. That did not happen.

This particular person is in the process of selling his house and this is when they basically discovered the error. So we're trying to correct it now. We'll be looking to identify any other ones in that development and notify you, the Homeowners' Association, or either the homeowners themselves of the errors and give them the opportunity to make corrections now.

SUPERVISOR DUNNING: The encroachment on -- there was another question about the extent or how far this encroaches on the easement itself.

DAVID LINDSAY: We're talking about -- I think there is a bay window that encroaches about a foot, as well as a corner in -- of the garage, but it does encroach, so we have to do this.

COUNCILWOMAN DI FLORIO: It's not significant.

DAVID LINDSAY: Not significant and it does not affect our ability to maintain the pipe.

RICHARD STOWE: One very brief comment.

SUPERVISOR DUNNING: Please, share.

RICHARD STOWE: A matter of inches or a foot isn't terribly significant when viewed in the eyes of allowing adequate space for Town equipment to maintain easements and that sort of thing. I think the Board needs to appreciate what significant is in the title world versus what significant is in every-day practical use of an easement area. So what may seem like a little

thing to be able to get by is sadly a very big deal if you're the title insurance company insuring it and it has a di minimus encroachment.

COUNCILWOMAN DI FLORIO: I get that. I just meant it wasn't significant.

RICHARD STOWE: I get it, too. I get it, too.

The -- the problem we have is that it's not something across the board that can be ignored in the title world, and it creates a fair amount of paperwork to cure and a fair amount of angst for any homeowner who may have a survey updated and for the first time learn about this.

COUNCILWOMAN DI FLORIO: But it's not going to cause us any undue hardship, was my meaning of "significant."

RICHARD STOWE: Right.

COUNCILWOMAN IGNATOWSKI: Sounds like it would be beneficial to try to identify those other properties so those particular owners can rectify this prior to trying to put their home up for sale and it would be nice to try to consolidate and do them all at once as opposed to --

RICHARD STOWE: I don't quarrel with that, and without belaboring this topic, the -- reasonable people would ask, "Why is this only coming up now?"

And an awful lot of it has to do with the change in the way that the real property -- not just in this subdivision, but in the County, is changing hands as we go through the secondary mortgage market, and more precise instrument surveys and what may have been plus or minus a few inches and ignored in the title standard back in the day is no longer. So sadly, the whole industry is going through a number of these, as well.

SUPERVISOR DUNNING: Thank you.

RESOLUTION #332 RE: Release Portion of Drainage Easement

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

WHEREAS, Irene Kochersberger, David Kochersberger, and Craig Kochersberger (the "Applicants") are owners and/or contract vendees of property located at 95 Freedom Pond Lane, North Chili, NY 14514, Town of Chili, New York; and

WHEREAS, the Applicants' house encroaches onto a storm sewer/drainage easement owned by the Town of Chili; and

WHEREAS, the Applicants have applied to the Town Board for a release of easement for that portion of a storm sewer/drainage easement owned by the Town of Chili that is located under and adjacent to the Applicants' house; and

NOW, THEREFORE, BE IT RESOLVED, subject to a permissive referendum, that upon approval of the Commissioner of Public Works and Counsel for the Town of Chili, the Town of Chili shall release to the above named Applicants that portion of the Town's storm sewer / drainage easement located under and adjacent to the Applicants' house located at 95 Freedom Pond Lane, North Chili, NY 14514, Town of Chili, New York. The portion of easement to be released is located under and adjacent to the house, all as shown on a survey map of the property made by William Seymour, a licensed surveyor in the State of New York, dated November 4, 2010; and

BE IT FURTHER RESOLVED, the Supervisor of the Town of Chili, is hereby authorized and directed to execute, on behalf of the Town of Chili, the release of easement attached hereto relating to the Applicants' property after the release of easement has been approved by the Commissioner of Public Works and the Counsel for the Town of Chili; and

BE IT FURTHER RESOLVED, that the Applicants shall pay to the Chili Town Clerk all costs incurred or to be incurred by the Town in this matter including, but not limited to: Engineering review costs (if an engineering review is deemed necessary by the Commissioner of Public Works) legal review costs, publication costs and recording fees; and

BE IT FURTHER RESOLVED, that within (10) days hereof the Town Clerk shall publish and post a notice of the adoption of this resolution, and an abstract thereof, as required by law.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: It's unfortunate that George (Goodwin) and his wife Florence (Goodwin) passed away so close together. Florence (Goodwin) just recently passed away also. We're saddened to see these people no longer with us.

RESOLUTION #333 RE: In Memory of George Goodwin

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

WHEREAS, on November 11, 2010 George Goodwin passed away and we are deeply saddened by his loss; and

WHEREAS, Mr. Goodwin served as Town Historian from 1/1990 – 12/1991; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chili hereby extends their deepest sympathy to the Goodwin's 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. Goodwin's memory. The Town Clerk is hereby directed to send a copy of this resolution to the family.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a couple of questions. The Union Station Park and also on the Davis Park. David (Lindsay)?

DAVID LINDSAY: The -- the Union Station Park, the \$7,400 is for the gas line installation. RG&E requires we -- if you issue a check before the work is done, the \$9,175 for the Davis Park is retainage that was held from the original construction. We basically hold 5 percent for a period of time and guarantee that the work has been completed.

SUPERVISOR DUNNING: And is the work completed?

DAVID LINDSAY: Work is completed and satisfied, yes.

COUNCILMAN SLATTERY: This is the final payment.

DAVID LINDSAY: This is the final payment.

SUPERVISOR DUNNING: Thank you.

RESOLUTION #334 RE: November 17, 2010 Abstract

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED to pay vouchers 4400-4679 totaling \$312,872.62 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

General Fund	\$ 91,321.91
Workers Compensation Reserve	\$150,746.00
Highway Fund	\$ 28,515.58
H32 Union Station Park	\$ 7,462.50
H47 2011 Annual Update	\$ 1,875.00
H48 Highway Building Construction	\$ 10,081.00
H49 Davis Park ADA Restrooms	\$ 9,175.00
Consolidated Drainage	\$ 11.93
Chili Fire Protection District	\$ 2,500.00
Special Light Districts	\$ 11,183.70
TOTAL	\$312,872.62

UNANIMOUSLY APPROVED

Supervisor Dunning made a motion to go into Executive Session to discuss a contractual matter, and Councilman Slattery seconded the motion. The Board was unanimously in favor of the motion to go into Executive Session.

Supervisor Dunning stated no further business would be conducted this evening when the Board returned from Executive Session.

The Town Board went into Executive Session at 7:50 p.m.
The Town Board returned from Executive Session at 8:26 p.m.

The Town Board meeting was adjourned at 8:27 p.m.

The next regular meeting of the Chili Town Board will be on Wednesday December 1, 2010 at 7:00 p.m. in the Chili Town Hall main meeting room.

There will also be a Presentation & Public Meeting on the Open Space Index on Wednesday December 1, 2010 during the Town Board Meeting. Public input is encouraged.