

CHILI TOWN BOARD

May 4, 2005

A meeting of the Chili Town Board was held on May 4, 2005 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: Councilman Powers, Councilwoman Ignatowski, 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.

The invocation was given by Richard Brongo.

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

PRESENTATION:

Supervisor Logel stated they have asked Mr. Lynch to do a presentation on 49 Sequoia Drive and his proposed purchase offer.

Mr. Lynch stated his name is Daniel Lynch and he lives at 37 Mercedes Drive. He introduced Jillian and Johnny, his two children. He stated they are the family that is asking that the Town sell them the property at 49 Sequoia Drive.

Mr. Lynch stated they live approximately 300 yards from the property which has been debated many times over as to what the fundamental use should be for the Town, but he can assure everyone his kids have never had the opportunity to go back there and play, ever. He stated they have lived there for five years. He stated that is because property is really vacant for the most part. He stated they would not be comfortable if it continues to be a vacant property.

Mr. Lynch stated they have a proposal that they think the Town would like, and they think it is in the best interest of the community and perhaps in the best interest of his family and also the other kids that live in the neighborhood because nobody can really use the property.

Mr. Lynch stated they love their life in Chili and their friends in the neighborhood who are young, families just getting started and they also love their senior citizen neighbors. He stated they enjoy living close to his parents on Entress Drive. He stated over 40 years they have been there. He stated he has never lived anywhere but Chili. He stated neither has his sister or his parents.

Mr. Lynch stated in the last four or five years, the kids have shared time with their mom over in Hillary Heights. He stated the kids are often in his neighborhood and her neighborhood. He stated they stop along the way when they are transporting the kids back and forth at Wegmans and Colombinis and other places they know about. Mr. Lynch stated they spend a lot of time and money in this town and love it very much.

Mr. Lynch stated they have a connection also to many other people in lot of the neighborhoods around, from Gateway to Whispering Winds, Autumn Woods, Golden Road, Bright Oaks. He stated there are many, many people in these neighborhoods that his parents know, all of the Board members know. He stated a lot of them are represented here tonight.

Mr. Lynch stated a lot of them don't have the enjoyment of coming over and using the property at 49 Sequoia Drive. He stated he was not sure it is now being used in the best public interest. He stated certainly friends in the neighborhood don't get to enjoy it. He stated that is the point he wanted to make.

Mr. Lynch stated he has put his proposal before the Board in a letter, but he has never had the opportunity to speak formally about it in the public, other than perhaps he had a chance at the last Board meeting to step up and speak. Mr. Lynch stated he wasn't real excited about sharing the podium last time with the negative comments put upon the Board, not just about him, but the Board

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members as individuals who are representing the community. He stated the people have elected the officials to represent them and make bold decisions.

Mr. Lynch stated he would like the Board to hear all of the facts and make the decision based on the facts and not just emotions and sometimes information that comes from the public, which isn't always exactly factual. He stated nonetheless they have to make those decisions and make them in the best public interest. He stated so whether or not he loves Chili or not is not exactly what they need to make their decision upon.

Mr. Lynch stated they do need to assess this on his opinion or the opinion of others. He stated it is the factual information they have done on their own research that leads them to say what is in the best public interest.

Mr. Lynch stated after they have got all of the information together, they can then go ahead and say what is, in fact, in the best interest. He stated he thinks their decision tonight relative to 49 Sequoia Drive and the passing of the resolutions allowing for the transfer of that property to him, which would still be subject to State approval he fully understands, would be based on the fact that they are really not making the decision to determine whether or not this property is parkland. He stated that is not for this Board this evening to decide. He stated they can leave that up to the State.

Mr. Lynch stated essentially what this resolution is asking them to decide is what to do with the property and how is that going to serve the best public interest. He stated so he would say a few things about that.

Mr. Lynch asked can the property be a park. He stated he thought the answer seems to be no. He stated he could not make that determination, but he hopes that they will find that no one is disputing the fact that the property was once used as a park-like setting. He stated he does not think there is any definable information that says the Town ever designated the land as a park.

Mr. Lynch stated but again, they will leave that up for others to decide.

Mr. Lynch stated there is a very, very narrow right-of-way to the property. He stated he kind of witnessed and watched all of the goings-on between the Church and the Town when the Town voted to give it to the Church. He stated all that kind of fell by the wayside and here he was looking at his kids saying they still don't have a soccer field to go on and they can't use this property.

Mr. Lynch stated no one disputes that 30 years ago they used it as a park. Mr. Lynch stated when he was a kid, he ran over there. He stated the kids from Chestnut would play kids from Ranchmar in sports. He stated nobody disputes it was a playground for the neighborhood. He stated but for 30 years plus, it has been idle. He stated nobody has used it. He stated it is a vacant field.

Mr. Lynch stated he has been back there. He stated he would distribute material as a guide in conversation. He stated in the photograph that he took, one can see the property is nothing but a place for vagrants to hang out, and perhaps young adults to go back and do drugs and drink alcohol and whatever it is that they want to do back there, because it is really not policed and clearly no place he wants his daughter or son to go play.

Mr. Lynch stated he could tell everyone if it was to be made back into a park, that the right-of-way is very narrow and essentially, it splits the properties of Dave and Penny Easton and Ray and Ruth Hoyler (phonetic), and directly across the driveway from Winney (phonetic) and Jim Lyons, all of whom he has spoken to, residents that have been there for quite some time. He stated he asked them to consider the proposal, and they all told him and signed a petition that he would submit in favor of putting a single residence back there that he and his family can enjoy so they can throw a ball, put it on the tax rolls.

Mr. Lynch stated he proposes to give the Town the sum of \$30,000 to buy the property out right and build a nice home there which he will pay taxes on, which the Town can utilize those monies for other valuable purposes such as enhancing other parks or perhaps buying additional park land or put sidewalks in the neighborhood, anything like that that might be advantageous to the general

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public.

Mr. Lynch stated hopefully they will bear that in mind, what is benefitting the general public, not just opinions of a few, including his opinion.

Mr. Lynch stated when he talked to Winney (phonetic) Lyons and Dave Easton and Roy Hoyler (phonetic), they don't like the idea of a lot of traffic through the neighborhood. He stated so the idea of a park, or developer putting a dozen houses or more back there is really not satisfying and appetizing to them.

Mr. Lynch stated his understanding is, after talking to some engineers, that really wouldn't be very likely to be able to happen because a modern day park or development would require two-way in and out for the ingress/egress to the property and there is not enough room. He stated so it seems a single house would be good for the neighborhood, good with the residential feel of the neighborhood and also then would be beneficial to the Town, and perhaps once and for all the liability that the Town has been hanging onto, put to it rest once and for all.

Mr. Lynch stated last meeting there were some things said he did not quite understand and he does not believe were completely accurate. He stated a few people asked, "Who is this Mr. Lynch, who is to say he is not in cahoots with the Church and not give the property back to the Church after he pays \$30,000 for it?" Mr. Lynch stated the property was authorized to give it to the Church two years ago. He asked so why, in fact, would anybody think of that.

Mr. Lynch stated he would tell everyone standing before them, this is ludicrous and he has no intentions whatsoever to do anything other than a private residence on the property for him and his family. He stated the Church has already made their decision and he was sharing with the Board his.

Mr. Lynch stated people asked, "Who is this Mr. Lynch? Is he in cahoots with the developer throwing houses back there?" Mr. Lynch stated that is not the case either. He stated in a petition signed by more than 50 residents in the neighborhood, he went ahead and committed to that, for them and with respect to being truthful and honest, his sole intention was to put a single house back there and live back there with his family.

Mr. Lynch stated people have questioned why \$30,000. He stated that property has been idle for 27 years. He stated nobody has come forward with any proposal to give any kind of money to buy that property to turn it into anything worthwhile. He stated \$30,000 happens to be consistent with two appraisals ordered in the last couple years. He stated one was ordered by Charles Rettig that he received from Assemblywoman Susan John's Office which says the property value is somewhere between \$30,000 and \$50,000. He stated exactly the same information was presented in a recent appraisal the Town ordered as a result of his inquiry which said the property is somewhere between \$30,000 and \$50,000.

Mr. Lynch stated the \$50,000 represents the price that perhaps a developer would pay if he had the ability to develop a dozen or so homes. Mr. Lynch stated the \$30,000 represents what an individual resident might pay to put a house there. Mr. Lynch stated Dan Lynch will have to pay to put in a driveway, drainage, a lot of money to put a nice house into the neighborhood where all of the homes don't really exceed the value of \$100,000. He stated so while his property would ultimately increase the value of those homes, it will clearly not drive and be worth a whole lot more than what the assessors and appraisers have demonstrated in their two different reports put over three different periods of time.

Mr. Lynch stated the property consists of fire pits, old cars, things like that. He stated he talked to one of the neighbors just yesterday who went back there not too long ago and saw some kids sniffing aerosol cans. He stated he has submitted to the Board the photographs. He stated he just doesn't think it is a real good thing for the Town. He stated it is a liability as far as he is concerned, and he proposes that the Board pass this resolution because he thought it is in the best interest of the Town.

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Mr. Lynch stated he also wanted to thank the various supporters that were present supporting him in this effort.

Supervisor Logel thanked Mr. Lynch for his presentation.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Nineteen speakers addressed the Town Board on various subjects, and the Public Forum concluded at 8:43 p.m.

TOWN LIAISON REPORTS:

Conservation Report by Virginia Ignatowski

Councilwoman Ignatowski stated she e-mailed the Supervisor the Conservation Board is losing one of its members. She stated they're really disappointed. She stated he was a very good worker. She stated he has a temporary assignment for six to eight months to work for DEC.

Councilwoman Ignatowski stated Christy Kessler (phonetic), their secretary is resigning. She stated she has three jobs and is kind of overwhelmed. Councilwoman Ignatowski stated so the Conservation Board is requesting that they have somebody else come in as a secretary to their board. She stated none of the Conservation Board members feel comfortable trying to take the minutes and also take part in the discussion that they have on that board, so they are requesting that.

Councilwoman Ignatowski stated four developers came to the meeting. She stated as far as the Scottsville Road carwash, they did recommend that they carry out their plans on the building. She stated the Wegmans that they discussed before, the entrance way, the plantings were approved. She stated they're still waiting for RG&E to sign off and they will be okay because of the power lines.

Councilwoman Ignatowski stated they looked at the WHAM tower application. She stated they're looking to have a secondary tower as a back-up tower. She stated the Conservation Board looked at those proposals and requested that the tower's location be moved further back on the property so it is not so visible from the road. She stated that is going to be their official recommendation at the Planning Board meeting.

Councilwoman Ignatowski they did approve the Kevin Sands landscaping application for over on Union Street.

Councilwoman Ignatowski stated they reviewed Penfield's open space index plan. She stated they were really impressed with that. She stated they would like to use that for their document, but they feel they will need additional help besides the two people currently working on it.

Drainage Report by Virginia Ignatowski

Councilwoman Ignatowski stated as could be expected, there were a number of phone calls that had been made to Joe Carr and the Highway Department regarding a number of drainage concerns. She stated they have been out to take a look at a number of them, and some of them are going to be added onto the work list to get accomplished. She stated one of them apparently has been something that has existed for some 25 years and it is a huge pond. She stated it is kind of incredulous they haven't come forward until this point. She stated they had some pictures. She stated it is a very definite drainage issue over on Westside Drive. She stated they have been really doing maintenance work now, spring maintenance work. She stated they have gotten to the project. She stated they're doing maintenance. She stated they will be starting projects.

Historic Preservation Report by Mary Sperr

Councilwoman Sperr stated the Historic Preservation Board does not hold another meeting until this coming Monday, but there are two points to make about historic preservation.

Councilwoman Sperr stated as their First Lady Laura Bush has noted, this is national preservation month, and they are hoping people will take advantage of this time of year to support a preservation issue in their area. She stated also the Historic Preservation Board is asking that the

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preservation newsletter be put up on the website.

Supervisor Logel stated they have not made the correction. She stated if they make the correction, it can go back on. Councilwoman Sperr stated he said he sent something back on that. Supervisor Logel stated then she would tell Chris Levey about that.

Councilwoman Sperr stated if there is a question, they should please just e-mail Carol Thoms.

Library Report by Michael Slattery

Councilman Slattery stated library, they had six resumes for the Director's position at the time of their last meeting. He stated that number may have increased. He stated they're going to be holding interviews in the near future. He stated they're also looking into the medical benefits. He stated they understand the rising costs and so forth, so they're looking at what they can do to help reduce the burden to the town taxpayers. He stated they're also going to be possibly contacting the Garden Club to look for assistance with the upgrade, improvements, the maintenance of the literary garden out back, so they may be contacting them.

Councilman Slattery asked if there is any news yet from the Brockport people. Supervisor Logel stated there is not. Councilman Slattery stated he meant in regards to their study. Supervisor Logel stated she contacted the department head and did not get a response back from him. She stated as she understands it, they will be finishing up she thought around the 18th of May. She stated she was hoping at that point somebody will send them some kind of a report.

Supervisor Logel stated she has left messages at both locations.

Councilwoman Sperr stated she belongs to the Garden Club and is on the Beautification Committee. She stated they just held a meeting to make the plans for upkeep on the grounds here. She stated they will be pulling weeds and making plans for their plantings. She stated she would mention to Barbara Stocker (phonetic), who chairs that committee, about the garden and they will put it out for discussion. She stated they do a really good job around here every year to keep it looking nice.

Recreation Report by Jim Powers

Councilman Powers stated the Recreation Advisory Committee discussed the pros and cons, the positives and the negatives of the Easter Egg Hunt.

Councilman Powers stated they now have a new time period for the Chil-E-Fest: July 15, 16, 17. He stated there was evidently a mix-up with the folks that are in charge of the rides and they were double booked for the dates they had previously selected. He stated all of the contracts that were signed up to the date of their last meeting any ways have been approved and moved to fall in with the new dates, the 15th through the 17th.

Councilman Powers stated they discussed also the possibility in the future of looking at not having rides, but having a non-carnival Chil-E-Fest.

Councilman Powers stated with the programs, their pee wee soccer program has taken off. He stated they have over 80 kids signed up for the pee wee soccer.

Traffic & Safety Report by Jim Powers

Councilman Powers stated the Traffic Safety Committee, they discussed the Archer Heights Subdivision going on over at the Zuber Farm and their concerns about the traffic flow, the way the subdivision is being laid out, because it invites speeding because of the long stretches of road in that particular subdivision, proposed subdivision. Councilman Powers stated at the Planning Board, some of the members of the Planning Board also expressed the same concern about that.

Councilman Powers stated they have had a number of complaints about the traffic flow over in K Mart, at the Tim Horton's restaurant, and they have all been asked to go over and see what they would do to solve the situation.

Supervisor Logel asked are they responsible for the speed bumps. Councilman Powers stated he

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thought possibly some of those parking barriers might be able to solve it, but they will wait to see what the group brings back.

Supervisor Logel asked who moves the counters out on the road right now. She asked whose are the counters that they are driving over. Councilman Slattery asked what road. Supervisor Logel stated Chili Avenue. Councilman Slattery stated those are New York State's.

Supervisor Logel asked are they doing another study. Joseph Carr stated they are.

MATTERS OF THE SUPERVISOR:

Supervisor Logel stated normally the Town has its own National Day of Prayer out front, a ceremony in the evening. She stated this year they were contacted because some people wanted to hold a county wide National Day of Prayer at the Bethel Christian Fellowship on East Avenue tomorrow night. She stated everyone is invited between 7 and 9 at 321 East Avenue.

Supervisor Logel stated the gentleman who normally organizes it for the churches locally came to her office asking that everybody participate in that.

Supervisor Logel stated she was contacted by one of the churches who felt that next year they will definitely go back to doing their own because it is just too hard for everybody to go down there.

Supervisor Logel stated if anyone can, tomorrow night, at the Bethel Christian Fellowship they would have a National Day of Prayer ceremony.

Supervisor Logel stated she had in front of her the purchase offer that has been updated for 49 Sequoia Drive, which was extended past the May 2nd date on Saturday. She stated Mr. Stowe brought her that this evening.

The 4/6/05 and 4/28/05 Town Board meeting minutes were approved as submitted.

REPORTS SUBMITTED:

Chili Conservation Board- March 28, 2005
Zoning Board of Appeals- March 22, 2005
Community Center monthly Revenue Report- March 2005
Recreation monthly Revenue Report- March 2005
Senior Center monthly Revenue Report- March 2005
Recreation Advisory Board- March 9, 2005
Examining Board of Plumbers- April 4, 2005
Traffic and Safety Committee- April 7, 2005
Chili Historic Preservation Board- April 11, 2005
Chili Planning Board- April 12, 2005

CORRESPONDENCE:

1. Letter dated May 3, 2005 from Richard J. Brongo, Town Clerk, notifying the Town Board that he has received formal notification from Penni Enterprises, located at 1210 Scottsville Road, Rochester, NY 14624 that they have made application for their beer license from the State Liquor Authority.
2. Letter dated May 3, 2005 from Richard J. Brongo, Town Clerk, notifying the Town Board that he has received formal notification from AMF Olympic Lanes, located at 1350 Scottsville Road, that they have made application for renewal of their Tavern Wine license from the State Liquor Authority.

OLD BUSINESS:

Motion to remove Resolution #174 from the table:

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

On the motion to remove Resolution #174 from the table: 4 yes to 1 no (Councilman Powers voted no.)

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RESOLUTION#174 RE: Authorizing Sale of 49 Sequoia Drive

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

WHEREAS, the Town of Chili has been approached by Dan Lynch to purchase the property located at 49 Sequoia Drive for \$30,000; and,

WHEREAS, Mr. Lynch has paid for the appraisal of the property and no other offers have been received for such purchase; and,

WHEREAS, it is the intent of the purchaser to erect a single family residence on the Property and his purchase offer is contingent upon his obtaining with all reasonable due diligence and efforts, all necessary zoning, variance and town approvals for the erection of a single family residence on the property; and,

WHEREAS, additionally, the subject parcel may constitute park land which requires special state legislation approving the alienation of this parcel and this offer is expressly conditioned upon obtaining such legislation as well as any and all other incidental relief, local or state, necessary in connection with conveyance of park land by the Town to a private individual;

NOW, THEREFORE, BE IT RESOLVED that the Town Board accepts the purchase offer made by Mr. Lynch for 49 Sequoia Drive, upon his meeting stated contingencies and upon approval by the Attorney for the Town, and authorizes the Supervisor to execute the proper agreements as necessary; and

BE IT FURTHER RESOLVED this resolution is subject to permissive referendum and according to §82 and §90 of the Town Law, within ten (10) days of the date of this resolution, the Town Clerk shall post and publish a Notice which shall set forth the date of the adoption of the resolution, shall contain an abstract of such resolution, shall specify that this resolution was adopted subject to a permissive referendum; and shall publish such notice in the official newspapers of the Town of Chili, and in addition thereto, that the Town Clerk shall post or cause to be posted on the signboard of the Town a copy of said Notice within ten (10) days of the adoption of this resolution.

4 YES TO 1 NO (Councilman Powers voted no.)

RESOLUTION #178 RE: Extension of Consolidated Drainage District

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that the Consolidated Drainage District be extended to include the Green-Scottsville Subdivision located at 4 Chester Avenue, and 1775 Scottsville Road, Rochester, NY 14623. Tax ID#s 160.070-03-012.000 and 160.070-03-009.000. The required fee has been paid.

UNANIMOUSLY APPROVED

RESOLUTION #179 RE: Roberts Wesleyan College Parade

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

WHEREAS, Roberts Wesleyan College has asked for the Town's permission to hold a Homecoming Parade on Saturday, October 1, 2005 at 11:00 a.m. to last for approximately one hour;

BE IT RESOLVED that the Town Board hereby authorizes Roberts Wesleyan College to hold

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their Homecoming Parade on October 1, 2005, following the route outlined in their correspondence, provided they notify the Monroe County Sheriff's Office at Zone C, the Chili Fire Department and Ambulance and provide a certificate of insurance naming the Town as an additional insured prior to the parade, and,

BE IT FURTHER RESOLVED that the Town Clerk shall send notification of this resolution to Roberts Wesleyan College.

UNANIMOUSLY APPROVED

RESOLUTION #180 RE: Addition to Clifton Fire Department, Inc. Active List

Offered by: Councilwoman Ignatowski

Seconded by: Councilwoman Sperr

BE IT RESOLVED that John Spaulding of P.O. Box Churchville, NY 14428, be added to the Clifton Fire Department, Inc. Active List effective April 4, 2005.

UNANIMOUSLY APPROVED

RESOLUTION #181 RE: Bike Ride for National Center for Missing & Exploited Children

Offered by: Councilwoman Ignatowski

Seconded by: Councilman Slattery

WHEREAS, the National Center for Missing & Exploited Children has once again asked for the Town's permission to have their May 20, 2005 one hundred mile bike ride come through the Town of Chili on Union Street from approximately 9:00 a.m. – 10:00 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 four years.

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 20, 2005 provided they notify the Monroe County Sheriff's Office at Zone C, the Chili Fire Department and Ambulance and provide a certificate of insurance naming the Town as an additional insured 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.

UNANIMOUSLY APPROVED

RESOLUTION #182 RE: Internship for Teresa Crozier

Offered by: Councilwoman Sperr

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that Teresa Crozier will begin an unpaid internship of 120 hours to commence May 23, 2005. This internship will benefit the Town and help her fulfill her educational requirements.

UNANIMOUSLY APPROVED

RESOLUTION #183 RE: Budget Transfer

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Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED to transfer \$1,000 from H39-1710.4 (Union Street Improvement Project – Administration) to H39-1420.4 (Union Street Improvement Project – Attorney).

UNANIMOUSLY APPROVED

RESOLUTION #184 RE: Ruby Shooz band for Chil - E fest

Offered by: Councilwoman Ignatowski

Seconded by: Supervisor Logel

BE IT RESOLVED that Supervisor Logel is hereby authorized to sign a contract with Jaime Cosco of the band Ruby Shooz, to provide musical entertainment on Friday July 15, 2005 at the 2005 Chili- E Fest for \$1500.00, to be paid from account A7550.4. (Celebrations).

UNANIMOUSLY APPROVED

RESOLUTION #185 RE: Perfect World Band for Chil- E Fest

Offered by: Councilwoman Ignatowski

Seconded by: Councilman Slattery

BE IT RESOLVED that Supervisor Logel is hereby authorized to sign a contract with Alexander Carroll of the band Perfect World, to provide musical entertainment on Saturday, July 16, 2005 at the 2005 Chil- E Fest for \$650.00, to be paid from account A7550.4. (Celebrations).

UNANIMOUSLY APPROVED

**RESOLUTION #186 RE: Letter of Credit Release for Union Station Section 5
(Release 2)**

Offered by: Councilwoman Ignatowski

Seconded by: Councilman Powers

BE IT RESOLVED that per recommendation of the Town Engineer, \$103,210.72 be released from the letter of credit with HSBC (#SDCMTN548413) for Union Station Section 5, subject to engineering fees and street light billing, leaving a balance of \$175, 148.97.

UNANIMOUSLY APPROVED

RESOLUTION #187 RE: Road Dedication of Grovewood Lane

Offered by: Councilman Powers

Seconded by: Councilwoman Sperr

BE IT RESOLVED that Grovewood Lane roadway, as constructed under the Red Bud Subdivision, be accepted for road dedication, and

BE IT FURTHER RESOLVED that, subject to the approval by the Engineer for the Town and the Counsel for the Town, that the necessary documents be executed and filed.

UNANIMOUSLY APPROVED

RESOLUTION #188 RE: Authorization to Hire Parks Dept. Laborer

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

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WHEREAS, funds were included in the approved Year 2005 budget to cover the cost to hire an additional full time employee in the Chili Parks Department.

NOW, THEREFORE, BE IT RESOLVED to appoint, per the recommendation of the Commissioner of Public Works, current part time employee Frank Cutaiar to the position of Laborer, at the pay rate of \$11.60 per hour, Pay Group One, Entry Step.

Amendment:

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

WHEREAS, funds were included in the approved Year 2005 budget to cover the cost to hire an additional full time employee in the Chili Parks Department.

NOW, THEREFORE, BE IT RESOLVED to appoint, per the recommendation of the Commissioner of Public Works, current seasonal employee Frank Cutaiar to the position of Laborer, at the pay rate of \$11.60 per hour, Pay Group One, Entry Step.

On the motion to amend the resolution: Unanimously approved

On the original motion as amended: Unanimously approved

RESOLUTION #189 RE: Zoning Board Application Refund

Offered by: Councilwoman Sperr

Seconded by: Councilman Powers

BE IT RESOLVED that per recommendation of Dan Kress, Director, Planning, Zoning & Development, a refund of \$35.00 from account A2110 be issued to Mr. Terence Murphy of 37 Bolton Trail. After review of the application submitted, it was determined that a variance was not required.

UNANIMOUSLY APPROVED

RESOLUTION #190 RE: Setting a Public Hearing for Extension of Consolidated Drainage District

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that a Public Hearing be set for June 1, 2005, to consider an extension to the Chili Consolidated Drainage District to serve the Sands property located at 4298 Union Street, N. Chili, NY 14514. Tax ID# 172.030-1-29.14. The required fee has been paid.

UNANIMOUSLY APPROVED

**RESOLUTION #191 RE: Modification to Resolution #264, dated July 17, 2000
Maintenance of Enclosed Drainage Systems on
Route 259 at Union Square Blvd.**

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

WHEREAS, certain changes have been made to the final design plans for the proposed Union Street (Route 259) Union Square Blvd. improvement project, which therefore requires a modification to Resolution #264, now

WHEREAS, the Town of Chili proposes to construct enclosed drainage systems on State Route 259, extending approximately from Station 77+40 to Station 89+00 on the east side of the roadway, and from Station 79+00 to Station 89+30 on the west side of the roadway, all as shown

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on the approved New York State Highway Work Permit plans prepared by Parrone & Associates; and

WHEREAS, the State of New York will only allow the enclosed drainage systems to be constructed within the State Highway right-of-way if the Town of Chili accepts responsibility for all maintenance and repairs, and

NOW, THEREFORE, BE IT RESOLVED by the Town Board as follows:

1. That upon construction of the enclosed drainage systems, the Town of Chili agrees to maintain and repair the enclosed drainage systems.
2. That this resolution shall take effect immediately.
3. That the Town Clerk is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

UNANIMOUSLY APPROVED

RESOLUTION #192 RE: Authorize Bids for Union Station Park Pavilion

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

BE IT RESOLVED to authorize the Town Engineer to advertise and obtain bids for the construction of an enclosed pavilion and associated site utilities for Union Station Park.

UNANIMOUSLY APPROVED

RESOLUTION #193 RE: 5K Run for St. Christopher's Church

Offered by: Councilwoman Sperr

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that the Town Board hereby authorizes St. Christopher's Church to hold their Annual 5K race on June 17, 2005, in conjunction with their annual festival, and conforming to the route submitted, with a condition that a certificate of insurance naming the Town as an additional insured be provided prior to the race. St. Christopher's has already notified the Monroe County Sheriff's Office at Zone C and the Chili Fire Department and Ambulance of their intent.

UNANIMOUSLY APPROVED

RESOLUTION #194 RE: April 20, 2005 Abstract

Offered by: Councilman Slattery

Seconded by: Councilwoman Sperr

WHEREAS, January 5, 2005 Resolution #1 authorized vouchers to be paid April 20, 2005 by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 1501-1695 totaling \$198,696.13 to be paid from the Distribution Account as reviewed by Dianne O'Meara, Comptroller

NOW, THEREFORE, BE IT RESOLVED to note for the record vouchers 1501-1695 were paid from the following funds:

General Fund	\$102,328.94
Highway Fund	\$ 38,650.11

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H35 D017381 Chili Avenue	\$ 997.96
H39 Union Street Improvement	\$ 5,168.50
H41 Annual 2004-5 Revaluation	\$ 1,290.00
Consolidated Drainage District	\$ 260.62
Chili Fire Protection District	<u>\$ 50,000.00</u>
 TOTAL FOR ABSTRACT	\$198,696.13

UNANIMOUSLY APPROVED

RESOLUTION #195 RE: May 4, 2005 Abstract

Offered by: Councilwoman Ignatowski

Seconded by: Councilman Slattery

BE IT RESOLVED to pay vouchers 1826-2028 totaling \$185,815.85 to be paid from the Distribution Account as audited by Dianne O'Meara, Comptroller:

General Fund	\$ 96,642.94
Highway Fund	\$ 37,076.70
H35 Chili Avenue D01781	\$ 20,122.80
H39 Union Street Highway	\$ 80.00
Consolidated Drainage	\$ 1,409.14
Chili Fire Protection District	\$ 20,008.00
Senior Center Fundraiser	\$ 105.53
Special Light Districts	<u>\$ 10,370.74</u>

TOTAL FOR ABSTRACT	\$185,815.85
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UNANIMOUSLY APPROVED

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on May 4, 2005 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:15 p.m. to consider extension of the Chili Consolidated Drainage District to include the Green-Scottsville Subdivision located at 4 Chester Avenue and 1775 Scottsville Road, Rochester, New York 14623.

Attendance as previously noted in the 5/4/05 Chili Town Board meeting minutes.

No one was present to represent the Green-Scottsville Subdivision.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

JERRY BRIXNER, 14 Hartom Road

Mr. Brixner stated they do not have very many proposals for water districts or drainage districts in that general area. He asked with this project going in, approximately how many homes are included in it. He stated he was just interested in the approximate number of homes going on that particular project.

Joseph Carr stated he was not sure of the detail of this. He stated it may be just an addition to the home. He stated he did not recall seeing the plans.

Councilman Slattery stated there are a number of homes over there in that subdivision.

Councilman Slattery stated maybe this is something they could look into and get back to Mr. Brixner on, but there are homes over there that are already in the drainage district. He stated this one may not have wanted to at that point, or it could be added.

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Richard Brongo stated or it could be one property backs up to another and they wanted a little more property to do something and they're subdividing one piece of land.

Supervisor Logel stated they would get the information.

The Public Hearing was closed at 7:17 p.m.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Six speakers addressed the Town Board on various subjects, and the Public Forum concluded at 9:43 p.m.

The next meeting of the Chili Town Board is scheduled for Wednesday, June 1, 2005 at 7:00 p.m. at the Chili Town Hall Main meeting room.

The meeting was adjourned at 9:43 p.m.