

CHILI TOWN BOARD
December 7, 2011

A meeting of the Chili Town Board was held on December 7, 2011 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; 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.

The invocation was given by Richard Brongo.

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

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

MATTERS OF THE SUPERVISOR:

SUPERVISOR DUNNING: I would just like to also publicly announce, and I know I have shared this with the Board the other day, I would like to ask everyone to just join me in congratulating when you see Mr. Curley, our Rec Director, to congratulate him. Recently Mike Curley was nominated for a -- an award from the Genesee Valley -- Genesee Valley Regional Recreation Council. I will possibly mess that up a little bit, but it --

COUNCILWOMAN SPERR: It's right.

SUPERVISOR DUNNING: But it is a Genesee Valley Recreation Organization.

Mr. Curley was nominated for the Outstanding Rec Director of the year.

He did actually win that and was awarded that last -- about two weeks ago, a week and a half ago or something. Certainly a great honor for Michael (Curley) and certainly a great honor for the Town of Chili to have such a prestigious award given to one of our own.

But this also, as I understand it now, and just learned this the other day, this also enables Mr. Curley to also be able for a statewide type -- I guess this automatically nominates him for a statewide recognition. I wish him the best of luck in that way, too.

Either way, we didn't get the short end of that one there. I would just like to congratulate Mr. Curley. And if people see him, please also extend your congratulations to him for that.

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

MATTERS OF THE TOWN COUNCIL:

COUNCILMAN SLATTERY: Supervisor, if I could, going back to the award Michael (Curley) received, there is a saying that you are only as good as the people below you, and I think that represents the hard work and dedication of all of the staff, and it is just unfortunate that they couldn't all attend that function so they could be there for it, as well. I think it just represents their dedication and commitment to the Town, as well as what Michael (Curley) has shown over the years, so.

COUNCILWOMAN SPERR: I just wanted to add to that since you mentioned Recreation to congratulate the group on a great Christmas Tree Lighting Ceremony and Breakfast with Santa. To have almost 100 children and with their parents, we had almost 200 people in the Senior Center for a great, great morning on Saturday.

As usual, our wonderful Santa -- one of the grandmothers tells me that our Santa was so special it even brought her to tears Friday night.

SUPERVISOR DUNNING: It wasn't me. Mr. Stowe is looking at me like, "Was that you?"

RICHARD STOWE: I took a shot.

SUPERVISOR DUNNING: It was not me. It -- in a lot of different ways you took a shot, but we'll let that go. (Laughter.)

COUNCILMAN SLATTERY: It brought her to tears anyways.

COUNCILWOMAN SPERR: Less there are any children in the room when the adults are watching this broadcast, I just wanted to congratulate everyone.

COUNCILWOMAN IGNATOWSKI: Supervisor, a couple of things. The Conservation

Board meeting last night, or a Monday I should say, they noticed that the pictures were missing on the wall for all of the Committees and Boards and were just curious as to what happened with them.

SUPERVISOR DUNNING: They are out now in my office. They're -- they're in our room right at the moment. They likely will not go back up.

And the reason why we're not considering putting them back up at this point is there has been a fair amount of turnover and it has been fairly -- well, near impossible to keep up with it and keep getting new pictures and having them printed and getting them, you know, the names changed. So it was difficult to keep up with, so we kind of abandoned that for at this point in time, too.

COUNCILWOMAN IGNATOWSKI: They also didn't have the code book here on dais, so they had a question for it, so we weren't able to address that, but that sounds like that is being corrected.

SUPERVISOR DUNNING: Yes, that is being worked on.

COUNCILWOMAN IGNATOWSKI: One of the suggestions that also came out of their meeting is that we hire somebody with knowledge on plants and landscaping to maintain the gardens around our Town Hall complex. The past -- years ago it used to be done by a volunteer garden club, but that isn't being done now, and our staff is wonderful for parks and mowing and that, but it seems that there is a struggle with identifying what is flowers and what is weeds. They kept the milkweed but got rid of the flowers.

COUNCILWOMAN DI FLORIO: I have the same problem.

COUNCILWOMAN IGNATOWSKI: But Pat Tindale had indicated there was some sort of initial effort do that, but it seems like it has died down. I know right now it is not the time of year because it is wintertime, but certainly I would advocate that be explored for next year, even if it is a once a month coming in to have the proper kind of pulling and planting and mulching done. I would -- this is our show case. This is our Town Hall. I tend to agree with them it would be a good idea.

COUNCILMAN SLATTERY: Ginny (Ignatowski), if I could, if this has been a concern and issue, have they brought this up, and then also -- when they talked to the Town, about having this in their budget, for a position?

COUNCILWOMAN IGNATOWSKI: They have brought it up to Mr. Lindsay, yes. And -- and that is where -- apparently in -- a conversation had been started, but it didn't come to completion.

SUPERVISOR DUNNING: Dave (Lindsay) and I talked about this some time ago when we appointed the person who was going into another position -- she was doing a wonderful job keeping up with our gardens and things, and she seemed to have a pretty good knowledge what was what and where it should be and was doing a great job. When we made that change we did discuss at that time, we did kind -- we didn't, because it didn't go back, but since, though, Mr. Lindsay and I talked about it, and what I have asked Mr. Lindsay to do in this -- for something like this is come up with at least a scope of work, what we would be looking at, what we would be looking for someone to do, what do we need someone to do, and then look at what is the best way we can fill that. Do we have the people internally or is it quite frankly more economical, more efficient to have someone come in once a month or once every other month or whatever just to pull some weeds and throw some mulch down or whatever it may be.

But first we need to understand what the scope, the entire scope of the job will be and we'll look at this.

COUNCILWOMAN IGNATOWSKI: I appreciate that.

There was also a question I was getting from some residents and I had a feeling I knew what the answer was, but just in case other people had that same issue that may be watching this. Street sweeping, when there is projects that are going on that bring a lot of mud out onto the road, it has been happening on Ballantyne Road, on Union Street, I can think of other areas. But I have been hearing it especially with Union Street. How often are they required to sweep the streets and whose responsibility is that if there is a problem? I guess there was just a dust storm. Cars were literally slowing down like it was a whiteout for snow.

Who do they contact? Is it you or what if it is a State road? Is there a person to contact at the State?

DAVID LINDSAY: Depends on the project. I think in both of those instances they were State roads. Certainly County road here on Paul Road. I think the first place would be to start with us the Highway Department. We oversee the development. Certainly with the course of any construction project you will have periods of time when they get mud and debris out on the street. They should have sweepers there to clean that periodically. There is no set frequency. Depends what they get out on the street. But they need to keep it clean and passable. If there is a situation where they're not doing that, the resident should call our office and then we will follow up directly with the developer on the controlling agency for that roadway where they secure their highway permit.

COUNCILWOMAN IGNATOWSKI: Thank you.

That is what I thought, but I wanted to pass that on because I have been hearing that from people that have been encountering that situation.

And just finally, I have this so I don't forget my notes. First of all, I want to wish Dick (Brongo) the best in his retirement, and thank you for your many years of service. And I also thank him. You will be happy to know I have been coming in on some days to start the training process, because certainly I'm aware of the various operations that are in the Clerk's Office, but

just the how it gets done and where things are, and Dick (Brongo) has been very gracious in affording me to come in and sit with him, shadow him, and taking notes. He has been -- he has some stuff already prepared for me, and I really do appreciate it.

I will -- since this is really the official last meeting of the year -- to take the opportunity to once again thank the Chili residents for allowing me to serve them as Councilwoman since 2003. It has been an incredible experience that's been a tremendous amount of work, but I found it extremely rewarding, especially when I was able to assist residents with their issues.

I know I leave my position in good hands and have the utmost confidence that Councilman Elect Jordan Brown will work hard for the Town along with the rest of this diligent Board.

I am proud of the many accomplishments we have made through the years and am excited about the continued efforts to advance forward many initiatives to further improve our Town.

Supervisor, just to let you know, I have passed on to Mr. Brown --

SUPERVISOR DUNNING: Ut-oh.

COUNCILWOMAN IGNATOWSKI: -- all of my files on outstanding issues, including my tickler file, so don't think that that is just going to be going away once I leave the Board. The mantle has been passed.

One outstanding issue, though, that I hope that this Board will address next year is the proposed water extension in South Chili that we started earlier this year. Unless you have had bad well water, you have really no idea what it is like to live with that situation. It is quite appropriate that I should mention this in my outgoing statements given that is the reason I first became involved with the Town.

Of course, my leaving the Board does not end my involvement with the Town. As has been mentioned, I have been elected as -- to the Town Clerk position. I will just be moving now from the left side of Councilman Slattery to the right side. So -- but that does mean that I will be no longer participating in the dialogue up here, which I will find difficult since I have been having my opinion be known since 1994 when I was first appointed to the Ad Hoc Planning Board Committee. I am sure that Councilman Slattery will keep me in check as he is right now saying, "30 seconds." So I will just finally wrap this up by saying it has been a pleasure working with all of you, and I look forward to doing so again just in a different capacity. And I thank you for your continued dedication to the Town.

COUNCILMAN SLATTERY: Thank you.

SUPERVISOR DUNNING: Thank you. (Applause.)

COUNCILWOMAN SPERR: I -- I met Ginny (Ignatowski) when she was advocating for the water in South Chili and have known her ever since and I personally want to congratulate you for everything you have accomplished. It has been great to work you with in this capacity and I look forward to having you sit on the dais as our new Town Clerk.

Thanks, Ginny (Ignatowski).

COUNCILWOMAN DI FLORIO: I would second that and say thank you.

But I also had something of business. So thank you very much, and we look forward to -- we'll miss you, Dick (Brongo), but we do look forward to having Ginny (Ignatowski) in that capacity. You're leaving the seat in good hands.

Um, but I did want to follow up with, um, the presentation that was here at the last meeting. Our robotics, Junior Lego Robotics Team did win their first round of competition at the quarter finals for the presentation that they gave here. They were awarded the Presentation Award which afforded them to move on to a regional competition last Sunday at the University of Rochester. They did not win a prize at that competition, but the -- a group named the Hippy Pandas did, which is an all girls group that is an off shoot of the girl scout unit that they were in, so an all girl team from Churchville-Chili did win the Chairman's Award and will be going on to the national -- to the international competition in St. Louis in April. So we have a lot to be proud of.

COUNCILWOMAN SPERR: Good job.

SUPERVISOR DUNNING: Excellent.

I, too -- I think -- I'm looking over saying, okay, Jordan (Brown) is going to sit there, now, not Ginny (Ignatowski). Well, I -- I think I -- but I have also appreciated working with you also. I'm very excited to have you here full-time and be able to pick your brain with the experience that you have had with the Town of Chili, certainly been through my tenure so far -- has proved to be very helpful and very beneficial to me, and certainly to the Town. So certainly to be able to pick away at a little bit of the history and knowledge will be a great benefit.

Not that Mr. Brongo hasn't, but -- but it has been an absolute pleasure working with Dick (Brongo), too, over the years. It has been funny, deciding whether or not -- which outfits we're not going to wear similar on certain days.

COUNCILWOMAN DI FLORIO: You don't have to worry about that.

SUPERVISOR DUNNING: I certainly hope not. I don't have to worry about that any more.

But -- but I do look forward to that, and also want to thank you for your service in the capacity as a Town Board member and what you have done for our Chili residents also.

So with that, anybody have anything else? Sure?

The 11/2/11 Town Board meeting minutes were approved as submitted.

REPORTS SUBMITTED:

Monthly Financial Report – September – October 2011
Recreation Center Revenue Report – October 2011
Senior Center Revenue Report – October 2011
Town Clerk Report – November 2011
Conservation Board Minutes – 10/24/2011
Drainage Committee Minutes – 10/4/2011
Zoning Board Minutes – 10/25/2011

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question about what this is about. The Town of Chili has passed a resolution to accept the land donation up in the North Chili area, bounded by the railroad tracks to the south, Attridge Road on the west, and the -- I guess I will say Union Meadows development on the north side there. Part of that piece of property actually resides in the Town of Riga. Riga has asked for some -- really -- it doesn't know what the Town of Chili wants to do with this property. Quite frankly, the Town of Chili is not absolutely certain what it is going to do with this property either at this point, but it does fit with several aspects of our future planning for the Town, so we will be looking at those and looking at what the best fit is for the Town of Chili. Land is for the Town of Chili and not likely to be turned over, sold or done something else with.

But the Town of Riga has asked for some consideration should the Town of Chili choose to do some development on that property, that we will at least come to the Town of Riga and discuss with them what our plans are and share them with them. It is not an agreement to allow the Town of Riga to grant approvals, if you will, to the Town, but it is more of a courtesy type agreement so they know what we're doing. So that is in a nutshell what that particular agreement is all about.

Any other questions from the Board?

RESOLUTION #303 RE: Intermunicipal Agreement with Town of Riga

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

WHEREAS, the Town of Chili is acquiring a parcel of land in the Town of Riga, fronting on Attridge Road tax account #144.02-1-5.1; and

WHEREAS, said parcel owned and controlled by the Town of Chili is to be maintained by the Town of Chili; and

WHEREAS, the Town of Chili has no current plans to improve or develop or utilize said parcel; and

WHEREAS, the Town of Riga is desirous of contracting with the Town of Chili for the purpose of confirming its desire for ongoing information with regard to said parcel owned by the Town of Chili; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be authorized for the Town of Chili to enter into an intermunicipal agreement and any amendments thereto with the Town of Riga regarding said parcel, subject to review and approval by Counsel to the Town.

UNANIMOUSLY APPROVED

RESOLUTION #304 RE: Addition to Chili Fire Department, Inc. Active List

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that the following individuals be added to the Chili Fire Department, Inc. Active List effective November 14, 2011 & December 12, 2011:

Curtis Hess - 11/24/2011 & Scott Butterfield - 12/12/2011

UNANIMOUSLY APPROVED

RESOLUTION #305 RE: Budget Transfer

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED to transfer \$2,400 from A1460.4 Town Clerk (Microfilming), to A1670.4 (Postage).

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There were some questions on this. One of the questions, basically clarification of all of these. I will say that a good portion of these were discussed at -- partially at the budget workshops, also at the Public Hearing. Those -- a lot of these were discussed at that point. Not all of them. Some of these resolutions, um, especially when it comes to the ambulance contracts and some of these -- the fire departments, Workers' Comp., unemployment insurance, some of these things aren't actuals until -- we only got maybe just as soon as or as late as last week. Might have even gotten some this week. So some of those are just numbers that roll in at the last minute.

There was a question about the -- which doesn't necessarily have to do with this particular resolution, but I will address it as part of it. Our intention to continue apparently with the ambulance services that we contract with at this point in time, the Town of Chili is -- tends to enter into a contract with the ambulance service that it has traditionally contracted with. At this point in time, there is no indication that we're changing that.

There was -- let's see. I'm looking at the -- I'm just trying to look at the numbers here.

The differences in the bond anticipation note -- I guess I will let Dianne (O'Meara) answer that one.

DIANNE O'MEARA: At some of our initial meetings with Donegan in regards to bonding for the new highway facility, we came up with different scenarios as to, um, payback of the bonds, and we decided that we wanted to take an aggressive stance as far as paying, you know -- getting the debt service over and done with earlier rather than later.

Um, Donegan tends to have a point of view where they -- especially calculating the interest very, very conservative. Um, as time went on and they saw how some of the other bids were coming in from some of the other agencies and municipalities, we were able to revise the interest, but at the same time wanted to use that -- the savings on the interest and use it towards the principal.

SUPERVISOR DUNNING: Okay. And I think -- did I catch all of the questions on that one, I think? Oh, one and two, why were those numbers so big? That is just where the balances were.

Is there any way to say that any better than that, Dianne (O'Meara)? That is just where the money was --

DIANNE O'MEARA: Right. Some -- at the -- I will say at the budget workshop, it came up with some of the KBS calculations of year-end projection, that there was information missing and -- and whatnot, so going back and redoing the budgets and redoing the figures, um, came down to the point that the two funds were reversed basically, as far as the budget -- or the -- the year-end fund balances.

COUNCILWOMAN DI FLORIO: There were numbers missing in some places, certain areas that got caught as we were going through the budget workshop.

COUNCILWOMAN IGNATOWSKI: Certainly most of the Gates -- you know, with the fire and ambulance contracts, there was really only two, three dollar differences between what the initial was to now, so -- and this is just a reflection we did get the actuals in. When I did go through this, I went through it myself personally, because I kept a running tab of the ones that we discussed during our workshop session, and there were, um, a couple that are on here that were not captured during our workshop.

The first one being the Number 3 that -- that difference, um -- 25 -- \$15 in office supplies. I'm assuming that you had a \$15 additional item you hadn't thought of during the workshop.

DIANNE O'MEARA: Actually, when we -- when we purchased the 1099 forms, this year, through the KDS system, it came in a little bit higher than what I anticipated, so I was making that adjustment for the 2012 budget.

And Number 4 -- I don't know if you have a question about Number 4, but I will tell you anyway when we did the RFPs, um, and -- and voted for -- you adopted the budget to -- to hire the particular firm, there was a savings in the budget items that we set up initially back in August when we were working on a budget, and -- and those are some of the things you have to take a -- you know, take an estimate of it and hope they --

COUNCILWOMAN IGNATOWSKI: Like I said, a number of these are just the actuals finally came in, but -- and then, you know, this is also a Dick (Brongo) thing. The election room rental was increased for -- I'm assuming an additional polling site?

RICHARD BRONGO: We have 33 polling sites. 26 of which we pay, and at \$120 for each election district -- I shouldn't say polling sites but districts, we pay 26 of them, at \$120 a piece, and that's where the change came in.

COUNCILWOMAN IGNATOWSKI: Okay. Then my concern with number 7, which was also not really discussed during our workshop, was the reduction in the store room. I mean, it is good, I suppose, we can see a reduction because I was concerned that actuals don't support this. We exceeded this \$7500 every year that I have dating back, so just, you know, why that was reduced.

SUPERVISOR DUNNING: We still continue to look at the efficiencies in that central store room and the way we buy products. It has worked out fairly well that -- and I think we're just starting to realize some of the benefits of it again. I talked about this before. We have

looked at every pen and pencil and ream of paper that we buy. We buy bulk paper now. We don't buy a ream at a time.

When -- when we buy pens, we buy all of the same pens. We don't buy one group fuzzy pens and another zebra pens. We buy all functional pens.

And that's not necessarily to say there are lot of the different variations of the things we have bought, and quite frankly, you know, a lot of credit goes to Dawn (Forte). She goes through some of these things before they go to me for approval. We look at the actual costs -- is there an equal product we can get for less money, even if it is the same source? And typically the answer to that is yes, and we take advantage of those opportunities and that is kind of what is -- has driven that.

COUNCILWOMAN IGNATOWSKI: You really think you will be able to reduce it by 1,000?

SUPERVISOR DUNNING: Yep.

COUNCILWOMAN SPERR: We shared our concerns at the public workshop and you're sharing them again now, so hopefully I would like that to be correct, but I am also concerned. I hope you're right.

COUNCILMAN SLATTERY: Just make sure you add Agricultural District to your tickle (sic) file for Jordon (Brown).

SUPERVISOR DUNNING: Tickler file. Not tickle. Completely different.

Any other questions or comments?

COUNCILWOMAN SPERR: Just wanted to make a comment this list -- in my ten years of going through this list as a Councilperson is pretty typical because some of these, as Councilwoman Ignatowski mentioned, and Supervisor mentioned, do come in at the very last minute, but it is very typical to me to see a list about this size at this time.

RESOLUTION #306 RE: Modifications to Preliminary Budget

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that the following modifications be made to the 2012 Preliminary Budget:

1. Amend General Fund Appropriated Fund Balance to \$2,143,500 from the 2012 Preliminary Budget amount of \$943,500; and
2. Amend Highway Fund Appropriated Fund Balance to \$400,000 from the 2012 Preliminary Budget amount of \$1,600,000; and
3. Amend A1310.4045 (Finance – Office Supplies) to \$175.00 from the 2012 Preliminary Budget amount of \$160.00; and
4. Amend A1320.4180 (Independent Auditing-Financial Statements) to \$16,000 from the 2012 Preliminary Budget amount of \$20,000; and
5. Amend A1450.4270 (Elections-Room Rental) to \$3,120 from the 2012 Preliminary Budget amount of \$2,880; and
6. Amend A1620.4003 (Highway Building) to \$14,000 from the 2012 Preliminary Budget amount of \$5,000; and
7. Amend A1660.4035 (Central Storeroom) to \$7,500 from the 2012 Preliminary Budget amount of \$8,500; and
8. Amend A7020.1 Recreation Personnel to \$195,835 from the 2012 Preliminary Budget amount of \$199,025; and
9. Amend A7020.4124 (Recreation-Dues) to \$650 from the 2012 Preliminary Budget amount of \$500; and
10. Amend A7020.4198 (Recreation – Background Checks) to \$100 from the 2012 Preliminary Budget amount of \$0; and
11. Amend A9040.8000 (Workmen's Compensation) to \$60,000 from the 2012 Preliminary Budget amount of \$56,000; and
12. Amend A9050.8000 (Unemployment Insurance) \$5,000 from the 2012 Preliminary Budget amount of \$0; and
13. Amend A9060.8033 (Dental) to \$40,000 from the 2012 Preliminary Budget amount of \$50,000; and
14. Amend A9730.6000 (Bond Anticipation Note-Principal) to \$550,000 from the 2012 Preliminary Budget amount of \$500,000; and

15. Amend A9730.7000 (Bond Anticipation Note –Interest) to \$50,000 from the 2012 Preliminary Budget amount of \$100,000; and
16. Amend DA9040.8000 (Workmen’s Compensation) to \$190,000 from the 2012 Preliminary Budget amount of \$185,925; and
17. Amend Library Fund Appropriations to \$1,112,955 from the 2012 Preliminary Budget amount of \$1,103,037; and
18. Amend SF106-3410.4 Gates-Chili Fire Ambulance Contract to \$28,285.53 from the 2012 Preliminary Budget amount of \$28,283.21; and
19. Amend SF108-3410.4 Clifton Ambulance Contract to \$15120.78 from the 2012 Preliminary Budget amount of \$15119.87; and
20. Amend SF109-3410.4 Chili Ambulance Contract to \$107,397.66 from the 2012 Preliminary Budget amount of \$107,400.97; and
21. Amend SF110-3410.4 Scottsville Ambulance Contract to \$996.03 from the 2012 Preliminary Budget amount of \$995.95; and
22. Amend the Gates Fire District 2012 tax levy to \$936,371.06 from the 2012 Preliminary Budget amount of \$0.

UNANIMOUSLY APPROVED

RESOLUTION #307 RE: Adopting Assessment Rolls for 2012 for Lighting Districts, Drainage Districts, Fire District, Fire Protection Districts, Ambulance Districts, Water Districts, Park District, Sidewalk District and Sewer District

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

WHEREAS, this Board on November 7, 2011 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, 2012, 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 2012, 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 2012 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, 2012: 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: A little comment. Yesterday -- it was supposed to be this morning, but yesterday we had a visit from the State Comptroller's Office in regards to our budget which was -- they were doing some -- some audits, if you will, of municipalities and their ability to adhere to and follow the instructions -- while coming late and somewhat vague at times, instructions for working with the tax cap.

I was very happy to say, and much to the credit of Dianne (O'Meara) and the work she did with this and her patience with me, as well as everybody else, as we were getting information for this tax cap, that we did get through this with flying colors. Our numbers were spot on. We were right where we -- actually, we came in below, so we did very well, and it was -- again, I thank Dianne (O'Meara) for that work, for her work on this budget, too, and putting up with me through some of this process and my questions and frustrations with some of it also, but again, I thought it was very -- it was very nicely done.

COUNCILMAN SLATTERY: Who came in?

SUPERVISOR DUNNING: Office of the State Comptroller.

COUNCILMAN SLATTERY: How long were they here?

SUPERVISOR DUNNING: Hour and a half, two hours maybe. It's --

COUNCILMAN SLATTERY: Was --

SUPERVISOR DUNNING: There is a form basically that needed to get filled out and submitted before we passed our budget, and this had to go to the State Comptroller which had the formulas of basically what our -- what our levy was in 2011, what it is projected for 2012. It gives a growth factor in there.

Also gives our retirement system, our retirement contribution credits that we receive for that and just a bunch of formulas and information that has to get filled out as part of this process. Then it comes back and it has to be -- to be within that -- obviously all these things have to calculate within 2 percent of the previous year's budget.

COUNCILMAN SLATTERY: Was there a written document that they provided to the Town afterwards or --

SUPERVISOR DUNNING: I don't think so, no.

COUNCILMAN SLATTERY: They just gave verbal.

SUPERVISOR DUNNING: Yeah. Well, they -- they're going -- again, they're going -- they're documenting -- excuse me. I'm -- I'm sure on their end, the towns they have been through in their appearances, they were -- entered a bunch of stuff into their system. We don't get a receipt that says -- or certificate that says "good job" or a pat on the back. No. No little gold stars, no little stamps.

COUNCILMAN SLATTERY: Well, it just would be -- to see --

SUPERVISOR DUNNING: Or thumbs up or anything like that.

COUNCILWOMAN SPERR: Here is your gold star.

SUPERVISOR DUNNING: Pass it on.

COUNCILMAN SLATTERY: No.

RICHARD STOWE: I think it is fair to assume that if, in fact, they had not said that we were okay, they would have had you not pass this budget and take whatever remedial steps the State thought was in order in order to pass something to get over the cap.

SUPERVISOR DUNNING: I didn't necessarily get that vibe from them yesterday. The indication was they were going to make sure we had our reserve account set up for next year to compensate for it. So it wouldn't have necessarily held up a budget, but make sure in the next so many hours that we would have had reserve funds established to take care of any overages.

COUNCILMAN SLATTERY: So not a scathing report they would send to the media and then give to you?

COUNCILWOMAN DI FLORIO: One of those.

RICHARD STOWE: I wouldn't say that wouldn't happen. (Laughter.)

RESOLUTION #308 RE: Adoption of the Annual Town Budget for 2012

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

WHEREAS, this Board on November 7, 2011 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, 2012, 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 2012, 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 2012, 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 2012 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:

COUNCILMAN SLATTERY: There was a good comment that was brought up in regards to this. I know that we are looking at that. That was a comment that came up during the budget. But it's -- let's continue to look at that and see what we can do to improve on this.

RESOLUTION #309 RE: Transfer to Workers' Compensation Reserve

OFFERED BY: Councilwoman Ignatowski 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 #310 RE: Transfer to Insurance Reserve Fund

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

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 #311 RE: Transfer Annual Aid for Reassessment Money to Assessment Reserve

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

WHEREAS, as part of the Annual Aid for Reassessment Money program, the Town of Chili received \$42,017.94; and

WHEREAS, it is desirable to hold these funds for future assessor needs; and

NOW, THEREFORE, BE IT RESOLVED, to increase A3040 (State Aid-Real Property Administration) and A9901.9 (Interfund Transfer) by \$42,017.94; and

BE IT RESOLVED, to transfer \$42,017.94 to H23 Assessment Reserve.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: This is just because of the result of the various bids that came in. It is in my pile of stuff for Jordon (Brown) to be able to compare what it was we were originally estimating, so I didn't have that.

SUPERVISOR DUNNING: Do you need to borrow my truck?

JORDON BROWN: No. I need room in my trunk. (Laughter.)

RESOLUTION #312 RE: Revise Budget for Highway/DPW Facility

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

BE IT RESOLVED to revise October 5, 2011 Resolution 271 to the following:

H48-1380.4157	Fiscal Agents	\$	20,000
H48-1420.4197	Legal Notices	\$	5,000
H48-1440.4600	Engineer - Design	\$	450,000
H48-1440.4630	Engineer - Construction Management	\$	180,000
H48-1620.2000	Building Construction	\$	6,000,000
H48-5110.4665	Site Work	\$	1,882,000
H48-1990.4000	Contingency	\$	163,000
	Expenditures	\$	8,700,000
H48-3097.000	St. Aid -Capital Projects	\$	6,000,000
H48-5710.000	Serial Bonds	\$	2,700,000
	Revenues	\$	8,700,000

UNANIMOUSLY APPROVED

RESOLUTION #313 RE: Award Bid - Contract No. 2, General Construction for Highway/DPW Facility

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery
WHEREAS, bids for the completion of Contract No. 2, General Construction for the new Highway/DPW Facility were received by the Town Clerk on November 30, 2011, as follows:

<u>Bidder</u>	<u>Bid Amount</u>	<u>Alt. 2.1</u>	<u>Alt. 2.2</u>
Russell P. LeFrois Builder	\$3,738,000	\$179,000	\$ No Charge
Building Innovation Group Inc.	\$3,744,360	\$217,297	\$ No Charge
Whitney East Inc.	\$4,031,900	\$233,900	\$ 9,000
Testa Construction Inc.	\$4,057,500	\$221,500	\$12,000
Holdsworth Klimowski Const. LLC	\$4,083,000	\$245,000	\$ No Charge
D'Agostino General Cont. Inc.	\$4,186,000	\$212,000	\$No Charge
Iversen Const. Corp.	\$4,293,000	\$307,000	\$12,000
Spoleta Const. LLC	\$4,360,000	\$240,000	\$10,500
Nathaniel General Cont.	\$4,390,000	\$223,500	\$ 2,500
Frank J. Marianacci Inc.	\$4,399,300	\$280,000	\$ No Charge
R. B. Mac Construction Co. Inc.	\$4,419,000	\$214,000	\$10,000
Navalis Const. Serv. Inc.	\$4,958,000	\$275,000	\$ 2,500

Alt. 2.1 is for the Cold Storage Building. **Alt. 2.2** is for the Direct Connect Vehicle Exhaust.

The design engineer Bergmann Associates has reviewed the bids and the qualifications of the low bidder, and has found no reason to not accept the low bid; and

NOW, THEREFORE, BE IT RESOLVED, that per the recommendation of David P. Lindsay, P.E., Commissioner of Public Works, to award the bid for Contract No. 2 to Russell P. LeFrois Builder at a cost of \$3,738,000, and Alt. 2.1 at a cost of \$179,000, and Alt. 2.2 at no charge, to be paid from account H48-1620.2.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I just want to take a second to thank our Highway Department, David Lindsay and his crew for doing a great job. I know how much work it is to put these packages together and all of the details that go with it and I just wanted to say thanks.

RESOLUTION #314 RE: Award Bid – Contract No. 3, HVAC for Highway/DPW Facility

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio

WHEREAS, bids for the completion of Contract No. 3, HVAC for the new Highway/DPW Facility were received by the Town Clerk on November 30, 2011, as follows:

<u>Bidder</u>	<u>Bid Amount</u>	<u>Alt. 3.2</u>
T. Bell Construction Corp.	\$469,600	\$6,000
Pipitone Enterprises LLC	\$480,000	\$6,700
Crosby-Brownlie Inc.	\$534,400	\$5,600
Landry Mechanical Cont.	\$545,000	\$8,000
B & B Mechanical Cont. Inc.	\$552,000	\$8,000
Navalis Co. Inc.	\$611,700	\$12,000

Alt. 3.2 is for the Direct Connect Vehicle Exhaust.

The design engineer Bergmann Associates has reviewed the bids and the qualifications of the low bidder, and has found no reason to not accept the low bid; and

NOW, THEREFORE, BE IT RESOLVED, that per the recommendation of David P. Lindsay, P.E., Commissioner of Public Works, to award the bid for Contract No. 3 to T.Bell Construction Corp. At a cost of \$469,600, and Alt. 3.2 at a cost of \$6,000, to be paid from account H48-1620.2.

UNANIMOUSLY APPROVED

RESOLUTION #315 RE: Budget Transfer of Highway Funds

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED to transfer \$40,000.00 from account DA 5142.499 (Town Snow Miscellaneous) to account DA 5110.4 (General Road Repairs - Contractual).

UNANIMOUSLY APPROVED

RESOLUTION #316 RE: Budget Transfer of Highway Funds

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED to transfer \$10,000.00 from account DA 5142.499 (Town Snow Miscellaneous) to account DA 5130.4 (Machinery - Contractual).

UNANIMOUSLY APPROVED

RESOLUTION #317 RE: Award Bid – Contract No. 4, Plumbing & Fire Protection for Highway/DPW Facility

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

WHEREAS, bids for the completion of Contract No. 4, Plumbing & Fire Protection for the new Highway/DPW Facility were received by the Town Clerk on November 30, 2011, as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Michael A. Ferraulo Plbg. & Htg. Inc.	\$417,800
Landry Mechanical Cont.	\$449,000
Thurston Dudek LLC	\$458,000
Nairy Mechanical LLC	\$477,477
Billone Mechanical Cont. Inc.	\$484,000
American Plumbing Inc.	\$492,600
Mollenberg Betz Inc.	\$498,471
T. Bell Construction Corp.	\$499,400
Crosby-Brownlie Inc.	\$539,800

The design engineer Bergmann Associates has reviewed the bids and the qualifications of the low bidder, and has found no reason to not accept the low bid; and

NOW, THEREFORE, BE IT RESOLVED, that per the recommendation of David P. Lindsay, P.E., Commissioner of Public Works, to award the bid for Contract No. 4 to Michael A. Ferraulo Plbg. & Htg. Inc. At a cost of \$417,800, to be paid from account H48-1620.2.

UNANIMOUSLY APPROVED

RESOLUTION #318 RE: Budget Transfer to Parks Central Garage Funds

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to transfer \$7,000.00 from account A 7110.4 (Contractual) to account A 1640.4 (Central Garage – Parks and Recreation).

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question on this what is -- the amendment is all about. Mr. Lindsay, I know this, you're probably the better one to --

DAVID LINDSAY: Sure. When we were paving -- this is for the new dedicated street, Boon Drive. When we were in the process of paving that this fall, the developer asked to be able to top that road in advance of when we typically do that. After reviewing his proposal, we agreed to that subject to the condition that he provide a surface treatment acceptable to the Town should any repairs be needed. The best way to capture that was by amending the original agreement that we had with them.

RESOLUTION #319 RE: Authorize Supervisor to Sign Roadway Dedication Agreement Document Amendment

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

WHEREAS, Suncap Centres FE Rochester, LLC and the Town of Chili entered into a roadway Dedication agreement; and

WHEREAS, Suncap Centres FE Rochester, LLC is requesting an amendment to the Roadway Dedication Agreement; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the Supervisor to sign the amendment agreement with Suncap Centres FE Rochester, LLC, with said agreement subject to the review and approval of Attorney.

UNANIMOUSLY APPROVED

RESOLUTION #320 RE: Award Bid – Contract No. 5, Electrical for Highway/DPW Facility

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman DiFlorio

WHEREAS, bids for the completion of Contract No. 5, Electrical for the new Highway/DPW Facility were received by the Town Clerk on November 30, 2011, as follows:

<u>Bidder</u>	<u>Bid Amount</u>	<u>Alt. 5.1</u>
EastCoast Electric LLC	\$494,400	\$21,000
Blackmon-Farrell Electric Inc.	\$549,000	\$23,000
Hewitt Young Electric LLC	\$559,000	\$ 8,000
Schuler-Haas Electric Corp.	\$563,000	\$19,400
Kaplan-Schmidt Electric Inc.	\$579,900	\$22,000
Suburban Electric of Albion Inc.	\$586,400	\$18,000
Callea Electric Inc.	\$597,000	\$17,500
O'Connell Electric Co. Inc.	\$681,000	\$17,000

Alt. 5.1 is for the Cold Storage Building.

The design engineer Bergmann Associates has reviewed the bids and the qualifications of the low bidder, and has found no reason to not accept the low bid; and

NOW, THEREFORE, BE IT RESOLVED, that per the recommendation of David P. Lindsay, P.E., Commissioner of Public Works, to award the bid for Contract No. 5 to EastCoast Electric LLC at a cost of \$494,400, and Alt. 5.1 at a cost of \$21,000, to be paid from account H48-1620.2.

UNANIMOUSLY APPROVED

RESOLUTION #322 RE: GASB Statement No. 54 Policy

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED to adopt the policy in accordance with GAAP (generally accepted accounting principles) reporting requirements for fund balance reporting on financial statements effective for periods ending June 30, 2011:

GASB STATEMENT NO. 54

Subject: Reserve Funds

Reserve funds (which essentially are a legally authorized savings account for particular specific purposes) are an important component in the Town's financial planning for specific expenses, future projects, acquisitions and other lawful purposes. To this end the Town may establish and maintain reserve funds in accordance with New York State Laws. The Town will also consider rules and/or opinions issued by the New York State Comptroller when they are not in conflict with law.

Town reserve funds must be properly established and maintained to promote the goals of creating an open, transparent and accountable use of public funds. The Town may engage independent experts and professionals, including but not limited to auditors, accountants and other financial and legal counsel, as necessary to monitor all reserve fund activity and prepare reports that the Town Board may require.

Government Fund Type Assignment (GASB 54)

The Town shall comply with the reporting requirements of Article 3 of General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) Statement Number 54, Fund Balance Reporting and Governmental Fund Types

Definitions. The Board authorizes the Supervisor, or his designee, to complete the following actions as necessary to comply with the requirements of GASB Statement No. 54:

A. Restricted Fund Balances - restricted fund balances consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation.

B. Committed Fund Balances - committed fund balances consists of amounts that are subject to a purpose constraint imposed by a formal action of the Town Board before the end of the fiscal year, and that require the same level of formal action to remove the constraint.

C. Assigned Fund Balances - assigned fund balances consists of amounts that are subject to a purpose constraint that represents an intended use established by the government's highest level of decision-making authority, or by their designated body or official. The Board authorized the Supervisor, or his designee, to make a determination of the assigned amounts of fund balance. Assigned funds represent amounts intended to be used for a specific purpose. Assigned fund balances require same level of authority to remove the constraint.

D. Unassigned Fund Balances – unassigned fund balances represents the residual classification for the government's general fund, and could report a surplus or deficit. In funds other than the general fund, the unassigned classification should be used only to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, committed or assigned.

E. Non spendable Fund Balances – consists of assets that are inherently non spendable in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and principal of endowments.

Funding Policy for Restricted or Committed and Assigned Fund Balances

The formal action of the government's highest level of decision-making authority that restricts, commits or assigns fund balance to a specific purpose should occur prior to the end of the reporting period, but the amount, if any, which will be subject to the constraint, may be determined in the subsequent period.

Spending Policy for Fund Balances

The Town Board will assess the current financial condition of the Town and then determine the order of application of expenditures to which fund balance classification will be charged.

Periodic Review and Annual Report

The Town Board and management will periodically review all restricted committed and assigned fund balances. The Town will prepare and submit an annual report of all restricted, committed and assigned funds for the Town Board. The annual report shall include the following information for each reserve fund.

- A. The type and description of the reserve fund
- B. The interest earned on each reserve fund
- C. Capital gains or losses resulting from the sale of investments of the reserve funds
- D. The sum total increase and sum total decrease in the reserve funds
- E. The ending balance in the reserve funds at fiscal year end
- F. A summary statement of projected use and the need of the reserve funds

The Board shall utilize the information in the annual report to discuss reserve fund balances and to adequately maintain necessary funds for the Town's long-term financial planning. The Board will be mindful of its role and responsibility as a fiduciary of public funds when acting on reserve fund issues.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a request that this amount is going up. As to the current contractual agreements that we have in the memorandum of agreement that we currently have with the Union, the -- the cost to the Town and the cost to employees is going up equally. Right now the agreement is that with our -- with our insurance that any increases in the insurance premiums will be divided 50 percent by the Town and 50 percent paid by the employee for all increases. So that number is going up.

RESOLUTION #323 RE: Employer Medical Contribution 2012

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

BE IT RESOLVED effective January 1, 2012, for the calendar year 2012, the Town will pay the following maximum contribution towards the health insurance monthly premium: Single - \$409.85; two person - \$755.90; or family - \$870.40, 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:

COUNCILWOMAN IGNATOWSKI: This was actually fairly new. Do we have enough in our budget for -- hopefully for the upcoming year to have it -- I don't ever really recall seeing this kind of a budget transfer before in the past. So we were obviously really under budgeted last year.

SUPERVISOR DUNNING: Dianne (O'Meara)?

DIANNE O'MEARA: I'm -- I'm confident that the budget for 2012 is going to be covered adequately.

RESOLUTION #324 RE: Budget Transfers – Special Light Districts

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to transfer budgets as follows:

- 1. \$390 to SL303-5182.4 (Chili Industrial Light) from surplus; and
- 2. \$1,500 to SL304-5182.4 (Pumpkin Hill Light) from surplus; and
- 3. \$1,100 to SL312.5182.4 (Blueberry Hill Light) from surplus; and
- 4. \$22,000 to SL335-5182.4 (Consolidated Light) from surplus.

UNANIMOUSLY APPROVED

RESOLUTION #325 RE: December 7, 2011 Abstract

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED to pay 3036-3037, 3121, 3812-3848, 3850-3853, 3855-3902, 3904-3926, 3939 totaling \$791,101.95 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

General Fund	\$ 410,653.36
Highway Fund	\$ 290,046.99
Library	\$ 76,086.00
H45 Widener Park Project	\$ 1,500.00
Consolidated Drainage	\$ 1,172.62
Special Light Districts	\$ <u>11,642.98</u>
TOTAL	\$ <u>791,101.95</u>

UNANIMOUSLY APPROVED

This meeting of the Chili Town Board is recessed until Friday, December 30, 2011 at 5:00 p.m. at the Chili Town Hall main meeting room.

The meeting was recessed at 7:46 p.m.