

CHILI TOWN BOARD
May 5, 2010

A meeting of the Chili Town Board was held on May 5, 2010 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Supervisor David Dunning.

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

ALSO PRESENT: Richard Brongo, Town Clerk; Jordon Brown, Deputy Town Supervisor; Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; David Lindsay, Commissioner of Public Works/Highway Superintendent; Dianne O'Meara, Director of Finance; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Richard Brongo.

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

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. The following speakers addressed the Town Board on various subjects: Dorothy Borgus. The Public Forum concluded at 7:08 p.m.

SUPERVISOR DUNNING: Mr. Lindsay, can you comment on the signs, any plans to do anything with that, fixing up the garden over there?

DAVID LINDSAY: There is no plans to fix it up per se, but I can look into the maintenance around it and follow up on that.

SUPERVISOR DUNNING: Thank you.

The other two, the music at the Farmers' Market was approved during the budget process. The Recreation Department, Mike Curley, did present his plans to include music at the Farmers' Market.

Personally, I think it is a nice touch to the market. I have seen other markets that do that and it is a very nice touch. It is paid for by the revenues from the market itself. So -- and it was approved at that process.

COUNCILWOMAN IGNATOWSKI: Supervisor, if I may, it was also something discussed during the Recreation Department meetings, so it's not just a Mr. Curley decision. It was something discussed at a meeting and it is supported by that Committee.

SUPERVISOR DUNNING: Thank you.

The other thing, as far as -- and I will address the questions before we get to the abstract and address the question about Water Benefit Area 3 you're referring to. The residents in these areas that would be affected by Water Benefit Area 3 have approached the Town with the desire to have public water. The Town thought it prudent to at least investigate the possibility and provide the residents with the information they would need to understand what the cost would be around adding water to those areas that are currently not served.

So the Town has done its due diligence with our attorney and with our engineers to get the necessary information to share with those residents. We are in the process and have shared that with them, and are still working with the residents that would benefit from that particular area, as far as whether or not we want to move forward with water service.

Anyone have anything else they would like to add to that?

MATTERS OF THE SUPERVISOR:

New Matters:

1. National Day of Prayer - May 6, 2010

SUPERVISOR DUNNING: Okay. Under Matters of the Supervisor, tomorrow night is the National Day of Prayer. I hope some of you will consider coming out. It will be at New Hope Church over an Union Street, from 7 o'clock to 8 o'clock.

2. Flag Day - June 12, 2010

SUPERVISOR DUNNING: Also, if you got the recent Town of Chili newsletter, you will see a wonderful article about our Flag Day written up in there that Bonnie Moore put together, Historian, in regards to Flag Day celebrations on June 12th at the Cobblestone School where we'll be raising the flag for the first time in a long time over there.

COUNCILWOMAN SPERR: About six years.

SUPERVISOR DUNNING: We're going to do it in grand style. So I hope people will consider coming out and joining us for that particular celebration.

COUNCIL WOMAN DI FLORIO: Time on that is 10 o'clock, right?

COUNCIL WOMAN SPERR: Yes.

SUPERVISOR DUNNING: That's the right time, 10?

COUNCIL WOMAN SPERR: Ceremony officially starts at 10, but there will be meet and greet before that and refreshments served.

Pending Matters:

1. Vacancies on Special Police.
2. Training Policy.

SUPERVISOR DUNNING: Thank you. Under pending matters, we still have vacancies on the Special Police and we are still shoring up the training policy.

I should also announce that after our last Town Board meeting, I did receive a letter from Maggie Brooks in regards to an additional \$50,000 we just received or will be receiving for -- throughout CBG grants, the Community Development Block Grants for \$50 for ADA trails at the Union Station Park.

COUNCIL WOMAN SPERR: Great.

SUPERVISOR DUNNING: I think it was a day or two right after the last meeting.

COUNCIL WOMAN DI FLORIO: Fabulous.

SUPERVISOR DUNNING: I thought I would share that with everybody.

MATTERS OF THE TOWN COUNCIL:

COUNCIL WOMAN IGNATOWSKI: I had a couple of things, but it looks like Mary (Sperr) --

COUNCIL WOMAN SPERR: Just a couple of announcements I wanted to make. I do the programs for the Gates-Chili Chamber of Commerce. One of the events is -- a community wide event is being held Friday night, May 21st. It's our Chamber awards dinner night where we're honoring -- we do Civic Beautification Awards, Outstanding Citizen of the Year Award.

Two of the businesses are from Chili, but one of the awards and special recognition is being given to Maryanne Sears. She is receiving the Outstanding Citizen Award, and our own Director of the Chili Senior Center, so we're thrilled to have Maryanne (Sears) receive that award.

Boon & Sons will also be receiving the Civic Beautification Award. It is really kind of interesting that a garbage hauler would be receiving the Civic Beautification Award, but it is a well-attended event and a lot of fun.

If anyone is interested in more information about the awards, you can see Jordon (Brown), myself, or David (Dunning). We're all members of the Chamber, and so I wanted to tell you about that.

Then just for regular -- our regular monthly meeting in June will be June 15th, and it is just a quick breakfast. It's free for anyone who wants to come, and Prudential Care Reality and the Wellness Center will host us for breakfast. They will serve a continental breakfast. So if anyone wants to come and meet someone from the Chamber, do some networking, come and join us. And that starts around 7:30. Okay?

SUPERVISOR DUNNING: Mary (Sperr), wasn't the Chili Art Group also recognized?

COUNCIL WOMAN SPERR: Yes, I forgot.

The Chili Art Club also got the Cultural Arts Award. I was trying to think of the ones from the community that got them. Thanks for remembering that.

So it is going to be a lot of fun. So if you haven't registered yet or are interested, ask us about it and we'll get you the information.

COUNCIL WOMAN IGNATOWSKI: I just would like to pass on something for the Conservation Board. At their next meeting, which will be the 24th of this month, on a Monday, 7 o'clock, right in this room, they're going to be having their first public information meeting regarding the Open Space Index. It's more of an information gathering, a little bit of a presentation of where they are at this point with Bergmann Associates who will be there. They just wanted me to pass that on.

Did you want to mention about the Chili's bond rating at all? That it went from an A2 to AA3? So that was good news.

SUPERVISOR DUNNING: Yes, except it was kind of -- as it was explained to me, it was kind of a flat move, so I didn't --

COUNCIL WOMAN DI FLORIO: Reclassification.

SUPERVISOR DUNNING: It -- it was a lateral move. We didn't decline and we didn't increase, which is all good, but it is still an excellent rating.

COUNCIL WOMAN IGNATOWSKI: Okay. That's all I have.

COUNCIL WOMAN SPERR: Glad you mentioned that. I didn't realize the Conservation Board would do the Public Hearing. The meeting is on here, but it doesn't say anything in the list.

COUNCIL WOMAN IGNATOWSKI: Not a public hearing. Informational. I think just because it just came to be during that day of their meeting on this past Monday, so --

COUNCIL WOMAN SPERR: Right.

COUNCILWOMAN IGNATOWSKI: They're going to be putting out a press release to the Democrat & Chronicle in order to try and alert people to this.

COUNCILWOMAN SPERR: No. That is great. Thanks.

SUPERVISOR DUNNING: All right. Nothing else?

The 4/14/10 Town Board meeting minutes were approved as submitted.

REPORTS SUBMITTED:

Annual Financial Report Update Document -- FYE 12/31/09
Dog Control Report -- April 2010
Town Clerk Report -- April 2010
Library Board Minutes -- 3/23/2010
Recreation Advisory Minutes -- 3/10/2010
Traffic & Safety Minutes -- 3/4/2010
Zoning Board Minutes -- 3/23/2010

CORRESPONDENCE:

SUPERVISOR DUNNING: Under Correspondence, I realize there is nothing on your agendas, but I do need to read a couple of things, if I could. The one is that -- that I received this afternoon, or actually this evening, was the resignation of George Brinkwart effective immediately from the Planning Board.

The other was the -- effective immediately the resignation of David Cross from the Zoning Board of Appeals. Those two are received this evening, about 5 -- between 5:30 and 6 o'clock this evening.

RESOLUTION #181 RE: Planning Board Application Refund

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that per recommendation of the Building Department, a refund of \$650.00 for Planning Board Application #346 (from account A2115) be issued to John Magar.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Before it is moved and seconded, under the name, Dario (Marchioni), it says "Zoning Board."

COUNCILWOMAN IGNATOWSKI: That's Planning Board. Very good. I didn't catch that. I'm sorry.

COUNCILWOMAN SPERR: She usually catches them first.

RESOLUTION #182 RE: Genesee Finger Lakes Regional Planning Council Spring 2010 Regional Local Government Workshop

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED that Dario Marchioni, Planning Board, be allowed to attend the G/FLRPC Spring 2010 Local Government Workshop on May 14, 2010 at Burgundy Basin Inn, at a cost of \$50.00 plus mileage from A/C #A8020.4

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I do have a couple of comments -- actually, no -- is there any questions or comments from the Board?

COUNCILWOMAN IGNATOWSKI: I'm just very thrilled that we are moving forward with this. You know I have been pushing to have this property be renamed to something better than who we purchased the property from, and I'm thrilled it is going to be the Wideners, because it certainly is reflective of a family that has had historically a huge contribution to this Town.

COUNCILWOMAN SPERR: I can't be more happy that the Committee came to us with this proposal.

COUNCILMAN SLATTERY: Supervisor, I think maybe just if you could, enlighten the audience about the process that we went through.

SUPERVISOR DUNNING: We, um -- we put out a -- an ad in the Chili newsletter, and it was also on the Town website for renaming the park contest. We asked the residents for input on -- on an appropriate name for it.

We then took those names. They went to a Committee comprised of some of the Parks and Rec people, as well as our Historian, and I believe there was a couple other people involved in that. Historic Preservation was involved in that process. They came to the Town Board with a recommendation, and it is up to us now to come up with the -- determining whether or not we accept their name here.

COUNCILMAN SLATTERY: Their recommendation. Thank you.

COUNCILWOMAN SPERR: You were going to make some comments about the history of that.

Thank you.

SUPERVISOR DUNNING: Actually, I was going to save that for another occasion.

COUNCILWOMAN SPERR: That's fine.

SUPERVISOR DUNNING: Thank you.

COUNCILWOMAN DiFLORIO: I just wanted to add, too, that I sat in on that meeting as the Board liaison, and I just wanted to say thank you to the Committee and the hard work and effort that they put in and the thought that went into the decision.

The resolution was acted on. (See below)

SUPERVISOR DUNNING: Before we move on to the next resolution, I would like to recognize, as stated in the contest rules, that we would award something to the people who suggested the name. In this case, we had two people that came up and suggested this very name, so we would like to -- we're going to have Dawn (Forte) present Louise Hunter and Nancy Austin with a small token of our appreciate as a thank you.

We have a gift card from Wegmans, so we hope -- not enough to buy a week's worth of groceries, but I hope you can buy yourself -- (Applause.)

And I -- and I would also like to take a moment to recognize that Peter Widener is here with us this evening, and it is Peter's entire family that this park will be named after. Personally, I'm very pleased and proud to be able to -- be able to do this in the name of the Widener family.

I was -- did get a little information from our Historian a little while ago -- actually, I got it this afternoon. It's a little while ago -- about the Widener family in reading this. I asked for a little brief summary about the Wideners. I didn't realize there were judges and people -- Minutemen in the family and a variety of different things that the Widener family has contributed to this Town for many, many years, actually before it was incorporated. So I think this is wonderful.

Peter (Widener), thank you. Thank you for everything. Thank you for everything you do for the Town. If you would like to say something, certainly I will give you that opportunity.

MR. PETER WIDENER: Yes. I would like to say something. Thank you very much.

I know there are other families in the Town but the Wideners, as my grandfather would always tell me, Katherine was the matriarch, then there was Henry, and Henry, Kinsey (phonetic) and Howard, Raymond and Jay and then you, meaning Peter (Widener).

Also with me is my baby sister, Julie. I don't like to say "baby sister" a lot.

I tell that same thing to my daughters now, because they're ninth generation, and we accept this dubious honor. It's really a pleasure. Sometimes the Wideners ran the Checkered Tavern. Some strange things happened there.

To currently today where I still play an important part, I feel, in some of the activities of the Town.

And thank you again.

SUPERVISOR DUNNING: You're welcome. Thank you. (Applause.)

Baby Sister, do you want to say something?

JULIE: No.

RESOLUTION #183 Renaming of Baker Park Property

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr

WHEREAS, in recognition of the improvements made possible by grants obtained from Senator Alesi to Baker Park Property; and

WHEREAS, the Town conducted a contest to rename the Baker Park Property; and

NOW, THEREFORE, BE IT RESOLVED, that the former Baker Park Property shall now and hereafter be known as Widener Park; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to notify the NYS Parks & Recreation and any other affected agencies or entities.

UNANIMOUSLY APPROVED

RESOLUTION #184 RE: Sound, Staging and Lighting for Chil-E Fest

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman DiFlorio

WHEREAS, the Town intends to provide live entertainment during the 2010 Chil-E Festival to the benefit of residents of the Town; and

WHEREAS, Michael Curley, Parks and Recreation Director, has explored various means in which to provide lighting, staging and sound systems; and

WHEREAS, two proposals to provide lighting, staging and sound were received from:

Audio Images Sound and Lighting	\$3275.00
Pro Audio Consulting	\$3469.00

NOW, THEREFORE, BE IT RESOLVED to accept the proposal of Audio Images Sound and Lighting and authorize Supervisor Dunning to sign an agreement in the amount of \$3275.00 to be paid from Account A7550.4 (Celebrations).

UNANIMOUSLY APPROVED

RESOLUTION #185 RE: Authorization to Advertise for Bid for a Plow Package and Dump Body for Parks Dump Truck

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

WHEREAS, included in the approved 2010 budget is the purchase of one (1) plow package and dump body for a Parks Dump Truck; and

NOW, THEREFORE, BE IT RESOLVED to authorize the advertisement for bid for one (1) new plow package and dump body.

UNANIMOUSLY APPROVED

RESOLUTION #186 RE: Purchase of a Cab and Chassis for 1-ton Dump Truck

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman DiFlorio

WHEREAS, included in the approved 2010 budget is the purchase of one (1) new one-ton dump/plow truck replacement for the Parks Department; and

NOW, THEREFORE, BE IT RESOLVED to authorize the purchase from NYS OGS Contract PC63652 one (1) Cab and Chassis from Van Bortel Ford, at a cost not to exceed \$21,000, to be paid from the Account #A7110.2 (Parks Equipment).

UNANIMOUSLY APPROVED

RESOLUTION #187 RE: Award of Equipment Bid for Trailer Mounted Leaf Vacuum

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

WHEREAS, bids for a trailer mounted leaf vacuum were received by the Town Clerk on March 31, 2010 as follows:

Loughberry Mfg. Corp.	\$18,424.00
ODB Company	\$18,847.00
Snow Fighting Equip. Co.	\$25,943.00

WHEREAS, the Commissioner of Public Works has reviewed the submitted bids and has made a determination that the proposal from Loughberry Mfg. Corp. does not meet the written specification and is therefore rejected, and that the proposal from ODB Company meets the intent of the written specification and is acceptable for the intended use; and

NOW, THEREFORE, BE IT RESOLVED, to award the bid for the purchase of one (1) Trailer Mounted Leaf Vacuum to the ODB Company at a cost of \$18,847.00 (Refuse and Garbage.)

UNANIMOUSLY APPROVED

RESOLUTION #188 RE: Award of Equipment Bid for Plow Package, Dump Body and Material Spreader for 10 Wheel Plow Truck

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

WHEREAS, the bids for plow package, dump body and material spreader were received by the Town Clerk on March 31, 2010 as follows:

Henderson Truck Equipment	\$75,290.00
Cyncon Equipment	\$87,994.00
Viking Chives	\$88,659.00
Tracey Road Equipment	\$99,949.00

WHEREAS, the Commissioner of Public Works has reviewed the submitted bids and has made a determination that the proposal from Henderson Truck Equipment meets the intent of the written specification and is acceptable for the intended use; and

NOW, THEREFORE, BE IT RESOLVED, to award the bid for the purchases of Plow Package, Dump Body and Material Spreader to the Henderson Truck Equipment at a cost of \$75,290.00 to be paid from the Account #DA5130.2 (Machinery).

UNANIMOUSLY APPROVED

RESOLUTION #189 RE: Award of Equipment Bid for Packer

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

WHEREAS, the bids for packer were received by the Town Clerk on March 31, 2010 as follows:

Joe Johnson Equipment	\$130,603.00
Tracey Road Equipment	\$158,247.00
Cyncon Equipment	\$159,786.00

WHEREAS, the Commissioner of Public Works has reviewed the submitted bids and has made a determination that the proposal from Joe Johnson Equipment meets the intent of the written specification and is acceptable for the intended use; and

NOW, THEREFORE, BE IT RESOLVED, to award the bid for the purchases of Packer to the Joe Johnson Equipment at a cost of \$130,603.00 to be paid from the Account #A8160.2 (Refuse and Garbage).

UNANIMOUSLY APPROVED

RESOLUTION #190 RE: Authorize Attendance to Annual Highway School

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to authorize David P. Lindsay to attend the Annual Cornell Highway School to be held June 7-9, 2010 in Ithaca, NY. The cost for expenses shall not exceed \$400.00, to be paid from Acct. #A50101.4.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I just think it is important. I'm liaison to Historic Preservation Board and Peter Widener is proposed to be appointed to the Preservation Board. He was a past member of this Board, and I would be happy to have him back.

It was with sadness that we had to accept Tom Benner's resignation. Tom (Benner)'s job changed, and he was no longer going to be in Town enough to be able to attend the meetings, but he still plans to help the Town out in other ways. So it is a win/win for everyone, in my opinion. We'll see how the resolution goes.

RESOLUTION #191 RE: Historic Preservation Board

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that Peter Widener be appointed to the Historic Preservation Board to complete the term of Thomas Benner, term to expire 12/31/2010 and shall be paid the sum of \$25 per meeting attended for the calendar year 2010; expenses to be paid by voucher as incurred.

UNANIMOUSLY APPROVED

SUPERVISOR DUNNING: Not that we need to do this again, but I would like to introduce our Historic Preservation Board member, Peter Widener.

COUNCILMAN SLATTERY: And not the Baby Sister.

SUPERVISOR DUNNING: Not the Baby Sister this time. You can always fill out a volunteer application, though. (Laughter.)

RESOLUTION #192 RE: Budget Transfer

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to transfer \$1,393.56 from A1110.4 (Court-Contractual) to A9050.8 (Unemployment Insurance Benefits); and

BE IT FURTHER RESOLVED to transfer \$1,561.25 from A3620.1 (Building-Personnel) to A9050.8 (Unemployment Insurance Benefits).

UNANIMOUSLY APPROVED

RESOLUTION #193 RE: April 21, 2010 Abstract

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman DiFlorio

WHEREAS, January 6, 2010 Resolution #1 authorized vouchers to be paid April 21, 2010 by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote voucher 1304-1471 totaling \$60,580.89 to be paid from the Distribution Account as presented by Richard Brongo, Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, to note for the record vouchers 1304-1471 were paid from the following funds:

General Fund	\$44,228.13
Highway Fund	\$ 7,335.81
Consolidated Drainage	\$ 8,491.95
Special Light Districts	\$ 525.00
Total for Abstract	\$60,580.89

UNANIMOUSLY APPROVED

RESOLUTION #194 RE: May 5, 2010 Abstract

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED to pay vouchers 1557-1721 totaling \$117,702.22 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

General Fund	\$ 93,636.48
Highway Fund	\$ 14,357.74
H47 2010 Update Project	\$ 9,708.00
TOTAL	\$117,702.22

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: I'm thrilled he will be moving on. He has, as I recall, engineering experience and will be a wonderful addition to the Planning Board.

COUNCILWOMAN SPERR: Yes. He works for Monroe County and he's excellent. So I'm pleased he is willing to contribute his services to the Planning Board. It will be a loss on our Zoning Board.

COUNCILWOMAN DI FLORIO: I'm sure Zoning Board will miss him.

COUNCILWOMAN IGNATOWSKI: I'm disappointed, too, that we're losing Mr. Brinkwart, as well.

COUNCILWOMAN SPERR: Yes. He did a great job. So I'm sad to see him leave.

Hopefully we can convince him to participate in another Committee at another time. I hope so.
SUPERVISOR DUNNING: Any other questions or comments?

RESOLUTION #195 RE: Planning Board

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that David Cross be appointed to the Planning Board to complete the term of George Brinkwart, term to expire 12/31/2012 and shall be paid the sum of \$77 per meeting attended for the calendar year 2010; expenses to be paid by voucher as incurred.

UNANIMOUSLY APPROVED

The next meeting of the Chili Town Board will be Wednesday, May 19, 2010 at 7:00 p.m. at the Chili Town Hall main meeting room.

The meeting was adjourned at 7:27 p.m.