

## CHILI TOWN BOARD

April 5, 2006

A meeting of the Chili Town Board was held on April 5, 2006 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 Logel.

PRESENT: Councilwoman Ignatowski, Councilman Schulmerich, Councilman Slattery, Councilwoman Sperr and Supervisor Logel.

ALSO PRESENT: Richard Brongo, Town Clerk; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor; Joseph Carr, Commissioner of Public Works/Superintendent of Highways; Joseph Lu, Town Engineer; Dianne O'Meara, Comptroller; John Ferlicca, Deputy Town Supervisor; Jeron Rogers, Director of Planning/Engineering.

The invocation was given by Richard Brongo.

The Pledge of Allegiance was cited. The fire safety exits were identified for those present.  
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Supervisor Logel stated at this point, the Board would take a short break for an Executive Session. She stated it would not be that long. She stated the Board will be filled in on an issue that has to deal with a personal matter.

Councilman Slattery made a motion to go into Executive Session. Councilwoman Ignatowski seconded the motion. The Board went into Executive Session at 7:01 p.m. and returned from Executive Session at 7:45 p.m.

Supervisor Logel indicated North American Properties wished to give a presentation to the Board this evening.

Mr. Pape introduced himself as Jeff Pape, with North American Properties. He stated the purpose of tonight's meeting is to introduce themselves and tell a little bit about their project. He stated they are not asking the Board to make any action tonight or anything.

Mr. Pape stated they did a community meeting a few weeks back and they wanted to give the Board the same courtesy of introducing themselves and giving the Board a little feel who they are and what their project is.

Mr. Pape stated tonight he would give the Board a quick overview of their company and show some examples of other North American projects that have been done in a past, talk about their Build A Bridge Program and Chili Commons, the project they would like to develop in Chili.

Mr. Pape stated North American Properties prides themselves in developing projects that become a part of the community, and they pride themselves in being very active in the communities where they both work as well as develop projects. He stated they don't want to come in and build sticks and bricks and just focus on buildings. He stated they want to come into a community and actually get involved through programs like their Build A Bridge program that he would talk about in a few minutes.

Mr. Pape stated they want to come out into the community, find out the community's needs and build a project that the community will take ownership of, and really feel comfortable that they will build something that they can be proud of.

Mr. Pape stated North American Properties is a 50-year-old privately held company based in Cincinnati, Ohio owned by two families, with offices in Dallas, Texas; Ft. Myers, Florida; Atlanta, Georgia and Minneapolis, Minnesota. He stated they are out of the Atlanta office. He stated this project will be developed out of Atlanta. He stated the offices function independently. He stated Atlanta is celebrating its tenth year this year. Mr. Pape stated they have put together what they feel to be some of the best in the industry in their Atlanta office and they have developed over 6 million square feet of projects in ten years since their existence.

Mr. Pape stated they understand that with developers, trust is not in most of their vocabularies, but they pride themselves in people being able to trust what they say. He stated what he means by that is their best references are the last communities that they developed in. He stated they will be able to give the Board phone numbers and names of other mayors and communities where they have developed that will be able to tell the Board they do what they say they will do. Mr. Pape stated their goal is when they finish a project and they are all standing there at grand opening, that everybody touched by that project can look and say they did everything they promised they would do from the beginning and they are happy with this project.

Mr. Pape stated they absolutely build projects of the top level quality. He stated they want to build projects that can be held up by communities as an example for future development that if someone wants to come to their town, they better do it as well as they did.

Mr. Pape stated they will adapt architecture at a high quality level to blend into the local areas, landscaping, as well as the quality of the experience for the community by getting into the community in other ways other than just building the project.

Mr. Pape stated in talking about quality, he wanted to show some pictures of some projects that they have done before. He stated the pictures he was showing the Board are of projects that are throughout the southeast, so they will have different architecture.

Mr. Pape stated North American Properties is a preferred Target developer. He stated they are not at a point where they can talk about tenants for the proposed Chili Commons project, but they work with organizations like Target, like Kohls department stores, Barnes & Noble, retailers of that nature.

Mr. Pape showed the Board more examples of the quality architecture they have done in Florida and Georgia.

Mr. Pape stated one thing he wanted to point out is not only architecture, but what they tend to do with sidewalks, creating significant plantings up against the buildings as well as at the edge of curbs to create a sense of place for the pedestrian to walk. He stated they use pedestrian scale lights, bench areas for people to sit and wider curving sidewalks, instead of plain wide gray sidewalks. He stated they make great places to stroll.

Mr. Pape stated they usually create a plaza area or a gathering area in their shopping centers that are very pedestrian friendly and more pedestrian oriented. He stated they create drop-off areas.

Mr. Pape stated the Build A Bridge program that he mentioned they started about four years ago. He stated it is a program they have created, a partnership with education in the communities they build. He stated what they do is typically form partnerships in education with one elementary school and one high school. He stated they carry through that relationship during development and then they bridge that relationship over to the retailers once the project is open. He stated those retailers will exist in the community for years to come, and that relationship should continue through them.

Mr. Pape stated in the projects local to Atlanta, it has included getting into schools, doing tutoring, things of that nature, not just writing checks. He stated education seemed an easy fit for them because of some of their tenants. He stated Target, for example, is a company that gives on average \$2 million a week to communities throughout the country.

Mr. Pape stated they were awarded a Partnership In Education Award from the Fulton County School Districts in Georgia one of the first years they started doing this program and they are pretty proud of that. He stated that is the largest school district in the State of Georgia, and their competition were the likes of Coca-Cola and Ford Motor Company.

Mr. Pape showed the Board a slide of a rendering done for an Atlanta project, very similar to some of the renderings and conceptual ideas of Chili Commons that he would show in a few minutes. Mr. Pape showed the Board a picture of the finished project in the Atlanta area and a picture of the finished product. He stated they would be happy to give the Board numbers and

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names of references who can vouch for the fact that what they said they would build on the left rendering, at end of the day it looked like what they were showing on the right in the picture.

Mr. Pape stated Chili Commons is the project they would like to build in Chili. He stated the project would be on the south side of Paul Road, directly adjacent to Wegmans, about 53 acres, but it would not extend out to Archer Road. He stated there is another parcel about 50 acres in between their proposed project and Archer Road, The Fathers House Church.

Mr. Pape showed the Board a conceptual aerial rendering of their first shot of what they think this is going to look like. He stated they are proposing a project that is about 345,000 square feet. He stated they expect it to contain two acres in the 120 to 130,000 square foot range. He stated there would be a few medium 20,000 square foot range spaces, all national type tenants. He stated there would be some smaller shops and out parcels along the parcel for sit-down restaurants or banks or something of that nature.

Mr. Pape stated some things he wanted to point out with this slide up on the board is some of the issues that they have dealt with. He stated as he mentioned, they have hosted a community meeting a few weeks ago. He stated they have been trying to meet with community members and anybody else who has concerns over the project to try to identify what the concerns are out there that they will need to address as they move forward on the project.

Mr. Pape stated of the issues they have heard, traffic obviously is a significant issue. He stated they have enlisted a local traffic consultant to do a draft study. He stated so far what they are seeing is they will need improvements on Paul Road, a signal at the main entrance, which will be across from Stal-Mar Circle, and turn lanes in and out of the shopping center to provide safe movements. Mr. Pape stated they will fine-tune the details what improvements would be needed. He stated they would expect to do all those improvements at the cost of the development.

Mr. Pape stated another issue that they have heard quite a bit about are wetlands and flooding. He stated the area that is to the right corner there, out of the 53 acres, 15 acres will remain in a natural state when the project is complete, so the entire 53 acres won't be developed as a shopping center. He stated there are existing wetlands on the site. He stated they are working with the Corps of Engineers to work toward obtaining a permit to impact some of the wetlands and create more mitigation, and provide about a 15-acre area that at the end of the day will contain wetlands, pond areas and natural areas with walking trails, essentially a nature park type setting of 15 acres.

Mr. Pape stated in that area, as he mentioned, flooding was certainly brought up as a concern. He stated there is significant flooding in that area. He stated two things that they have found in their initial studies are that a lot of the flooding on the north side of Paul Road seems to be caused by Paul Road itself and the water having trouble getting across. He stated they will work with their engineers to try to come up with a way to get the water across Paul Road sufficiently as they do improvements to Paul Road to help relieve some of the issues on the north side.

Mr. Pape stated then on the south side in the natural area he was talking about, they have created detention ponds and storage ponds that are roughly two and a half times the size of what they would need for detention ponds on their property, simply for the project to work, and that would create additional storm water storage for the entire area. He stated obviously that is an area that having additional storage would help out quite a bit.

Mr. Pape stated another concern is from obviously the neighborhood across the street, buffering from the project. He stated there would be a fairly wide landscape strip between Paul Road and where the parking lots would start. He stated their concept shows a 50 foot wide area, 4 to 6 foot berms in there to help screen the parking lots, landscape plantings, leaving some view corridors so people can tell what is there, some of the stores, showing some of the more active architecture, but screening the less attractive parking lot areas.

Mr. Pape stated they have heard several other concerns, things like site lighting, things of that nature that are probably more detailed than they need to get into now. He stated they will certainly have plenty of opportunities to work through the details of the projects as they move forward, but

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they are compiling a list of concerns that they will work with the community and the Town to address as their project moves forward.

Mr. Pape showed the Board a few more slides that give a feel for the architecture. He stated these are conceptual renderings to try to give a feel for what they are looking to do here. He stated they would come up with an architectural feel that the Town is happy with, that everybody would feel is something that would be several steps above what the Town has anywhere here now, that they could hold up as an example for future development.

Mr. Pape stated in the landscaped areas, they are looking at creating a gathering area in the center area with some green space and some areas for benches to gather.

Mr. Pape stated he wanted to keep it brief tonight because he knows they don't want to keep people here too late after the long start to the meeting already. He stated they are not asking for any action tonight. He stated they wanted to give the Board the same courtesy they gave to the community when they met a few weeks ago.

Mr. Pape stated he would entertain any questions. He stated they look forward to working with the Town and the community in the future.

Supervisor Logel stated she called and asked if they would take a look at another site in the town, the one that is basically across from the plaza. She asked did they get a chance to talk to the Fire Department or Mrs. Longbine or any of the people that she gave the names of to contact. Mr. Pape stated they did. He stated he didn't want to cover that in the presentation because he wanted to get things out as far as what they are looking at.

Mr. Pape stated first of all, they are certainly being pushed by some of their national tenants that they feel the location of Paul Road is where they need to be if they'll be in Chili, to be next to Wegmans and take advantage of the existing commercial there. He stated they did look at that site and found that for the Fire Department, in their discussions with them, it would be very difficult, almost impossible for them to move. He stated there is a cell tower on the site that is there and that is income for the Fire Department that would be an issue.

Mr. Pape stated there is a piece of property on the corner there that is already under contract for somebody else for development. Supervisor Logel asked if the Longbine property is under contract. Mr. Pape stated they were not sure who, but they said it is under contract with somebody.

Mr. Pape stated they have a stream through the site. Mr. Pape stated one of the most significant site issues is they would get rid of the ball fields and the parks in the area.

Mr. Pape stated they definitely looked into it, but that site is virtually impossible from a standpoint of moving the Fire Department and the highway garage and all of that. He stated eliminating the parks doesn't seem practical, but they have looked into that.

Supervisor Logel asked have they looked at any other sites in the town. Mr. Pape stated their retailers are saying if they're going to land here, they need to be there. He stated they're not interested in going further out from the existing commercial activity that is there.

Councilman Slattery stated the developers started out by thanking them for letting them come in. He stated he did not want to be negative, but the Supervisor put it on the agenda, so they are here. Councilman Slattery stated he thinks this is premature.

Councilman Slattery stated he and Mr. Pape spoke when they were at the Master Plan Update Committee meeting. He stated he thinks this is premature because the Master Plan Update Committee is reviewing some of the issues within the Town within the master plan. He stated he thinks it is premature that they are here tonight.

Councilman Slattery stated Mr. Pape also sent each of the Board members a letter inviting them to the public information meeting that they held at the Chili Senior Center. He stated he knows the

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Supervisor and none of the Board members were there. He stated Mr. Pape also requested to speak to the Master Plan Update Committee, which he is liaison to. Councilman Slattery stated they do not want to give the public any impression they are leaning toward any project. He stated if they allow them to come in then, they have to allow everybody else to come in.

Councilman Slattery stated the reason he thought this is premature tonight is because of the reasons he just stated with the master plan update. He stated the Planning Board, they need to hear from them. He stated they could give their presentation to the Town Board at that time, at a later date.

Councilman Slattery stated one thing that he thought is very important is the public perception on this Board. He stated his wife was out today at a public place and a woman said that the Town Board is for this project; it's a done deal. Councilman Slattery stated he was going to clear the air right now and he would tell the public, and he would tell the Town Supervisor, that it's not a done deal. He stated there is a lot of work that would have to be done before this does go forward, and he was not saying that it will. Councilman Slattery stated he was just saying that he has not said that he is for this. He stated he hasn't said that publicly he was against it. Councilman Slattery stated he just wanted to make that perfectly clear tonight.

Councilman Slattery stated he thought it is important for the amount of effort they are putting forward that they do hear from the Town Supervisor if this is something that she's looking for to come to this community. He stated he thought that is very important.

Councilman Slattery stated they did mention the wetlands permit. He asked if basically the information that they supplied to them, is that the same information that is up on the screen. Mr. Pape stated it is.

Councilman Slattery stated the Master Plan Update Committee is getting pressure, political pressure that is being put on that committee to push this through, and they're staying strong, and they're not being influenced by outside sources. He stated he thought that is very important, that some of the political pressure that is being put on them by certain people, that they are standing strong and staying true to what their task is. He stated that is to do what they feel is in the best interest of this community. He stated so he applauds the Master Plan Update Committee for the job they have done so far.

Mr. Pape stated he agrees. He stated the reason they asked if they could come before the Master Plan Update Committee was, when it was kicked from the planning commission down there, or tabled, they felt like the Master Plan Update Committee might be interested in hearing this. Mr. Pape stated as soon as they said they were not interested, he feels like they backed off. Mr. Pape stated so they understand and they respect that Committee's ability and they are not here to ask for something. He stated they just wanted to give the same courtesy they gave the community, to let the Town Board hear about the project because they are concerned there was misinformation out there. He stated they wanted the Town Board to at least hear it from their mouths. Mr. Pape stated he expects to have to do this in the future and they don't anticipate it is a done deal.

Councilman Slattery asked Mr. Pape if they have pressure from their tenants to move forward. Mr. Pape stated absolutely. Councilman Slattery stated they are getting pressure to move forward with this as well, but they want to make sure they do their due diligence in what the Master Plan Update Committee does, what they're supposed to be doing, and that is looking out for the community and looking out for the information that is out there.

Councilwoman Ignatowski stated her comments echo what Councilman Slattery stated. She stated she would have to take into consideration what the Master Plan Update Committee has to say, along with the survey results, the citizens' desires, in addition to what is best for the Town. She stated so it probably is a little premature coming in at this point. Councilwoman Ignatowski stated a rezoning request will have to come in any way. She stated she certainly appreciates an effort of them trying to give information, but the timing is just off a little bit.

Councilwoman Sperr stated Councilman Slattery stated that they haven't heard from the Supervisor as to what her position is on this project. Councilwoman Sperr stated the Supervisor has put out a

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lot of letters and written columns, letters to the editor. Councilwoman Sperr stated she would like to hear from the Supervisor if she is sitting here tonight in favor of this project.

Supervisor Logel stated she is here to hear what they are hearing and to decide what the public needs best by basically the recommendations that come back. She stated the developers have a right, as anybody does, to come into the Town to ask for a presentation, to ask for it to go to the Building Department, to come before the Planning Board, same as any other development that comes to the Town of Chili. Supervisor Logel stated she has to be open, as they all should be open as elected officials, to both sides of the issue and they have to see what is best for the Town.

Councilwoman Sperr stated she would agree they have to be open on both sides of the issue, but usually in a situation like this, when the Supervisor has written a lot about this and there is political pressure that has been put on the entire Board, the Supervisor usually is behind the project and leads that effort, and it is appearing to her that that is the case.

Supervisor Logel stated most of her articles have been to clear up any misconceptions out in the community. She stated one of the misconceptions she intends to write about in her article and she has written an article this week on is the misconception of all of the information and phone calls she got regarding COMIDA funding and the information that was told to many of the senior citizens regarding the tax breaks that would be given regarding this project.

Supervisor Logel stated she contacted the County, has worked with the County and has been assured that there are no tax break requests, no COMIDA funding to come in. She stated she learned a lot about COMIDA this week. She stated actually at the County Legislature she was involved to a certain extent but not to the extent where she could understand and explain it in easy laymen's terms. Supervisor Logel stated one of the things about COMIDA funding is, what people don't realize is, from what was fed back to her, there were a lot of questions about Wegmans getting funding and not paying any taxes. She stated that is not true. She stated she has been assured by the Assessor that they were paying taxes.

Supervisor Logel stated one of the things she did find out is in 1994, the rules regarding COMIDA changed, and retail establishments no longer could qualify except in specific circumstances such as a blighted area. She stated everybody was throwing around the fact that a Target in Irondequoit had gotten a tax exemption and therefore, this would be applied to this Target. She stated what she found out was that because the Irondequoit Mall was considered a blighted area and it fell into an Empire Zone. She stated because they were using an enticement to get a developer to purchase it and rebuild it, they said to the developer, two pads could be qualified for COMIDA funding, or COMIDA tax breaks and one of those happened to be a Target that got put on those, but no other Target or retail establishments can have any kind of COMIDA tax breaks unless there are very extenuating circumstances and it is requested by the Town. She stated the Town has to request that it be given to them, in addition to the school district and in addition to the County. She stated so it is a three-way agreement.

Supervisor Logel stated as an example, a piece of property that has a value of say \$100,000, a vacant piece of property, times the tax rate in Chili of \$3.81, means they would pay \$3,800 in taxes just on the property. She stated in addition to the fact that if they had the COMIDA tax break and they put a million dollar building on there, the first year, it is 50 percent. She stated so they would be taxed on the \$500,000. She stated they would be taxed at 500 times \$3.81, additional, so in total, the taxes paid for that first year would be like 23,000, using those rounded out numbers. Supervisor Logel stated then each year after that it, would go up 5 percent to year 11 when they would then pay in full.

Supervisor Logel stated a statement was made here in this room, which she would really like to correct and she will write about in another article. She stated she heard at their last Town Board meeting a comment made that when a project comes to Town, like in Wegmans' case, let's say 8 million or 10 million and they have a tax break, and because they're not paying any taxes, that assessed value is then added to the overall town tax value and then what happens is the citizens, is what the statement was made, would pay those additional taxes. Supervisor Logel stated that is totally untrue, and those kinds of statements are what she has been trying, through articles in the

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paper, to clarify.

Supervisor Logel stated whether this project is done or doesn't get done is irrelevant to the whole situation of answering questions in her articles and her answering the questions that are out in the community when the people ask them.

Councilwoman Sperr stated they are being asked if they are in favor of this project. Supervisor Logel stated they should answer for themselves and not for the Town Supervisor. Councilwoman Sperr stated she was not answering for the Supervisor. She stated she was asking the Supervisor tonight to tell them what she felt.

Supervisor Logel stated she is open one way or another. She stated she wants to see what the public feels they need, what she feels they need. She stated she wants to see the results of the survey. She stated they need the results of the survey and the results of what the Master Plan Update Committee recommends and what their Planning Board suggests.

Councilwoman Sperr stated that is fine. She stated she would like to reiterate and state she has made no public statement in favor nor against the project. Supervisor Logel stated neither has she.

Councilwoman Sperr stated she has been receiving a lot of pressure politically to step up and take a stand on this. She stated the Supervisor was the one that promoted the idea of forming a Master Plan Update Committee and the Planning Board took that suggestion, and decided to not hear that application, to hear the results of the Master Plan Update Committee. Councilwoman Sperr stated she finds it a little irregular to be put in a position tonight to sit and listen to this presentation, no offense to the developers. She stated it looks very nice, but it is the fact that it is putting the cart before the horse to have them come here before they have been able to receive and discuss the information that has been put forth.

Councilwoman Sperr stated and the task given the Master Plan Update Committee had nothing to do with this Target project. She stated they gave them areas of town that they asked them to look at. She stated this project just happens to want to go in an area they were looking at. She stated she thought they can expect the Master Plan Update Committee to say thumbs up or thumbs down on this type of proposal.

Councilwoman Sperr stated she also was at an event today and was told by the people at the table with her that this was a done deal. She stated she gets a little bit upset that people think that everything in this Town is behind closed doors and that things are a done deal. She stated that is not the case, as far as she was concerned. She stated she just wanted to make that clear.

Councilwoman Ignatowski stated she did have one other question. She stated she had wondered herself about this project coming in on the other side of Wegmans, and being able to gain access by the bar that is up for sale right now called Mike's Bar and being able to gain access off Chili Avenue, utilizing the land behind there. Councilwoman Sperr stated that's not their discussion. Supervisor Logel stated that was an interesting proposal.

Supervisor Logel thanked Mr. Pape for coming in and doing the presentation.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Thirteen speakers addressed the Town Board on various subjects, and the Public Forum concluded at 8:44 p.m.

### **TOWN LIAISON REPORTS:**

#### Conservation Report by Virginia Ignatowski

Councilwoman Ignatowski stated the Conservation Board met this past week. She stated Roberts Wesleyan came in with their landscaping plans for the proposed parking lot and they were approved. She stated actually everything else on the Planning Board agenda was not applicable to them, and they spent some time actually discussing an agenda item pulled, so there is no sense giving a report on that.

Drainage Report by Virginia Ignatowski

Councilwoman Ignatowski stated there have been two meetings since their last Town Board meeting, the way the dates fell. She stated she would cover the first meeting first that occurred at the beginning of March. She stated Joe Carr reported some work had been completed by his department of general drainage courses maintenance, structure maintenance, ditch cleaning on Paul Road, sewer pipe work on King Road and they did some general brush and leaf collection.

Councilwoman Ignatowski stated the Drainage Committee also looked at some improvement work on Wadsworth Road. She stated as far as Wadsworth Road is concerned, there was discussion at that meeting, as well as this past meeting, so she would bridge the two meetings here, on the drainage easements with Bowen Road, Wadsworth and the subdivision over there. She stated there has also been an e-mail regarding that. Councilwoman Ignatowski stated the two ends of the project have been completed but the middle piece was not because people were reluctant to give easements for it. She stated discussion went further on to at this point, that after they completed those two ends, it looked like there was a lot of improvement in the area for the drainage concerns and so it was Joe Carr's position at this point to not proceed forward with trying to get those easements. Councilwoman Ignatowski stated he expressed a concern, as did some of the other Drainage Committee members, that this hasn't really been tested under a severe situation of a large snow melt, heavy rains, that sort of thing. She stated he would really like to make sure that this is an okay situation and that perhaps they can include their new engineer to the Town and have him take a look at this and see if he has the same opinion, and also perhaps include in their attorney for the special districts, Marcia Havens, to see if they should proceed forward with this or not.

Councilwoman Ignatowski stated there is just a concern if a tree should fall down in that area or they need to get into there for some cleaning for that drainage course, that that be accomplished. Councilwoman Ignatowski stated she thought that that would be a prudent thing to do, is to lay out that and get the input from additional people on that particular situation. Supervisor Logel stated she agreed.

Councilwoman Ignatowski stated so she did not know how they would want to work that out with contacting Marcia Havens. She stated they would need to get some kind of a ruling on that.

Councilwoman Ignatowski stated the Drainage Committee had a meeting just last night, and they just had another person just resign from the committee. Councilwoman Ignatowski asked Richard Brongo if he had received that letter of resignation. Richard Brongo stated it was sent to Joe Carr and then forwarded to him, but all resignations need to be addressed to him to become official. He stated an e-mail was sent to notify that person of that, so hopefully he will send a resignation letter directly in to him.

Councilwoman Ignatowski asked if there has been any kind of e-mail communication or anything with Mike Bubel, because he had also given a verbal he was would resign. Richard Brongo stated he has seen nothing on that. Councilwoman Ignatowski stated they can't do anything until they get that resignation. Richard Brongo stated they can't fill the position.

Councilwoman Ignatowski stated Councilman Slattery asked her to ask if they cannot get a written resignation from Mike Bubel, what are their options. Supervisor Logel asked is there a reason why they think they wouldn't get a letter of resignation. Councilwoman Ignatowski stated she really doesn't know. She stated Theresa was getting frustrated they were not getting something from him.

Councilman Slattery stated it has been a little period of time that they haven't received it, and this is not the first time this has come up. He asked is there any recourse the Town Board has to remove them from a committee and then to fill that position. Richard Stowe stated removal of sitting members of boards that are public offices can only be accomplished for malfeasance, misfeasance. He stated it is not easy.

Richard Stowe stated this is the Drainage Committee they are talking about. Richard Stowe stated that is slightly different from the Planning and Zoning Boards that are public offices. Richard

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Stowe asked if Mr. Bubel has indicated to the Drainage Committee his intention to resign. Councilwoman Ignatowski stated he has. Richard Stowe stated he thought the best thing they can do is make sure that the committee knows that they all need to contact their Town Clerk in order for letters of resignation to be official.

Richard Stowe stated if, in fact, there is a way to contact Mr. Bubel, he would be happy to write a letter that explains why they need him to simply sign the bottom of a letter that he could provide him with, addressed to the Town Clerk. He stated they just can't remove him.

Councilwoman Ignatowski stated Joe Carr had given his report about the work completed by the Public Works and they had done some piping on 49 Hallock.

Councilwoman Ignatowski asked if Joe Carr wanted to make a comment about 3720 Chili Avenue, because that was part of the discussion at the meeting last night. Supervisor Logel stated she wanted clarification of Mrs. Wilcox's statement made during the public forum, the different story from what she told her. Supervisor Logel stated she only told Mrs. Wilcox what she was told by Drainage and by Joe Carr, so she was interested in what that is all about.

Joseph Carr stated the owner at 3720 contacted him about some concerns, provided some photographs and also attended at least two drainage committee meetings, expressing concern that during periods of very heavy rains, that a lot of water was coming across her backyard, from that property of Indian Hill, pointed directly at her garage and shed, expressing concerns that she could see structural damage if this continued.

Joe Carr stated after discussions with their engineer and discussions at the Drainage Committee meetings, it was agreed that he should work on a plan to somehow lend assistance to that drainage issue. He stated he developed a plan which involved constructing with 4 by 4 timbers a diverter so that as that water comes off there during heavy rains, headed toward the garage, it would be diverted around the garage and storage shed to the side, to where there is a swale that carries it out to the highway and goes under the highway and into Black Creek.

Joe Carr stated they completed about 80 percent of the work last fall. He stated they went in there last week and made some adjustments to it that they felt were appropriate to finish the work, did the topsoil, seeding, and to the best of his knowledge, the owner is satisfied that they provided protection that she had asked for.

Councilwoman Ignatowski stated the question would be then what are the parameters being set as to when they decide to go in and assist somebody as opposed to a homeowner taking care of their own problem. She stated she thought that is the gist of it.

Joseph Carr stated he thought they are all aware of the background in this general area. He stated there was a vacant parcel upgrade from 3720. He stated a home was built there. He stated whether this problem existed before that was developed, he can't answer that. He stated he knows there has been a change in ownership. He stated he went to 3720 when the older gentleman lived there and he expressed concerns to him several times about this problem. He stated the new owner has expressed concerns about that problem. Joe Carr stated whether it is fully related to the development of the 11 Indian Hill or not, he hasn't made an assessment of that.

Joe Carr stated he thought, and members of the Drainage Committee recognize, that the water is coming off that hill side during very intense rains at a great rate and volume, and it was their opinion that that shouldn't be simply left to the homeowner to have to protect themselves.

Councilman Slattery asked that home that was built on the vacant lot, was that built per plan. Joseph Carr stated to the best of his knowledge, every aspect was completed except for one item with the driveway. He stated to the best of his knowledge, everything else was completed according to the design plan.

Councilman Slattery stated he did walk it with Dave Lindsay, and there were some questions brought up out there that there were some outstanding issues. He stated Dave Lindsay was going to

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go back and review that to see if it was done. Councilman Slattery stated he hasn't heard whether it was built per plan, but from what he was shown and told, in the field, there were some outstanding issues. He stated he thought that needs to be reviewed. He stated he thinks the Building Department needs to be involved, as well, to make sure if something wasn't done, why wasn't it done.

Joseph Carr stated he has visited the site twice. He stated they received a complaint from Ms. Moynihan (phonetic). He stated they have investigated that. He stated the Town Engineer wrote a letter to her with copies to the Town. He stated what they found is a slight eroded swale headed toward that small pond. He stated he would say that it is not a question of whether the property was initially built following the plan or not. He stated he still feels that it was.

Joe Carr stated what they found has occurred after five or six years is some erosion has started to take place, very minor in nature. He stated their intent was, when the new homeowner took over the property, they were to ask him to correct that minor swale and to make a slight change in the outlet area of the pond. He stated he did not think it has anything to do with whether it was built correctly or not. He stated it has been an issue that has been there a while and there is a little clean-up to be done.

Joe Carr stated the follow-up, he is told by the Town Building Inspector, is that the party who is working to complete issues on the property, has been appraised of these two issues as recommended by the Town Engineer, has committed to their Building Inspector that he is very anxious to do this, weather permitting, and he believes they are following up on it.

Councilman Slattery stated he heard there was just the one concern, with the one pipe connecting the one pond to the other pond.

Councilwoman Ignatowski stated continuing with the Drainage Committee report, they also installed a stub outlet on Jamie Lynn and cleaned the ditch over on Paul and Chestnut Ridge Road. She stated they had a number of guests that showed up to discuss their various issues and problems. She stated they'll be looking at flooding at Yolanda Park, on the east end.

Supervisor Logel stated they have talked about Yolanda so many times. She asked are they going to be able to correct it. Joseph Carr stated to the best of his knowledge, they cannot correct the ponding that occurs in Yolanda Park. He stated what he is hoping to do is see if there is anyway they can improve the outflow area to try to reduce the amount of standing water, but certainly, during heavy rain storms, it is going to continue to be there. He stated that is the lay of the land, the contours are a thing they cannot change. He stated there are outlet opportunities.

Supervisor Logel stated she would just like to know because she has received complaints from people who live over there, because of the water there in the back of their properties. She stated it has been that way forever and ever, as far as she knows.

### Historic Preservation Report by Mary Sperr

Councilwoman Sperr stated before giving her report, she wanted express her thank yous to the community and everyone from the Town for all of the cards and letters and kind words of support that she received over the loss of her brother-in-law last month. She thanked everyone very much from herself and personally from the family.

Councilwoman Sperr stated she also just wanted to mention that they said good-bye to Linda Collinge. She stated she retired as their part-time payroll clerk and they celebrated with a little party last week. She stated they just wanted to mention that they will miss Linda Collinge.

Councilwoman Sperr stated she also wanted to welcome Jeron Rogers to his first meeting.

Councilwoman Sperr stated it would go without saying that the majority of the discussion at the Historic Preservation Board meeting had to do with the Stage Coach Inn. She stated there was an article in the Democrat & Chronicle that discussed that. She stated they had a guest, Reverend Rodney Jones, that spoke for about an hour with the Board, detailing his thoughts about the

## CHILI TOWN BOARD MEETING - April 5, 2006

proposed project, and showing his pictures of that inn as it existed overtime.

Councilwoman Sperr stated they also discussed the possibility of changing the number of years required for a landmark designation and chose at this time not to make any corrections to the Code 68 bylaws that they work under.

Councilwoman Sperr stated there is an application that is being considered for a historic home and an award certificate will be offered. She stated she did not want to give the address because they would like to surprise the recipients of this when it is presented. She stated they are working on a second application.

Councilwoman Sperr stated she will have some discussion with Chris Levey about some problems on the website, that there are designated landmarks that have been put in the section reserved for those that are in the preservation district and it confuses residents even though there is an asterisk that says they're not the district. She stated there is one section that is just reserved for that, and so she will mention it to Chris Levey.

### Library Report by Michael Slattery

Councilman Slattery stated the Library Committee has a lot of notes and meeting minutes and so forth, so he would just give everyone the cliff note version to go over it quickly.

Councilman Slattery stated there was a comment made to the Library in regards to the Town Board liaison's role. He stated he just wanted to clarify that they are not just messengers bringing meeting minutes back, that they are under Town Law, the town government is run by the Town Board as the executive administrative legislative body of the Town, so they do more than just bring meeting minutes back to the community and to the Board.

Councilman Slattery stated one thing he would like to mention is the Library Board will be forming a fund-raising committee. He stated that will be starting up soon.

Councilman Slattery stated the Friends Book Sale raised \$2,700.

Councilman Slattery stated the Highland Branch of the Library is closing in the city. He stated Mayor Duffy had an article in the paper today indicating he is opposed to it. He stated it is supposed to take place July 1st.

Councilman Slattery stated they're look to do an audit in the library. He stated they have two bids, and they're a few thousand dollars apart, so the Library has some confusion in regards to the different type of audits that both firms are proposing. He stated so they're proposing to sit down and meet with them.

Councilman Slattery stated they had 31 staff members, friends and Trustees that went to Albany for Lobby Day on the 14th.

Councilman Slattery stated there was quite a bit more information in the Library Board's meeting minutes.

### Recreation Report by Supervisor Logel

Supervisor Logel stated Breakfast with the Easter Bunny was interesting and well attended with a mix for the first time of seniors and children. She stated it was a full room. She stated it was enjoyable. She stated she thought everybody that was there had a good time. She stated the kids certainly seemed to enjoy themselves and the seniors seemed to enjoy themselves. She stated it was an interesting mix and a good opportunity to bring the two groups together. She stated they seemed to interact well.

Supervisor Logel stated the Easter Bunny was well done. She stated it was Guy Puglia's daughter who was the Easter Bunny this year.

Supervisor Logel stated there was a question that came up during the public forum regarding

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recreation and when it comes time for that agenda item, she asked if Mr. Curley would be able to stay to answer questions regard that. Mr. Curley stated he would.

Supervisor Logel stated they also have, as she understands it, but they have not got the letters yet, two individuals who are having to leave the Recreation Committee. She stated one is because of their schedule is very, very busy. She stated in this case they will have no problem getting the resignation letters. She stated she would make the names public as soon as they get the letters.

### Traffic & Safety Report by Mary Sperr

Supervisor Logel stated she forwarded to Councilwoman Sperr some concerned e-mails regarding traffic and safety. Councilwoman Sperr stated she got those. She stated there were e-mails that she received about speeding on Ballantyne, which they will discuss. She stated the meeting is tomorrow night.

Councilwoman Sperr stated she did not get a chance to attend the meeting because of the funeral last month, but she had their minutes in front of her, and Joe Carr attends all of those meetings, too.

Councilwoman Sperr stated one of the new items they discussed is about parking and traffic issues surrounding The Fathers House. She stated Mr. Trott had a meeting about putting cones on the shoulder on Paul Road to keep people from parking on the shoulder and that all cars should be parking now on the lot and exiting at Archer Road. She stated that has been an issue.

Councilwoman Sperr stated there are also people who have requested some stop signs at some intersections and Joe Carr has made phone calls to people answering their concerns.

Councilwoman Sperr stated the rest of the issues were pretty much older. She stated Item Number 1 related to a homeowner's association and signs will be put up by Friday, March 1st, for three months, the safety alert signs that they have been working on. Joseph Carr stated that was not correct.

Councilwoman Sperr stated she would refer to Joe Carr for that. She stated she couldn't tell for sure from the minutes what that was about. Joseph Carr stated it is a sign that they put up and then take down reminding people it is a four-way intersection. She stated there are two stop signs. She stated it is a special sign they developed that says, "Cross Traffic Does Not Stop." He stated it seems to have been effective. He stated at times they put it back up for a short period of time.

Supervisor Logel stated she forgot to mention that this coming Saturday is the Easter Egg Hunt for Parks and Recreation at Davis Park. She stated that is free. She stated they're doing it a little differently in that they are going to have an area where the real little ones, the little toddlers who need a parent with them will have their own separate area, and then the other children will be off to the south. She stated they had a situation last year that was a little bit harrty with real tiny ones with parents grabbing eggs almost away from some of the other little ones. She stated so they will make an absolutely separate area for the ones with the parents with them.

### Planning and Zoning Boards Report by Dennis Schulmerich

Supervisor Logel stated Councilman Schulmerich was not present for the Zoning Board and Planning Board report.

Councilman Slattery asked Supervisor Logel if there is going to be an Easter Egg Hunt for the individuals with special needs. Mr. Curley stated this year they are not doing that. He stated last year they had about four people attend it. He stated and they have talked with those group homes and they felt that the need just isn't there, whether they have the events going on at their own facilities, things like that. Mr. Curley stated if there was a need, they would continue to do it. He stated at the Chil-E Fest, they have done some things for people with special needs. He stated they used to offer a special couple hours where they would come ride the rides for free and have a meal. He stated they have not had a good response in a number of years, so it is phased out at this point.

Councilman Slattery stated he was approached by a father whose son has participated. He stated he would make sure he will talk to him. Mr. Curley stated they encourage those with special needs

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to attend their regular Easter Egg Hunt. He stated if there is a need, they will bring it back in the future.

### **MATTERS OF THE SUPERVISOR:**

Supervisor Logel stated the Town got a letter about a Harold McAlister, a 79-year-old who passed away in Chili, Indiana on March 21st, asking that they pass a resolution in his memory, so that is on the agenda tonight. She stated she did not know if anybody is familiar with the gentleman. She stated maybe back at the time when they had the Sister Cities project, they were familiar with him.

Supervisor Logel stated she was asked to announce there is going to be a National Crime Victims Rights Week April 23rd to 29th as an outreach. She stated she had a copy of the flyer if anyone was interested. She stated it is going to take place at 244 South Plymouth Avenue and they will march to the memorial in Highland Park.

Supervisor Logel stated Senator Alesi arrived unannounced at the Senior Center and basically said to Mary Ann he was giving her a \$5,000 grant that she should find something to use the money for. She stated it was a real open-ended thing, so what they have done is they have gone out and they have purchased a projector system set-up that they will be getting there that is quite sophisticated.

Supervisor Logel asked Mr. Curley if he was familiar with that. Mr. Curley stated he was. He stated there will be a pull-down screen with a projector hung at the top of the room so they can watch movies, TV shows. He stated Mary Ann has started a program, he thought every other Friday, or once a month, where she has popcorn and movies. He stated she is getting a pretty good turn-out. He stated that was kind of the energy to focus on this type of purchase. He stated so it is going to be a good asset for the Senior Center.

Supervisor Logel stated someone mentioned that she wrote an article about Walgreens paying so much in taxes, but she hasn't written any articles about Walgreens. She stated the thing that she wanted to say publicly is that she has been informed on the Walgreens situation, but nothing in print, that in this particular instance, this development did not come before the Town Board for any kind of vote or input. She stated it is privately owned. She stated it is unfortunate that it never had a historic significance put on it, that they never got national landmark status or anything that would help to preserve it. She stated it is privately owned.

Supervisor Logel stated under the Constitution of the United States of America, people have the right to own, buy and sell property, and they cannot stop them from selling their piece of property to whomever they choose to sell it to. She stated they have made their decision to sell it.

Supervisor Logel stated she did not know who wrote an article or what the article was about referring to taxes and Walgreens. She stated she has not seen anything on that. She stated she has no idea what they're referring to in that particular instance.

Supervisor Logel stated as a Town Board, they have received all kinds of accusations regarding this, and it is not an issue that they have legally any right to say anything about.

Councilwoman Sperr stated since the Supervisor was just on the topic of taxes, she wanted to ask a question. She stated there was an article in the Gates-Chili-Post on March 29th that indicated Supervisor Esposito was discussing the Medicaid sales tax. Supervisor Logel stated it was Medicare.

Councilwoman Sperr stated he said it would mean a loss of \$5,000 to the Town of Gates. She asked what the effect would be on Chili.

Supervisor Logel stated Wayne Zyra came out with the suggestion that the State can intercept the sales tax that is coming to Monroe County and deduct from that up front the Medicaid money. She stated Erie and Monroe are the two counties of New York State that have sharing plans where they share their sales tax with the Town. She stated so the other counties, it would just be affecting the County budget, but in Monroe and Erie, it affects the town budgets, the village budgets and the

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school districts because of this sharing plan. She stated so the percentage that they have been told at the Council of Governments it would be would be between 40 and 45 percent of what they would normally get.

Supervisor Logel stated in checking with Dianne O'Meara, they normally get just about a million dollars. She stated so it would be a substantial amount of money that they would lose. She stated all of the Supervisors, all of the mayors, including the City, Mayor Duffy was there. She stated it would devastate the City. She stated they are talking for the City something like 40 some million dollars.

Supervisor Logel stated what they are doing is asking for a united stand of all of the towns and everybody to say to Albany, wait a minute, there are two counties this is not going to work in, because you will have a devastating effect. She stated they have no place to pass it to.

Councilwoman Sperr stated she didn't know what to say. She stated they had not discussed any of this. She stated she has had people asking her. Supervisor Logel stated it just came out and Ralph Esposito put the article in his part of the paper. She stated the school districts were just called this week because they're looking to go public with it. Supervisor Logel stated she got a phone call from WXXI. She stated the day they were informed, actually, they came out and talked to her about it.

Supervisor Logel stated they are reluctant to say too much because they really don't know exactly the full impact of it until they decide, so they need to be letting their State delegates know how much this will impact them.

Councilwoman Sperr stated one of the reasons she brings it up, she feels at a loss, because the Supervisor had this information, and it is not shared with the Councilmembers, and then people call and they have absolutely no idea what is going on.

Supervisor Logel stated she just got it from the Supervisors' Association on Friday. Councilwoman Sperr stated the Supervisor had that amount of time then. She stated since that newspaper article came out, she has received calls. Supervisor Logel stated she has not written anything on it.

Councilwoman Sperr stated in the future if the Supervisor could keep them abreast of that, she would appreciate it.

Councilwoman Ignatowski stated she has not gotten copies of committee minutes such as Historic Preservation. She stated she did not know if it has been conveyed that all of the Town Board members get copies. Dawn Fote, the Supervisor's secretary, stated that was probably her fault. Councilwoman Ignatowski stated it is probably just something she didn't know.

The 3/1/06 Town Board meeting minutes were approved as corrected.

### **REPORTS SUBMITTED:**

Comprehensive Plan Update Committee Minutes – 1/5/06, 1/11/06, 1/31/06, 1/3/06, 2/9/06

Conservation Board Minutes – 1/30/06

Historic Preservation Minutes – 1/9/06

Library Minutes – 2/28/06

Planning Board Minutes – 2/14/06, 3/14/06

Traffic & Safety Minutes – 3/2/06

Zoning Board – 2/28/06, 3/28/06

Town Clerk Report – February 2006

Community Center Revenue Report – February 2006

Recreation Revenue Report – February 2006

Senior Center Revenue Report – February 2006

2005 Annual Financial Report Update Document

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**RESOLUTION #140 RE: Authorization of Attendance to Educational Seminar**

**Offered by: Councilwoman Ignatowski**

**Seconded by: Councilman Slattery**

**BE IT RESOLVED** that per the recommendation of Jim Christian, Fire Marshal Jim Christian and Scott Miller, Deputy Fire Marshal be authorized to attend an Educational Seminar at The Wishing Well Rochester, NY regarding the Fire Code of NYS on May 17 & May 18, 2006 at a cost of \$120.00 each plus mileage.

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #141 RE: United Way Campaign Incentives**

**Offered by: Councilwoman Ignatowski**

**Seconded by: Councilman Slattery**

**BE IT RESOLVED** the Town Board of the Town of Chili authorizes its United Way Campaign Coordinator to seek donations from commercial enterprises to use as incentives to encourage employee participation.

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #142 RE: Sixth Annual Town Finance & Management School**

**Offered by: Councilwoman Sperr**

**Seconded by: Councilwoman Ignatowski**

**BE IT RESOLVED** Dianne O'Meara, Director of Finance, is authorized to attend the NYS Association of Towns "Sixth Annual Town Finance & Management School" May 10-12, 2006 at Woodcliff Lodge at a cost of \$200, plus mileage.

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #143 RE: 2006 Chil-E Festival Fireworks**

**Offered by: Councilman Slattery**

**Seconded by: Councilwoman Ignatowski**

**WHEREAS**, two proposals were received for providing a fireworks display for the 2006 Chil-E Festival each in the amount of \$6000.00 from the following vendors:

Young Explosives Corporation  
Pyrotechnico

**NOW, THEREFORE, BE IT RESOLVED** that per the recommendation of Michael Curley, Parks and Recreation Director, that Supervisor Logel is hereby authorized to enter into a contract with Young Explosive Corporation for the provision of professional fireworks display at the 2006 Chil-E Festival in the amount of \$6000.00 to be paid from Account A7550.4 (Celebrations).

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #144 RE: 2006 Chil-E Festival Entertainment**

**Offered by: Councilwoman Sperr**

**Seconded by: Councilwoman Ignatowski**

**WHEREAS**, the Director of Parks and Recreation recommends the Town of Chili enter into an

agreement with The Rainbow Talent Agency to provide entertainment at the 2006 Chil-E Festival,

**BE IT RESOLVED** that Supervisor Logel is hereby authorized to sign a contract with Carl Labate of the Rainbow Talent Agency, to provide entertainment at the 2006 Chili Festival. The amount of the contract will be determined once sponsorship money has been received and the Chil-E Festival entertainment budget has been set with the contract to be paid from account A7550.4. (Celebrations).

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #145 RE: Parks and Recreation Master Plan**

**Offered by:** \_\_\_\_\_

**Seconded by:** \_\_\_\_\_

**WHEREAS**, the Town of Chili will be applying for grant money for an improvement project to the Baker Property and one of the grant criteria is that the proposed project be included as part of an adopted Parks and Recreation Master Plan,

**WHEREAS**, the Director of Parks and Recreation recommends the Town of Chili take the steps necessary to adopt the current Parks and Recreation Master Plan with the attached amendment to the Baker Property Section so the grant application process can continue,

**BE IT RESOLVED** that Chili Town Board hereby designates itself as lead agency for SEQR purposes and schedules a public hearing on the proposed plan for May 3, 2006 at 7:00pm.

Motion to table:

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

On the motion to table: APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #146 RE: Authorization of Attendance Spring 2006 Regional Local Government Workshop**

**Offered by: Councilwoman Ignatowski**

**Seconded by: Councilwoman Sperr**

**BE IT RESOLVED** that per the recommendation of Jeron Rogers, Director of Engineering/Planning be authorized to attend the "2006 Spring Regional Local Government Workshop" May 19, 2006 at Burgundy Basin Inn at a cost of \$40.00 plus mileage.

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #147 RE: ORDER ESTABLISHING THE EXTENSION OF THE CHILI CONSOLIDATED DRAINAGE TO SERVE THE AGOSTINO BALSAMO PROPERTY TAX MAP NO. 158.020-01-022.000 LOCATED AT 353 CHILI-SCOTTSVILLE ROAD, CHURCHVILLE, NY 14428, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK**

**Offered by: Councilman Slattery**

**Seconded by: Councilwoman Ignatowski**

**WHEREAS**, at a regular meeting of this Town Board held on March 1, 2006, Resolution # 129 was adopted approving an extension of the Chili Consolidated Drainage District to serve an area wholly within the Town of Chili described as follows: the Agostino Balsamo property tax map no. 158.020-01-022.000 located at 353 Chili-Scottsville Road, Churchville, NY 14428; and

**WHEREAS**, the Town Board's determination that it is in the public interest to assess all expenses of the Chili Consolidated Drainage District, including this extension and all extensions heretofore or hereafter established, as a charge against the entire area of the district, as extended, was subject to a permissive referendum pursuant to Sec. 206 a of the Town Law; and

**WHEREAS**, a notice of resolution subject to a permissive referendum containing an abstract of the Town Board's determination was published and posted as required by law; and

**WHEREAS**, no petition requesting a referendum has been filed;

**NOW, THEREFORE, IT IS ORDERED**, that the Chili Consolidated Drainage District is hereby extended, as of this date, to include an area wholly located within the Town of Chili, County of Monroe and State of New York, pursuant to the terms contained in the Town Board Resolution #129, dated March 1, 2006; and said area to be included in said extension is more particularly described in Schedule A which is attached hereto and incorporated herein by reference, and it is further

**ORDERED**, that the Town Clerk is hereby directed to certify a copy of this Order and forthwith cause said copy to be recorded in the Office of the Monroe County Clerk in which County the Town of Chili is situate and to forward a certified copy of the same (in duplicate) to the New York State Department of Audit and Control.

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

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #\_148\_\_ RE:\_ Bike Ride for National Center for  
Missing & Exploited Children**

**Offered by: Councilman Slattery**

**Seconded by: Councilwoman Ignatowski**

**WHEREAS**, the National Center for Missing & Exploited Children has once again asked for the Town's permission to have their May 19, 2006 one hundred mile bike ride come through the Town of Chili on Westside Drive, Chili Center Coldwater Road, Chestnut Ridge Road, Chili Avenue, Archer Road and Ballantyne Road from approximately 10:00 a.m. – 10:30 a.m. to spread the awareness about the plight of missing children and share abduction and exploitation prevention educational materials with children along with raising funds for their agency services.\_ This race has been held for the past five years.

**AND WHEREAS**, they have provide a certificate of insurance naming the Town as an additional insured;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby authorizes the National Center for Missing & Exploited Children to have their bike ride go through the Town of Chili on Friday, May 19, 2006 provided they notify the Monroe County Sheriff's Office at Zone C, the Chili Fire Department and Ambulance prior to the race.

**BE IT FURTHER RESOLVED** that the Town Clerk shall send notification of this resolution to the National Center for Missing & Exploited Children.

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION # 149 RE: Adoption of the Cyber Security / Information Security Policy**

**Offered by: Councilwoman Ignatowski**

**Seconded by: Councilwoman Sperr**

CHILI TOWN BOARD MEETING - April 5, 2006

**WHEREAS**, the Town of Chili does not have a formal policy governing Information Security, Cyber Security, and Notification; and

**WHEREAS**, the New York State Information Security Breach and Notification Act of 2005 requires local governments to enact a Cyber Security / Information Security / Notification Policy;

**BE IT RESOLVED** to modify the Town of Chili Personnel Policy, adopted August 21, 1996, to include the "Cyber Security / Information Security Policy".

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION # 150 RE: Appointment of Information Security Officer**

**Offered by: Councilman Slattery**

**Seconded by: Councilwoman Sperr**

**WHEREAS**, the Town of Chili does not have an Information Security Officer (ISO); and

**WHEREAS**, the Town of Chili needs to appoint such position for the purposes of the Cyber Security / Information Security Policy; and

**WHEREAS**, the duties of the Information Security Officer follow closely with the duties of the Town Clerk and the Records Management Officer;

**BE IT RESOLVED** to appoint Richard J. Brongo to the position of Information Security Officer for the Town of Chili.

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #151\_ RE:\_ In Honor of Harold McAlister**

**Offered by: Supervisor Logel**

**Seconded by: Councilwoman  
Ignatowski,  
Councilman Slattery and  
Councilwoman Sperr**

**WHEREAS**, Harold McAlister served our Sister City of Chili, Indiana as Town Historian for many years;

**AND WHEREAS**, Harold will be remembered for his dedication, service and the sharing of pertinent information between himself and our Town Historians;

**NOW, THEREFORE, BE IT RESOLVED** that this resolution in Honor of Harold McAlister shall be entered into our minute book and a certified copy shall be sent to his family.

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #152 RE: March 15, 2006 Abstract**

**Offered by: Councilman Slattery**

**Seconded by: Councilwoman Ignatowski**

**WHEREAS**, January 4, 2006 Resolution #1 authorized vouchers to be paid March 15, 2006 by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 1019-1215 totaling \$1,104,065.95 to be paid from the Distribution Account as presented by Richard Brongo, Town Clerk

CHILI TOWN BOARD MEETING - April 5, 2006

**NOW, THEREFORE, BE IT RESOLVED** to note for the record vouchers 474-683 were paid from the following funds:

General Fund	\$ 55,769.42
Highway Fund	\$ 51,363.26
H35 Chili Avenue Widening D017381	\$ 12,667.11
Chili Fire Protection District	\$971,792.99
Park Place Sidewalk District	\$ 1,954.88
Special Light Districts	<u>\$ 10,518.29</u>
Total for Abstract	\$1,104,065.95

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #153 RE: April 5, 2006 Abstract**

**Offered by: Councilwoman Ignatowski**

**Seconded by: Councilwoman Sperr**

**BE IT RESOLVED** to pay vouchers 1350-1638 totaling \$308,081.13 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

General Fund	\$129,800.91
Highway Fund	\$ 82,939.31
Library Fund	\$ 965.00
H35 Chili Avenue Widening D017831	\$ 147.00
H39 Union Street Highway	\$ 33,262.21
H42 Annual 2005-6 Reassessment	\$ 3,600.00
Consolidated Drainage	\$ 28,853.40
Chili Fire Protection District	<u>\$ 28,513.30</u>
TOTAL	\$308,081.13

APPROVED BY A VOTE OF 4 YES

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The next meeting is Wednesday May 3, 2006 at 7:00 p.m. The meeting will be held in the Chili Town Hall Main meeting room.

The meeting was adjourned at 9:50 p.m.