

CHILI TOWN BOARD
April 16, 2008

A meeting of the Chili Town Board was held on April 16, 2008 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Supervisor David Dunning.

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

ALSO PRESENT: Richard Brongo, Town Clerk; Dawn Forte, Supervisor's Secretary; Sandy Hewlett, Stenographer; David Lindsay, Highway Superintendent/Commissioner of Public Works; Chris Karelus, Building Department Manager; Dianne O'Meara, Director of Finance; Keith O'Toole, Assistant Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Richard Brongo.

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

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Seven speakers addressed the Town Board on various subjects, and the Public Forum concluded at 7:37 p.m.

TOWN BOARD LIAISON REPORTS:

Conservation Board Report by Virginia Ignatowski:

Drainage Committee Report by Virginia Ignatowski:

COUNCILWOMAN IGNATOWSKI: Conservation and Drainage have not met since our last meeting.

Architectural Advisory Committee Report by David Dunning:

SUPERVISOR DUNNING: Nothing on Architectural Advisory.

Planning Board Report by Dennis Schulmerich:

COUNCILMAN SCHULMERICH: Planning Board did meet on April 8th. I was on company business, but I did have a conversation with Mr. Martin regarding the meeting, and Heritage Christian Services did, in fact, present at that meeting and they were tabled pending further information, so I would reinforce comment made earlier that those that have an interest in Heritage Christian Services, attend the Planning Board to speak, as well as what they have done here tonight. We do appreciate your being here this evening.

The decision-making process -- and I will agree that the Town Board does appoint the people to Boards, but once they are appointed, we cannot intervene in their decision-making process. We're not allowed to do so. So I understand the perspective and the interest you have, a place to share your concerns, such that the Planning Board can react to your concerns. They are the decision-making body in this case. I would suggest you attend the next Planning Board meeting where this is on the agenda.

Niagara Car Wash came in for a conditional use permit renewal, and as a result of some of the conversation residents had, the decision was made to only approve it for one more year with four conditions, so we'll be watching the performance of that business as we go through the next year.

Target was on the table for final subdivision approval, and that did get approved.

There was also two informals, one related to Target and the final site plan approval, and the second regarding the Microtel, so the informals were basically information. For those that don't attend regularly, the informal is the first opportunity for an applicant to bring information to the Planning Board. It is not a public hearing. It's just information for the applicant to talk to the Planning Board, and it is in preparation for them to come before the Planning Board with a formal application.

That's all I have.

Zoning Board Report by Dennis Schulmerich:

COUNCILMAN SCHULMERICH: Zoning has not met.

Library Board Report by Michael Slattery:

COUNCILMAN SLATTERY: Library. Supervisor, before I go to Library, we have our attorney for the Planning Board here. Is there anything -- I thought Denny (Schulmerich) did a good job in explaining how the Town Board cannot influence the Planning Board in any way. Is there anything you would like to add in regards to that?

KEITH O'TOOLE: Well, I would agree with Councilman Schulmerich. They're public officers. Once appointed, they serve out their term. They're not under the control of the Town Board.

COUNCILMAN SLATTERY: Thank you. I appreciate that. I think that is very important that the public is aware of that. But thank you.

Library. The multipurpose room, the heater that was in that area of the library has failed and it is under warranty and it is being worked on.

Also, Dave Tyler (phonetic) installed a new oak stain shelving unit, a corner unit, as well, and actually he did a fabulous job and the funds actually came from the funds of the library and the memorial funds, so if you get an opportunity to see that, it has some beautiful glass doors and so forth.

The Girl Scouts actually just completed their community project with 15 hours each to earn their Senior Girl Scout Bronze Award, and they were very helpful in the library, as well.

So that's all I have.

Historic Preservation Board Report by Mary Sperr:

COUNCILWOMAN SPERR: Um, yes. We just held our last meeting this past Monday, and at that meeting there was a discussion surrounding the Chili Center Development Committee or the Ad Hoc Committee that the Town Board held a workshop on in the past that they were asked to participate. This will be a member from the Historic Preservation Board that will sit on that Committee and the name they will get over to the Supervisor's office.

Um, they also discussed the situation with demolition orders. The Historic Preservation Board had requested of the Building Department that any time that they were aware that a building was going to be demolished, that the Preservation Board had an opportunity to be notified about that and to be able to document those sites. And it had come to their attentions that several houses and places were knocked down and they had not been notified.

So that since has been discussed with Chris (Karelus) and they're working on that and he has already since notified them of some that are going to be coming up, so we thank Chris (Karelus) for that.

They also discussed their involvement with the Chil-E Fest and it was kind of interesting to me. I hadn't heard this before. David (Dunning), maybe you can clear this up. They mentioned that there was some discussion about possibly having a contest to rename the Chil-E Fest and that was the first I had ever heard of that. So that --

SUPERVISOR DUNNING: First time I have heard of that, too. We -- we have talked.

We have talked about that, but that is the first I heard about a contest to rename the Chil-E Fest.

COUNCILWOMAN SPERR: I just thought I would bring to it your attention. I would like to hear more about that if that is the case.

Rona Pearce is also working through the Historical Society to try to help raise some funds for that and whether or not they would need to file a 501-C3 in order to receive funds.

They received a letter from Senator Schulmer's office regarding some opportunities for grant funds and are finding they may have difficulty if they don't have the 501-C3 status.

The last piece of business was old business, and they continue to work on the cobblestone society report. They have reviewed their rough draft and continue to work on that, so hopefully they will be able to present that to the public in the coming month.

Last piece of business, Historian mentioned she will be having a regular article in the Gates-Chili Post at their option as to how often she has topics they would like to put in there, and you should see the first one this Thursday. I'm looking forward to it.

COUNCILMAN SCHULMERICH: Is there any chance when the cobblestone report is completed it can be put up on the website?

COUNCILWOMAN SPERR: There are plans for that, I imagine. It will be in printed -- Bonn (Moore), you can probably clarify that?

BONNIE MOORE: (Indicated non-verbally.)

SUPERVISOR DUNNING: Can I also ask that -- and I notice some of the people are here, so I know we're going back to the Chil-E Fest a little bit. There was some talk about the Historic Preservation Board getting involved with perhaps some activities around some of our -- the cobblestones and --

COUNCILWOMAN SPERR: They had investigated that.

SUPERVISOR DUNNING: Has anything more been talked about that?

COUNCILWOMAN SPERR: Yes. They will have a table like they did last year at the Chil-E Fest. I decided -- I believe if I have this correct, Bonnie (Moore), correct me if I am wrong, they were told if they had any activities, they had to support them outside of the -- the support of the Chil-E Fest, that they were on their own for those, and I'm not sure they have the capabilities of that Board to be able to support that idea. If you want to further discuss that with Bonnie (Moore) or Rona (Pearce) after the meeting here.

SUPERVISOR DUNNING: Yeah. We can do that. We can take that off line.

COUNCILMAN SCHULMERICH: Is it okay to make a comment?

SUPERVISOR DUNNING: Absolutely.

COUNCILMAN SCHULMERICH: To me, it would be really a wonderful experience for the Town to support having a tour, you know, even if it's a bus tour where you get a chance to drive by the different cobblestones. I'm not sure many of the residents really understand the significance of that history. If there was a way to help promote that and support it, it would be great.

SUPERVISOR DUNNING: I'm a little confused by the statement you made that there is an issue there, because that was something I had actually brought up to Historic Preservation Board to see if we could do something with this, even if we had to come up with some way to shuttle people around, to think a little bit more about that process to kind of highlight some of these parts of the Town. I'm a very strong proponent of moving forward on that, and if we're running into any obstacles of any kind, we need to talk about them so we can move forward.

DIANNE O'MEARA: It's called money.

SUPERVISOR DUNNING: Oh, well that's a different story.

COUNCILMAN SCHULMERICH: It is an obstacle.

COUNCILWOMAN SPERR: I think once they decided the Chil-E Fest was only going to last one day, that that put them in an area where there wasn't going to be a weekend where they could participate throughout that time frame with some of the activities that they had suggested. I don't know if that is also contributing to it.

SUPERVISOR DUNNING: We can take this off line and discuss it a little more. Please, let's do that.

Traffic Safety Committee Report:

COUNCILWOMAN SPERR: Traffic & Safety. I feel like Ginny (Ignatowski). Back to back.

Yes, our meeting was just held on April 3rd, and it was the first meeting that a liaison, our new liaison to the Sheriff's Department, Captain Don Bergmann attended. So throughout part of the meeting, we were bringing Captain Bergmann up to speed on how the meetings are run, with some of the old business items and it was great because having Brent Penwarden from the Monroe County DOT also sitting in there, we were getting answers to our questions immediately. And Don Bergmann, Captain Bergmann was able to weigh in on some of the situations. We no longer have to have our Chair contact the Sheriff's Department and get back to the rest of the Board.

But a couple of the topics I would like to pass along, they did discuss the signal light at the intersection of Chili-Coldwater Road and Chestnut Ridge, that it needs to be retimed. So Brent Penwarden emailed the traffic signal information to see if it can be checked. It appears it doesn't trip on one side until a car comes from the opposite direction, so you can sit there for quite a while. So they will check that. They did review the decisions that were made regarding the Target project and that advisory committee is very pleased that the recommendations were incorporated into the final plans for that Target store. And they will look to discuss this again in six months based on the Paul Road exit and the discussions surrounding our traffic light to see if in six months there may be warrants for that.

They also discussed the railroad tracks at Paul and Beahan Road again, and an item of new business, that Microtel, they are concerned about the size of the road and the width, the radius of the curb from the designs they were shown, the traffic around the building and the fact they feel the road needs to be 26 feet wide.

The Fire Chief who sits in as liaison had concerns about their access to that building, and they would like to see a traffic study done to investigate the possibility of a traffic light at Old Scottsville Road and Chili Avenue, which is almost directly across from where you would exit that -- that production.

COUNCILMAN SCHULMERICH: Any updates Union Street and Chili Avenue?

COUNCILWOMAN SPERR: The only update on that were comments that were made by Ed Walsh from the DOT and Terry Rice at the Chamber of Commerce meeting which you were at. That is the only new information I had, that Ed (Walsh) had said it wouldn't happen until 2010. So the -- so the complications for us, it was difficult for us to ask for the money because we don't own the road, and it is a funds issue. It's not a lack of desire from the DOT to want to do that project, but they don't have enough funding. So we are going to continue to pursue it. We have only been meeting -- we haven't had an opportunity to try to schedule a meeting, so we're hoping to do that.

Parks and Recreation Report by David Dunning:

SUPERVISOR DUNNING: Parks and Recreation met last week. The meeting was actually rather brief. Most of the conversation revolved around the farmers market, which I believe Michael (Curley), correct me if I am wrong, is slated to start June 14th, I believe, and it will be located or situated in the front of the Chili/Paul Village Plaza, contrary to what was originally proposed as going to the rear of the plaza. They wanted an earlier start date because the only vendor interested was a maple syrup vendor, so there would have been an awful lot of maple syrup available. So other than that, there was brief talk about the Chil-E Fest, but it was a very brief meeting.

Plumbing Board has not met.

And the Town Center Ad Hoc Committee has not been formed, so there is no report from there.

MATTERS OF THE SUPERVISOR:

New matters:

1. The National Day of Prayer will be on May 1, 2008 at The Father's House.

SUPERVISOR DUNNING: Wish to announce the National Day of Prayer will be held on May 1st. This year's venue will be at The Father's House. I believe it is from 7:00 p.m. to 8:00 p.m. where many of the local churches and ministries participate in this event. I will be over at The Father's House this year.

2. The Chili Art Group will be hosting the Spring Art Show and Sale on May 2, 2008 at Town Hall.

SUPERVISOR DUNNING: The Chili Art Group will be hosting a spring art show and sale on May 2nd. That will be right here in the Town Hall. And that is at -- I will come back to that in a minute.

3. The Memorial Day Parade will be on May 26, 2008.

And the Memorial Day parade will be held on May 26th. David (Dunning), do you need this?

SUPERVISOR DUNNING: Yes. What is the time on that, Mary (Sperr)?

COUNCILWOMAN SPERR: Um, 10:00 a.m. to 5:00 p.m., Saturday -- oh, no. The opening reception is Friday from 6 to 9. Awards presentation at 8. Saturday, May 3rd to Sunday, May 4th from 10 to 5.

SUPERVISOR DUNNING: Thank you.

Pending Matters:

1. GIS Maps (Master Plan Update).

SUPERVISOR DUNNING: The GIS maps. I have talked to -- RLB we'll be meeting next week. Have you talked to him yet?

DAWN FORTE: I left two messages. One at his work and the cell phone.

SUPERVISOR DUNNING: The maps -- I understand the RLB has the completed maps and will be coming back to review them to start working with our path forward to go on them, but the intention is to meet either Monday or Tuesday morning to start wrapping that up.

2. Chili Center Development Ad Hoc Committee.

SUPERVISOR DUNNING: Under the Chili Center Development Ad Hoc Committee, we did meet last week, a week before -- two weeks ago. The day before the last Town Board meeting and had a discussion around the Ad Hoc Committee.

So far I have contacted -- I haven't gotten information back from the Fire Department. I have contacted all of the schools. I have a meeting with Roberts Wesleyan next week. But all of the schools, they were going on break this week wanted a little more time to talk to some of the students.

There is some interest there from the high schools. I have also heard from the veterans. I also have two people from the Senior Center that are interested, as well as one resident. The Board had indicated at that time we would like to use, put an announcement or some -- solicit some input from the community and various other parts of the community, and there will be -- the Supervisor's article will contain some information and solicit some help, if you will, from our -- from the community for that Ad Hoc, and that is in the Supervisor -- will be in this week's Gates-Chili Post Supervisor's article, so that is moving along.

During that or after that meeting, there were a lot of good questions raised and a lot of good points brought up, and I would kind of like to throw something out for us to think about at this point in time. There is concerns around the property, concerns around the facility, what facility, that facility, are we zoned correctly, are we not zoned correctly, do we need more commercial, do we not need more commercial.

I know last year before the budget was approved, everybody was pretty strong about it, very insistent upon making sure we had money set aside this year to start the comprehensive plan review.

COUNCILWOMAN SPERR: Yes.

SUPERVISOR DUNNING: I would like to see if we couldn't move forward at this time or begin to start to move forward on perhaps getting an RFP together, so we can go out and perhaps get this under way and start this comprehensive review now.

COUNCILWOMAN SPERR: That's funny, because I was going to raise tonight when we had this issue here that maybe this Ad Hoc Committee could parallel the Master Plan Comprehensive Plan Committee or some of the members on the Ad Hoc Committee could be a subset -- that Committee could be a subset of the Master Plan and some of the members should be on both or something to that effect, because if -- because if history tells us it takes over two years to complete a comprehensive plan, that the longer we wait, our comprehensive plan could very well expire before we vote in a new one. And I'm concerned with this process with the Ad Hoc will hold up that --

SUPERVISOR DUNNING: And I would hope that it wouldn't hold up anything, but I'm looking at Monday we had set aside and perhaps take benefit of perhaps whoever we decided -- whoever we bring in as our consultant -- thank you. As our consultant for this project, um, that they can also -- we could use them as a benefit to this Committee also. I would just like to throw it out to the Board to view your thoughts on beginning on getting started with this comprehensive plan or at least get the process rolling now.

COUNCILWOMAN IGNATOWSKI: Supervisor, as you know, I had a conversation with you last week actually requesting that take place, so you know where my position is.

COUNCILMAN SCHULMERICH: From my point of view, if we are able to engage that now, um, it would seem to me that rather than have the Ad Hoc Committee running in parallel, and to some degree unbridled from the process to literally consider making Ad Hoc a subcommittee of the Master Plan Committee that would be charged with the Chili Center corridor, so it would really not be a disassociated Committee but literally be a subcommittee of the Master Plan.

COUNCILWOMAN IGNATOWSKI: That would be hopefully able to accomplish their work on an accelerated path so -- we already had a number of studies and efforts put forth in that, and they could feed that eventually into the plans, but I think there are --

COUNCILMAN SCHULMERICH: They should out pace the Master Plan, absolutely.

COUNCILWOMAN IGNATOWSKI: That is kind of my conversation with Supervisor Dunning. I -- that's my thought process, as well.

COUNCILWOMAN SPERR: I would agree.

COUNCILMAN SCHULMERICH: A stellar thought process.

COUNCILWOMAN IGNATOWSKI: Thank you. The brain works sometimes, huh?
(Laughter.)

SUPERVISOR DUNNING: If we're going to move forward on this now, I would ask a little for your help. This is my first experience. I know some of you worked for this before. The direction in moving forward, I would -- I would assume we would want to at least assemble an RFP to get a consultant, which would probably be our first objective.

COUNCILWOMAN SPERR: Yes.

SUPERVISOR DUNNING: And in assembling that, I would assume I would take the lead role in putting this together, and using or hopefully perhaps using a previous RFP to kind of shape it.

COUNCILWOMAN SPERR: There should be.

SUPERVISOR DUNNING: We could work with everybody on the Board as we move forward with the approval on what the requirements are and what we're looking for.

COUNCILWOMAN IGNATOWSKI: I would look at the 1990 -- when this one was written, so I would imagine somewhere in the late '80s is when that --

COUNCILMAN SLATTERY: And also check with Counsel, as well.

SUPERVISOR DUNNING: Yes.

SUPERVISOR DUNNING: Everybody okay with that? All right.

The 3/19/08 Town Board meeting minutes were approved as submitted.

REPORTS SUBMITTED:

Community Center Revenue Report -- March 2008

Recreation Center Revenue Report -- March 2008

Senior Center Revenue Report -- March 2008

Conservation Board Minutes -- 3/3/08

Library Board Minutes -- 2/26/08

Planning Board Minutes -- 2/12/08

Town Clerk Report -- March 2008

Traffic & Safety Minutes - 3/6/06

CORRESPONDENCE:

1. Mr. Brongo has received formal notification from Chili Country Club, Inc., 760 Chili Scottsville Road, Scottsville, New York 14546 that they have made application for a rider (Golf Cart w/beer) to their Liquor License application with the State Liquor Authority.

OLD BUSINESS:

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I know there was questions about certifications and security, and actually I know we have Jack (Stuart) with us here this evening. Michael (Curley) is here also who put this together. As I -- actually, Jack (Stuart), if you could share with us a little bit about the certification process or what is required of you.

MR. STUART: Thank you. Jack Stuart from Protect Security. We have been doing the park security, I think, for about the last 12 years. I would just like to pass along a couple things. There was a question in reference to how many holidays. I believe there are three. Memorial Day, 4th of July and Labor Day are the only three holidays.

Number 2, in reference to certification, I'm not exactly sure where the gentleman got his paperwork, but I submitted to Michael (Curley) right off the New York State Security training site which indicates all of the requirements for security officers in New York State, and there is a chart that is available there, and on the chart it shows that New York State makes police officers exempt from this 8-hour, 16-hour course and also retired police officers. And I think the State in its infinite wisdom understands that six months of academy training and probably years of working on the streets does a lot more than eight hours a year training for a security guard. So that is really not a requirement the -- the -- that we would have to worry about.

The majority of the officers who work for me are either retired police officers or active police officers. We do have a couple of security guards. I also made a copy of the -- of a -- of my security license which I happen to have because I have a private investigation firm also, so I took the course just to have the ability to run -- you would have to -- in order to be the owner of a private investigation firm or the owner of a security company, you would have to be on file with New York State, but still you don't need the training. They just put you on file, so you get a license with a picture on it and it indicates -- just like you can drive a car, it indicates that you have all of the requirements and qualifications to do this type of work.

Um, one thing I would like to pass on is I really like to let the Town know, I think the Town Board is aware, but maybe the people aren't how much of a bang they really get for their dollar there. The parks consist -- if you do a round robin, which means you check all of the parks twice, once when you come in and once before you leave at night, you're in essence of about 60 miles, and the price of fuel today, which the guys take out of their own pocket out of the pay that they're making, the \$24 an hour, out of that, my company naturally has to make some money. There is insurance, DBL, compensation payments, so the compensation that officers are receiving really, most of them I don't know why they do it. I think they do it because they have done it so long and they actually enjoy being in the park and just seeing people.

Um, and I have got just about all of the same guys who have been with us for the last ten years or so. We have retired Officer Lieutenant Mark Bechlenger (phonetic), who is well known by Michael Slattery. I think Michael (Slattery) has been a Supervisor in the park quite often, haven't you, Mike (Slattery)?

And myself. My son, Justin, who is actually a current City police officer. Thomas Belcher (phonetic) who is a retired Lieutenant from the City Police Department.

And we do have a couple of fill-ins who are Park Ridge security guards, and they're -- their certifications are all up-to-date and things like that.

I would like to, you know, thank the Town for allowing us to bid on it, and if there is any further questions, I would be happy to answer them.

SUPERVISOR DUNNING: Thank you very much. Thank you.

COUNCILMAN SLATTERY: Actually, Jack (Stuart), if you could, a couple of those gentlemen that he mentioned are also part-time, since they retired from the City, work part-time for the Sheriff's Department, so they are still active, involved in the police --

MR. STUART: Michael (Slattery) does have this chart, which if anyone needs to look at it, they can make copies of it, but it most certainly indicates what the criteria are and the exemptions are that are allowed for police officers and retired officers. Okay?

SUPERVISOR DUNNING: Sounds to me like we're in good hands.

COUNCILWOMAN SPERR: I would like to say I appreciate your coming tonight, Jack (Stuart) and helping us clarify any issues that were raised last time.

MR. STUART: My pleasure.

COUNCILMAN SLATTERY: If I could, Jack (Stuart), I believe the vehicle you have does say "security" on it?

MR. STUART: Yes. We have the one fully marked vehicle, and then also we have the large emblems, the magnetic emblems that go on the front so that, you know, it is well identified. The -- and the other thing is the guys that work for me, they're not the guys who are going to jump out of the car when they see somebody throw a cup on the ground and start an altercation. They're very community motivated and -- and in the last ten years I think our record really shows how much we have done for the Town, and you know, we appreciate the work.

SUPERVISOR DUNNING: Thank you.

BE IT RESOLVED to remove from the table Resolution #161 tabled on April 2, 2008

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

RESOLUTION #161 RE: Parks Security

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

WHEREAS, the Town of Chili contracts with a professional security company to provide seasonal park security,

AND WHEREAS, Request for Proposals were sent to the following companies:

Doyle Security
Genier Security
Guardsmark LLC
Northeastern Security Services
Pro-Tect Security
Securitas Security System

AND WHEREAS, one proposal was received from Pro-Tect Security, the reimbursement will be an hourly rate of \$24.00 per hour for regular hours and \$36.00 per hour for holidays.

BE IT RESOLVED that per the recommendation of Michael Curley, Parks and Recreation Director, Supervisor Dunning is hereby authorized to sign a contract with Pro-Tect Security to be paid from account A7110.4.

UNANIMOUSLY APPROVED

PENDING OUTSTANDING RESOLUTIONS:

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a comment on this outstanding resolution, and I would like to address that comment. I kind of jumped the gun on this one a little bit. The date will need to be amended once we bring this back off the table and address this resolution.

COUNCILWOMAN SPERR: It stays on there. The reason it is there, that is what the resolution was moved and seconded as, so it won't change until it comes back off the floor and is voted to amend.

SUPERVISOR DUNNING: Thank you. Yes.

COUNCILWOMAN IGNATOWSKI: Just a status on that real quickly? Because I know I had my questions pretty much answered.

SUPERVISOR DUNNING: Chris (Karelus), you want to help me with that one? Please.

CHRIS KARELUS: Basically -- base -- the -- based on the last final draft that was given to Town, comments were received by General Code and additional scope of work is entailed with that, those changes entailed. Um, so I guess to approve that additional scope of work is the next step for the Town to go for publication of the code to bring it back to the Town for public hearing process. So I guess it is considerations of the additional monies and the process the Town will take in finalizing this last step of publication.

SUPERVISOR DUNNING: And I -- I would like to just add a little to that, if I may. There was some talk or discussion around perhaps seeing if there was some software we had or could get to perhaps scan and make our own changes to this document. Actually, we own that software. We do have that software. It is in the process -- at the recommendation of Councilman Schulmerich, to scan a chapter of that and we're going to -- going through just verifying that scan into what is called OCR or optical character recognition to make sure the document is scanned accurately and look at the type of equipment that may be needed to make those type of corrections.

I also did talk with Counsel about the legal position as far as us going ahead and making our own modifications and creating our own book. It appears that he is going to follow up with me, and that was -- that was Rich Stowe.

That wasn't Keith (O'Toole). But it -- but Keith (O'Toole) may know about this, so we did have this conversation, and as far as we know, we can do what we want. And then at that point, once we made our changes, we can simply send this to a bindery and have it bound and adopted and distributed as necessary and adopt our own code book.

COUNCILWOMAN IGNATOWSKI: So it sounds like once your testing is complete and you know if we can change it, perhaps we don't even have to bother going sending this back out to General Code. We just make these changes ourself?

SUPERVISOR DUNNING: That would be correct.

COUNCILWOMAN IGNATOWSKI: When do you think this testing would be complete?

SUPERVISOR DUNNING: It will be a few weeks. It is a lengthy process. You have to go word for word, period for period, exclamation mark for exclamation mark. Everything has to be verified quite extensively. It will be a lengthy process, even in a short chapter, to insure everything is 100 percent.

COUNCILWOMAN SPERR: Which department in the Town will be handling that?

SUPERVISOR DUNNING: That's -- Chris Levey will be handling that.

COUNCILWOMAN SPERR: Because my one concern -- I want to be able to say -- save money on this, and I wholeheartedly agree with Dennis (Schulmerich)'s suggestion and your raising this about the software. My concern is our document, as voted on, stays and is

maintained so that the integrity of that document we do not lose and we're able to maintain that by having an independent party do that.

So as long as I'm satisfied that we're going to be able to maintain that code book as it is voted on, then I don't have any problem with it.

SUPERVISOR DUNNING: I have also raised that question with Counsel to assure, and we'll need to work on -- if we're going to proceed in that direction, we will need to work on some way to secure the document and assure that the -- where those document changes are and the security levels of the disk, if you will, or the original information once it is --

COUNCILWOMAN SPERR: Maybe a procedure or written procedure in place for that.

SUPERVISOR DUNNING: Absolutely.

COUNCILMAN SLATTERY: Supervisor, in regard to getting updates from General Code, would that -- what we're discussing now, how would that affect any updates that they may send us?

SUPERVISOR DUNNING: The general -- oh, as far as --

COUNCILMAN SLATTERY: If the State has updates.

SUPERVISOR DUNNING: We could insert them ourselves.

COUNCILMAN SLATTERY: Just in regards -- they will not stop sending them to us.

SUPERVISOR DUNNING: That I don't know. That I -- that I would have to find out.

COUNCILMAN SLATTERY: I don't know.

SUPERVISOR DUNNING: We can get that answered.

COUNCILMAN SCHULMERICH: There is a couple -- there is a couple options you have here. I mean if -- the one extreme we continue to use General Code publishers.

The other extreme on the other side is we bring it completely in-house.

An intermediate position, if there is a reason to continue to contract with General Code Publishers, an interim position can be when we're doing our revising, use the OCR technology, do all of our internal changes, and then when we're comfortable we have the document the way we want it, transmit it to General Code publishers as the final draft that they would then verify, print and maintain and that would allow you to get the ongoing updates. There are several different approaches we can end up taking here if the OCR technology works for us.

COUNCILMAN SLATTERY: General Code, correct me if I am wrong, they send us periodic updates, and I'm not sure, you know -- do we pay an annual fee to General Code?

SUPERVISOR DUNNING: I can't answer that, Michael (Slattery). I could --

RICHARD BRONGO: I can answer that. I -- yes, between Chris (Karelus) and I, we handle the cost that is associated with it. Um, there is one fee for the E Code portion, I believe, that is somewhere around \$500, and then there is another \$800 fee for maintaining the updates, things like that with General Code.

COUNCILMAN SLATTERY: This is annual.

RICHARD BRONGO: This is annual. As a matter of fact, we the just wrote the voucher for it because we have just been billed for it. So it's -- I don't believe it is on this abstract, but ready to go on the next one.

SUPERVISOR DUNNING: We'll talk about that further as we progress, and I will keep you updated as soon as I know how we're moving along on this end.

**RESOLUTION #133 RE: Set Public Hearing to consider adoption of
Local Law #2 of 2008 for the adoption of updated Code of the Town of Chili**

OFFERED BY: Supervisor Dunning

SECONDED BY: Councilman Slattery

BE IT RESOLVED that a Public Hearing be set for April 2, 2008 at 7:00 PM to consider the adoption of Local Law #2 of 2008 to adopt the updated Code of the Town of Chili and;

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

HELD

**RESOLUTION #169 RE: APPROVING FORMATION OF THE CHILI SEWER
DISTRICT # 1 IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF
NEW YORK**

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich

WHEREAS, a petition for the formation of the Chili Sewer District #1 within the Town of Chili, Monroe County, New York, the said petition being dated the 20th day of March 2008, was duly presented to the Town Board together with the necessary map and plan attached thereto; and

WHEREAS, an order was duly adopted by the Town Board on April 2, 2008 reciting the filing of said petition, the improvements proposed, the boundaries of the proposed district, the one-time hook-up fee to be paid by the Petitioner for permission to tie into the sewer main that was constructed to serve the Chili Sewer Improvement Benefit Area #1, that all costs relating to the

formation of the district are to be paid by the Petitioner, and specifying April 16, 2008, as the time and the Town Hall in the said Town of Chili as the place where the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof; and

WHEREAS, such order was duly posted and published as required by law; and

WHEREAS, a hearing on the matter was duly held by the Board on the 16th of April, 2008 commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

NOW, THEREFORE, upon the evidence obtained by the Town Board at the April 16, 2008 public hearing and upon all other information obtained and reviewed by the Board, it is

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies with the requirements of Section 191 of Town Law as to the sufficiency of signers and is otherwise sufficient; (b) all the property and property owners within the proposed district are benefited thereby; (c) all the property and property owners benefited are included within the limits of the of the proposed district; and (d) it is in the public interest to grant in whole the relief requested; and be it further,

RESOLVED AND DETERMINED, that the formation of the Chili Sewer District #1 as proposed in said petition be approved; and that such district shall be bounded and described as set forth in Schedule A, attached hereto and incorporated herein by reference; and be it further,

RESOLVED, the Petitioner, at its expense, shall pay all costs relating to the formation of the proposed sewer district, including legal and publication fees, as well as all costs relating to the connection of the Petitioner's private sewer system into the sewer main located on the east side of Union Street; and be it further,

RESOLVED, all user fees, sewer rents, and other fees charged by the County of Monroe, Division of Pure Waters, for the use of the sanitary sewer improvements shall be the responsibility of the property owners within the proposed sewer district; and be it further,

RESOLVED, that permission is hereby granted to the Petitioner to connect into the sewer main which serves the Chili Sewer Improvement Benefit Area #1 in consideration of a one time hook up fee to be collected by Chili Sewer Improvement Benefit Area #1 in the amount of \$9,842.08; and in accordance with the plan attached to the Petition as Exhibit B; and be it further,

RESOLVED, that Fifty Percent (50%) of all capital expenditures not paid for by County of Monroe, Division of Pure Waters, relating to expansion and/or replacement of the sewer manhole and the 436.93 feet of sewer main located on the east side of Union Street directly across from the proposed sewer district be assessed, levied and collected from year to year from the parcels of land within the proposed sewer district in proportion as nearly as may be to the benefit which each lot or parcel of land within the district will derive therefrom; and be it further,

RESOLVED, that all capital expenditures not paid for by County of Monroe, Division of Pure Waters, relating to replacement of the sewer connection which runs from the front boundary line of the proposed Chili Sewer District #1 to the sewer main on the east side of Union Street be assessed, levied and collected from year to year from the parcels of land within the proposed sewer district in proportion as nearly as may be to the benefit which each lot or parcel of land within the district will derive therefrom; and be it further,

RESOLVED, that the Town Clerk of this Town shall within ten (10) days after the adoption of this resolution file certified copies thereof in duplicate in the office of the State Department of Audit and Control at Albany, New York; and be it further,

RESOLVED, that the Town Clerk of this Town shall within ten (10) days after the adoption of this resolution file a certified copy thereof in the Monroe County Clerk's Office.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: If I may, this has actually nothing to do with the actual proposal. This is just to get the proposal into a taxing entity for the drainage district. It has nothing to do with approval of the project.

SUPERVISOR DUNNING: This is extending a drainage district that will serve other properties also. If there are any development opportunities along the east side of Chili Avenue, that will also serve that area, so it is a district, not specific to a property.

COUNCILMAN SLATTERY: Are the homes -- or the properties surrounding this area in a drainage district at this time?

SUPERVISOR DUNNING: I don't know the -- David (Lindsay), do you know the answer? Do you know what the extent of this district is?

DAVID LINDSAY: I don't have that information. I can get that for you.

COUNCILWOMAN SPERR: Probably not.

COUNCILMAN SLATTERY: In the past, Chili used to be broken up into small individual districts and then the Town -- Counsel, if would you like to continue, help me with my point.

KEITH O'TOOLE: Rather than having individual drainage districts, the determination was made to be more efficient to join them into one large district. However, that district is not a Town wide district. It grows as parcels are developed historically, though anyone can join at any time should they prefer to.

COUNCILMAN SLATTERY: And it helps the Town when there is a problem, if there is a home that is outside of the drainage district, the Town -- the parcel hasn't been paying into the district, so the Town is reluctant to go into that area?

KEITH O'TOOLE: That is correct. You have to be within the district, within the benefit area to enjoy the benefits.

COUNCILMAN SLATTERY: Thank you.

SUPERVISOR DUNNING: I would also like to note there is a monetary benefit to the Town for this. This is not just something we handed out to somebody. It is a little over \$9,000 the Town receives for addition to this district. So this is not just something we're giving somebody.

COUNCILWOMAN SPERR: I just --

SUPERVISOR DUNNING: I'm sorry. I'm talking about the drainage district. I'm talking about the other --

COUNCILWOMAN IGNATOWSKI: I was going to say, 9,000, holy smoke.

SUPERVISOR DUNNING: This is the drainage district. I'm sorry.

COUNCILMAN SLATTERY: I was going to say, I didn't realize that went up.

SUPERVISOR DUNNING: That was the previous one.

COUNCILWOMAN SPERR: I do have a comment on this. It occurs to me some of the residents sitting in the audience -- excuse me, Mrs. Brixner. I'm having difficulty competing with the discussion in the audience, okay?

It occurs to me that several of the residents in the audience here may be wondering that if this is approved, does this allow the Planning Board possibly more of a green light to approve this project. I guess my question is we are requiring anybody that goes through the Planning Board with applications like this to come before us and request them be considered as included in that -- in that drainage district. So by -- by voting no on this, does this preclude this project from moving forward if we do not put them in the drainage district?

KEITH O'TOOLE: By itself it shouldn't, no.

COUNCILWOMAN SPERR: It shouldn't. No, it just occurs to me since residents have come before us and expressed their concerns about this project, if we were to not include this in the drainage district, it wouldn't prohibit this.

COUNCILWOMAN IGNATOWSKI: The only triggering mechanism is it came before the Planning Board.

COUNCILWOMAN SPERR: I just want to make sure I asked and answered those questions. If I was sitting out there, that is something I would be wondering, too.

SUPERVISOR DUNNING: Any other questions or comments? I am going to shut up. (Laughter.)

RESOLUTION #170 RE: APPROVING EXTENSION CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE HERITAGE-WEST SIDE SUBDIVISION LOCATED AT 1125 WEST SIDE DRIVE, ROCHESTER, NY 14624 TAX MAP NUMBER 133.15-1-3, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

WHEREAS, a petition for the extension of the Chili Consolidated Drainage District to serve the Heritage-West Side Subdivision located at 1125 West Side Drive, Rochester, NY 14624 tax map number 133.15-1-3, a territory located within the Town of Chili, Monroe County, New York, the said petition being dated March 6, 2008, was duly presented to the Town Board together with the necessary map and plan attached thereto; and

WHEREAS, an order was duly adopted by the Town Board on March 19, 2008 reciting the filing of said petition, the boundaries of the proposed district, the proposed services to be provided, the fact that no drainage improvements are proposed to be constructed therein by the Chili Consolidated Drainage District at this time, the estimated costs of the Chili Consolidated Drainage District, as extended, to the typical property, or if different, to the typical one or two family home, within the Chili Consolidated Drainage District, as extended, and specifying April 16, 2008 at 7:00 P.M. as the time and the Town Hall in the said Town of Chili as the place where the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, such order was duly posted and published as required by law; and

WHEREAS, a hearing on the matter was duly held by the Board on the 16th day of April, 2008, commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, this Board has duly reviewed and considered the short Environmental Assessment Form submitted in this matter, as well as all other information obtained at the public hearing referred to above; and the Board has duly considered the impacts which may reasonably expected to result from the proposed action by using the process and criteria set forth in Article 8 of the State Environmental Quality Review Act and applicable regulations thereunder ("SEQRA");

NOW, THEREFORE, upon the evidence obtained by the Town Board at said public hearing and upon all other information obtained and reviewed by the Board, it is

RESOLVED AND DETERMINED, that the proposed extension of the Chili Consolidated Drainage District is not likely to result in the creation of potentially significant adverse environmental impacts and therefore, this Town Board does hereby make a Determination of NonSignificance, or a "Negative Declaration" (as the same is defined for purposes of SEQRA); and be it further,

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies with the requirements of Section 191 of Town Law as to the sufficiency of signers and is otherwise sufficient; (b) all the property and property owners within the proposed district extension are benefited thereby; (c) all the property and property owners benefited are included within the limits of the of the proposed district extension; (d) it is in the public interest to extend the district only if the expenses of the district (except as otherwise provided herein) shall be assessed against the entire district, as extended; and (e) it is in the public interest to grant in whole the relief requested; and be it further,

RESOLVED AND DETERMINED, that the extension of the Chili Consolidated Drainage District as proposed in said petition be approved; that cost of the formation of the district extension shall be paid by the petitioners; and that such district shall be bounded and described as set forth in Schedule A, available in the Town Clerk's Office; and be it further,

RESOLVED AND DETERMINED, that all expenses of the Chili Consolidated Drainage District, including this extension and all other extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended, except as otherwise provided above; and be it further,

RESOLVED, that the Town Clerk of this Town shall within ten (10) days after the adoption of this resolution file certified copies thereof in duplicate in the office of the State Department of Audit and Control at Albany, New York; and be it further,

RESOLVED, that the Town Clerk, within ten (10) days of the adoption of this resolution, shall cause to be published and posted, as required by law, a notice setting forth an abstract of this resolution, the date that it was adopted and a statement that it is subject to a permissive referendum.

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

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I just wondered if you wanted to introduce --

COUNCILMAN SLATTERY: Do you know when the next training session would be?

SUPERVISOR DUNNING: No, I don't.

COUNCILWOMAN SPERR: I do.

SUPERVISOR DUNNING: Paul (Bloser) was here. I wondered if Paul (Bloser) might know that.

COUNCILWOMAN SPERR: The Genesee -- in Mt. Morris, that training that -- it's coming up in May.

SUPERVISOR DUNNING: We're beyond that for this year, are we not, the deadline for the sign-up?

COUNCILWOMAN SPERR: We could still get him signed up for that. You can walk in and just get reimbursed for that. So he should be able to make that. I didn't bring my calendar.

COUNCILMAN SLATTERY: As long as his schedule permits. Without trying to set up your calendar.

SUPERVISOR DUNNING: We'll check on that.

Thank you.

COUNCILWOMAN SPERR: I don't have my calendar here. Sorry.

SUPERVISOR DUNNING: I would like to introduce Mr. Mulcahy, Bob Mulcahy.
(Applause.)

COUNCILMAN SLATTERY: We should vote and then probably introduce him.
(Laughter.)

RESOLUTION #171 RE: Zoning Board of Appeals

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that Robert Mulcahy shall be appointed to the Zoning Board of Appeals to complete the term of Todd Benz term to expire on December 31, 2010 and be paid the sum of \$65.00 per meeting; expenses to be paid by voucher as incurred.

UNANIMOUSLY APPROVED

COUNCILWOMAN SPERR: The resolution we passed last meeting is May 9th at the Burgundy Basin Inn. It is normally Mt. Morris. The local government workshop. So...

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: How many stages -- well, I know our Recreation Director is here. The location for the Chil-E Fest this year will be?

SUPERVISOR DUNNING: Will be -- right now we're still in the process of completely determining that, but the thought process is right now of shutting down Chili Avenue, and part of this will take place -- the parade itself, I believe, we're anticipating starting from St. Pius and progressing down Chili Avenue, to the ending route, which is the whole east campus for the Chil-E Fest itself. The discussion process has led us to think we might shut down Chil-E Fest for the Chil-E Fest and use part of the -- shift on Chili/Paul Village Plaza for some of the venues and the east campus for some of the venues and the street in and of itself for some of the venues.

COUNCILMAN SLATTERY: So you would have to obtain a permit from New York State --

SUPERVISOR DUNNING: Yes. We have already talked to several different departments. Mike (Slattery), I don't know all of the different ones we talked to. Um, but as far as I -- my understanding at this point, is that we have got it all right and we're okay to do whatever we want as far as closing the road.

The Fire Department, I believe, has been notified. They're aware of what we're going. The Sheriff's Department is notified and -- not what we're doing, but what we may do. This is still tentative. And I believe we have talked with the DOT, if I'm not mistaken. I'm trying to remember that entire list we went over.

COUNCILMAN SLATTERY: The DOT is the important one because of the time frame that it would take to obtain that permit and so forth.

SUPERVISOR DUNNING: And we have -- please.

MICHAEL CURLEY: We have received a letter from, I believe, it is New York State DOT. I don't have that in front of me obviously, but they have basically told us it is up to the Supervisor of the Town. The discretion comes from him whether we want to shut down. All they need to be notified of is the closing, when, where and having the proper barricades and crossing guards, road closures, road police, things like that. So as far as the State is concerned, as long as -- it is up to the Supervisor or the Town Board to authorize that and then we just relate the information back to them.

COUNCILMAN SLATTERY: Do you need to post a detour route for the public?

MICHAEL CURLEY: We will have to do that; that's correct. Dave Lindsay and I have met. But right now we're still in an early planning stage, and once we get a little bit closer and finalize whereabouts on Chili Avenue we're going to shut down, then we'll have to get together with Dave Lindsay, possibly Don Bergmann at the Sheriff's Department and find out exactly where those detours will need to go.

COUNCILMAN SLATTERY: Because this triggers another item that you may want to consider. You're going to have to look for detour routes and Dave (Lindsay) is well aware of this, other municipalities, you know, if you're going to try to utilize their roads and not just State roads. So you are going to have to be in contact with them, as well, to get their approvals.

MICHAEL CURLEY: I honestly don't anticipate being a problem because we're only talking about the area right in front of the Chili/Paul Plaza, so it may not even be that large of a detour needed. We may only be affecting entrance to and from the plaza, and then we can reroute them through the development behind the plaza, in that area.

COUNCILMAN SLATTERY: Tractor-trailer traffic, that is something you have to keep in mind. Commercial vehicles. Town roads aren't designed to accommodate those. So I think there is more involved --

COUNCILWOMAN IGNATOWSKI: If you take it from a State road, you also have to be on a State road as your detour?

COUNCILMAN SLATTERY: Not necessarily. Just as long as the road that you're going

to utilize is designed and can carry, and they give their blessings for that, as well. So...

COUNCILMAN SCHULMERICH: Do we know per se if there is any soccer tournaments in Town that weekend?

MICHAEL CURLEY: There is not that weakened.

COUNCILMAN SCHULMERICH: Thank goodness.

COUNCILWOMAN IGNATOWSKI: That is usually the weekend before.

COUNCILMAN SLATTERY: Do we know how many stages we'll have for this?

MICHAEL CURLEY: At this point, we're definitely having one, obviously the main Wegmans stage.

And we have had conversations with our Ad Hoc Chil-E Fest Committee about a possible second stage. Whether that is going to be over in the plaza -- again, we're in the very tentative staging -- planning right now.

I know the Leaf & Bean is involved. Bill, the owner there, he's a member of our Committee. He is talking about possibly having entertainment kind of in between the main entertainment that we plan, utilizing his area.

I plan on talking to Al at the Village Pub, because they generally have entertainment, as well, and that is something maybe we can piggy-back up to them. Instead of having multiple stages, we have our main stage to deal with the local businesses and kind of coordinate our efforts, and I think it would be a win/win situation for everyone.

COUNCILMAN SLATTERY: What type of festival will it be this year?

SUPERVISOR DUNNING: If you don't mind, I'd like to chime in on that one. We are trying to make this a complete community festival, trying to involve community groups of all types and styles and anybody that basically wants to participate from -- we're trying to encourage local businesses to get involved, which I believe right now, we do have the interest of -- certainly Leaf & Bean has been very active in trying to help us out with the committee, and they want to be a part of this. And they are bringing in something from the business perspective.

We're also trying to reach out to any local organization that wants to be a part of this festival to make this a -- truly a community event. Um, from, again, churches, to businesses, to any organization. The scouts, the football organizations, the soccer, any of the sporting groups out there, we're going to try to reach out to as many and everybody we can, that this festival is open. The schools. Um, of course, we're trying to involve our Historic Preservation and Historical Society in some way, shape or form, and I don't want to open up the can of worms but, you know, there was some talk around, and maybe you can update me on this, too, Michael (Curley), as far as there was still some talk in a ride vendor that did have some interest in coming into Town. I don't know if you had any more conversation about that. You discussed that with me briefly last week.

MICHAEL CURLEY: That was discussed at our past meeting. A vendor named Fun City Shows, they're a carnival vendor, and they have an area show going on, and they have expressed some interest of possibly coming in for the day, bringing in a few limited rides. Um, there is that option.

There is another option of a group that do inflatables, the large rock climbing walls events for young kids all of the way up to teens, as well. They have yet to submit a proposal for us to consider for that. So we have a couple of options in front of us.

The one thing we kind of went back and forth at the last Chil-E Fest Committee is, if we these carnivals come in, you know, it is three or four or five rides, whatever it may be, does that fit into the family theme because the rides are very pricey. There wouldn't be a pay-one-price bracelet. It would be basically be about \$3 or \$4 a ride. You know, which if you have two, three, kids, obviously that starts adding up. But again, that is something that would be a choice for each individual to make. That is something the Committee is considering once we get that proposal, once we get the proposal from this other company and we will consider that and see how that fits into what we're trying to make this, which is a community event.

SUPERVISOR DUNNING: We're also trying to make sure that we're touching on as many age groups as we possibly can to make this not only a community event, but a family event, and family means from every age group from young children to the teenagers to the adults. So we are trying to focus on that and bring in entertainment and other activities for everybody.

So that is what the Committee is trying to put together and have been working on some of those aspects of the Chil-E Fest.

COUNCILMAN SLATTERY: I can understand and appreciate the community event aspect. My concern is family, what type of activities would be there for family. You want to bring in the Boy Scouts, Girl Scouts. What are you looking for them to provide for this event?

SUPERVISOR DUNNING: Pretty much whatever they would like to do -- whatever -- I know this -- some of the groups would like to use this as an opportunity for a fundraiser, having games and things that they can be out there that you play for a minimal fee. You win, toss a ring, or toss a bean bag and things like that.

But we're pretty much leaving that up to the organization to decide what they would like to do with their space and -- you know, but pretty much the sky is the limit, whatever they want to do, providing an activity or something for their own benefit or just show case what they do, is what we're trying to promote here.

COUNCILWOMAN SPERR: I think the only other comment I would like to make, too, is that we have proper signage this year and we change a lot of things to let people know where things are, if you -- once you get it set up, Michael (Curley), signage would help.

I know last year you couldn't tell that there were food vendors down the hill until you

actually got down there. You knew there was chicken up by the road, but you couldn't tell there were other food vendors down there.

SUPERVISOR DUNNING: We do have chicken, right?

MICHAEL CURLEY: We do. We do.

COUNCILMAN SLATTERY: They do a great job every year.

COUNCILWOMAN SPERR: They do.

COUNCILMAN SCHULMERICH: Is it possible that we give the Committee the time it needs to do its job, so its possible in two or three Town Board meetings from now we could have a presentation by the Recreation Advisory Board that spells out specific details what the Chil-E Fest will be and won't be? Is that fair?

SUPERVISOR DUNNING: That's very fair, right, Mike (Curley)?

MICHAEL CURLEY: Sounds like a very good idea.

COUNCILMAN SLATTERY: Being involved in the planning for the Chil-E Fest for the -- a number of years, I know the amount of work involved, and I appreciate the Committee, the job that they're doing, because it's not an easy task.

COUNCILMAN SCHULMERICH: Power Point presentation with moving objects and music would be nice.

MICHAEL CURLEY: Just bring your red pointer. We'll be all set.

SUPERVISOR DUNNING: Certainly would like to offer this invitation to everybody sitting here, anybody that would like to participate or anybody in this particular Committee, give Mr. Curley a call. I'm sure he would be more than happy to give you the schedule of the meetings, when the Committee is meeting and love to have you participate in any way, shape or form, correct.

MICHAEL CURLEY: Absolutely.

COUNCILMAN SLATTERY: This is a day and a half event, correct? Or just Friday?

MR. CURLEY: Just Friday, July 4th. Correct.

COUNCILMAN SLATTERY: Oh.

So --

SUPERVISOR DUNNING: We'll most likely start our kick-off with the parade and end with great fireworks. Hopefully. That's what we'll find out.

SUPERVISOR DUNNING: Thank you, Michael (Curley).

MR. CURLEY: Thank you.

RESOLUTION #172 RE: Marching Band Chil-"E" Fest

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

BE IT RESOLVED that Supervisor Dunning, is hereby authorized to sign an agreement with Towpath Volunteers Fife and Drum Corp, Inc. To perform at the Chil-"E" Fest parade on July 4, 2008 at a cost of \$850.00, to be paid from account A07550.4 (Celebrations)

BE IT RESOLVED that Supervisor Dunning, is hereby authorized to sign an agreement with Prime Time Brass to perform at the Chil-"E" Fest parade on July 4, 2008 at a cost of \$750.00, to be paid from account A07550.4 (Celebrations)

BE IT RESOLVED that Supervisor Dunning, is hereby authorized to sign an agreement with The Hit Men Brass Band, Inc. To perform at the Chil-"E" Fest parade on July 4, 2008 at a cost of \$900.00, to be paid from account A07550.4 (Celebrations).

UNANIMOUSLY APPROVED

RESOLUTION #173 RE: Musical Entertainment Chil-"E" Fest

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Schulmerich

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with Carol and the Impalas to provide musical entertainment at the 2008 Chil-E Festival for \$400.00, to be paid from account A07550.4. (Celebrations)

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with Red Line Zydeco to provide musical entertainment at the 2008 Chil-E Festival for \$750.00, to be paid from account A07550.4. (Celebrations).

UNANIMOUSLY APPROVED

RESOLUTION #174 RE: Fireworks Chil-"E" Fest

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Schulmerich

WHEREAS, two proposals were received for providing a fireworks display for the 2008 Chil-E Festival from the following vendors:

Young Explosives Corporation	\$8000.00
Zambelli Fireworks Internationale	\$10000.00

NOW, THEREFORE, BE IT RESOLVED, that per the recommendation of Michael Curley, Parks and Recreation Director, that Supervisor Dunning is hereby authorized to enter into a contract with Young Explosive Corporation for the provision of professional fireworks display at the 2008 Chil-E Festival in the amount of \$8000.00 to be paid from Account A07550.4 (Celebrations).

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Supervisor, have all of the employees received a copy of that policy?

SUPERVISOR DUNNING: No. They were posted on all of the boards, all of the required boards in the Town for everyone to review. It was not handed out to each and every employee of the Town. It is my understanding that wasn't required; that we were required to post this on the Union Board and we did.

COUNCILMAN SLATTERY: Are all of the employees that have cell phones, are they all Union?

SUPERVISOR DUNNING: I would say no.

COUNCILMAN SLATTERY: Have the employees that are non-union employees, have they seen the policy?

SUPERVISOR DUNNING: Yes.

COUNCILMAN SLATTERY: Okay. So we're relying on boards for the non-Union employees for them to see the policy?

SUPERVISOR DUNNING: That's correct.

COUNCILMAN SLATTERY: Okay.

SUPERVISOR DUNNING: That's what we're required to do and that's what we did.

COUNCILMAN SLATTERY: We're required by?

SUPERVISOR DUNNING: I think that is by our contract, it is not, Dianne (O'Meara)?

COUNCILMAN SLATTERY: Is there a reason why we wouldn't show them, just give them a copy of that contract?

SUPERVISOR DUNNING: We have a lot of employees here. I wasn't inclined necessarily to print out that many copies of this -- of the cell phone policy. This -- it is like 8 or 10 pages.

COUNCILMAN SLATTERY: How many employees have cell phones that are Union?

SUPERVISOR DUNNING: That's a good point. I don't know.

COUNCILMAN SLATTERY: Because that number could be reduced quite a bit.

SUPERVISOR DUNNING: But this is an amendment to our personnel policy, so --

COUNCILMAN SLATTERY: I would think that that number would be less than --

SUPERVISOR DUNNING: You're right. That would be, but no, it was not handed out to every individual. It was not necessarily required.

COUNCILMAN SLATTERY: Did they have to sign a document?

SUPERVISOR DUNNING: Not at this point, but we will, once this -- if this is passed, and we put this in our personnel policy, before it -- it will be given to each and every person who carries a cell phone or any person hereinafter that gets a cell phone will have to read the policy and sign the policy.

COUNCILMAN SLATTERY: I applaud you regarding this policy because I think it was long overdue, but -- I just want to make sure that people understand what is being done and why it is being done and so forth.

SUPERVISOR DUNNING: We have had several conversations around this -- around cell phone usage lately, and I -- I don't know if this creates any problem for anybody. It actually -- and I would just like to go a little further with this, too, for understanding. Um, Mr. Levey has been working on a re -- renegotiating our contract and actually looking at -- I think he was looking at a savings of about \$200 on our current usage and actually getting more service out of it, so he is working on renegotiating that so we can get more efficiency out of the cell phone users here.

COUNCILWOMAN SPERR: You mean \$200 per month?

SUPERVISOR DUNNING: Yes.

COUNCILMAN SLATTERY: Do we have the Verizon to Verizon now?

SUPERVISOR DUNNING: No. We don't have it now, but in this renegotiation, is -- what he is looking at is getting the Verizon to Verizon at that point, which will be a substantial savings.

COUNCILMAN SLATTERY: Thank you.

SUPERVISOR DUNNING: Any other questions or comments?

RESOLUTION #175 RE: Amendment to Personnel Policy - Cell Phone Policy

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

WHEREAS, the March 25, 2008 draft of the cell phone policy has been distributed and posted in accordance with the terms of the union contract; and

WHEREAS, there have been no comments or objections to this draft;

NOW, THEREFORE, BE IT RESOLVED, the cell phone policy shall be adopted as written and shall become part of the Town of Chili Employee Personnel Policy Handbook adopted March 7, 2007 by Resolution #125.

UNANIMOUSLY APPROVED

RESOLUTION #176 RE: Establish Letter of Credit for Kings Crossing – Stormwater

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

BE IT RESOLVED that per recommendation of the Town Engineer, a letter of credit be established for Kings Crossings – Stormwater in the amount of \$30,756.00.

Items within the letter of credit include, but are not limited to, emergency access road, stormwater pond, erosion and sediment control, restoration of disturbed areas and the preparation of record plans to be submitted to the Town.

Additional provisions included within the letter of credit are a 10% construction contingency, a 5% contingency for Town Engineering inspection services and a 1% contingency for Town Administration.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question. Cary Lawson is a Foreman.

COUNCILMAN SLATTERY: Yes.

SUPERVISOR DUNNING: I'm sorry. I'm not questioning. I'm making a statement. Cary Lawson is a foreman.

MS. BORGUS: Mechanic?

SUPERVISOR DUNNING: He is a Working Foreman is his title.

COUNCILMAN SLATTERY: And his job duties, even though he is involved with the automotive things, he is also in the field, you know, supervising, you know, field employees and so forth.

Is there anything that David (Lindsay) would like --

SUPERVISOR DUNNING: I would just say would you like to add anything to this?

DAVID LINDSAY: I would just concur with that. His title is Working Foreman, but they provide --

SUPERVISOR DUNNING: David (Lindsay), could you grab the microphone? I don't know if everybody can hear you.

Thank you.

DAVID LINDSAY: His primary responsibility is the shop and managing the garage itself, but each of the Foremen provide support to each other and the day-to-day operations of the -- if someone should be on vacation or workload necessitates that. Certainly I'm an advocate of cross-training and providing some additional training for the individuals of the department. I think it was beneficial for Cary (Lawson) last year and I think it would be this year, as well.

RESOLUTION #177 RE: Authorize Attendance to Annual Highway School

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED to authorize David P. Lindsay and Cary Lawson to attend the Annual Cornell Highway School to be held June 2-4, 2008 in Ithaca, NY. The cost for expenses shall not to exceed \$800.00, to be paid from Acct. #A 5010.4.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: Glad to see this. This is what I asked about a couple meetings ago.

SUPERVISOR DUNNING: Yes.

RESOLUTION #178 RE: Set Public Hearing for May 21, at 7:00 p.m. to consider the rezoning of 795 Beahan Road from LI (Limited Industrial) to LI with ADATOD (Airport Development Area Transportation Overlay District)

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr

WHEREAS, the Planning Board at a public hearing meeting held on February 12, 2008 approved by a unanimous vote of six recommended approval for the rezoning of 795 Beahan Road from LI (Limited Industrial) to LI with ADATOD (Airport Development Area Transportation Overlay District) and recommends that the Town Board act as lead agency for the SEQR review.

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

BE IT FURTHER RESOLVED, that a Pubic Hearing be set for May 21, 2008 at 7:00 p.m. to consider the rezoning application for the property located at 795 Beahan Road from LI (Limited Industrial) to LI with ADATOD (Airport Development Area Transportation Overlay District). The Tax Account number is 134.19-1-10. Passero Associates on behalf of their client Mr. Zamiara, (Zeke's Enterprises) owner of the property at 795 Beahan Road has requested the rezoning and the owner has paid the necessary zoning application fee.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: Supervisor, if I may, this next resolution I will have to abstain from.

SUPERVISOR DUNNING: Thank you.

I would like to make one comment on this just for clarification purposes. The first meeting we noted in this agenda would be to organize this Committee and that is specifically there will be no applications heard at this meeting.

We'll set the -- the -- this Committee will need to appoint their own secretary and we'll have to just kind of align the Committee and get a little organized, so there will be no applications heard at this particular meeting.

Any other questions or comments?

RESOLUTION #179 RE: Architectural Advisory Committee

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr

WHEREAS, the Town Board has adopted local law #1 of 2008 "Architectural Advisory Committee"

NOW, THEREFORE, BE IT RESOLVED, to establish a budget account for the Architectural Advisory Committee; and

BE IT FURTHER RESOLVED, to transfer \$1,710.00 from A1990.4 (Contingency) to A8020.441 Architectural Advisory Committee; and

BE IT FURTHER RESOLVED, that the regular 2008 Architectural Advisory Committee meetings will be held at 7pm in the Chili Town Hall Main Meeting Room, located at 3333 Chili Ave. Per the schedule below:

April 29th - First Meeting to organize committee
May 19th
June 12th
July 17th
August 14th
September 25th
October 20th
November 13th
December 18th

BE IT FURTHER RESOLVED, that Paul Wanzenried be appointed to the Architectural Advisory Committee for a term to expire Dec 31, 2008; and

BE IT FURTHER RESOLVED, that Daryl Cox be appointed to the Architectural Advisory Committee for a term to expire Dec 31, 2009; and

BE IT FURTHER RESOLVED, that Michael Divito be appointed to the Architectural Advisory Committee for a term to expire Dec 31, 2010; and

BE IT FURTHER RESOLVED, that Douglas Gloff be appointed To the Architectural Advisory Committee for a term to expire Dec 31, 2011; and

BE IT FURTHER RESOLVED, that James Ignatowski be appointed To the Architectural Advisory Committee for a term to expire Dec 31, 2012; and

BE IT FURTHER RESOLVED, that Paul Wanzenried shall be appointed the Chairperson of the Architectural Advisory Committee, and shall be paid \$70 per meeting attended for the calendar year 2008; expenses to be paid by voucher as incurred; and

BE IT FURTHER RESOLVED, that the committee shall appoint a Secretary to the Architectural Advisory Committee, and shall be paid \$35 for any meeting attended; expenses to be paid by voucher incurred; and,

BE IT FURTHER RESOLVED, that each member of the Architectural Advisory Committee shall be paid the sum of \$20 per meeting attended for the calendar year 2008; expenses to be paid by voucher as incurred.

BE IT FURTHER RESOLVED, that the Planning Board Liaison will be paid \$30 for each meeting attended and the Zoning Board Liaison will be paid \$30 for each meeting attended expenses to be paid by voucher incurred.

4 YES WITH 1 ABSTENTION (Councilwoman Ignatowski abstained.)

SUPERVISOR DUNNING: I would like to introduce Paul Wanzenried, Chair of our Architectural Advisory Committee.
Daryl Cox.
Michael Divito.
Douglas Gloff. He was over there. Not present. He must have had to leave.
And James Ignatowski.
Meet your new Architectural Advisory Committee. (Applause.)

RESOLUTION #180 RE: April 16, 2008 Abstract

OFFERED BY: Councilwoman Sperr

SECONDED BY: Councilman Slattery

BE IT RESOLVED to pay vouchers 1661-1869 and 1877-1880 totaling \$158,214.58 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

General Fund

\$ 83,605.59

Highway Fund	\$ 72,158.77
H45 Baker Park Project	\$ 116.84
Consolidated Drainage	\$ 491.60
Special Light Districts	\$ 1,841.78
TOTAL	\$158,214.58

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: Supervisor, I will abstain from discussion on this.
SUPERVISOR DUNNING: I would just like to remind people in the audience this particular resolution is payment to Lu Engineers.
Any other questions or comments?

RESOLUTION #181 RE: April 16, 2008 Abstract

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich

BE IT RESOLVED to pay vouchers 1870-1876 totaling \$2,863.33 to be paid from the General Fund as presented to the Town Board by Richard Brongo, Town Clerk.

APPROVED BY A VOTE OF 4 YES WITH 1 ABSTENTION
(Councilwoman Sperr abstained.)

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on April 16, 2008 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:03 p.m. to discuss formation of the Chili Sewer District #1 to serve the Brickwood Properties, LLC located at 3395 Union Street, tax map no. 144.08-1-7.122 as described in Schedule A (Property Description) on file in the Town Clerk's Office.

Attendance as previously noted in the 4/16/08 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

JERRY BRIXNER, 14 Hartom Road

MR. BRIXNER: Thank you, Mr. Supervisor. Question I -- I would have is where is this particular district located? Is it connected to Brookwood (sic) Properties? Can you describe --

SUPERVISOR DUNNING: Union Street at King Road, across or kiddy-corner from the New Hope Church. Brickwood would be next to New Hope.

MR. BRIXNER: That is part --

SUPERVISOR DUNNING: Jerry (Brixner), could you step up to the microphone?

MR. BRIXNER: I would be happy to. I would like to know the address, or the spot of the new -- Jerry Brixner, 14 Hartom Road -- of the public hearing that we're hearing tonight. Brookwood (sic) Properties. And I understand, Mr. Supervisor, that it is located kiddy-corner across from the first hope -- New Hope Church; am I correct on that?

SUPERVISOR DUNNING: The property itself, the 3395 is the directly south property from the New Hope Church. That is where they are building the new apartment complex.

MR. BRIXNER: So it would be on the west side of Union Street?

SUPERVISOR DUNNING: Yes, it would.

MR. BRIXNER: That's a housing development.

SUPERVISOR DUNNING: It is an apartment complex.

MR. BRIXNER: Apartment complex. Thank you very much. I would speak for it. Thank you.

SUPERVISOR DUNNING: Thank you.

The Public Hearing was closed at 7:05 p.m.

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on April 16, 2008 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:05 p.m. to discuss extension of Chili Consolidated Drainage district to serve the property located at 1125 Westside Drive, tax map no. 133.15-1-3 as described in Schedule A (Property Description) on file in the Town Clerk's Office.

Attendance as previously noted in the 4/16/08 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

JERRY BRIXNER, 14 Hartom Road

MR. BRIXNER: Thank you, Mr. Supervisor. One of the propositions I know that appeared before the Planning Board was a proposal for a group home on Westside Drive. Could this well be that particular spot?

SUPERVISOR DUNNING: That is the same address.

MR. BRIXNER: That's the same address. Okay, sir. I'm not exactly sure where it is, but I know what the situation is, and obviously I would speak in favor of the extension of the drainage district.

Thank you.

SUPERVISOR DUNNING: Thank you.

The Public Hearing was closed at 7:06 p.m.

The next meeting of the Chili Town Board is scheduled for Wednesday, May 7, 2008 at 7:00 p.m. at the Chili Town Hall meeting room.

The meeting was adjourned at 8:36 p.m.