

CHILI TOWN BOARD
February 1, 2012

A meeting of the Chili Town Board was held on February 1, 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; Ken Kraus, Deputy Town Supervisor; 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 Virginia Ignatowski.

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

PRESENTATIONS/ANNOUNCEMENTS:

1. Mike Curley - Rec One Software Presentation.

SUPERVISOR DUNNING: This evening we do have one presentation. As you know, we have been talking about different ways to be able to coordinate some of our Rec programs, getting things done online, accepting credit cards and being a little more efficient in the way we manage some of our recreation programs.

Mr. Curley has been doing quite a bit of work looking into that, the different options we have out there. So I have asked him to come tonight and share what he has found to this point in a program which -- to what you showed myself and Dianne O'Meara the other day looks to be actually a very good solution to what we're looking for.

So with that, I will turn it over to Mike Curley. All yours.

MR. CURLEY: Thank you, Supervisor. As David (Dunning) -- as Supervisor mentioned, we have been looking at software for probably six months to a year to make the department more efficient but also to obviously improve customer service with the residents.

In front of you, I gave you some information. We basically looked at three proposals, three programs that are out there. On the spreadsheet you will see there is four.

Currently, we use the internal Rec Trac system that was created probably 12, 13, 14 years ago in-house by the Town. As well as an online registration program that Chris Levey, the IT Director put together for us. We have been using that since about July, August. We really have seen a tremendous -- about 70, 80 percent of the registrations are online, but it just does not fit our needs, so that was one of the reasons why we wanted to really start looking at professional software.

ReCPro is a software that is used by a number of Rec Departments in the Town [sic]. They provided us with a proposal that was -- they're the second column over on the large spreadsheet, which was roughly about \$14,400. That included the purchase cost, as well as the training cost. And then on top of that, they would have an annual fee of \$3,000 per year.

There was another proposal that I received from Rec Trac. This is probably the top-of-the-line registration software out there, across the country. However, the price obviously shows. It is roughly \$27,000 for that program. And personally, it's a great program. I used it when I was in the State of Maine.

I just think that the cost is just not justified. It's a great program, but there are programs that are cheaper, more inexpensive that work just, as well. And that leads me to where we are tonight with the Rec One. Rec One is a developer-based company from Atlanta, Georgia.

When Tom Venniro, from my office went to the NRPA, the National Rec Parks Association, he found them. They were doing a presentation. So he brought the information back to me. We started looking at it. And if you look at the price, the price is right. It's zero dollars out-of-pocket to purchase. Zero dollars for them to train us, and there is no -- so that is a total cost of zero out-of-pocket.

What we would have for them would be 1 percent of the yearly revenue from the Town of Chili. That, based on our last couple of years would be anywhere from 2,000 to \$2,200, so if you took that, just compared it to ReCPro and Rec Trac, they're still cheaper than what the annual fees would be for those two programs, plus we're not paying anything out-of-pocket. So that was a nice thing. Obviously cost is a good thing, but when it comes down to it, it is something that works.

I'm happy to say this -- this program, Rec One, I think, beats all of them. I'm familiar with Rec Trac, although I didn't research it too, too much with this one. They made updates over the

years. I used that about seven years ago in Maine, eight years ago in Maine. I was not all that impressed with it. It did a lot of great things, but it had a lot of features that really weren't customer or user friendly.

So Rec One, you know, it -- for me, fits all of the bills. It is zero dollars, which is great. It has got the lowest yearly cost, whether it be annual license or the 1 percent. Plus it meets all of our needs.

So basically what I want to do tonight is give you a real quick presentation on what the software can do. I will not spend a lot of time on the bells and whistles on what it can do internally for us in the Rec Department. But I just wanted to show you, in speaking with Dianne (O'Meara) and Supervisor, we wanted to make sure that it covered what we needed financially in terms of reporting and auditing. It offers a lot of reports that we can customize. We can add as much detail or as little detail as possible, and it really goes -- it piggy-backs with what we're doing now. I compared what we do for monthly reports and what we do for our deposit reports and things like that when we -- checks and balances, and this program has all of that.

You have a copy of a report that I gave you. That would be something that would be roughly like a daily deposit. So when we are ready go to the bank, right now we have to deposit out, obviously match the deposit. We give that to the Finance Department. This report is very similar to what we do now. It actually gives more detail than what our current program does.

If you look at the second page, it breaks down what was brought in for each program, for that time period that we're depositing money in. The current program that we do, it basically just gives you a line item. Floor hockey, \$1,000, basketball X amount of dollars. This one actually breaks it down and lists all of the individual registrants, as well. So it really -- it does everything, in my opinion, and I think Dianne (O'Meara), from when I gave her the presentation, also thought that it covers what we need from the auditors and from financial reasons.

So I just want to quickly show you, again, my main thing is what it is going to do for us, but also for the residents and the users. What is really nice about this program is as a user, you never feel like you're losing -- or leaving the Town of Chili.

COUNCILMAN SLATTERY: Michael (Curley), in the meantime, how long has this plan been around?

MR. CURLEY: They have been around since 2007. They are used right now in over 25 states. I will say, though, we would be the first user in New York State. So we would be a guinea pig if you will, but I have talked to a number of Rec Directors from across the country, one in Utah, one in Colorado that are using this and they said they're very happy with it. They have had no problems whatsoever with financial tracking, with rosters or anything like that.

So it really -- again, it has some history there, 2007. They're developers. Unlike some of these other programs where they're being sold by salesmen, this is a developer-based company, so if we need something and they can do it and they think it is a viable option to give it to other Rec Departments, they would build into the system free of charge.

Actually, he did that for me while he was giving me the demo. One thing I want to have is the checks and balances when someone registers, if they're too old or they don't meet the grade criteria of a certain program, it has a block on it. Currently, the program has one for an age. So if you're nine years old trying to register for a basketball program with limit of eight, it blocks you. We need one for grades because we have some programs that are based on grade division. They were able to quickly put that into the program.

So again, let me just give you a quick walk-through.

COUNCILMAN SLATTERY: Where are they out of, Michael (Curley)?

MR. CURLEY: They're out of Atlanta, Georgia. This would be a web-based solution, so we wouldn't have to host a thing on our own server. They would take responsibility for security, credit cards, the back-ups and things like that. We would build into the agreement that basically the Town of Chili would retain the rights to own that data so in case we did, down the road, decide we didn't want to use them and go somewhere else, they couldn't charge us to get that data back. They could charge us a fee to customize that. Say we went with another software program and we had to have it customized so they could save it in a certain way, they would do that. But you know, my conversation with Chris Levey, he said that is a normal thing for charging for that. But for us to retain the ownership of it, that is something that we could build right into the contract.

And there would be no contract. Basically with them it's an agreement that the Town Board would hopefully vote on at the next Town Board meeting authorizing the Supervisor to go forward with this, and I believe in the verbiage, that if we after 30 days are not happy with or at any point we're not happy with it, we just give them a written notice and we wash our hands of it.

So again, it is not a binding contract where we're locked in for two to three years; where some of the other programs where you purchase for 20,000, you're not going to just change the next year. You're tied to it.

So this (indicating) would be -- the page in front of you is basically what we would see internally as a staff. But what I want to show --

COUNCILWOMAN DI FLORIO: Before you jump ahead to somewhere else, could you just scroll through the rest of the page here?

MR. CURLEY: Yes.

COUNCILWOMAN DI FLORIO: Do they take Paypal?

MR. CURLEY: That would be one thing we would have to discuss. Currently we use Paypal as our third merchant. They will use whatever we choose. If we had a merchant account ourselves, the Town, they could set up for that. If we choose to use Paypal or some other

third-party processing, they can set up to do that. If we choose to use them as a merchant account, they can do that. So they have a lot of flexibility and a lot of options for us, which is nice, because some of the programs, ReCPro, for example, limits what you can use.

Another software we looked at said you have to have your own merchant account. So this one really gives us a lot of variety. Where some of the other ones say you have to do this or that.

SUPERVISOR DUNNING: Just to expand on that a little bit. For the Board's information, I am working with some of our local banks to -- looking at merchant accounts. My understanding is that some municipalities have been very successful in obtaining merchant accounts at no interest, and that actually came out of a Town Clerks' meeting that I learned this information. So upon hearing that from our Town Clerk, I went a little further with the -- where I heard this from and it was actually true, that there were zero -- zero interest -- or zero fees being charged by the merchants for these merchant accounts. So right now I have got -- we're getting or waiting for a proposal for that. There would be a no-fee merchant account. So --

COUNCILWOMAN DI FLORIO: Good.

MR. CURLEY: So again, what I want to show you is not so much the internal workings, but as a resident or a user, what the benefits would be. Again, as I mentioned earlier, one of the nice things about this is when you're on the web page, you feel like you're on the Town web page. Where a lot of the other ones, Rec Trac, ReCPro, you're linked up to the Town's web page, but the minute you go to register for a program, you're taken to another web page and it just really doesn't have a comfortable feel to it. And sometimes for -- people are like, "Wait a minute. Where am I? Am I on the right page? Am I still registering for a Rec Program?" It can cause some confusion.

So this (indicating) is basically what the public would see when they come on here.

COUNCILWOMAN DI FLORIO: Wow.

MICHAEL CURLEY: As you seen, the company has already taken the initiative to basically link us up to -- create a web page based on ours, so you would see on the side they would have whatever the programs are that are listed here. Preschool, these (indicating) are the categories that we would create.

The nice thing is, right now we're not on the Town web page, but it looks like we are. If we need to go back to home or somewhere else, you will still get the drop-down menus that are on the Town of Chili web page. So you will never gonna get that feeling like, "Ok, I have to go back here, here to get to the Town." It is all linked up.

COUNCILWOMAN DI FLORIO: So you get to this from the Town website, though, and you click on Rec for something?

MR. CURLEY: Exactly. It will be linked up to the Town of Chili. Right now where we have the Town of Chili web page and the listing of our programs, it would essentially be the same thing, so when someone clicked on that, it would segue right to here (indicating). These (indicating) are the programs that we listed. I will go to youth programs.

SUPERVISOR DUNNING: You're too old for those. It will reject that.

MR. CURLEY: This is obviously more programs without taking the time to put it in there. And it would just click here, information (indicating). Tells everything about the program.

Obviously, tells me I'm too old for it. My adopted child Jane Doe, we can have her do it. And the nice thing, too, about this, currently the way this is set up, you click on one person, one program, pay. The person, next program, pay. So you could end up -- if you have three kids doing three programs, that's nine transactions.

This, you click on, one-stop shopping. Just like if you're shopping at L.L. Bean or whatever online, you put it in here (indicating), it is your shopping chart. It -- you just go through the process, very easy to do.

COUNCILWOMAN SPERR: But it also says no more slots available, so if the program is full, they know then.

MR. CURLEY: Right. What it would entail the residents to do -- is to create a user account. Right now I'm logged on as me. So let me log out.

So being a normal user who has never registered for -- all right. So again, it's the same -- same pages. But then you go to log register, and so basically, it is telling you don't have an account.

This is one thing with Supervisor's input on this, this is a very good point, we're going to try to -- assuming we go with this, at this point, we'll put a link here that they would create a new user account, because right now, what they have to do is cancel here (indicating) and then just go back here (indicating).

COUNCILWOMAN SPERR: You should be able to go right to it.

SUPERVISOR DUNNING: Should be a simple register.

MR. CURLEY: That would create a new account. With all of the pertinent information they would need.

COUNCILWOMAN DI FLORIO: That retains all that?

MR. CURLEY: It retains all of that. It is great for us from a Recreation Department because it will be able to make us more efficient communicating with the residents but also marketing the programs. It will allow us to do mass e-mails to specific programs. If we want to e-mail just people in basketball, or if we have a new program that is starting for say boys, second, third grade, we can actually go through here (indicating), put in those parameters. It will go through the entire database and just e-mail families with second, third grade boys. So you can really target and do your -- do your marketing to those select audiences.

What is really nice again, I was mentioning, it retains all of the information, so as a

household you do it once, it is in there.

COUNCILWOMAN DI FLORIO: As a user of various sites, it is a pain to have to keep entering the same data over and over again, so that is awesome.

MR. CURLEY: That will also be good come tax time for a lot of residents, because they can use our summer camps and some of the programs as a tax deduction. A lot of times currently they have to call us now to get a duplicate receipt for it and ask for our tax ID number.

Well, now because they have an account, they can just log on there and see what their history is, print that out, print receipts from what they have done in the past, right there, so they don't have to bring us into it, or they can still call us and we just pull it for them just as easy.

COUNCILMAN BROWN: Can they opt out of receiving e-mails?

MR. CURLEY: That I don't know. I would have to check with them.

COUNCILMAN BROWN: Not everybody wants to get all your e-mails.

COUNCILWOMAN SPERR: See if you can unsubscribe.

COUNCILWOMAN DI FLORIO: It would just be Rec ones. It --

COUNCILWOMAN SPERR: Still, someone may ask that question. It's a good question.

SUPERVISOR DUNNING: There should always be an opt-out option.

MR. CURLEY: What is nice, it retains that so we have the information, they have the information. It is again basically one-stop shopping. They don't have to do it over and over. It's gonna make life easier for us in the office, more efficient, because currently, our receiving -- we get the information. We have to process it, and then has to be added to another system, so we have a couple of different things going on. This will be all one system used for everything. So it will make it a lot easier for us, and the users. We have the option of going green. When you go through the receipt process, instead of printing it, you can actually e-mail that person directly a receipt.

And the nice feature about that, too, is you can pick multiple e-mail addresses. I bring up the situation where there is a divorced household, where maybe the mother is paying for the summer camp, but the father -- the ex-husband needs to see a receipt of that for whatever reason to pay for half. We can actually in one transaction, boom, e-mail anyone we need to that gets that. So it will save a lot of time and a lot of hassle, so that is a nice feature, too.

You know, again the multiple users, multiple registration. Right now, with registration forms, you have got four kids, you're filling out four different registration forms with our current programs. With our current program, again, it is four different transaction.

It has a lot of safeguards in here that are good for us in the department, but also for users, because as you saw, it tells you if you're too old for a program. It tells you if a program is full. Or if you forgot, you know, "Did I register my kid?" Or "Did my wife register my kid last week?" You go and try to register, it will say, "Janie, you're registered for the program," and will not allow duplicate registration, so there are a lot of good checks and balances in it.

COUNCILWOMAN SPERR: Michael (Curley), that -- does that usually tell someone who is trying to register, how many are in that group?

MR. CURLEY: Yes.

COUNCILWOMAN SPERR: So it tells we're accepting 30?

MR. CURLEY: It does. Back in the program information, it will say --

COUNCILWOMAN SPERR: When the description pops up, it's in there?

MR. CURLEY: Yep. It will say minimum of four, five. It may even have tracking, like six spaces available. But I would have to double-check on that.

COUNCILWOMAN SPERR: That is what I was going to ask as a follow-up. In other words, if you signed up and you got in and you're trying to tell your neighbor, "Get in the program, hurry up, there is only like five slots left," I didn't know if it said that.

COUNCILMAN SLATTERY: Would it allow the public to know that or would it allow the administrator to that?

MR. CURLEY: We see it as administrator, but I believe the public can see it, too. Because in the case you have three kids and you want to know are there two spots left or three. I think it does, but I will have to check on that.

COUNCILMAN SLATTERY: Michael (Curley), for something that has been around since 2007 and for no other municipalities in New York State to use this, I mean, it -- would this come up with your association?

MR. CURLEY: I think a lot of it has to do with the fact that they haven't branched out. They are from Atlanta. And they have kind of spread this way (indicating) across the country. And he said they really haven't targeted the northeast just yet because they have been so busy with developing and spreading the word, that -- you, know, I think that has a lot to do -- but also, I mentioned Rec Trac, the Vermont systems, they have a very strong hold in New York. They are based right out of Vermont. They started back in 1984, I think it was. So they -- a lot of people think they're the only program they should be looking at. So I think is it a combination of things.

But going through this, I have looked at it pretty extensively for the last two weeks. I have had Tom (Venniro), Marcia and Paul in my office take a look at, and they all think it is very easy, very user-friendly. Marcia caught on just like that. Tom (Venniro) could figure out the programs pretty easy.

It gives you the ability to do lodge services. We can do league reservations, league scheduling. So right now we have a couple different programs doing it. It's all going to be done by one program.

The nice thing with the lodges is, you set a parameter of when you want that date to come

open to the public. So basically right now we say you can reserve a year in advance, but with the current system, Marcia has to go in -- not every day. I say, "Let's go in the first of the month."

And she goes in there and she activates -- like today she went in and did 2013, all of February. That's -- you know, you should haven't to do that with the technology. This one, it just reads whatever the date is, next year from now, it becomes open. It has a lot of flexibility with the program fees. Where we can build in non-resident fees, which will automatically be associated with the user. Because what is really cool about this compared to a lot of the others ones, and I just don't understand why a free program, if you will, has this where these other ones don't. They have a checks and balance where we can provide them with a database of every single physical residence in the Town of Chili. They would incorporate it into this -- into their software, so when you as a resident or a non-resident go to register, it will automatically know from the address you type in whether you're a Chili resident or not a resident and it will give you the appropriate fee. So 14624 obviously has a lot of different -- Chili, Gates, Spencerport, whatever it might be. It will be based on the actual physical address, so you will get charged -- so it's a good way for us to make sure we're getting what we need to, because right now is it an honor system. And it's amazing how many people don't know, quote/unquote know, what Town they live in. So we hear all of the time -- "I'm in Gates-Chili."

"No. What Town?"

You know, so they will go on the web page and say, "Yes, I'm a Chili resident."

"No."

This one, you don't have to know. The machine will tell you if you're a Chili resident or not.

And we also have the ability to add. So if we have a new development that comes in, we can take care of that ourselves. Certainly we can input every single one ourselves right now, but because they do it based on a database that we provide, we would go that route. But then any new developments coming down the road, we can go on there and just add, you know, maybe a new street, Curley Lane, you know, seven houses, bang, right there in the system. And my -- my development has 20 houses, so just to let know, not 7.

COUNCILMAN BROWN: Is there some kind of an agreement that they won't use the database information that we give them?

MR. CURLEY: Yes. That was actually one of the concerns that Chris Levey, IT Director, had Supervisor Dunning and Mr. Stowe, so I have contacted the group and they said whatever verbiage we need to add into the contract or the agreement, they are fine with it. They have assured me they have never, or never plan on, things change, selling names and databases, but if we feel the need to, which I think is a great idea, just building that -- in that we retain the ownership and that they cannot release or sell. They're fine with that. So that would be built in.

COUNCILMAN SLATTERY: Chris Levey, as you mentioned a few times, reviewed this, worked with you on this and is very satisfied with the information and --

COUNCILWOMAN SPERR: He is on Board?

MR. CURLEY: He is on Board in terms of the IT aspect of it. He didn't look at the internal workings of it. It's not his cup of tea and not his thing, as he said. He is not concerned about that.

What he is concerned about would be the IT specifications and things like that.

Again, if you go back to the spreadsheet, some of those IT notes were things that Chris (Levey) and I worked on. Like the IT pros and cons. With this being web-based and them hosting it, obviously we don't have the security issues, which is nice. Where some of the ones that we actually put on our server, you would have to retain all of the credit card information, all of the personal history on your own server, and something happens to it, obviously we're responsible for it. Where this one, because it is hosted by them, they have their back-up servers. They handle all of the problems. It just makes it easier.

In a case last week, I believe it was, the week before, we lost power at the Community Center. So, you know, that led us thinking if we lost power here, all of a sudden our online database would be shut down.

Because it is web-based, they're hosting it with their generators and the back-ups and things like that, a -- very rarely has it gone down in seven, eight years. One company I talked to in Utah said they were using it since 2007. They have never, ever faced an aspect where residents could not register. You know, so that is a nice feature. Again, we're here. If it crashes, it's on us.

So he is on board. He thinks it is great, great for us because of the fact that it is off of our server.

COUNCILWOMAN SPERR: So, Michael (Curley), in the very beginning when you started your presentation, you said that the cost was 1 percent of yearly transactions. So all transactions, every registrant?

MR. CURLEY: Correct.

COUNCILWOMAN SPERR: No matter how they -- whether they walk in or do it online, is all --

MR. CURLEY: Yep.

COUNCILWOMAN SPERR: Then did you find a downside to this? When you investigated it, what were the negatives to doing this?

MR. CURLEY: I guess the negative would be the fact no one in New York has used it, but it doesn't mean we can't be the pioneer, the first one. I'm very comfortable, looking at it and what the capabilities can do. Everything that we have thrown at it, every obstacle that we need to

do this, we have been able to figure a way out of how it can make it work. So it has had that.

The one downfall, I guess, would be the mass e-mails are not set up to do htmls, which right now, when we do ab e-newsletters, we do html. I don't know what it is. Just four letters. And we're allowed to basically put our newsletter into the text of the e-mail.

This one wouldn't allow that. Which is too bad, because that is a nice feature that we have. I don't know if any of you receive the e-newsletter we do. So we can do this with that, but the alternative for that would be basically just to take that e-mail address, export the Excel and do it that way.

COUNCILWOMAN DI FLORIO: Can I just comment one thing on the whole -- being the only -- or not -- no other municipalities in New York State having done this, and just wanted to interject that I believe it was two years ago when I looked at every town in Monroe County. Almost all of them had already purchased a rec program. They were already online, remember, when I did that? So they had already jumped on, they had already outlaid the money for one of these paid, like Rec Trac programs, so they won't switch to a free program now that they have already purchased one. You know what I am saying? So I think that we're --

COUNCILWOMAN SPERR: In a good position.

COUNCILWOMAN DI FLORIO: Exactly. We were late get to go the party, but...

MR. CURLEY: If it is something that we find doesn't work for us in a month or two, what are we out? A couple hundred dollars based on transaction fees and that is it.

COUNCILMAN SLATTERY: Thank you, Michael (Curley).

SUPERVISOR DUNNING: Thank you.

COUNCILWOMAN SPERR: Very interesting.

SUPERVISOR DUNNING: We will have some additional discussion about this, especially around the merchant aspects of it, the credit cards. If we use this -- if we decide to go in this direction with this software, their fees are pretty hefty. These fees aren't really that much more than what we're currently incurring through Paypal, but Paypal certainly isn't the most efficient or most economical way of collecting money either. So that is --

COUNCILWOMAN DI FLORIO: It is user- friendly.

SUPERVISOR DUNNING: Extremely user- friendly, no question, but at 4 percent, it should be. So...

There was a discussion off the record.

COUNCILWOMAN SPERR: If Chris (Levey) is watching tonight, he will be having --

SUPERVISOR DUNNING: He might be watching. But anyways, once we get the merchant element of it that, we'll -- we'll -- we'll follow up and see where we're at with it.

Again, Mike (Curley) you.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. No speakers addressed the Town Board.

MATTERS OF THE SUPERVISOR:

New matters:

1. Union Negotiations Update

SUPERVISOR DUNNING: I did want to update the Board where we are with Union negotiations, largely because we just recently, um, did present another offer to the Union, so I did want to -- I did want to give you an update on it and just bring you up to date with the negotiations, with the -- with the approximately 62 of our white collar and blue collar employees all represented by a collective bargaining unit, the same unit we have been negotiating with now for just under three years.

We did reach at one time, and some of this is just an update, just kind of going back over where we were, but we did -- at one time we did reach a settlement where we -- the Union leadership did sign off and take it to the Union membership for a vote that the membership did reject that -- that at that time.

So in this timeframe we really only had one -- one offer that they were --

COUNCILWOMAN SPERR: How long ago was that?

SUPERVISOR DUNNING: That was about a year and a half ago now. It was a while ago. I don't remember the exact date, but I -- I can pull out the paperwork to grab it for you, if you would like. I don't have it right here.

COUNCILWOMAN SPERR: That's okay.

SUPERVISOR DUNNING: But two weeks ago we tried to do something a little bit different and we got the Union's professional negotiator, as well as the Town's labor attorney together privately to see if they could come up with some type of agreement. Certainly the Union's professional negotiator knows the Union's position. Our labor attorney knows our position, so, you know, we thought maybe put the two of them in a room together and maybe they could come up with some kind of a deal. Oddly enough, they did. They came up with and were very agreeable on a five-year contract. That was the two of them, of course.

But this, of course, was subject to the Union leadership accepting it and then be willing to take it to the -- to the membership. Um, unfortunately, last -- about a week ago today, I believe it

was, this was presented to the -- to the Union's negotiating team, their representatives here and they decided not to submit it to their membership for their approval or disapproval. Which is -- it's unfortunate. It is their right to do so.

They don't have to take it back to their membership, but basically what happens now is what -- what they decided on a little while back and we'll go back to this position, I guess, is that they were in agreement that the current labor agreement that was -- has expired and by -- through the Triborough Amendment to the Taylor Law, we're obligated to maintain the agreement contained in there.

They decided that we would set a new date for anything to be effective as July 1st, 2012. So in theory, everything -- kind of the clock will start again. So they are -- in essence, the current expired contract is the contract until June 30th, 2012 as effective July 1st, 2012 is when we're shooting for a new contract to be in place.

So any -- so any agreements we make between now and then are not to take effect technically at this point. This still can be negotiated and can be changed, but technically it looks -- you know, it wouldn't take effect until July 1st, 2012.

COUNCILWOMAN SPERR: What if we do not reach an agreement then? There is none? I mean --

SUPERVISOR DUNNING: Basically, you just stay with the -- with the expired contract.

COUNCILWOMAN SPERR: And continue to negotiate.

SUPERVISOR DUNNING: And continue. They will continue to get all of the same benefits that are contained in the current expired contract. Nothing changes there at all. Um, and we did have some other agreements as far as health care and things like that are in place through 2013, so -- so those will remain in effect by -- by Memorandum of Agreement or other agreements that we have.

But at this point, you know, I think we have been at the table now 18 times.

COUNCILWOMAN DI FLORIO: That is what I was going to ask; how many times.

SUPERVISOR DUNNING: We have been to the table 18 times, and we have received three counteroffers in that time. And it's -- so I think, you know, pretty much right now as it stands, I have done all I can do at this point to -- to reach an agreement. We'll wait again. We'll be meeting again, I believe, sometime in February. We're scheduled for the 15th or somewhere around there to talk about it a little bit more, but --

COUNCILWOMAN DI FLORIO: You mentioned, you know, of one time when they took the offer back to the membership. Is that the only time out of the 18 that you -- that you would know?

SUPERVISOR DUNNING: To the best of my knowledge, yes, they only have taken it for ratification once.

COUNCILWOMAN SPERR: Their negotiator is supposed to be familiar with their stance or what they're looking for. Maybe he is not as familiar, because he was speaking on their behalf on --

SUPERVISOR DUNNING: And -- I can't speak to that. I can only assume that, you know, their negotiator would know what the Union was looking for and -- and again, it --

COUNCILMAN BROWN: So technically speaking; am I correct in saying that we do have a contract until July 1st?

SUPERVISOR DUNNING: We are operating under the expired contract by virtue of the Triborough Amendments to the Taylor Law. So.

RICHARD STOWE: (The witness indicated non-verbally.)

COUNCILMAN BROWN: Thank you, Counselor.

SUPERVISOR DUNNING: We are operating under the Triborough Amendments in honoring the expiring contract by law.

COUNCILMAN BROWN: How did the date of July 1st get set?

SUPERVISOR DUNNING: That was the Union's request.

They asked that we basically just agree that we are going to adhere -- we're going to abide by the law, which we are, and set a new date for the tentative agreement to take effect of July 1st, 2012.

COUNCILMAN BROWN: When you said we have been to the table 18 times, we have put offers on the table every one of those 18 times?

COUNCILMAN SLATTERY: No.

SUPERVISOR DUNNING: No. Some of those offers we -- we agreed to meet. Some of those offers did not change from the previous offer. We were expecting a -- either an answer or a counteroffer or some type of other information in that time, um, and which largely, we did not get.

COUNCILWOMAN SPERR: So is it safe to say many of the Union membership who have been given information through the rumor mill may not fully be informed, because the proposals that were submitted to their membership or to their leadership by the Town were never actually presented to them?

SUPERVISOR DUNNING: I can't answer that.

RICHARD STOWE: Nobody here can. Nor should they try to.

COUNCILWOMAN SPERR: Okay. Matters of confidentiality.

SUPERVISOR DUNNING: No. It -- it is a matter of knowledge. I just don't know.

COUNCILWOMAN DI FLORIO: Don't speculate.

SUPERVISOR DUNNING: No, not going to. Any other comments?

COUNCILWOMAN SPERR: Thank you for the update. Appreciate that.

Seeing as how this is the only meeting we have in February, I wanted to make sure that we made the announcement tonight that you would be presenting a State of the Town address at the February 28th luncheon of the Gates-Chili Chamber of Commerce. Every year in February we host both the Supervisors from Chili and the Supervisor from the Town of Gates -- there is only one Supervisor here. I just realize I said, "Supervisors."

SUPERVISOR DUNNING: I look like two people at times. (Laughter.)

COUNCILWOMAN SPERR: You said that, not me. You said that, not me. So David (Dunning) will be joining Mark Assini, the Supervisor from Gates, in presenting our State of the Towns. So it is open to the public, so if anyone is interested, it's on the Chamber of Commerce website. You can contact anyone else from the Chamber. Jordon (Brown) is our President, but I just wanted to let people know on February 28th -- and we'll be holding that at Agatina's Restaurant.

COUNCILWOMAN DI FLORIO: What time is that?

COUNCILWOMAN SPERR: It's noontime. Usually we -- we start our registration at 11:30 to allow everyone to get in and find a seat. So it is very well attended and they always do a great job. So we appreciate them coming to that meeting and letting us know how things are going. I just wanted to make that announcement.

SUPERVISOR DUNNING: One of the recommendations in the 2030 Comprehensive Plan was to prepare a format for an annual report on our Comprehensive Plan. I -- I will have a draft of that to you of my thoughts on what that -- that format should look like, um, for input. I will have that for you probably before the end of the week to take a look at. So that will be added to our reports. Not on a monthly basis, but an annual basis. So.

REPORTS SUBMITTED:

Building Permit Report – Y/E 2011
Conservation Board Minutes – 12/5/2011
Historic Preservation Board Minutes – 12/12/2011
Zoning Board Minutes – 12/20/2011

RESOLUTION #131 RE: Use of the Senior Center Trust and Agency Account

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Brown

WHEREAS, the Senior Center Trust and Agency Account was established in the year 2000 to hold proceeds from fundraising activities to benefit the Chili Senior Center; and

WHEREAS, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to use funds from said account to offset the cost of the summer picnic, to be held Wednesday, May 30, 2012 at Black Creek Park. Cost will not exceed \$500.

UNANIMOUSLY APPROVED

RESOLUTION #132 RE: Drainage Committee

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

WHEREAS, that Jared Hirt be appointed to the Drainage Committee to complete the term of James Gamble, term to expire December 31, 2012; and shall be paid the sum of \$25 per meeting attended for the calendar year 2012, expenses to be paid by voucher as incurred.

UNANIMOUSLY APPROVED

SUPERVISOR DUNNING: I notice Jared (Hirt) is in the audience. I would like to introduce everyone to Jared Hirt, the newest member of our Drainage Committee. Welcome, Jared (Hirt).

VIRGINIA IGNATOWSKI: Supervisor, if I may comment, I do have his oath of office up here. If you want to sign it this evening, I can notarize it and take it with me to the office.

SUPERVISOR DUNNING: If you can stick around for another 15 minutes or so we can get that. All right.

RESOLUTION #133 RE: Set Public Hearing to consider adoption of Local Law # _____ of 2012 to amend the Code of the Town of Chili "Chapter 465 Vehicles & Traffic" Article II Speed Limits

OFFERED BY: Councilman Brown SECONDED BY: Councilwoman Sperr

WHEREAS, a Local law to amend the Town Code Chapter 465 Vehicles & Traffic, Article II

Speed Limits; and

NOW, THEREFORE, BE IT RESOLVED, that Local Law # ___ of 2012 of the Town of Chili entitled a Local law to amend Chapter 465 Vehicles & Traffic, Article II Speed Limits is hereby introduced; and

BE IT FURTHER RESOLVED, that the Town Board hereby declares itself lead agency for SEQRA review purposes and directs the Town Clerk to send notification of such designation to all affected agencies; and

BE IT FURTHER RESOLVED, that a Public Hearing is hereby scheduled for March 7, 2012 at 7:00 p.m. at the Town Hall Main Meeting Room, 3333 Chili Avenue to consider the adoption of Local Law # ___ of 2012.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: I think it's good that the community has an option instead of just going with the two companies, a third company. And hopefully I -- from what I understand, New York State, some of the codes are changing, and the Federal Codes, but the State hasn't adopted some of the State Codes.

Um, David (Lindsay), if you can -- on this --

DAVID LINDSAY: We currently operate under the 2008 electrical code, and there is a 2011 version out there which changes some of the requirements for certain things, and the State hasn't quite adopted that yet. They're looking at that, though.

COUNCILMAN SLATTERY: I think it is important that we allow our constituency to be aware of them, because they -- if they do do something and it doesn't -- and we're going by the 2008 code, um, that, you know, there could be a problem with the inspectors coming out and not approving them, so I think it is important that we make sure our constituents are aware of them so they don't get caught in that position.

DAVID LINDSAY: Yes.

RESOLUTION #134 RE: Addition to Third Party Electrical List

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Brown

WHEREAS, New York Electrical Inspection Agency has applied for approval to perform third party electrical inspections within the Town; and

WHEREAS, the qualifications of the New York Electrical Inspection Agency have been reviewed and accepted by the Building Department; and

NOW, THEREFORE, BE IT RESOLVED, to approve New York Electrical Inspection Agency to obtain a license perform third party electrical inspections, subject to the submission of the necessary insurance requirements and an annual review and approval of their qualifications by the Building Department.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I would actually just like to comment. Lu Engineers has been our Town Engineer for quite a long time, and this Board has felt for quite some time that it was in our best interest to do our due diligence and make sure, even though Lu is a great firm and they have done us very well, that we made sure we were getting everything that we should be getting, so I think this is a great move.

I applaud the Board for pushing this, and I know you have been pushing it for quite some time and I'm glad to see we're finally able to get this done.

COUNCILMAN SLATTERY: As you mentioned, Supervisor, the Lu Engineering firm has done a great job for us and they have helped us out in a number of different aspects, and I know they're always willing to, you know, take our calls and, answer any questions we may have, just very cooperative over the years.

SUPERVISOR DUNNING: And -- and I do want to reemphasize this is not based on any poor performance Lu Engineers has done for us. We're not dissatisfied with them in any way, shape or form. But as one of our residents, who is not here this evening has alluded to, we make this claim of looking out for our tax payers, and this one of the things where we're just looking out for the taxpayers of the Town of Chili to make sure we're doing the right thing.

COUNCILWOMAN DI FLORIO: With your own household, though, you shop around. Sometimes you stay with what you got because there isn't any better, but you don't know if you

don't look.

RESOLUTION #135 RE: Advertise for Request for Proposals

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

WHEREAS, the Town Board desires to receive proposals for Town Engineering Services; and

WHEREAS, the necessary Request for Proposals has been prepared by the Commissioner of Public Works; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the advertisement for Request for Proposals for Town Engineering Services.

UNANIMOUSLY APPROVED

RESOLUTION #136 RE: Training Town Clerk

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Brown

BE IT RESOLVED that Virginia Ignatowski, Town Clerk, is hereby authorized to attend the 2012 New York State Town Clerks Association Training Conference in Saratoga Springs, NY on 4/22/2012 – 4/25/2012. Total cost not to exceed \$1,000 to be paid from account A1410.4 (Town Clerk Contractual).

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I would like to say I know the Board is aware of this, but for the sake of the public and those people at home who maybe had a bad remote and are watching this program as it airs, that we did -- we did quite a bit of work on this particular search. It's taken quite some time. We did advertise in some publications that we are looking for an Assistant Town Attorney.

As a result of advertisement, we had, I believe, it was seven or eight applicants. We interviewed just about every one of those with the exception of one who chose not to be interviewed and one who wasn't even a lawyer yet. So I applaud his -- his aggressive nature, and his desire to be, but just wasn't going to work for us if you weren't a lawyer already.

So -- but -- we did do quite a few interviews over quite a few nights, and I'm very pleased with -- to support Michael Jones who we're looking at for this position. I think he will serve the Town well, and with that -- any other questions or comments?

COUNCILWOMAN SPERR: Yes. I was very impressed with his previous experience having performed the tax and duties that we're asking of him for several municipalities, so we're looking forward to him meeting the rest of Boards and Committees and the Planning and Zoning and looking forward to it, should this -- should this pass tonight.

RESOLUTION #137 RE: Appointment of Assistant Counsel for the Town

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Brown

BE IT RESOLVED that Michael A Jones, Jr., ESQ. Residing at 6839 Citation Way, Victor, NY 14564 be retained as Assistant Counsel to the Town of Chili effective 2/2/2012, and

BE IT FURTHER RESOLVED, that Supervisor Dunning be authorized to enter into a Retainer Agreement with Michael A. Jones, Jr., ESQ. For the year 2012, said agreement to specify duties of representation in exchange for amounts paid, base retainer amount to be \$25,662.00 with provisions in the Agreement to allow for expenses to be reimbursed by voucher, as incurred.

UNANIMOUSLY APPROVED

SUPERVISOR DUNNING: Before we move along, I would also like to thank Mr. Stowe also for pinch-hitting for us a little bit while we -- while we --

RICHARD STOWE: Oh, you're welcome.

SUPERVISOR DUNNING: -- while we went on this search to -- for this position, but thank you, sir, for your assistance. We appreciate it. I'm glad nothing too terribly complicated came up.

RICHARD STOWE: Wow. I guess I am too, then.

COUNCILWOMAN DI FLORIO: That's a backhanded compliment. (Laughter.)

RESOLUTION #138 RE: Special Prosecutor for Code Violations

OFFERED BY: Councilman Brown SECONDED BY: Councilwoman DiFlorio

WHEREAS, the Town Board of the Town of Chili, Monroe County has been advised that in order to properly prosecute certain violations of the Town of Chili Ordinances and Local Laws, it is necessary to obtain the appointment of the Assistant Counsel of the Town as Special Prosecutor; and

WHEREAS, the Town Board desires the Assistant Counsel for the Town, Michael A. Jones, Jr., ESQ. Be appointed as Special Prosecutor, effective 2/3/2012 for this purpose; and

WHEREAS, the Town Board, once it has so appointed the Assistant Counsel for the Town, would ask the District Attorney of the County of Monroe to approve the appointment and take whatever steps are necessary to authorize the Assistant Counsel for the Town to act as Special Prosecutor for these purposes; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chili hereby appoints Assistant Counsel for the Town, Michael A. Jones, Jr., ESQ. to act as a Special Prosecutor for the purpose of prosecuting any alleged violations of or offenses against the Ordinances, Local Laws and Code of the Town of Chili, in and for the Town of Chili, in the County of Monroe and requests the District Attorney of the County of Monroe to approve the appointment made herein and take whatever steps are necessary to properly authorize Michael A. Jones, Esq. To act as a Special Prosecutor as set forth herein.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Supervisor, just for the record, if people are looking at their agenda, they may have it as 138. I know it was modified, just so they can keep track. Supposed to be 139.

RESOLUTION #139 RE: February 1, 2012 Abstract – Fiscal Year 2011 Payables

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Brown

BE IT RESOLVED to pay vouchers 4462-4463, 4471, 4497, 4513-4519, 4524 totaling \$24,067.53 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 24,067.53
TOTAL	\$ 24,067.53

UNANIMOUSLY APPROVED

RESOLUTION 140 RE: February 1, 2012 Abstract – Fiscal Year 2012 Payables

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Brown

BE IT RESOLVED to pay vouchers 4394, 4397, 4440-4442, 4453-4461, 4464-4470, 4486-4490, 4502-4504, 4506-4511, 4520-4523, 4525-4572 totaling \$181,799.93 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 50,525.24
Highway Fund	\$ 94,140.94
Library Fund	\$ 1,006.25
Fire/Ambulance Fund	\$ 36,127.50
TOTAL	\$ 181,799.93

UNANIMOUSLY APPROVED

The next regular meeting of the Chili Town Board will be on Wednesday March 7, 2012 at 7:00 p.m. in the Chili Town Hall main meeting room.

The meeting was adjourned at 7:47 p.m.