

CHILI TOWN BOARD
December 5, 2012

A meeting of the Chili Town Board was held on December 5, 2012 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Supervisor David Dunning.

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

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

The invocation was given by Virginia Ignatowski.

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

SUPERVISOR DUNNING: He (Ken Kraus) just returned from the hospital with their new baby and he is exhausted so he will not be here this evening and he is excused. They had a little boy.

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: Charles Rettig and Dorothy Borgus. The Public Forum concluded at 7:08 p.m.

SUPERVISOR DUNNING: I think the only thing not agenda-related was the last comment. We will -- I will get with Mr. Lindsay, the Conservation Board to try to understand what the issues are there and we'll take a look at that. At this time I really don't know much about that particular issue.

MATTERS OF THE SUPERVISOR:

SUPERVISOR DUNNING: Actually, one of the things I did want to bring up as Matters of the Supervisor was partially some of the highway garage information. The first -- one of the things I wanted to -- I believe we have submitted for our last and final reimbursement from the State of New York. The State has been giving us our money right along and rather rapidly actually after our requests. We had to resubmit some paperwork from time to time and information from time to time, but they have been in remarkable -- you know, giving -- reimbursing us for expenses. To date, that -- from that grant, what we have actually received, I believe, is \$5.6 million. We have another \$400,000 and some change out -- that we submitted for reimbursement at this time which would complete the State's portion of the -- the highway project. The expenses to date are pretty close to that actually. I think we're just a tad over that.

We're starting to get into the money that the Town has gotten into -- or getting into the bond anticipation note money that we have set aside and secured.

So that is kind of where we are at. I don't know -- I probably won't touch on that any more. I think that answers the question so I probably won't get into the resolution any further. If the Board has any questions on that at all, I would be happy to entertain them. I know it has been a long-winded project.

The other thing I wanted to give the Board an update on the Black Creek Trail Feasibility Study. We had our second and final public meeting the other night, the last week, last Thursday night. The meeting was very, very well attended. The format was a very nice format where people could come in and look at Boards of the different -- the different configurations of the trail possibility, as well as how trails could or may or may not be able to be constructed. I think we're very close -- David (Lindsay), please, correct me if I am wrong, but I think we're very close at getting a final report from Bergmann. They have done a remarkable job on this.

At the end of the day and for the people here in the audience and for the people out in TV land, the likelihood of this trail moving onto development at this point in time is very -- is slim and none. At least in the immediate future. The cost of this, um, far exceeded what the original estimates were from the Genesee Transportation Trails Initiative which was kind of interesting to look at it. Initially, their estimates were about \$1.2 million for the entire trail. I will share with you at this point they're looking about \$1 million per mile, so the likelihood of this happening is -- is not --

COUNCILWOMAN SPERR: Any time soon.

SUPERVISOR DUNNING: Yeah. The money is not there. And quite frankly, in my

conversations with the Town of Chili and the Village of Churchville, they feel the same. Though there may be opportunities in the future as we have now this tool in our toolbox to go back, and when things are done or improvements are made in certain areas, to talk with the agencies doing those to see if there aren't opportunities to get at least portions of this constructed at some time.

But right now, it is -- we're just waiting for the -- the final report, if you will, and the final recommendations from Bergmann. So I expect to get those times in the first quarter of next year.

Is that accurate, David (Lindsay)?

MR. LINDSAY: I don't have the specific timeframe, but I can find that out for you tomorrow and shoot you an e-mail.

SUPERVISOR DUNNING: I just wanted to follow up with that. I don't have anything else unless you have any questions on that.

COUNCILWOMAN SPERR: No. Just to add onto what you said about the feasibility study. I was impressed how many residents took the time to come out and how many actually gave them some great feedback and brought up some suggestions that they were very pleased to get. There are some areas there that could be improved for biking and things like that that would be along roadways, and some of those things are a possibility, but for a trail itself -- you never know, there might be some opportunities for pieces of it to happen, but we'll have to see.

SUPERVISOR DUNNING: We'll have a plan on file.

COUNCILWOMAN SPERR: We have a plan, that's right.

SUPERVISOR DUNNING: Anyway, moving along.

COUNCILMEMBERS' REPORT:

COUNCILWOMAN DI FLORIO: One thing, just to -- as a reminder, the community tree lighting is on Friday for the community -- for the Christmas tree lighting, carolers will start at 6:00 and Santa arrives at 6:30, and they're also collecting donations at the ceremony for the VA hospital. And Breakfast with Santa is also on Saturday.

COUNCILWOMAN SPERR: That's usually a sell-out, so.

COUNCILMAN SLATTERY: That's December 7th and 8th.

COUNCILWOMAN DI FLORIO: Yes.

COUNCILMAN SLATTERY: So if you're watching it at home, you missed.

COUNCILWOMAN SPERR: Maybe. Depends.

COUNCILWOMAN DI FLORIO: How quickly it gets put up that.

SUPERVISOR DUNNING: That's a good one.

JORDON BROWN: The Conservation Board, Pat (Tindale) got copies of the checklist used in other towns and they're looking to update our checklist that other developers need, to tighten up on accountability and clarity on expectations and a lot of good ideas.

COUNCILMAN SLATTERY: I'm good tonight, thank you.

COUNCILWOMAN SPERR: I just had one thing. The Chili Preservation Board, Historic Preservation Board held their welcoming party for the barn book. Bonnie (Moore) did give a presentation at one of our previous meetings, but the books are now on sale at the library and I want to make sure everyone knows that is the only place you can get them now. We have heard there are a couple book stores that may buy from us and then resell them at the book stores. But they are \$15 on sale at the library. That is the requested donation, and there are also copies of the Cobblestone book. So if you wanted to get a copy of both the Cobblestone and the barn book, the Cobblestone is another \$5, so \$20 for a set.

Well attended. We had over 70 people and some area dancers. A great time and we're hearing very, very favorable comments about the book.

The 10/3/12, 10/17/12 and 11/7/12 Town Board minutes were approved as submitted.

REPORTS SUBMITTED:

Dog Control Report – October 2012
Historic Preservation Board Minutes – 10/15/2012
Monthly Financial Report – October 2012
Recreation Center Revenue Report – October 2012
Senior Center Revenue Report – October 2012
Town Clerk Report – October 2012
Zoning Board Minutes – 10/23/2012

CORRESPONDENCE:

1. Town Clerk, Virginia Ignatowski has received notification from Robert Clark, Highway Department that he is retiring on 12/27/2012.

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question on the rough numbers. Dan (Knapp), do you have the -- roughly what the amounts -- I know it was on 302 and 303. Do we have a rough dollar amount you're expecting there?

DANIEL KNAPP: The insurance reserve is about 35,000 and for the Workers' Comp. approximately 8,000.

SUPERVISOR DUNNING: Thank you.

RESOLUTION #302 RE: Transfer to Insurance Reserve Fund

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Slattery

BE IT RESOLVED to transfer the unexpended amount from A1910.4 (Unallocated Insurance) to the Insurance Reserve Fund as established by December 31, 2003 Resolution #407.

UNANIMOUSLY APPROVED

RESOLUTION #303 RE: Transfer to Workers' Compensation Reserve

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman DiFlorio

WHEREAS, the Workers' Compensation Reserve Fund was established by December 1, 2004 Resolution 360; and

NOW, THEREFORE, BE IT RESOLVED, to transfer any unexpended amounts from the General and Highway Funds Workers' Compensation budget line (9040.8) to the Workers' Compensation Reserve Fund.

UNANIMOUSLY APPROVED

RESOLUTION #304 RE: Budget Transfer

OFFERED BY: Councilman Brown SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to transfer \$5,300 from A7310.1 Youth Programs (Personnel Services), to A7310.4 (Recreation Programming).

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question. Has this increased? I think first for point of clarity, this is for non-union employees. The Union employees are covered under a collective bargaining agreement and anything that they -- the Town's contribution and their contribution are defined in that contract. However, I will say that for everyone, Union and non-union, the -- the Town is equally dividing increases with its employees. If there is a 10 percent increase, the employees pay half the increase and the Town is paying half that increase. That is what is currently happening. So yes, this is an increase over last year.

RESOLUTION #305 RE: Employer Medical Contribution 2013

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Slattery

BE IT RESOLVED effective January 1, 2013, for the calendar year 2013, the Town will pay the following maximum contribution towards the health insurance monthly premium: Single - \$437.62; two person - \$818.38; or family - \$943.50, and the full-time non-union employee will pay, by payroll deduction, the balance of the premium cost, if any; or if they wish to pay the Town directly, the premium must be paid in advance by the 20th of each month preceding the period coverage.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Supervisor, in regards to the barn book, the number that are printed and that due to the demand, do we see more books needing to be printed and additional costs that may come our way?

SUPERVISOR DUNNING: Likely that we will -- based on the current rate of sales, I am guessing that we will probably look at -- we probably will run out. It will have to be evaluated on what have taken in from the book, and what the cost of a reprint would cost, to see what, if anything, we wanted to do as far as reprinting or going in a second printing of the book. That would be a Town Board decision at that point in time.

COUNCILWOMAN SPERR: I have gotten an estimate. The Preservation Board looked into this, should the possibility come up. Um, so we could see how much money we might have available should they need to be reprinted. It would be about \$13 a book to reprint.

JORDON BROWN: Sounds like it couldn't happen before the holidays.

SUPERVISOR DUNNING: Not likely to happen.

COUNCILMAN SLATTERY: We won't have another Town Board meeting before that, besides the one of the end of the month.

COUNCILWOMAN SPERR: Maybe sometime next year.

SUPERVISOR DUNNING: How many books do we have left?

DAWN FORTE: 30.

SUPERVISOR DUNNING: Besides what the library has.

DAWN FORTE: Besides what the library has, we have 30 left in storage.

SUPERVISOR DUNNING: We give them 50 at a time, I believe.

COUNCILWOMAN SPERR: We started with 175 books, and -- but we did give barn owners a few books, so.

RESOLUTION #306 RE: Amend 2011 Resolution # 236 Barn Book Historic Preservation

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Slattery

WHEREAS, additional charges were incurred by RJ Printing due to tasks outside of original scope of project; and

BE IT RESOLVED, to increase amount of contract by \$248.00.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question about the new positions and new employees. It relates to both the Resolution 307 and the Resolution 308, so I will answer it at this time, also. Both of these are new positions for the Town of Chili. We did have a retiree in the Recreation Department and we are creating the recreation -- or proposed to replace the Recreation Assistant position -- to replace that person, rather than a clerk position. We're putting in someone that has a little bit more responsibility besides clerical. The other position is -- and we do intend to fill that position.

RESOLUTION #307 RE: Create Position of Assistant Recreation Director/Community Center Coordinator

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Slattery

BE IT RESOLVED that the position of "Assistant Recreation Director/Community Center Coordinator" be created.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: Um, the other -- other position is to just simply at this point in time to create the position. Right now there is currently no intent to fill that immediately. Is -- we saw it as or is seen as more of a promotional opportunity at some point down the road for people in the recreation area.

Any questions or comments from the Board?

RESOLUTION #308 RE: Create Position of Recreation Assistant

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED that the position of "Recreation Assistant" be created.

UNANIMOUSLY APPROVED

RESOLUTION #309 RE: Donation of Tread Mill

OFFERED BY: Councilman Brown SECONDED BY: Councilman Slattery

BE IT RESOLVED that Mary Anne Sears, Director of Programs for the Aging, and the Chili

Senior Center, accept a donation of a Tread Mill from a Chili resident to be used at the Center. The value of this treadmill is \$200.

UNANIMOUSLY APPROVED

SUPERVISOR DUNNING: I have no intention much getting on that thing.

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: Do you intend to watch the large screen TV?

SUPERVISOR DUNNING: I do.

COUNCILWOMAN DI FLORIO: Do some Wii bowling on it.

RESOLUTION #310 RE: Donation of large screen TV

OFFERED BY: Councilman Brown

SECONDED BY: Councilman Slattery

BE IT RESOLVED that Mary Anne Sears, Director of Programs for the Aging, and the Chili Senior Center, accept a donation of a large screen TV from a Chili resident to be used at the Center. The value of this television is \$400.

UNANIMOUSLY APPROVED

RESOLUTION #311 RE: Close Out H50 Annual Assessment Reval Project 2011-12

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Brown

WHEREAS, all work has been completed and all payments have been made for the H50 Annual Assessment Reval Project 2011-12; and

NOW, THEREFORE, BE IT RESOLVED, to close out the H50 Annual Assessment Reval Project 2011-12 and transfer remaining cash balance of \$427.08 to the Assessment Reserve.

UNANIMOUSLY APPROVED

RESOLUTION #312 RE: Transfer of Assessment Reserve Funds

OFFERED BY: Councilman Slattery

SECONDED BY: Councilwoman Sperr

WHEREAS, the Town of Chili has reserved funds to assist in reassessments of the Town as needed to maintain equity; and

BE IT RESOLVED, that funds in the amount of \$6,575 from the Assessment Reserve be transferred to the 2013-2014 Assessment Rolls, for the 2013-2014 assessment update program, subject to Permissive Referendum; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized and directed to give notice in the official newspaper of the Town.

UNANIMOUSLY APPROVED

RESOLUTION #313 RE: Periodic Assessment Roll Update

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

WHEREAS, the Town of Chili has submitted a plan for Cyclical Reassessments in accordance with Section RP1573 undertaken its annual update of its assessment roll to maintain equity; and

WHEREAS, the Assessor has recommended the Town of Chili engage AVS Assessment Services; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be authorized to execute a professional services agreement with AVS Assessment Services to assist the Assessor with the Annual Assessment Update 2013-2014 at a cost not to exceed \$5,000 and to include OPTIONAL additional man days IF needed at a rate of \$525 per day.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question if this was someone leaving or a replacement or new position. Someone did leave and resigned a couple months ago I believe it was now, and we are replacing them.

RESOLUTION #314 RE: Court Attendant

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Brown

BE IT RESOLVED that John Zampatori shall be appointed Court Attendant for the Town of Chili and shall be paid at the rate of \$64.97 per court session attended, effective December 10, 2012 expenses to be paid by voucher as incurred; pending background check.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: This position opened up because Mary Doyle is retiring, and we all received a beautiful thank you note from Mary (Doyle) and she did a fantastic job. She will be missed.

COUNCILWOMAN DI FLORIO: Definitely.

RESOLUTION #315 RE: Clerk – Part Time for Senior Center

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that Gail DiCesare shall be appointed Office Clerk IV – Part Time for the Senior Center and shall be paid at the rate of \$8.40 per hour, not to exceed 19.5 hours per week, effective January 2, 2013, expenses to be paid by voucher as incurred; pending background check.

UNANIMOUSLY APPROVED

RESOLUTION #316 RE: Close Out H49 Davis Park ADA Restrooms - 2010

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Brown

WHEREAS, all work has been completed and all payments have been made for the H49 Davis Park ADA Restrooms – 2010 Project; and

NOW, THEREFORE, BE IT RESOLVED, to close out the H49 Davis Park ADA Restrooms 2010 Project and transfer remaining cash balance of \$1,357.93 to the Parks & Recreation Reserve.

UNANIMOUSLY APPROVED

RESOLUTION #317 RE: Budget Transfer for Central Garage

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to transfer \$5,000.00 from account A01.8160.1000 (Refuse and Garbage Personnel Services) to account A01.1640.4061 (Central Garage Vehicles – Refuse and Garbage) and to transfer \$1,000 from A01.3510.1000 (Dog Control Personnel Services) to A01.1640.4057 (Central Garage – Dog Control).

UNANIMOUSLY APPROVED

RESOLUTION #318 RE: Budget Transfer for Flags

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Brown

BE IT RESOLVED to transfer \$1,000 from account 01.7110.4267 (Parks Park Security Guard) to account A01.6510.4064 (Veterans Services – Flags).

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: David, Mr. Lindsay, there was a question on this as far as what this is. Could you explain it a little bit and what it is all about?

DAVID LINDSAY: Sure. Very similar to what you might face -- find in Jiffy Lube, a system to get fluids to the vehicles from a centrally located point where we'll have them all in pressurized tanks.

Currently, what we do now is we have 55 gallon drums and we have to go to the tank, fill up a canister, go to a vehicle and fill it up.

This is very similar to what you have at Jiffy Lube with a pressurized tank system with hoses that come out from the ground right adjacent to the vehicles. It will provide hydraulic fluids, diesel oil, regular oil, as well as antifreeze and compressed air, as well.

SUPERVISOR DUNNING: Thank you.

RESOLUTION #319 RE: Fluids Room System for New Highway and DPW Facility

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Slattery

WHEREAS, a fluids room system is part of the outfitting plan for the new highway garage/DPW facility located at 200 Beaver Road; and

WHEREAS, the Commissioner of Public Works/Superintendent of Highways has reviewed the proposed layout for the fluids room and received the following quotes for the work:

Townsend Energy	\$19,996
T. Bell Const. Corp	\$20,900
Filtrec Corp	\$30,950

WHEREAS, the Commissioner of Public Works/Superintendent of Highways has reviewed the submitted proposals and determined that the quote from Townsend Energy is acceptable and recommended; and

NOW, THEREFORE, BE IT RESOLVED, to accept the proposal from Townsend Energy for a cost of \$19,996.00 to be paid from H481620.2.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question about the dollar amount. This is a settlement for a modification or a change in the -- in an assessment. Off the top, I believe they were assessed at -- about \$4.2 million. I think we settled to \$4 million, so that is what the amount is. Okay?

RESOLUTION #320 RE: SETTLEMENT

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Slattery

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 Brickwood Properties, LLC, 3395 Union Street North Chili, NY 14514; 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 Brickwood Properties, LLC for the years 2012/2013 being index number 2012-8369 and to take whatever action is appropriate to discontinue said actions.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question about this, about the light on Chili Avenue is actually still the State, I believe. The road plowing from Chili Avenue through to -- through to Paul Road will be the Town of Chili. The mowing, Wegmans is going to do the plowing for -- obviously for now as part of this agreement while we get through the construction

phase they're going to maintain what is currently their -- what they're currently maintaining in plowing and in mowing of that area. So once the road and -- agreement is up to dedication of the road, once the road is dedicated to the Town of Chili, then we will revisit the agreement to see what -- who is going to take what responsibilities, but certainly it would be at that point the Town's responsibility unless, of course, Wegmans wants to go ahead and take care of it. We would be happy to listen to them.

Any other questions or comments?

RESOLUTION #321 RE: Agreement with Wegmans for the Temporary Maintenance of the Future Jetview Drive Extension

OFFERED BY: Councilman Brown

SECONDED BY: Councilwoman Sperr

WHEREAS, Monroe County Department of Transportation, in cooperation with the Town of Chili (known as "Town" hereinafter), New York State Department of Transportation (known as NYSDOT hereinafter) and Federal Highway Administration, is developing a Project to extend the existing town road known as Jetview Drive from its current terminus (a cul-de sac located approximately 4800 feet north of Paul Rd) to the Rt. 204 and Chili Avenue intersection. PIN 4754.24, and

WHEREAS, Wegmans has dedicated Right of Way (RoW) to the Town for the purpose of the extension of Jetview Drive, from the existing cul-de-sac, heading northerly along Wegman's westerly property line to NYSDOT's, southerly property line that currently carries Wegman's Market Street North driveway, and

WHEREAS, the Town of Chili has accepted all highway maintenance responsibilities for the continuation of Jetview Drive extension through the State RoW to the intersection of Chili avenue via Wegman's Market Street North driveway, and

WHEREAS, the Town of Chili and Wegmans agree that it would be mutually beneficial for Wegmans to provide for the temporary maintenance of the dedicated land and to provide snow and ice control on the existing Wegmans access street (future Jetview Drive Extension) until such a time as the project is completed and open to public traffic, and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Chili enter into an agreement and any amendment thereto with Wegmans for the temporary maintenance of the future Jetview Drive Extension and further authorizing the Town Supervisor to execute such agreement subject to review and approval by Counsel to the Town.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was questions on this, how much interest are they paying. \$33,000 a year. That will continue. As far as the maintenance of the area, I have already had that discussion with -- with the University of Rochester facilities as we started to enter into this agreement, so -- or put the draft out there, so they have told me that they will do better.

RESOLUTION #322 RE: University of Rochester Incentive Zoning Agreement Extension

OFFERED BY: Councilman Slattery

SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED to authorize Supervisor Dunning to extend the University of Rochester Facilities Incentive Zoning Agreement for five (5) years commencing January 1, 2013 with all terms remaining in effect, subject to the approval of the Counsel to the Town.

UNANIMOUSLY APPROVED

RESOLUTION #323 RE: Highway Garage/DPW Facility and Office Furnishings

OFFERED BY: Councilman Slattery

SECONDED BY: Councilwoman Sperr

WHEREAS, replacement and new furnishing are necessary for the proper outfitting of the new highway garage/DPW facility located at 200 Beaver Road; and

WHEREAS, the Commissioner of Public Works/Superintendent of Highways is reviewing the requirements of the department for facility furnishings and will determine what existing furnishings can be reused and/or repurposed in the new facility as part of this process; and

WHEREAS, the Commissioner of Public Works/Superintendent of Highways is directed to make furniture purchases off of the NYS Bid when possible and when not possible seek the lowest cost for the items that meets the needs of the Town; and

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Public Works/Superintendent of Highways is authorized to expend up to \$60,000, to be paid from H481620.2 on necessary facility and office furnishing for the new highway garage/DPW facility located at 200 Beaver Road.

UNANIMOUSLY APPROVED

RESOLUTION #324 RE: Budget Amendments 2012

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Brown

BE IT RESOLVED to revise budget A1115 (Towns Share of Sales Tax by an increase of \$50,000; and

BE IT FURTHER RESOLVED, to revise budgets A9730.6 (Bond Anticipation Note, Principal on Indebtedness) by an increase of \$50,000; and

BE IT FURTHER RESOLVED, to revise Library appropriations by an increase of \$5,000; and

BE IT FURTHER RESOLVED, to amend Library appropriated fund balances to \$5,000 from the 2012 adopted budget amount of \$0; and

BE IT FURTHER RESOLVED, to transfer \$18,000 from A1990.4 (Contingency), to A1420.4 (Attorney Counsel – Assessment Cases).

UNANIMOUSLY APPROVED

RESOLUTION #325 RE: Modifications to Preliminary Budget 2013

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED that the following modifications be made to the 2013 Preliminary Budget:

1. Amend A1081 (Other Payments in Lieu of Taxes) to \$344,644.00 from the 2013 Preliminary Budget amount of \$335,977.00; and
2. Amend A1110.2000 (Justices-Equipment) to \$300.00 from the 2013 Preliminary Budget amount of \$0.00; and
3. Amend A1330.4197 (Tax Collector-Legal Notices) to \$400.00 from the 2013 Preliminary Budget amount of \$200.00; and
4. Amend A1355.4020 (Assessor-Professional Resource Material) to \$760.00 from the 2013 Preliminary Budget amount of \$940.00; and
5. Amend A1355.4970 (Assessor-Assessor Required Training) to \$2,090.00 from the 2013 Preliminary Budget amount of \$2,050.00; and
6. Amend A7020.1000 (Recreation Administration-Personnel Services) to \$184,956.00 from the 2013 Preliminary Budget amount of \$188,880.00; and
7. Amend A7020.4292 (Recreation Administration-Recreation Advisory Committee) to \$3,720.00 from the 2013 Preliminary Budget amount of \$3,060.00; and
8. Amend A7110.2000 (Parks-Equipment) to \$67,000.00 from the 2013 Preliminary Budget amount of \$62,000.00; and
9. Amend A8160.2000 (Refuse/Garbage-Equipment) to \$2,000.00 from the 2013 Preliminary Budget amount of \$0.00; and
10. Amend A8989.4032 (Special Reserves-Town Newsletter) to \$20,000.00 from the 2013 Preliminary Budget amount of \$15,000.00; and
11. Amend Library appropriations to \$1,153,496.00 from the 2013 Preliminary Budget amount of \$1,149,566.00; and

12. Amend Library appropriated fund balance to \$11,622.00 from the 2013 Preliminary Budget amount of \$7,692.00.

UNANIMOUSLY APPROVED

RESOLUTION #326 RE: Adopting Assessment Rolls for 2013 for Lighting Districts, Drainage Districts, Fire District, Fire Protection Districts, Ambulance Districts, Water Districts, Park District, Sidewalk District and Sewer District

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Slattery

WHEREAS, this Board on November 7, 2012 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, 2013, 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 2013, 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 2013 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, 2013: 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

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I would like to say nice job. I think is a very good budget, put together very well and I think you can see by the number of modifications in it, I am very proud of the group, the way this came together, and the Town, our staff and everybody that has contributed to make it work. I think this is a great budget. Thank you.

COUNCILWOMAN SPERR: I think it is great to see we have a stable tax provision coming up this year. We're not going to raise anyone's taxes in the Town.

SUPERVISOR DUNNING: We will not. Any other questions or comments?

RESOLUTION #327 RE: Adoption of the Annual Town Budget for 2013

OFFERED BY: Councilman Brown SECONDED BY: Councilwoman Sperr

WHEREAS, this Board on November 7, 2012 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, 2013, 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 2013, 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 2013, 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 2013 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

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: We will miss Jimmy (Gamble). He was a good guy.

COUNCILWOMAN SPERR: True gentleman.

SUPERVISOR DUNNING: He was. He was a rare person. Genuinely don't see people like that, always very welcoming and very friendly and he served the Town well and loved doing what he was doing with the Town. So -- and he is also served in the military as a World War II veteran.

So thank you, Mr. Gamble, Jimmy, rest in peace.

COUNCILWOMAN DI FLORIO: We were saddened -- just wanted to say we were saddened last year when he resigned from the Drainage Committee. He was one of the founding members, and we were saddened to lose his background and knowledge. He clearly loved the Town.

COUNCILMAN SLATTERY: Yeah. I actually agree. When I first started getting involved with the Town before I was elected to the Town Board, I served on the Drainage Committee, and when I first joined, Jim (Gamble) was just -- the first one to come to the door, extend his hand say, "Welcome aboard. What are you doing, kid?"

But he was -- he is a special man. Such a kind heart. Always willing to help. You know, you bring up a drainage issue, you know, if it was something from the past, Jim (Gamble) would know about it, and he would give the Committee a little background. But just a great outstanding person.

RESOLUTION #328

RE: In Memory of James C. Gamble

OFFERED BY: Supervisor Dunning

SECONDED BY:

**Councilman Brown
Councilwoman DiFlorio
Councilman Slattery
Councilwoman Sperr**

WHEREAS, on December 3, 2012 James C. Gamble passed away and we are deeply saddened by his loss; and

WHEREAS, Mr. Gamble served on the Drainage Committee from the late 1970's – December 2011; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chili hereby extends their deepest sympathy to the Gamble 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. Gamble'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 question, but I believe I already answered that.

RESOLUTION #329 RE: November 21, 2012 Abstract

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Slattery

WHEREAS, January 4, 2012 Resolution #1 authorized vouchers to be paid November 21, 2012 by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 6742, 7577-7586, 7588-7595, 7609-7623, 7630-7632, 7634-7636, 7638-7644, 7646, 7650-7651, 7664-7676, 7683-7690, 7692-7699, 7701,7708, 7710-7729, 7731-7739, 7761-7770, 7772, 7783, 7856-7858, 7860-7874, 7878-7892, 7894, 7896-7897, 7906, 7923-7975, 7980-7984, 7986-8002, 8011-8044 totaling \$986,142.53 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED to note for the record vouchers 6742, 7577-7586, 7588-7595, 7609-7623, 7630-7632, 7634-7636, 7638-7644, 7646, 7650-7651, 7664-7676, 7683-7690, 7692-7699, 7701,7708, 7710-7729, 7731-7739, 7761-7770, 7772, 7783, 7856-7858, 7860-7874, 7878-7892, 7894, 7896-7897, 7906, 7923-7975, 7980-7984, 7986-8002, 8011-8044 were paid from the following funds:

General Fund	\$ 100,068.91
Highway Fund	\$ 54,609.24
H45 Widener Park Project	\$ 1,750.37
H48 200 Beaver Road Project	\$ 822,909.39
H52 Union Station Park ADA Trail	\$ 1,726.81
Consolidated Drainage	\$ 2,050.95
Fire District	\$ 2,750.00
Total for Abstract	\$ 985,865.67

UNANIMOUSLY APPROVED

RESOLUTION #330 RE: December 5, 2012 Abstract

OFFERED BY: Councilman Brown SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to pay vouchers 7598, 7859, 7895, 7913, 8045-8053, 8065, 8090, 8107, 8112-8163, 8165-8168 totaling \$795,393.21 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$351,187.26
Highway Fund	\$324,433.00
Library	\$106,049.00
Consolidated Drainage	\$ 1,516.11
Special Light Districts	\$ 12,207.84
TOTAL	\$795,393.21

UNANIMOUSLY APPROVED

This meeting of the Chili Town Board is recessed until Friday, December 28, 2012 at 5:00 p.m. at the Chili Town Hall main meeting room.

The meeting was recessed at 7:34 p.m.